

RESOLUTION NUMBER 2019-17

A RESOLUTION GRANTING A CONDITIONAL USE PERMIT TO CONSTRUCT AN ELECTRIC SUBSTATION ON CERTAIN PROPERTY GENERALLY LOCATED ONE-HALF MILE SOUTH OF US HIGHWAY 56, ON THE EAST SIDE OF JADE, NEAR HILLSBORO, KANSAS.

WHEREAS, application has been made by Evergy, Inc, on behalf of the Mennonite Brethren Foundation, owners, requesting a Conditional Use Permit to establish an electric utility substation on property zoned "A" Agricultural District, in the Northwest Corner of the Southwest Quarter of Section 35, Township 19 South, Range 2 East, Marion County, Kansas; and,

WHEREAS, following proper notification in the official County newspaper of a public hearing, on October 2, 2019, the Marion County Planning Commission held a public hearing on Case No. PC-19-03 on October 23, 2019, to consider the above said proposed conditional use, and;

WHEREAS, the Marion County Planning Commission has recommended approval of a conditional use permit for the establishment of an electric utility substation on certain property within the unincorporated portion of Marion County, Kansas, subject to certain conditions; and,

WHEREAS, the Board of County Commissioners of Marion County, Kansas, having reviewed the record of such hearing and the recommendation of the Marion County Planning Commission and determining the protest time has expired for such case declares it has proper jurisdiction to act upon said recommendation.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, KANSAS, THAT:

1. The following described property is hereby granted a Conditional Use Permit to establish an electric utility substation, subject to the conditions and restrictions listed herein:

S35, T19, R02, ACRES 6.69, PRT SW/4 COM NW/4 S ALG W LI SW/4 50' TO S LI RR ROW & POB S ALG
W LI SW/4 590' E 540' 590' W ALG S LI RR ROW 540' TO POB LESS ROW

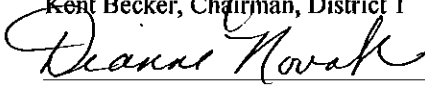
2. The Conditional Use Permit herein granted shall be subject to the following conditions and restrictions:
 - A. A haul route is agreed upon by the applicant and the Marion County Road and Bridge Department Engineer for the construction phase of the project. A copy of the haul route will be kept on file with the Zoning Administrator.
 - B. The Development Plan, as presented, is strictly adhered to.
 - C. Prior to development of the project, all required local, state and federal permits shall be obtained and copies submitted to the County.
3. This resolution shall be in full force and effect from and after publication in the official county newspaper.

BE IT FURTHER RESOLVED, that it is hereby directed that the Marion County Zoning District Maps be amended to reflect above said conditional use.

This Resolution is made by the Board of County Commissioners of Marion County, Kansas on this 18th day of November, 2019.

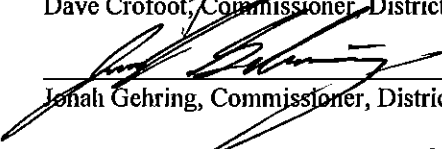
In favor:


Kent Becker, Chairman, District 1


Dianne Novak, Commissioner, District 2

(absent)
Randy Dallke, Commissioner, District 3


Dave Crofoot, Commissioner, District 4


Jonah Gehring, Commissioner, District 5

Opposed:

Kent Becker, Chairman, District 1

Dianne Novak, Commissioner, District 2

Randy Dallke, Commissioner, District 3

Dave Crofoot, Commissioner, District 4

Jonah Gehring, Commissioner, District 5

ATTEST:


Tina D. Spencer, Marion County Clerk

