

RESOLUTION # 2013- 33

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COMPARED WITH _____
COPY _____

A RESOLUTION ALLOWING A CONDITIONAL USE ON CERTAIN LANDS LOCATED IN SUMNER COUNTY, KANSAS.

WHEREAS, the Planning Commission of Sumner County, Kansas, held a public hearing hereon following due notice to the public as required by K.S.A. 12-701 et seq; and

WHEREAS, the Planning Commission has provided to the Governing Body of Sumner County, Kansas, a written summary of the hearing thereon together with their recommendation of approval; and

WHEREAS, the Governing Body of Sumner County, Kansas, finds it advisable to approve the Conditional Use subject to the provisions of the zoning classifications described in Articles 7, 8, 9 and 14 of the Zoning Regulations and Article 4 of the Commercial Solar or Wind Energy Project Regulations of Sumner County, Kansas.

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

SECTION 1: The Conditional Use as recommended by the Planning Commission, upon meeting the conditions prescribed in K.S.A. 12-701 et seq., and all requirements set out herein, is hereby approved as follows:

CASE NUMBER: 20PC-13

APPLICATION BY: Jeff Jackson, EDF Renewable Development, Inc., Agent.

REQUEST: Conditional Use for the development, construction, operation and decommissioning of Slate Creek Wind Project.

LEGAL DESCRIPTION: Various tracts located in the following sections of Sumner County, Kansas: Project map attached.

Township 33, Range 1W
Sections 25, 26, 36

Township 33, Range 1E
Sections 22, 23, 24, 25, 26, 27, 28, 30, 31, 32, 33, 34, 35, 36

Township 34, Range 1E
Sections 1, 2, 3, 4, 5, 10, 12

Township 34, Range 2E
Sections 6, 7, 8, 9, 15, 16, 17, 18, 20, 21, 22, 23

SECTION 2: REQUIREMENTS:

1. The Official Zoning Map shall not be amended until the Conditional Use and required documents have been approved by the County and filed at the Office of the Register of Deeds. The filing of the Conditional Use and required documents shall be within a one (1) year period from the date of approval of the Zoning classification by the Governing Body. If the Conditional Use is not filed within the one (1) year period from date of approval, based upon failure of the applicant to meet all requirements, the Zoning classification shall remain as the prior designation and classification. On or before October 15, 2014.
2. Notification to Planning Office of any development with proper permits obtained.
3. Comply with State and County Environmental, Zoning and Subdivision Regulations and Article IV Commercial Solar or Wind Energy Project Regulations.
4. As provided by K.S.A. 12-760, within 30 days any person aggrieved thereby may maintain an action in District Court to determine the reasonableness of this decision (November 15, 2013).

SECTION 3: THEREFORE, this Resolution shall take effect upon publication one (1) time in the Official County Newspaper.

ADOPTED AND APPROVED this 15th Day of October, 2013.

Commissioners present and voting are:

Steve Warner	<input checked="" type="radio"/> Yes	<input type="radio"/> No	<input type="radio"/> Absent
Jim D. Newell	<input checked="" type="radio"/> Yes	<input type="radio"/> No	<input type="radio"/> Absent
Cliff Bales	<input type="radio"/> Yes	<input type="radio"/> No	<input checked="" type="radio"/> Absent



ATTEST: (Seal)

Debra A. Norris
DEBRA A. NORRIS County Clerk

BOARD OF COUNTY COMMISSIONERS
SUMNER COUNTY, KANSAS

[Signature]
STEVE WARNER First District
Chairman

[Signature]
JIM D. NEWELL Second District
Commissioner

Absent
CLIFF BALES Third District
Commissioner

State of Kansas, Sumner County SS:
Filed for record on the 14th Day of
October, 2013 A.D. at 3:40
o'clock P M and recorded in photo
Book 918 at page 515
fees NONE

[Signature]
Jessica D. Anderson
P2