



To: Franklin County Board of County Commissioners
From: Kenneth Cook – AICP, CFM
Department: Planning & Building
Date: Wednesday, March 23, 2022

AGENDA ITEM NARRATIVE

Consider the approval of rezoning application #2111-1936 (Shoemaker) to rezone approximately 27.19 acres from an A-1 (Agriculture) District to an A-2 (Transitional Agriculture) District and to rezone approximately 13.00 acres from A-1 (Agriculture) District to an R-E (Residential Estate) District.

BACKGROUND

The Planning Commission held a public hearing on December 16, 2021 to consider rezoning application #2111-1936 (Shoemaker). The request was continued until the January Planning Commission meeting to provide the applicant time to submit documentation that the properties have a water supply that is adequate to serve the domestic needs of the property that is less than 20-acres. Documentation for water was submitted prior to the Planning Commission's January 20, 2022 meeting.

After hearing Staff presentation, the Planning Commission did recommend approval of rezoning application #2111-1936 (Shoemaker) to rezone approximately 27.19 acres from an A-1 (Agriculture) District to an A-2 (Transitional Agriculture) District and to rezone approximately 13.00 acres from A-1 (Agriculture) District to an R-E (Residential Estate) District. The Planning Department did not receive any comments for or against the rezoning request and no one appeared at the public hearing.

STAFF RECOMMENDATION

Staff recommends that the County Commissioners accept the Planning Commission's recommendation and adopt the attached resolution for the approval of rezoning application #2111-1936 (Shoemaker) to rezone approximately 27.19 acres from an A-1 (Agriculture) District to an A-2 (Transitional Agriculture) District and to rezone approximately 13.00 acres from A-1 (Agriculture) District to an R-E (Residential Estate) District and to amend the Official County Zoning Map accordingly.

SPECIFIC ACTION REQUESTED

An Affirmative motion in support of this item would read as follows: "I make a motion to approve rezoning application #2111-1936 (Shoemaker) to rezone approximately 27.19 acres from an A-1 (Agriculture) District to an A-2 (Transitional Agriculture) District and to rezone approximately 13.00 acres from A-1 (Agriculture) District to an R-E (Residential Estate) District and to amend the Official County Zoning Map accordingly".

ATTACHMENTS

Planning Commission Staff Report
Excerpt of Planning Commission Minutes
Resolution



**A RESOLUTION AMENDING THE
OFFICIAL ZONING DISTRICT MAP OF FRANKLIN COUNTY, KANSAS**

WHEREAS, the Franklin County Planning Commission of Franklin County, Kansas, received an application for a Zone Change from Roger E. Shoemaker to rezone approximately 27.19 acres, described as Tract 1, from an A-1 (Agriculture) District to an A-2 (Transitional Agriculture) District and to rezone approximately 13.00 acres, described as Tract 2, from A-1 (Agriculture) District to an R-E (Residential Estate) District. The property described below lies outside any incorporated city and is described as follows:

TRACT 1:

Beginning at the Southwest Corner of the Southwest Quarter of Section 24, Township 16 South, Range 18 East, of the Sixth P.M.; thence North $01^{\circ}-56'-47''$ West 776.75 feet on the West Line of said Southwest Quarter, thence North $87^{\circ}-51'-24''$ East 2244.51 feet; thence South $03^{\circ}-20'-09''$ East 236.91 feet; thence South $87^{\circ}-51'-24''$ W 1048.67 feet; thence South $03^{\circ}20'09''$ East 540.00 feet to the South Line of said Southwest Quarter, thence South $87^{\circ}-51'-24''$ West 1214.67 feet on the South Line of said Southwest Quarter to the Point of Beginning, containing 27.19 acres more or less, all in Franklin County, Kansas.

TRACT 2:

Beginning at the Southwest Corner of the Southwest Quarter of Section 24, Township 16 South, Range 18 East, of the Sixth P.M.; thence North $87^{\circ}-51'-24''$ East 1214.67 feet on the South Line of said Southwest Quarter, to the True Point of Beginning, thence North $03^{\circ}-20'-09''$ West 540.00 feet; thence North $87^{\circ}-51'-24''$ East 1048.67 feet; thence South $03^{\circ}20'09''$ East 540.00 feet, to the South Line of said Southwest Quarter; thence South $87^{\circ}-51'-24''$ West 1048.67 feet on the South Line of said Southwest Quarter to the Point of Beginning, containing 13.00 acres more or less, all in Franklin County, Kansas.

WHEREAS, pursuant to K.S.A. 12-757(b), the Franklin County Planning Commission has published in the official county newspaper on the November 23, 2021, notice of public hearing for said Zoning Change; and

WHEREAS, pursuant to K.S.A. 12-757(b), the Franklin County Planning Commission held a public hearing on December 16, 2021 regarding said Zoning Change; and

WHEREAS, the Planning Commission continued the public hearing to allow the applicant time to provide additional information and said continued public hearing was held on January 20, 2022; and

WHEREAS, the Franklin County Planning Commission, on January 20, 2022 in regular session and by a unanimous vote of those members present, approved said Zoning Change request based upon certain findings of fact, whereby recommending that the Official Zoning District Map of Franklin County, Kansas be amended; and

WHEREAS, the Franklin County Board of County Commissioners, after duly reviewing the recommendation of the Planning Commission and considering all public comments and concerns regarding said Zoning Change, find that the rezoning of said property would not be detrimental to the surrounding properties and would be in compliance with the provisions of K.S.A. 12-753, the purpose and intent of the Franklin County Comprehensive Plan and the general welfare of the citizens of Franklin County.

NOW, THEREFORE, BE IT RESOLVED, that the Franklin County Board of County Commissioners does hereby approve the rezoning of the above described Tract 1, from an A-1 (Agriculture) District to an A-2 (Transitional Agriculture) District and described Tract 2, from A-1 (Agriculture) District to an R-E (Residential Estate) District and that the Official Zoning District Map of Franklin County, Kansas be amended to reflect the approved zoning change.

PASSED AND ADOPTED by the Franklin County Board of County Commissioners this 23th day of March, 2022. This action shall become effective upon publication in the official county newspaper.

Roy C. Dunn
Chair

Received and recorded this the 23rd day of March, 2022.

Janet Paddock
County Clerk