



To: Franklin County Board of County Commissioners
From: Kenneth Cook – AICP, CFM
Department: Planning & Building
Date: Wednesday, April 6, 2022

AGENDA ITEM NARRATIVE

Consider the approval of rezoning application #2202-1945 (Daniels) to rezone approximately 14.82 acres from an A-1 (Agriculture) District to an R-E (Residential Estate) District.

BACKGROUND

The Planning Commission held a public hearing on March 17, 2022 to consider rezoning application #2202-1945 (Daniels).

After hearing Staff presentation, the Planning Commission did recommend approval of rezoning application #2202-1945 (Daniels) to rezone approximately 14.82 acres from an 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 #2202-1945 (Daniels) to rezone approximately 14.82 acres from an 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 #2202-1945 (Daniels) to rezone approximately 14.82 acres from an 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 Draft 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 Scott Daniels to rezone approximately 14.82 acres from an 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:

A tract of land in the Northwest corner of the Southwest Quarter of Section 35, Township 16 South, Range 18 East of the Sixth P.M. described as follows by Bryon K. Cates PS 1208 dated March 31, 2022 beginning at the Northwest Corner of the Southwest Quarter of said Section 35, Township 16 South, Range 18 East of the Sixth P.M.; THENCE South 89° 50' 24" East 604.84 feet on the North line of said Northwest Quarter; THENCE South 00° 23' 04" West 1066.79 feet; THENCE South 90° 00' 00" West 604.84 feet to the West line of said Southwest Quarter; THENCE North 00° 23' 01" East 1068.48 feet to the Point of Beginning containing 14.82 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 February 22, 2022, 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 March 17, 2022 regarding said Zoning Change; and

WHEREAS, the Franklin County Planning Commission, on March 17, 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 from an 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 6th day of April, 2022. This action shall become effective upon publication in the official county newspaper.

Roy C. Dunn
Chair

Received and recorded this the 6th day of April, 2022.

Janet Paddock
County Clerk