



To: Franklin County Board of County Commissioners
From: Kenneth Cook – AICP, CFM
Department: Planning & Building
Date: Wednesday, May 11, 2022

AGENDA ITEM NARRATIVE

Consider the approval of rezoning application #2203-1954 (Diediker) to rezone approximately 7.29-acres from R-E, Residential Estate District to A-1, Agriculture District.

BACKGROUND

The Planning Commission held a public hearing on April 21, 2022 to consider rezoning application #2203-1954 (Diediker).

After hearing Staff presentation, the Planning Commission did recommend, by a unanimous vote, that the County Commission approve rezoning application #2203-1954 (Diediker) to rezone approximately 7.29-acres from an R-E (Residential Estate) District to an A-1 (Agriculture) 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

After hearing Staff presentation, the Planning Commission did recommend, by a unanimous vote, that the County Commission approve rezoning application #2203-1954 (Diediker) to rezone approximately 7.29-acres from R-E, Residential Estate District to A-1, Agriculture 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 #2203-1954 (Diediker) to rezone approximately 7.29-acres from R-E, Residential Estate District to A-1, Agriculture District and to amend the Official County Zoning Map accordingly ".

ATTACHMENTS

Planning Commission Staff Report
Excerpt of Planning Commission Minutes
Old Survey
Resolution



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

WHEREAS, the Franklin County Planning Commission of Franklin County, Kansas, received a rezoning application from John and Lisa Diediker to rezone approximately 7.29-acres from R-E, Residential Estate District to A-1, Agriculture District. The property described below lies outside any incorporated city and is described as follows:

TRACT 1:

All that part of the East Half of the Southeast Quarter of Section 20, Township 17 South, Range 21 East, Franklin County Kansas described as follows: Commencing at the Southeast Corner of the Southeast Quarter of said Section 20; THENCE S89°43'45"W along the South line of said Southeast Quarter a distance of 1074.86 feet to the Point of Beginning; THENCE S89°43'45"W along the South line of said Southeast Quarter a distance of 250.00 feet to the Southwest Corner of the East Half of the Southeast Quarter of said Section 20; THENCE N0°02'50"W along the West line of the East Half of said Southeast Quarter a distance of 920.01 feet; THENCE S87°05'02"E a distance of 486.27 feet; THENCE S0°02'50"E parallel to the West line of the East Half of said Southeast Quarter a distance of 372.29 feet; THENCE S89°43'45"W parallel to the South line of said Southeast Quarter a distance of 235.62 feet; THENCE S0°02'50"E parallel to the West line of the East Half of said Southeast Quarter a distance of 520.69 feet to the Point of Beginning containing 7.29 acres, more or less, subject to any part thereof in roads.

WHEREAS, pursuant to K.S.A. 12-757(b), the Franklin County Planning Commission published in the official county newspaper on March 29, 2022, notice of a public hearing for said Rezoning; and

WHEREAS, pursuant to K.S.A. 12-757(b), the Franklin County Planning Commission held a public hearing on April 21, 2022 regarding said Rezoning; and

WHEREAS, the Franklin County Planning Commission, after reviewing all written and oral testimony at the hearing, and after reviewing the Golden Criteria, recommended by a unanimous vote of those members present, that the County Commission approve said Rezoning, 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 Rezoning, 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 R-E, Residential Estate District to A-1, Agriculture District and that the Official Zoning District Map of Franklin County, Kansas be amended to reflect the approved rezoning.

PASSED AND ADOPTED by the Franklin County Board of County Commissioners this 11th day of May, 2022. This action shall become effective upon publication in the official county newspaper.

Roy C. Dunn
Chair

Received and recorded this the 11th day of May, 2022.

Janet Paddock
County Clerk