



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 #2203-1956 (Smith) to rezone approximately 61.64-acres from A-1, Agriculture District to A-2, Transitional Agriculture District.

BACKGROUND

The Planning Commission held a public hearing on April 21, 2022 to consider rezoning application #2203-1956 (Smith).

After hearing Staff presentation, the Planning Commission did recommend, by a unanimous vote, that the County Commission approve rezoning application #2203-1956 (Smith) to rezone approximately 61.64-acres from A-1, Agriculture District to A-2, Transitional 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

Staff recommends that the County Commissioners accept the Planning Commission's recommendation and adopt the attached resolution for the approval of rezoning application #2203-1956 (Smith) to rezone approximately 61.64-acres from A-1, Agriculture District to A-2, Transitional 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 #2203-1956 (Smith) to rezone approximately 61.64-acres from A-1, Agriculture District to A-2, Transitional Agriculture District and to amend the Official County Zoning Map accordingly".

ATTACHMENTS

Planning Commission Staff Report
Excerpt of Planning Commission Minutes
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 Shandon Smith to rezone approximately 61.64-acres from A-1, Agriculture District to A-2, Transitional Agriculture District. The property described below lies outside any incorporated city and is described as follows:

This is the same parcel of land described in deed book 305 page 797 at Register of Deeds Office, in Ottawa Kansas. A part of the Southwest Quarter of Section 27, Township 16 South, Range 18 East of the Sixth P.M., by Bryon K. Cates PS 1208, dated June 1, 2021 as follows:

Beginning at the Northwest Corner of the Southwest Quarter of Section 27, Township 16 South, Range 18 East of the Sixth P.M., Thence North $88^{\circ}00'06''$ East 1039.50 feet (63 rods deed) on the North line of said Southwest Quarter; Thence South $02^{\circ}03'20''$ East 1329.95 feet (80 rods deed); Thence North $87^{\circ}49'29''$ East 280.50 feet (17 rods deed), to the Northeast Corner of the Southwest Quarter of the Southwest Quarter said Section 27; Thence South $01^{\circ}37'27''$ East 931.54 feet to a point 400 feet North of the Southeast Corner of the Southwest Quarter of said Southwest Quarter; Thence South $01^{\circ}37'27''$ East 400.00 feet to the South line of said Southwest Quarter; THENCE South $87^{\circ}45'11''$ West 648.03 feet to the Southwest Corner of said Section 27; Thence North $01^{\circ}14'16''$ West 1646.00 feet (1637.00 feet deed) on the West line of said Southwest Quarter; Thence North $89^{\circ}23'26''$ East 227.65 feet (228.0 feet deed) along an existing fence to an existing corner post; Thence North $66^{\circ}35'14''$ West 225.29 feet (225.70 feet deed) along an existing fence to an existing corner post; Thence North $20^{\circ}10'14''$ East 234.00 feet (235.20 feet deed) along an existing fence to an existing corner post; Thence North $01^{\circ}00'36''$ West 172.32 feet (172.80 feet deed) along an existing fence to an existing corner post; Thence South $88^{\circ}54'57''$ West 522.37 feet (523.50 feet deed) along an existing fence, to the West line of said Southwest Quarter; Thence North $01^{\circ}14'16''$ West 546.59 feet to the Point of Beginning, containing 61.64 acres, more or less, all in Franklin County Kansas.

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 A-1, Agriculture District to A-2, Transitional 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