



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 #2203-1958 (Wiseman) to rezone approximately 7.00-acres from R-E, Residential Estate District to A-2, Transitional Agriculture District.

BACKGROUND

The Planning Commission held a public hearing on April 21, 2022 to consider rezoning application #2203-1958 (Wiseman).

After hearing Staff presentation, the Planning Commission did recommend, by a unanimous vote, that the County Commission approve rezoning application #2203-1958 (Wiseman) to rezone approximately 7.00-acres from R-E, Residential Estate 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

After hearing Staff presentation, the Planning Commission did recommend, by a unanimous vote, that the County Commission approve rezoning application #2203-1958 (Wiseman) to rezone approximately 7.00-acres from R-E, Residential Estate 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 #2203-1958 (Wiseman) to rezone approximately 7.00-acres from R-E, Residential Estate 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
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 Darby Wiseman to rezone approximately 7.00-acres from R-E, Residential Estate District to A-2, Transitional Agriculture District. The property described below lies outside any incorporated city and is described as follows:

TRACT 1:

A part of the Southeast Quarter of the Southwest Quarter of Section 19, Township 15 South, Range 21 East of the Sixth P.M. as follows legal by Bryon K. Cates PS 1208 dated 12/09/2021.

Commencing at the Southeast Corner of the Southwest Quarter of Section 19, Township 15 South, Range 21 East of the Sixth P.M. all in Franklin County Kansas; THENCE South 88°09'32" West 537.63 feet on the South line of the Southeast Quarter of the Southwest Quarter of said Section 19, being the True Point of Beginning; THENCE continuing South 88°09'32" West 798.49 feet to the Southwest Corner of the Southeast Quarter of the Southwest Quarter; THENCE North 01°50'33" West 381.87 feet on the West line of said Southeast Quarter of the Southwest Quarter of said Section 19; THENCE North 88°09'32" East 798.49 feet; THENCE South 01°50'33" West 381.87 feet to the Point of Beginning containing 7.00 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 1 from R-E, Residential Estate 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