



To: Franklin County Board of County Commissioners
From: Kenneth Cook – AICP, CFM
Department: Planning & Building
Date: Wednesday, August 10, 2022

AGENDA ITEM NARRATIVE

Consider the approval of rezoning application #2205-1966 (Rebecca Goad) to rezone approximately 69.12-acres from A-1, Agriculture District to A-2, Transitional Agriculture District.

BACKGROUND

The Planning Commission held a public hearing on June 16, 2022 to consider rezoning application #2205-1966 (Rebecca Goad). The request was continued until the July Planning Commission meeting to provide the applicant time to submit a new legal description for the changes to the plat requested by the applicant. The revised legal descriptions and plat were submitted prior to the Planning Commission's July 21, 2022 meeting.

After hearing Staff presentation, the Planning Commission did recommend, by a unanimous vote of those members present, that the County Commission approve rezoning application #2205-1966 (Rebecca Goad) to rezone approximately 69.12-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

After hearing Staff presentation, the Planning Commission did recommend, by a unanimous vote of those members present, that the County Commission approve rezoning application #2205-1966 (Rebecca Goad) to rezone approximately 69.12-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 #2205-1966 (Rebecca Goad) to rezone approximately 69.12-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
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 Rebecca Goad to rezone approximately 69.12-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:

Lot 1:

All that part of the Northwest Quarter Section 8, Township 18 South, Range 18 East, Franklin County, Kansas, described as follows: Commencing at the Northwest corner of the Northwest Quarter of said Section 8; thence $S0^{\circ}10'13''E$, along the West line of said Northwest Quarter, a distance of 795.00 feet, to the Point of Beginning; thence $N90^{\circ}00'00''E$, parallel to the North line of said Northwest Quarter, a distance of 821.89 feet; thence $S0^{\circ}10'13''E$, parallel to the West line of said Northwest Quarter, a distance of 1221.13 feet; thence $S90^{\circ}00'00''W$, parallel to the North line of said Northwest Quarter, a distance of 821.89 feet, to a point on the West line of said Northwest Quarter; thence $N0^{\circ}10'13''W$, along said West line, a distance of 1221.13 feet to the Point of Beginning, containing 23.04 Acres more or less, subject to any part thereof in roads. Prepared by Jeff Luthro RLS#1222, March 31st, 2022.

Lot 3:

All that part of the Northwest Quarter Section 8, Township 18 South, Range 18 East, Franklin County, Kansas, described as follows: Commencing at the Northwest corner of the Northwest Quarter of said Section 8; thence $N90^{\circ}00'00''E$, along the North line of said Northwest Quarter, a distance of 2212.56 feet to the Point of Beginning; thence $N90^{\circ}00'00''E$, along the North line of said Northwest Quarter, a distance of 427.81 feet, to the Northeast corner of the Northwest Quarter of said Section 8; thence $S0^{\circ}19'53''E$, along the East line of said Northwest Quarter, a distance of 1740.39 feet; thence $S90^{\circ}00'00''W$, parallel to the North line of said Northwest Quarter, a distance of 734.61 feet; thence $N0^{\circ}19'53''W$, parallel to the East line of said Northwest Quarter, a distance of 385.93 feet; thence $N90^{\circ}00'00''E$, parallel to the North line of said Northwest Quarter, a distance of 98.93 feet; thence $N8^{\circ}24'04''E$, a distance of 1369.14 feet to the Point of Beginning, containing 23.04 Acres more or less, subject to any part thereof in roads. Prepared by Jeff Luthro RLS#1222, June 13th 2022.

Lot 4:

All that part of the Northwest Quarter and all that part of the Southwest Quarter Section 8, Township 18 South, Range 18 East, Franklin County, Kansas, described as follows: Commencing at the Northwest corner of the Northwest Quarter of said Section 8; thence $S0^{\circ}10'13''E$, along the West line of said Northwest Quarter, a distance of 2016.13 feet, to the Point of Beginning; thence $N90^{\circ}00'00''E$, parallel to the North line of said Northwest Quarter, a distance of 821.89 feet; thence $S0^{\circ}10'13''E$, parallel to the West line of said Northwest Quarter, a distance of 47.72 feet; thence $N90^{\circ}00'00''E$, parallel to the North line of said Northwest Quarter, a distance of 1542.80 feet, to a point on the North right-of-way line of Highway I-35; thence $S80^{\circ}53'07''W$, along said North right-of-way line, a distance of 204.98 feet; thence $S56^{\circ}51'07''W$, along said North right-of-way line, a distance of 268.00 feet; thence $S70^{\circ}53'07''W$, along said North right-of-way line, a distance of 700.00 feet; thence $S74^{\circ}42'07''W$, along said North right-of-way line, a distance of 300.70 feet; thence

S68° 22'01"W, along said North right-of-way line, a distance of 246.40 feet; thence S70° 49' 44"W, along said North right-of-way line, a distance of 654.40 feet; thence N9° 54'17"W, along said North right-of-way line, a distance of 218.55 feet ; thence N15° 45'50"W, along said North right-of-way line, a distance of 279.00 feet; thence S89'49'47"W, along said North right-of-way

line, a distance of 25.00 feet, to a point on the West line of said Northwest Quarter, said point being 268.00 feet North of the Southwest corner of the Northwest Quarter of said Section 8; thence N0°10'13"W, along the West line of said Northwest Quarter, a distance of 357.31 feet to the Point of Beginning, containing 23.04 Acres more or less, subject to any part thereof in roads. Prepared by Jeff Luthro RLS#1222, March 31st, 2022.

WHEREAS, pursuant to K.S.A. 12-757(b), the Franklin County Planning Commission published in the official county newspaper on May 24, 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 June 16, 2022 regarding said Rezoning; 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 July 21, 2022; 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 10th day of August, 2022. This action shall become effective upon publication in the official county newspaper.

Roy C. Dunn
Chair

Received and recorded this the 10th day of August, 2022.

Janet Paddock
County Clerk