



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 #2206-1971 (Smith) to rezone approximately 10.93 acres from an A-1 (Agriculture) District to an R-E (Residential Estate) District.

BACKGROUND

The Planning Commission held a public hearing on July 21, 2022 to consider rezoning application #2206-1971 (Smith).

After hearing Staff presentation, the Planning Commission did recommend approval of rezoning application #2206-1971 (Smith) to rezone approximately 10.93 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 #2206-1971 (Smith) to rezone approximately 10.93 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 #2206-1971 (Smith) to rezone approximately 10.93 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



Franklin
COUNTY KANSAS

EST. 1855

**BOARD OF COUNTY COMMISSIONERS
FRANKLIN COUNTY, KANSAS**

RESOLUTION NO. 22-_____

**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 Tim & Lisa Smith to rezone approximately 10.93 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 South Half of Section 27, Township 17 South, Range 21 East of the Sixth P.M., in Franklin County, Kansas as written by Bryon K. Cates, LS 1208, dated June 07, 2022; Commencing at the Southwest Corner of the Southeast Quarter of said Section 27; THENCE South 88°09'13" West 55.00 feet along the South line of said Southwest Quarter; Thence North 01°55'25" West 478.11 feet to the True Point of Beginning; Thence continuing North 01°55'25" West 194.04 feet; Thence North 88°04'35" East 55.00 feet to the East line of the Southwest Quarter; Thence North 01°55'25" West 317.35 feet; Thence North 88°09'13" East 946.00 feet; Thence South 02°08'41" East 394.67 feet to the center line of the Marais des Cygnes River as now exists, as per survey by Taylor Design Group dated April 4, 2007; Thence South 81°10'57" West 44.00 feet along said centerline; Thence South 64°51'59" West 195.00 feet along said centerline; Thence South 46°38'35" West 51.85 feet along said centerline; Thence South 88°09'13" West 740.76 feet to the Point of Beginning, containing 10.93 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 June 28, 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 July 21, 2022 regarding said Zoning Change; and

WHEREAS, the Franklin County Planning Commission, on July 21, 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 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