



To: Franklin County Board of County Commissioners
From: Pat Toth, Deann Farrell
Department: Planning & Building
Date: Wednesday, January 4, 2023

AGENDA ITEM NARRATIVE

Consider the approval of rezoning application #2211-2010 (Oswald) to rezone approximately 5.031 acres from the A-1, Agriculture District to the R-E, Residential Estate District.

BACKGROUND

The Planning Commission held a public hearing on December 15, 2022 to consider rezoning application #2211-2010 (Oswald).

After hearing Staff presentation, the Planning Commission did recommend approval of rezoning application #2211-2010 (Oswald) to rezone approximately 5.031 acres from the A-1, Agriculture District to the 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 #2211-2010 (Oswald) to rezone approximately 5.031 acres from the A-1, Agriculture District to the 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 #2211-2010 (Oswald) to rezone approximately 5.031 acres from the A-1, Agriculture District to the R-E, Residential Estate District and to amend the Official County Zoning Map accordingly".

ATTACHMENTS

Aerial Photos (4)
Survey
Resolution



Franklin
COUNTY KANSAS

] EST. 1855 [

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

RESOLUTION NO. 23-_____

**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 Flint Oswald to rezone approximately 5.031 acres from the A-1, Agriculture District to the 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 Northeast Quarter (NE/4) of Section 18, Township 18 South, Range 20 East, of the 6th Principal Meridian, being more particularly described by Rodney R. Zinn PS1559 on September 9, 2022 as follows: Commencing at the Northeast Corner of the Northeast Quarter of said Section 18; Thence S 2° 10'56" E, along the East line of said Northeast Quarter (NE/4), 267.70 feet to the Point Of Beginning; Thence S 89° 40'56" W, along the South line of a tract of land recorded in Deed Book 293 at Page 22, 702.02 feet, Thence S 1° 13'03" E, 310.57 feet, Thence N 89° 45'37" E, 707.28 feet to a point on the East line of said Northeast Quarter (NE/4), Thence N 2° 10'56" W, along said East line, 311.65 feet to The Point Of Beginning. Contains 5.031 Acres, more or less including those portions used for public road right-of-way.

WHEREAS, pursuant to K.S.A. 12-757(b), the Franklin County Planning Commission has published in the official county newspaper on the November 22, 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 December 15, 2022 regarding said Zoning Change; and

WHEREAS, the Franklin County Planning Commission, on December 15, 2022 in regular session and by a unanimous vote of those members present, recommended approval of 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 the A-1, Agriculture District to the 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 4th day of January, 2023. This action shall become effective upon publication in the official county newspaper.

Roy C. Dunn
Chair

Received and recorded this the 4th day of January, 2023.

Janet Paddock
County Clerk