



To: Franklin County Board of County Commissioners
From: Pat Toth
Department: Planning & Building
Date: Wednesday, February 8, 2023

AGENDA ITEM NARRATIVE

Consider the approval of rezoning application #2211-2015 (Stevenson) to rezone approximately 5.00 acres from the A-1, Agriculture District to the R-E, Residential Estate District and to rezone approximately 34.40 acres from the A-1, Agriculture District to the A-2, Transitional Agriculture District.

BACKGROUND

The Planning Commission held a public hearing on January 19, 2023 to consider rezoning application #2211-2015 (Stevenson).

After hearing Staff presentation, the Planning Commission did recommend approval of rezoning application #2211-2015 (Stevenson) to rezone approximately 5.00 acres from the A-1, Agriculture District to the R-E, Residential Estate District and to rezone approximately 34.40 acres from the A-1, Agriculture District to the 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 #2211-2015 (Stevenson) to rezone approximately 5.00 acres from the A-1, Agriculture District to the R-E, Residential Estate District and to rezone approximately 34.40 acres from the A-1, Agriculture District to the 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 #2211-2015 (Stevenson) to rezone approximately 5.00 acres from the A-1, Agriculture District to the R-E, Residential Estate District and to rezone approximately 34.40 acres from the A-1, Agriculture District to the A-2, Transitional Agriculture District and to amend the Official County Zoning Map accordingly".

ATTACHMENTS

Aerial Photos (4)
Resolution



**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 Kendall Stevenson to rezone approximately 5.00 acres, described as Tract 1, from the A-1, Agriculture District to the R-E, Residential Estate District and to rezone approximately 34.40 acres, described as Tract 2, from the A-1, Agriculture District to the A-2, Transitional Agriculture District. The property described below lies outside any incorporated city and is described as follows:

TRACT 1:

A tract of land in the Northeast Quarter of Section 33, Township 17 South, Range 21 East of the Sixth P.M. as written by Bryon K. Cates November 15, 2022 as follows: Beginning at the Northeast Corner of said Northeast Quarter; Thence South 01°46'12" East 754.25 feet on the East line of said Quarter; Thence North 66°19'37" West 462.96 feet; Thence North 01°46'12" West 556.52 feet to the North line of said Northeast Quarter; Thence North 88°23'17" East 418.06 feet to the Point of Beginning, containing 6.29 acres, more or less, except that part of the old rail road track now used for the Rails to Trails. All in Franklin County Kansas. After exception containing 5.00 acres, more or less.

TRACT 2:

The Northeast Quarter of the Northeast Quarter of Section 33, Township 17 South, Range 21 East of the Sixth P.M., Except the following: A tract of land in the Northeast Quarter of Section 33, Township 17 South, Range 21 East of the Sixth P.M., as written by Bryon K. Cates April 25, 2022 as follows: Beginning at the Northeast Corner of said Northeast Quarter; Thence South 01°46'12" East 754.25 feet on the East line of said Quarter, to the True Point of Beginning; Thence North 66°19'37" West 462.96 feet; Thence North 01°46'12" West 556.52 feet to the North line of said Northeast Quarter; Thence South 88°23'17" West 914.93 feet to the Northwest corner of the Northeast Quarter of the Northeast Quarter; Thence South 01°44'04" East 1329.80 feet to the Southwest Corner of said Quarter; Thence North 88°20'37" East 1333.81 feet to the Southeast Corner of said Quarter; Thence North 01°46'12" West 574.51 feet to the Point of Beginning, containing 34.40 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 December 24, 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 January 19, 2023 regarding said Zoning Change; and

WHEREAS, the Franklin County Planning Commission, on January 19, 2023 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 tracts from the A-1, Agriculture District to the R-E, Residential Estate District and from the A-1, Agriculture District to the A-2, Transitional Agriculture 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 8th day of February, 2023. This action shall become effective upon publication in the official county newspaper.

Ianne Dickinson
Chair

Received and recorded this the 8th day of February, 2023.

Janet Paddock
County Clerk