



**To:** Franklin County Board of County Commissioners  
**From:** Pat Toth  
**Department:** Planning & Building  
**Date:** Wednesday, January 7, 2026

## **AGENDA ITEM NARRATIVE**

Consider the approval of rezoning application #2508-0048 (Yezek) to rezone approximately 6.00 acres from the A-2, Transitional Agriculture District to the R-E, Residential Estate District.

## **BACKGROUND**

The Planning Commission held a public hearing on September 18, 2025 to consider rezoning application #2508-0048 (Yezek).

The property is commonly known as 3393 Reno Road and is located on the North side of Reno Road and approximately one-quarter (1/4) mile East of Nevada Road in the Southwest Quarter (SW 1/4) of Section 09, Township 16 South, Range 20 East. No portion of the entire approximately 46-acre tract is located within a Special Flood Hazard Area. Aerial photos with the currently effective Special Flood Hazard Area boundaries are attached.

One lot would be approximately 6.00 acres in size and would be rezoned to the R-E, Residential Estate District. The remaining approximately 24.00 acres would remain in the A-2, Transitional Agriculture District.

The purpose for the land division is so the owner can sell the approximately 6.00 acres. Since this parcel was previously split from the parent tract in 2024 and was platted as Lot 2 of Yezek Estates, the applicant will need to file for a replat of that subdivision.

The County has adopted Zoning Regulations pursuant to the Comprehensive Plan, addressing the residential densities by establishing minimum lot sizes for agriculture as well as residential zoning districts. Currently the minimum lot size for the Transitional Agricultural District is 20 acres and a minimum of 5 acres for the Residential Estate District.

After hearing Staff presentation, the Planning Commission did recommend approval of application #2508-0048 (Yezek) to rezone approximately 6.00 acres from the A-2, Transitional Agriculture District to the R-E, Residential Estate District by a unanimous vote of those members present. Notice was sent four (4) surrounding property owners. The Planning Department did not receive any comments for or against the proposed rezoning 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 #2508-0048 (Yezek) to rezone approximately 6.00 acres from the A-2, Transitional 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 the Planning Commission's recommendation would read as follows: "I make a motion to approve a rezoning application #2508-0048 (Yezek) to rezone approximately 6.00 acres from the A-2, Transitional Agriculture District to the R-E, Residential Estate District and to amend the Official County Zoning Map accordingly".

**ATTACHMENTS**

Applicant Site Plan

Countywide Map

Zoning Map

Farmland Classification Map & Legend

Floodplain and Road Surface Map

Surrounding Subdivision Map

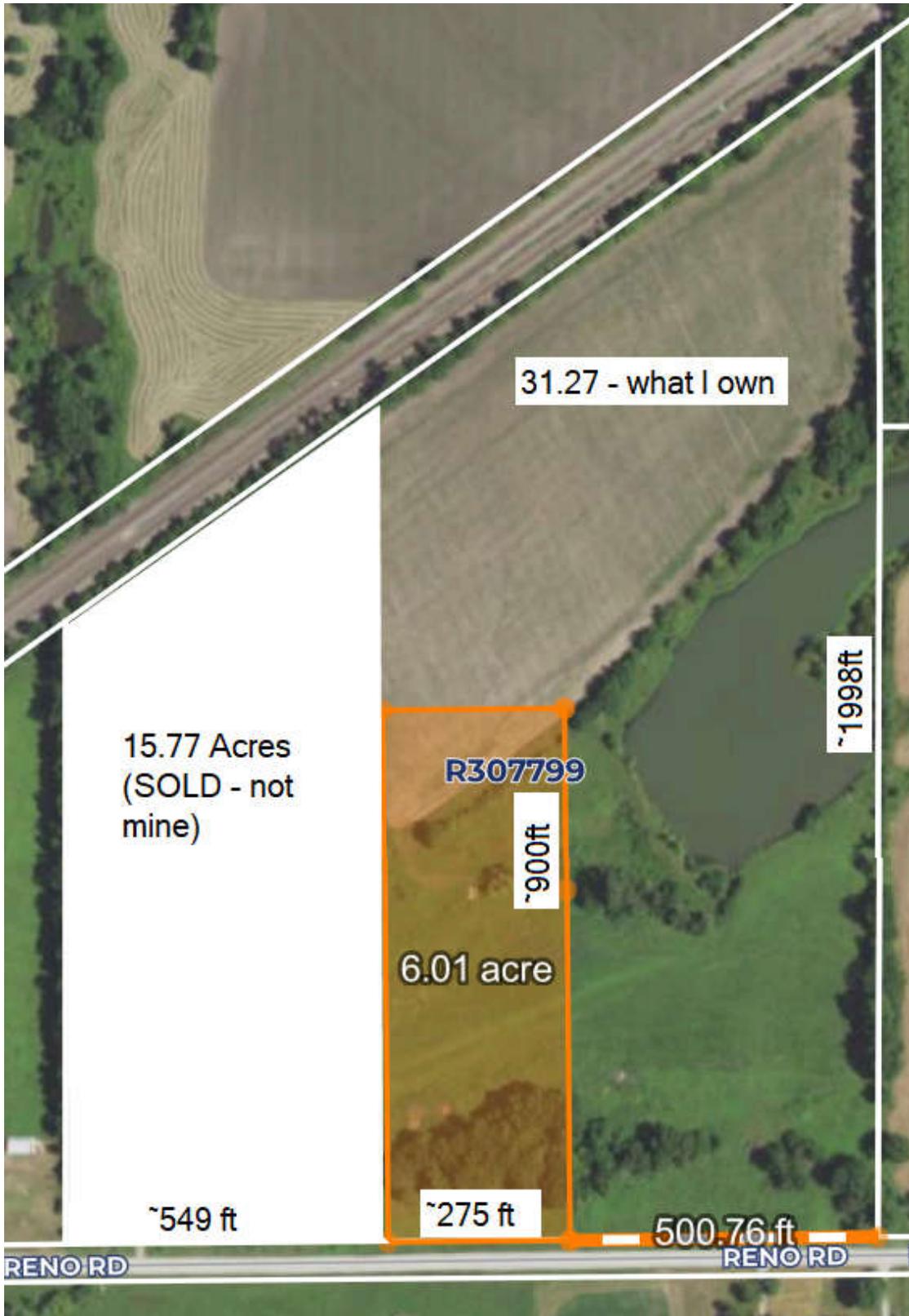
Aerial Photo (2)

Previous Final Plat

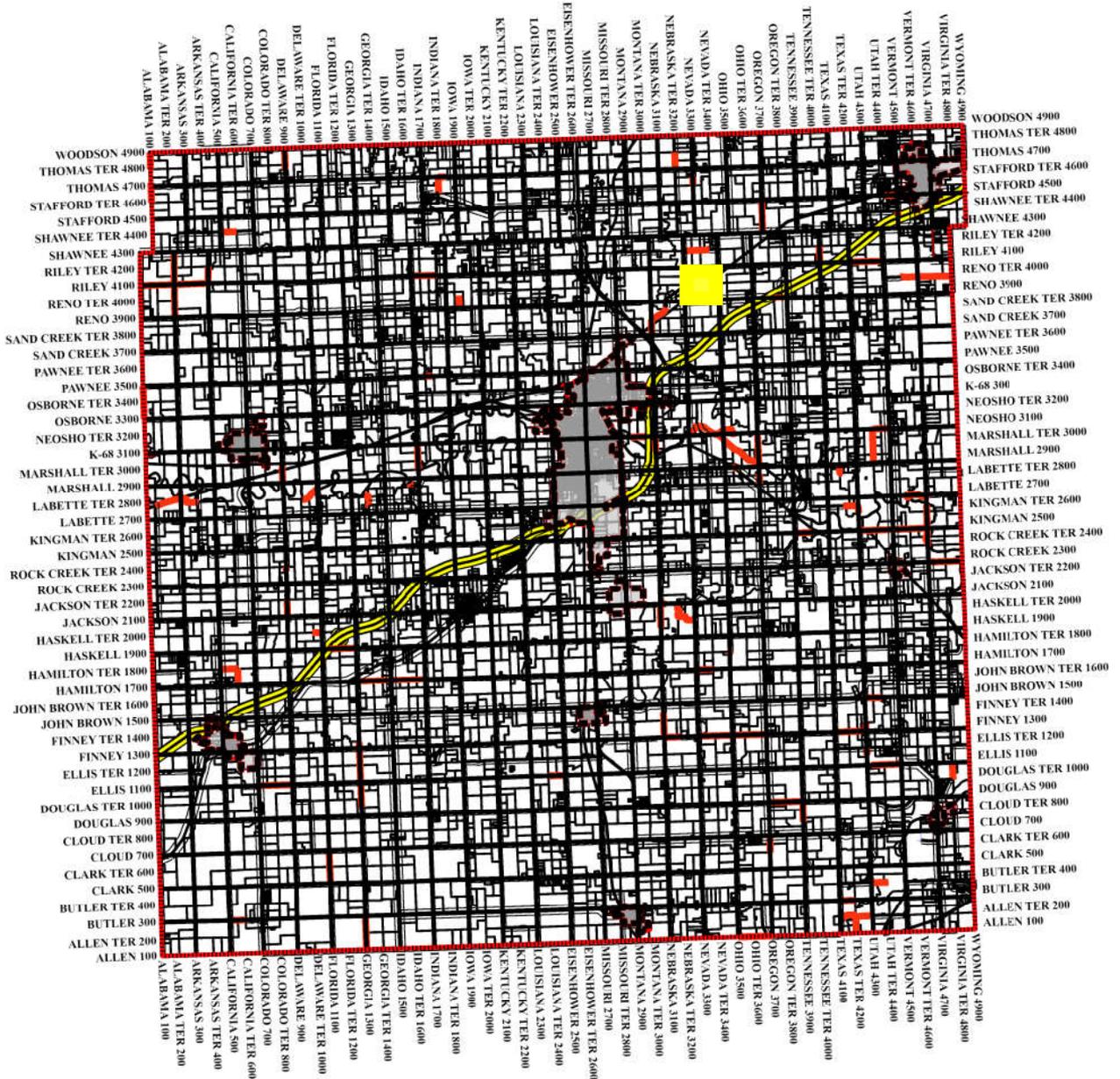
Proposed Final Plat

Resolution/s

# YEZEK SITE PLAN



# YEZEK COUNTYWIDE MAP



# YEZEK ZONING MAP



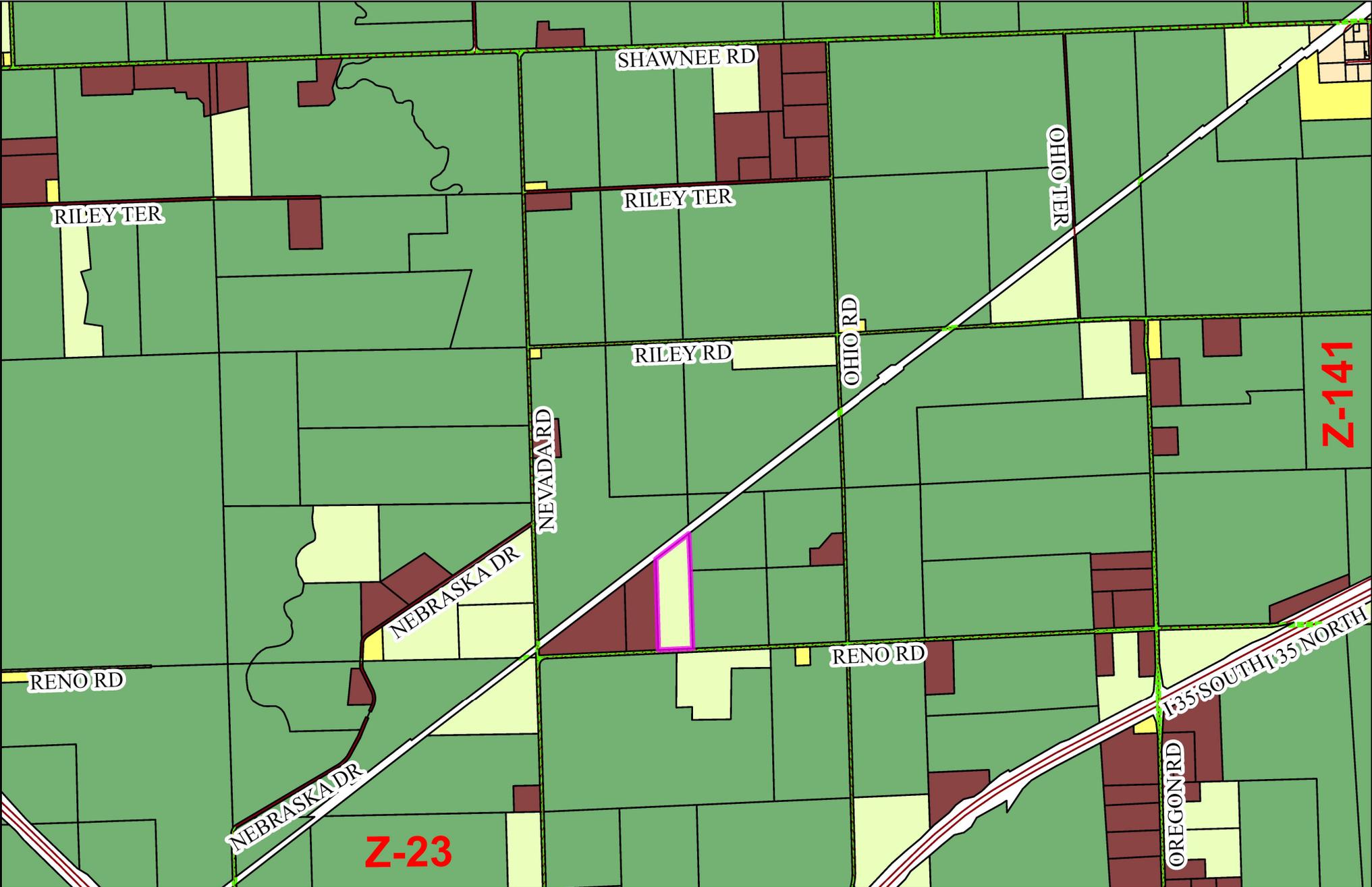
## Zoning Map

Agriculture

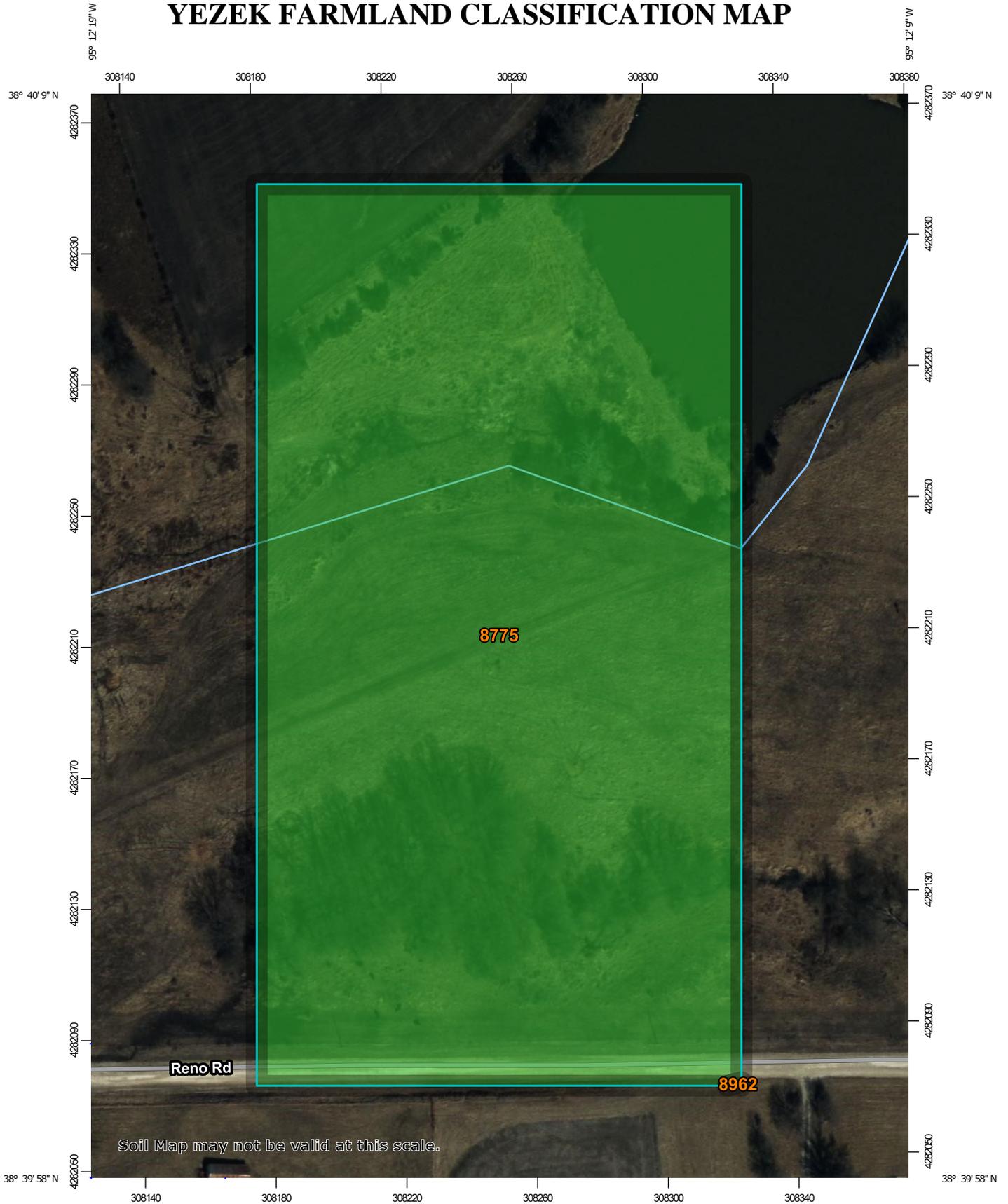
- Transitional Agriculture
- Commercial
- Highway Commercial
- Light Industrial

- Heavy Industrial
- Mobile Home Park
- Single Family

- Single Family Residential Three Acre
- Residential Estate
- City Zoning

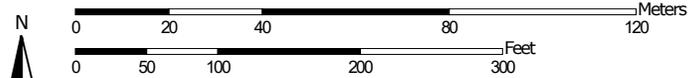


# YEZEK FARMLAND CLASSIFICATION MAP



Soil Map may not be valid at this scale.

Map Scale: 1:1,610 if printed on A portrait (8.5" x 11") sheet.



Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 15N WGS84



## Farmland Classification

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
8775	Kenoma silt loam, 1 to 3 percent slopes	All areas are prime farmland	10.1	100.0%
8962	Woodson silt loam, 1 to 3 percent slopes	All areas are prime farmland	0.0	0.0%
<b>Totals for Area of Interest</b>			<b>10.1</b>	<b>100.0%</b>

### Description

Farmland classification identifies map units as prime farmland, farmland of statewide importance, farmland of local importance, or unique farmland. It identifies the location and extent of the soils that are best suited to food, feed, fiber, forage, and oilseed crops. NRCS policy and procedures on prime and unique farmlands are published in the "Federal Register," Vol. 43, No. 21, January 31, 1978.

### Rating Options

*Aggregation Method:* No Aggregation Necessary

*Tie-break Rule:* Lower

# Yezek Road Surface & Floodplain Map

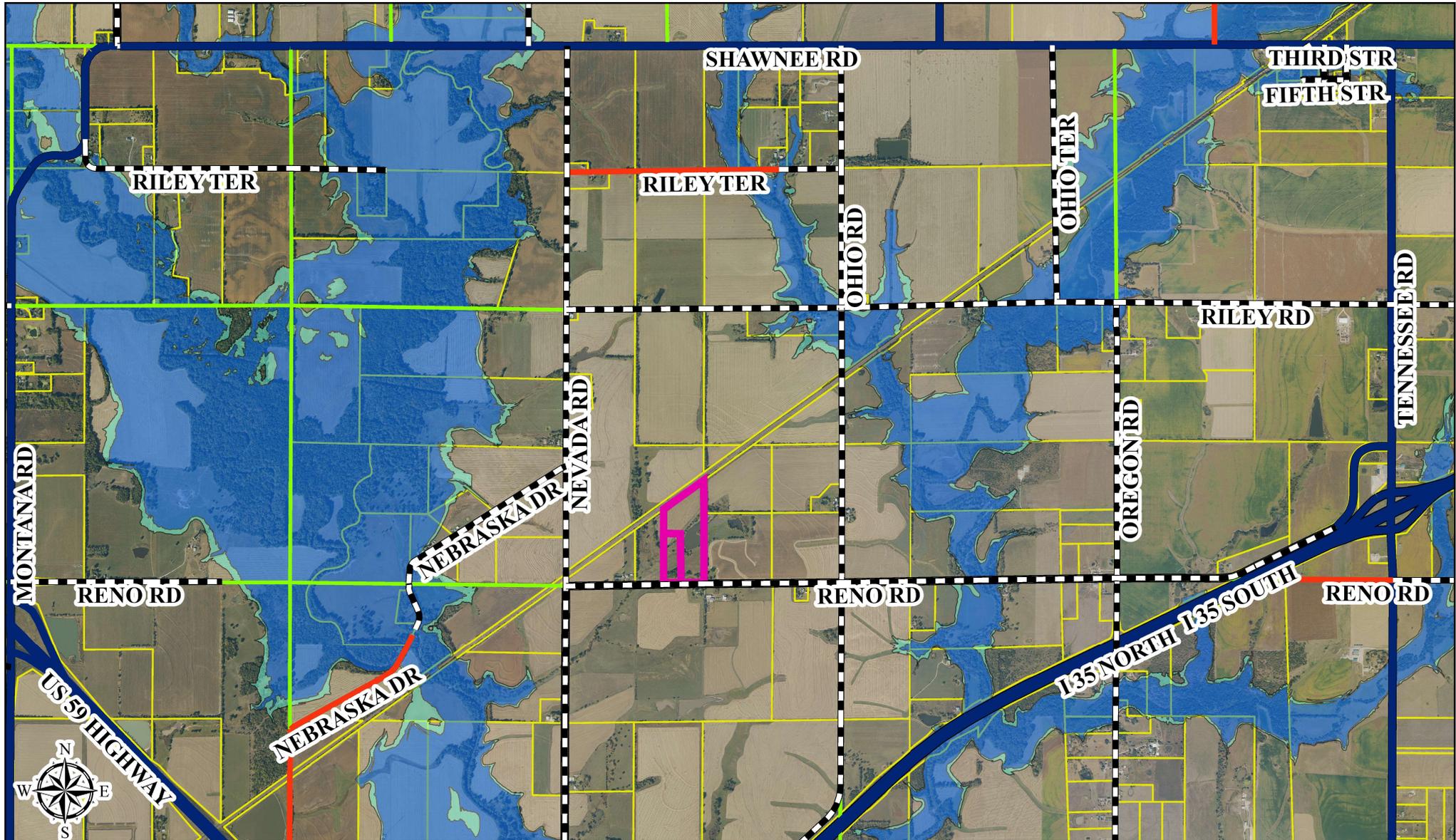
## ROAD SURFACE

-  PAVED ROAD
-  MIN. MAINT.
-  GRAVEL
-  County Border

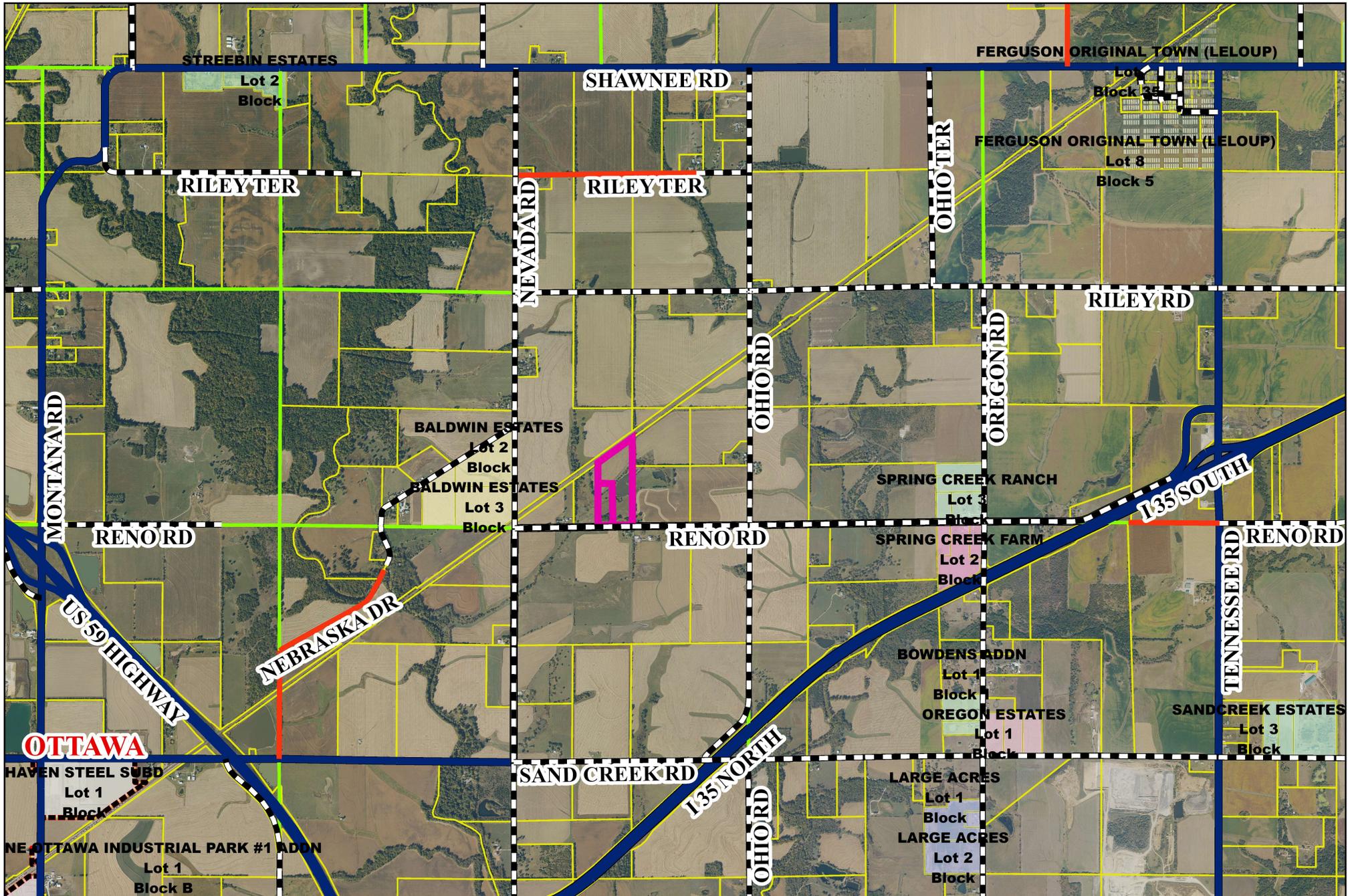
## Flood\_Year\_2022

-  500 Year
-  Non Flood Area
-  Reduced Flood Risk due to Levee
-  100 Year

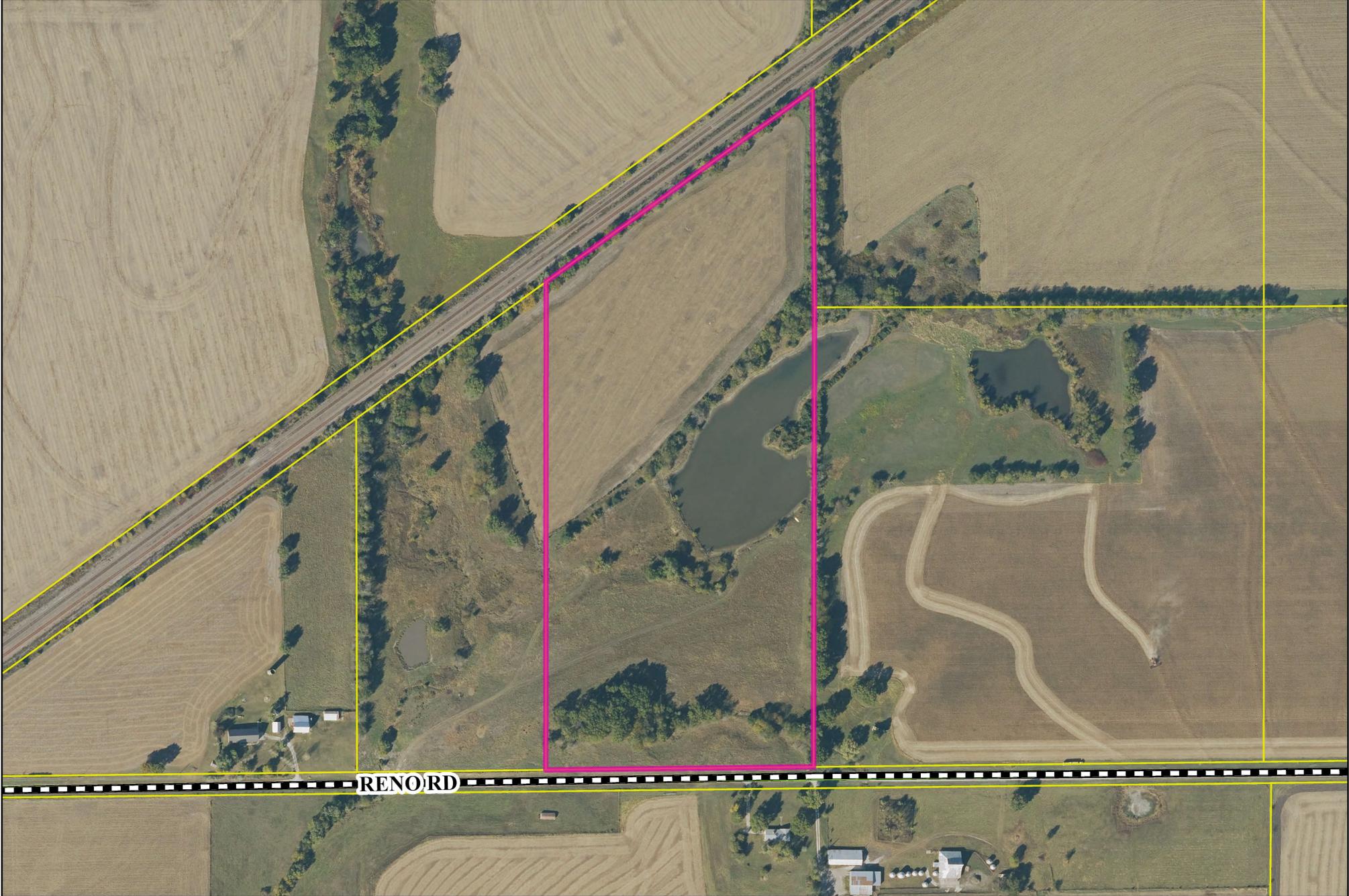
 Floodway



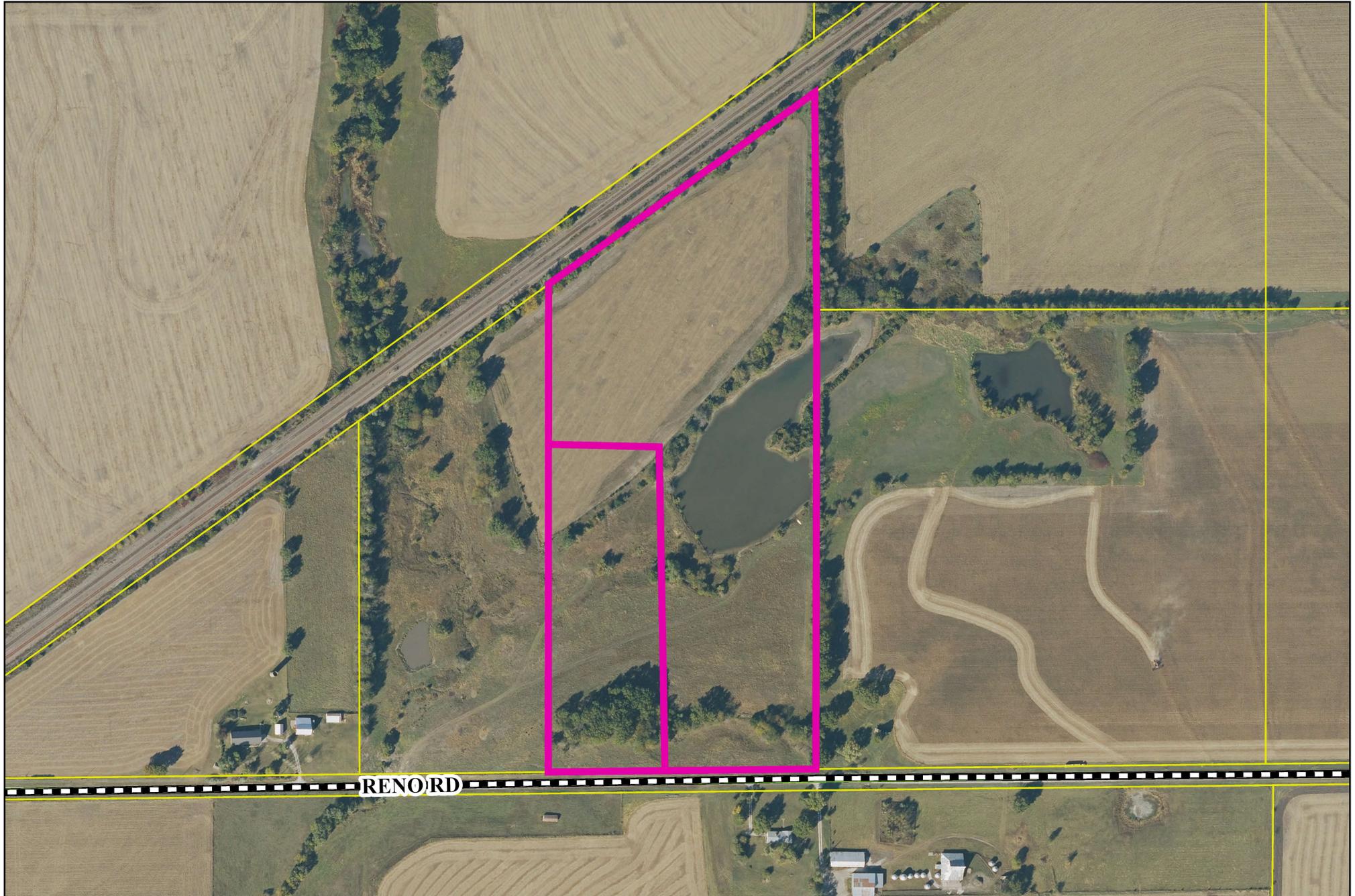
# YEZEK SUBDIVISION MAP



# YEZEK BEFORE LAND DIVISION



# YEZEK AFTER LAND DIVISION



#3644

FILED FOR RECORD  
06/25/2025 10:19 AM  
VICKI HUGHES  
REGISTER OF DEEDS  
FRANKLIN COUNTY, KANSAS  
INSTRUMENT # 2025-01842  
RECORDING FEE \$2.00  
Slide 555



STATE OF KANSAS )  
 ) SS:  
FRANKLIN COUNTY )

This is to certify that this instrument was filed for record in the office of Franklin County Register of Deeds on this 25th day of June 2025 at 10:18 am and is duly recorded at Slide No. 555 instrument No. 2025-01842

By: Vicki Hughes  
Vicki Hughes, Register of Deeds

STATE OF KANSAS )  
 ) SS:  
FRANKLIN COUNTY )

This is to certify that all current and previous taxes and any special assignments have been paid on the land being divided

Date: 6-25-2025

By: Marilyn Stevenson  
Marilyn Stevenson, Treasurer



Attest: Elizabeth Lewis  
Elizabeth Lewis, Deputy Treasurer

This Survey has been reviewed and approved for filing, pursuant to K.S.A. 58-2005 for content only and is in compliance with this act. No other warranties are extended or implied.

By: James D. Schmitz  
James D. Schmitz LS# 727 Date: 5/29/2025

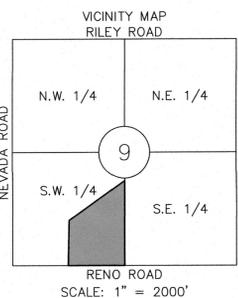
**SURVEY NOTES:**

1. Basis of Bearings: Kansas State Plane, South Zone.
2. No easement information was provided as a part of this survey.
3. Reference surveys:  
Tract split by Jeff Luthro dated 5/8/2024

**LEGEND**

- FOUND BAR AS DESCRIBED ORIGIN UNKNOWN UNLESS NOTED
- ⊙ SET 1/2" X 24" REBAR WITH PLASTIC KS CLS 93 CAP
- U/E UTILITY EASEMENT
- R/W RIGHT-OF-WAY

**ERROR OF CLOSURE**  
Perimeter: 6013.40' Area: 2020434.69 Sq. Ft.  
Error Closure: 0.0102 Course: S85°56'28"W  
Error North: -0.00072 East: -0.01013  
Precision 1: 589550.00



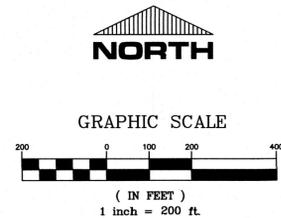
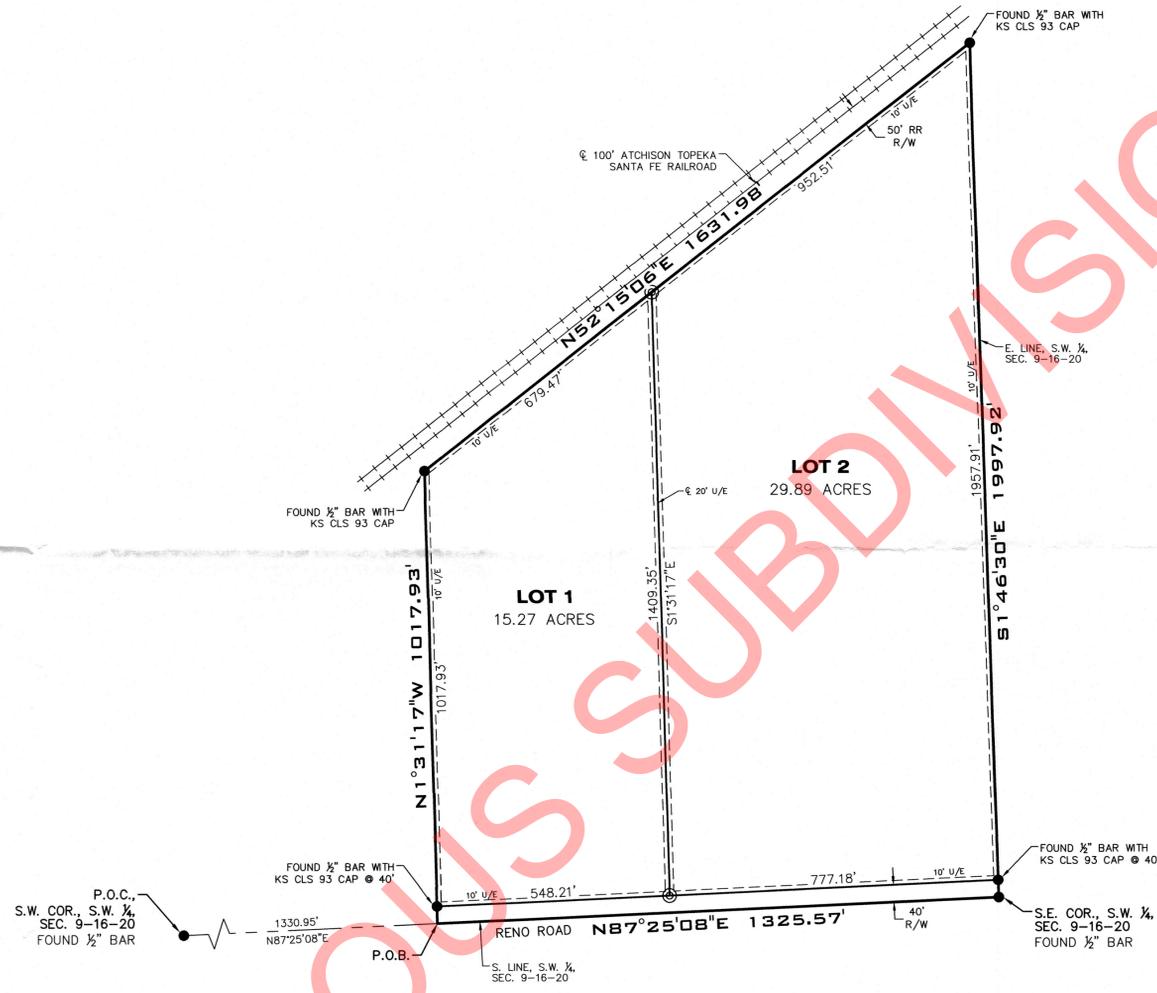
**PROJECT LOCATION**  
SECTION 9-16-20

THIS IS TO CERTIFY THAT ON THE 17TH DAY OF MARCH 2025, THIS FIELD SURVEY WAS COMPLETED ON THE GROUND BY ME OR UNDER MY DIRECT SUPERVISION AND THAT SAID SURVEY MEETS OR EXCEEDS THE "KANSAS MINIMUM STANDARDS" FOR BOUNDARY SURVEYS PURSUANT TO K.A.R. 66-12-1.



# FINAL PLAT OF YEZEK ESTATES

## PART OF THE S.W. 1/4 OF SECTION 9, TOWNSHIP 16S, RANGE 20E FRANKLIN COUNTY, KANSAS



**LEGAL DESCRIPTION**

All that part of the Southwest Quarter Section 9, Township 16 South, Range 20 East, Franklin County, Kansas, described by Matthew R. Cox, PS-1637 on May 16, 2025 as follows:

Commencing at the Southwest corner of the Southwest Quarter of said Section 9; thence N87°25'08"E, along the South line of the Southwest Quarter of said Section 9, a distance of 1330.95 feet to the point of beginning; thence N1°31'17"W, a distance of 1057.94 feet to a point on the Southerly right-of-way line of the Atchison, Topeka & Santa Fe railway; thence N52°15'06"E, along said right-of-way line, a distance of 1631.98 feet to a point on the East line of the Southwest Quarter of said Section 9; thence S1°46'30"E, along the East line of the Southwest Quarter of said Section 9, a distance of 1997.92 feet to the Southeast corner of the Southwest Quarter of said Section 9; thence S87°25'08"W, along the South line of the Southwest Quarter of said Section 9, a distance of 1325.57 feet to the point of beginning containing 46.38 acres more or less.

**DEDICATION:**

The undersigned owners of the above described tract of land have caused the same to be subdivided in the manner as shown on the accompanying plat, which subdivision and plat shall hereafter be known as "YEZEK ESTATES".

The undersigned proprietor(s) of the hereon described property as shown on this plat do hereby dedicate to public use and public ways and thoroughfares, all parcels and parts of land indicated on said plat as streets, terraces, places, roads, avenues, lanes, and alleys not already heretofore dedicated.

An easement or license is hereby granted to Franklin County, Kansas, and to all public utility companies duly incorporated and licensed to do business in Franklin County, Kansas, to enter upon, locate, construct, and maintain poles, wires, anchors, pipes, conduits, sewers, surface drainage facilities, etc., upon, over and under those areas outlined and designated on this plat as "Utility Easement" or "U/E"

**EXECUTION**

IN TESTIMONY WHEREOF, the undersigned owners of the tract of land hereon described have hereunto set their hands and seals this 23 day of May 20 25.

By: Thomas D. Yezek  
Thomas D. Yezek

By: Kamryn E. Yezek  
Kamryn E. Yezek

STATE OF KANSAS )  
 ) SS:  
COUNTY OF JOHNSON )

BE IT REMEMBERED, that on this 23 day of May, 20 25, before me, a notary public in and for said County and State, came Thomas D. Yezek and Kamryn E. Yezek, who executed the foregoing instrument of writing, and duly acknowledged the execution of the same for themselves and for the use and purposes herein set forth.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my notarial seal the day and year last above written.

By: Matthew R. Cox  
Notary Public

My Commission Expires: 1/5/27



**APPROVALS**

APPROVED BY the Planning Commission of Franklin County this 19th day of June, 2025

By: Lou R. Reed  
Chairman

By: Deann L. Jarell  
Attest



**CERTIFICATION OF FRANKLIN COUNTY COMMISSIONERS:**  
This plat and all dedications of Rights of Way and Easements shown on this plat are hereby accepted by the Board of County Commissioners, Franklin County, Kansas.

By: Rodney Z. Harris  
Chairman

By: Janet Paddock  
County Clerk



### YEZEK ESTATES

**CIVIL ENGINEERS  
LAND SURVEYORS - LAND PLANNERS**



122 N. WATER STREET  
OLATHE, KANSAS 66061  
PHONE: (913) 764-1076  
FAX: (913) 764-8635

14 W. PEORIA  
PAOLA, KANSAS 66071  
PHONE: (913) 557-1076  
FAX: (913) 557-6904

# FINAL PLAT OF YEZEK ESTATES, SECOND PLAT

## A REPLAT OF LOT 2, YEZEK ESTATES PART OF THE S.W. 1/4 OF SECTION 9, TOWNSHIP 16S, RANGE 20E FRANKLIN COUNTY, KANSAS

STATE OF KANSAS )  
                          ) SS:  
FRANKLIN COUNTY )

This is to certify that this instrument was filed for record in the office of Franklin County Register of Deeds on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ at \_\_\_\_\_ am/pm and is duly recorded at Slide No. \_\_\_\_\_ Instrument No. \_\_\_\_\_

By: \_\_\_\_\_  
Vicki Hughes, Register of Deeds

STATE OF KANSAS )  
                          ) SS:  
FRANKLIN COUNTY )

This is to certify that all current and previous taxes and any special assignments have been paid on the land being platted.

Date: \_\_\_\_\_

By: \_\_\_\_\_  
Marilyn Stevenson, Treasurer

Attest: \_\_\_\_\_  
Elizabeth Lewis, Deputy Treasurer

This Survey has been reviewed and approved for filing, pursuant to K.S.A. 58-2005 for content only and is in compliance with this act. No other warranties are extended or implied.

By: Tim Sloan Date: 12/12/2025  
Tim Sloan, KS PS 783

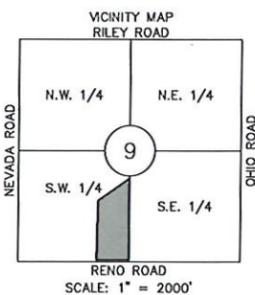
**SURVEY NOTES:**

1. Basis of Bearings: Kansas State Plane, South Zone.
2. No easement information was provided as a part of this survey.
3. Reference surveys:  
Tract split by Jeff Luthro dated 5/8/2024  
Final plat of Yezeq Estates

**LEGEND**

- FOUND BAR AS DESCRIBED ORIGIN UNKNOWN UNLESS NOTED
- ⊙ SET 1/2" X 24" REBAR WITH PLASTIC KS CLS 93 CAP
- U/E UTILITY EASEMENT
- R/W RIGHT-OF-WAY

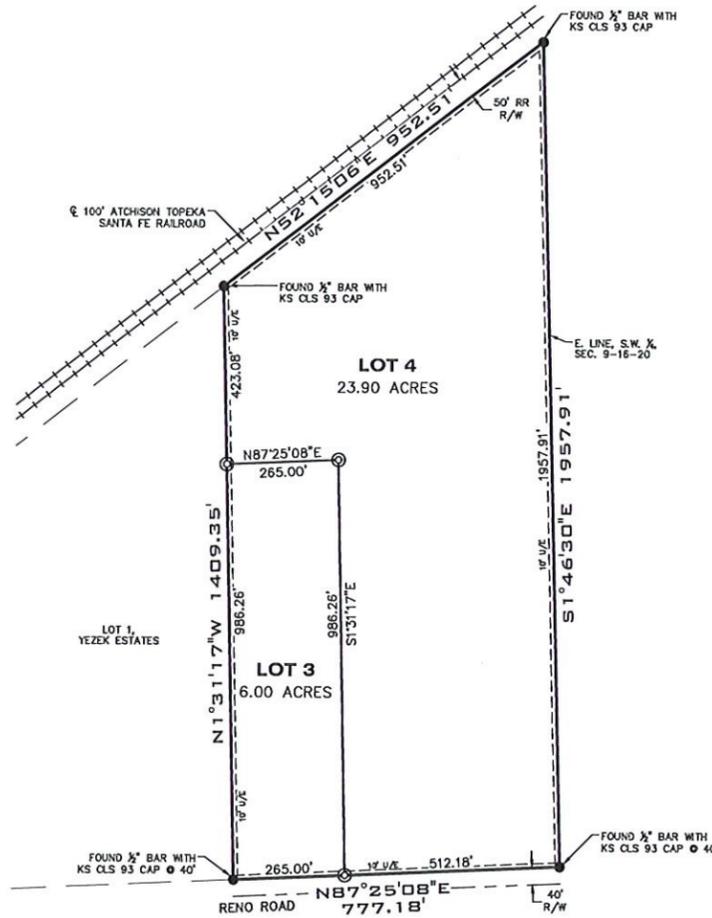
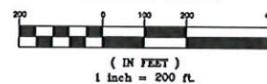
**ERROR OF CLOSURE**  
Perimeter: 5096.94' Area: 1302198.64 Sq. Ft.  
Error Closure: 0.0092 Course: N53°50'51"E  
Error North: 0.00543 East: 0.00744  
Precision 1: 554015.22



THIS IS TO CERTIFY THAT ON THE 15TH DAY OF OCTOBER 2025, THIS FIELD SURVEY WAS COMPLETED ON THE GROUND BY ME OR UNDER MY DIRECT SUPERVISION AND THAT SAID SURVEY MEETS OR EXCEEDS THE "KANSAS MINIMUM STANDARDS" FOR BOUNDARY SURVEYS PURSUANT TO K.A.R. 66-12-1.



**GRAPHIC SCALE**



**LEGAL DESCRIPTION**

This is a re-subdivision and replat of Lot 2, Yezeq Estates, a subdivision of land in the Southwest Quarter of Section 9, Township 16 South, Range 20 East, in Franklin County, Kansas.

**DEDICATION:**

The undersigned owners of the above described tract of land have caused the same to be subdivided in the manner as shown on the accompanying plat, which subdivision and plat shall hereafter be known as "YEZEK ESTATES, SECOND PLAT".

The undersigned proprietor(s) of the hereon described property as shown on this plat do hereby dedicate to public use and public ways and thoroughfares, all parcels and parts of land indicated on said plat as streets, terraces, places, roads, avenues, lanes, and alleys not already heretofore dedicated.

An easement or license is hereby granted to Franklin County, Kansas, and to all public utility companies duly incorporated and licensed to do business in Franklin County, Kansas, to enter upon, locate, construct, and maintain poles, wires, anchors, pipes, conduits, sewers, surface drainage facilities, etc., upon, over and under those areas outlined and designated on this plat as "Utility Easement or "U/E"

**EXECUTION**

IN TESTIMONY WHEREOF, the undersigned owners of the tract of land hereon described have hereunto set their hands and seals this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

By: \_\_\_\_\_ By: \_\_\_\_\_  
Thomas D. Yezeq Kamryn E. Yezeq

STATE OF )  
                  ) SS:  
COUNTY OF )

BE IT REMEMBERED, that on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me, a notary public in and for said County and State, came Thomas D. Yezeq and Kamryn E. Yezeq, who executed the foregoing instrument of writing, and duly acknowledged the execution of the same for themselves and for the use and purposes herein set forth.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my notarial seal the day and year last above written.

By: \_\_\_\_\_ My Commission Expires: \_\_\_\_\_  
Notary Public

**APPROVALS**

APPROVED by the Planning Commission of Franklin County this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

By: \_\_\_\_\_ Attest: \_\_\_\_\_  
Chairman

**CERTIFICATION OF FRANKLIN COUNTY COMMISSIONERS:**

This plat and all dedications of Rights of Way and Easements shown on this plat are hereby accepted by the Board of County Commissioners, Franklin County, Kansas.

By: \_\_\_\_\_ County Clerk

**YEZEK ESTATES, SECOND PLAT**



**CIVIL ENGINEERS  
LAND SURVEYORS - LAND PLANNERS**  
122 N. WATER STREET OLAATHE, KANSAS 66061  
PHONE: (913) 764-1076 FAX: (913) 764-8635  
14 W. PEORIA PAOLA, KANSAS 66071  
PHONE: (913) 557-1076 FAX: (913) 557-6904



**Board of County Commissioners  
Franklin County, Kansas**

**Resolution 26-**

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**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 Thomas Yezek to rezone approximately 6.00 acres, described as New Tract 3, from the A-2, Transitional Agriculture District to the R-E, Residential Estate District. The property described below lies outside any incorporated city and is described as follows:

New Tract 3:

All that part of Lot 2, Yezek Estates, a subdivision of land in the Southwest Quarter of Section 9, Township 16 South, Range 20 East, in Franklin County, Kansas, described as follows:

Beginning at the Southwest corner of said Lot 2; thence North 1 degree 31 minutes 17 seconds West, along the West line of said Lot 2, a distance of 986.26 feet; thence North 87 degrees 25 minutes 08 seconds East, a distance of 265.00 feet; thence South 1 degree 31 minutes 17 seconds East, a distance of 986.26 feet to a point on the South line of said Lot 2; thence South 87 degrees 25 minutes 08 seconds West, along the South line of said Lot 2, a distance of 265.00 feet to the point of beginning, containing 6.00 acres, more or less.

WHEREAS, pursuant to K.S.A. 12-757(b), the Franklin County Planning Commission has published in the official county newspaper on the August 27, 2025, 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 September 18, 2025 regarding said Zoning Change; and

WHEREAS, the Franklin County Planning Commission, on September 18, 2025 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-2, Transitional 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 7<sup>th</sup> day of January 2026. This action shall become effective upon publication in the official county newspaper.

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Rodney L. Harris  
Chair

Received and recorded this the 7<sup>th</sup> day of January 2026.

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Janet Paddock  
County Clerk



**Franklin**  
COUNTY KANSAS  
— EST. 1816 —

**Board of County Commissioners  
Franklin County, Kansas**

**Resolution 26-**

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**A RESOLUTION DENYING REZONING APPLICATION #2508-0048 (YEZEK)  
TO REZONE APPROXIMATELY 6.00 ACRES FROM THE A-2, TRANSITIONAL  
AGRICULTURE DISTRICT TO THE R-E, RESIDENTIAL ESTATE DISTRICT.**

WHEREAS Franklin County, Kansas is a county municipal government, organized pursuant to K.S.A. 19-101; and

WHEREAS, pursuant to K.S.A. 12-757(b), the Franklin County Planning Commission has published in the official county newspaper on the August 27, 2025, 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 September 18, 2025 regarding said Zoning Change; and

WHEREAS, the Franklin County Planning Commission, on September 18, 2025 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 Board of County Commissioners of Franklin County, after duly reviewing the recommendation of the Planning Commission together with all public comments for and against said Rezoning Application finds:

1. That the rezoning from "A-2" to "R-E" is not consistent with the County Zoning Regulations.
2. That the rezoning from "A-2" to "R-E" is not in conformance with and would not further enhance the County Comprehensive Plan.
3. That the rezoning from "A-2" to "R-E" will unduly affect the character of the surrounding community.
4. That the rezoning from "A-2" to "R-E" will impact property values of surrounding properties.

NOW, THEREFORE, BE IT RESOLVED, that the Franklin County Board of County Commissioners does hereby deny rezoning application #2508-0048 (Yezek) to rezone approximately 6.00 acres from A-2, Transitional Agriculture District to the R-E, Residential Estate District.

PASSED AND ADOPTED by the Franklin County Board of County Commissioners this 7<sup>th</sup> day of January 2026. This action shall become effective upon publication in the official county newspaper.

---

Rodney L. Harris  
Chair

Received and recorded this the 7<sup>th</sup> day of January 2026.

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Janet Paddock  
County Clerk