



**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 #2510-0058 (Halleluyah Place, LLC) to rezone approximately 15.90 acres from the A-2, Transitional Agriculture District to the R-E, Residential Estate District and approximately 40.00 acres from the A-2, Transitional Agriculture District to the A-1, Agriculture District.

## BACKGROUND

The Planning Commission held a public hearing on November 20, 2025 to consider rezoning application #2510-0058 (Halleluyah Place, LLC).

The property is commonly known as 3482 Rock Creek Road and is located on the South side of Rock Creek Road and on the East side of Ohio Road, in the East Half (E ½) of the Northeast Quarter (NE ¼) of Section 28, Township 17 South, Range 20 East. No portion of the entire 55.90-acre tract is located within a Special Flood Hazard Area. Aerial photos with the currently effective Special Flood Hazard Area boundaries are attached.

The applicant is requesting to rezone approximately 15.90 acres from the A-2, Transitional Agricultural Zone to the R-E, Residential Estate Zone to allow for a lot split for mortgage purposes. The remaining approximately 40.00 acres would no longer meet the minimum acreage size for the A-2, Transitional Agriculture District so it must be rezoned to the A-1, Agriculture District.

The original tract was 27.90 acres zoned A-2, Transitional Agriculture. The owner then purchased approximately 30.00 acre from the neighbor to the West and did a boundary line adjustment to create a 55.90-acre tract (see previous survey attached). However, the properties were never rezoned to the A-1, Agriculture District.

The existing residence is already serviced with on-site water provided by Rural Water District #2 and has a 1,500-gallon concrete septic system and approximately 2,780 square feet of pipe & gravel for on-site sanitation.

After hearing Staff presentation, the Planning Commission did recommend approval of application #2510-0058 (Halleluyah Place, LLC) to rezone approximately 15.90 acres from the A-2, Transitional Agriculture District to the R-E, Residential Estate District and approximately 40.00 acres from the A-2, Transitional Agriculture District to the A-1, Agriculture District by a unanimous vote of those members present. Notice was sent to seven (7) 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 #2510-0058 (Halleluyah Place, LLC) to rezone approximately 15.90 acres from the A-2, Transitional Agriculture District to the R-E, Residential Estate District and approximately 40.00 acres from the A-2, Transitional Agriculture District to the A-1, Agriculture 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 #2510-0058 (Halleluyah Place, LLC) to rezone approximately 15.90 acres from the A-2, Transitional Agriculture District to the R-E, Residential Estate District and approximately 40.00 acres from the A-2, Transitional Agriculture District to the A-1, Agriculture District and to amend the Official County Zoning Map accordingly".

**ATTACHMENTS**

- Zoning Map
- Farmland Classification Map & Legend
- Floodplain & Road Surface Map
- Aerial Photo (2)
- Previous Survey
- Proposed Survey
- Resolution/s

# HALLELUYAH PLACE ZONING MAP



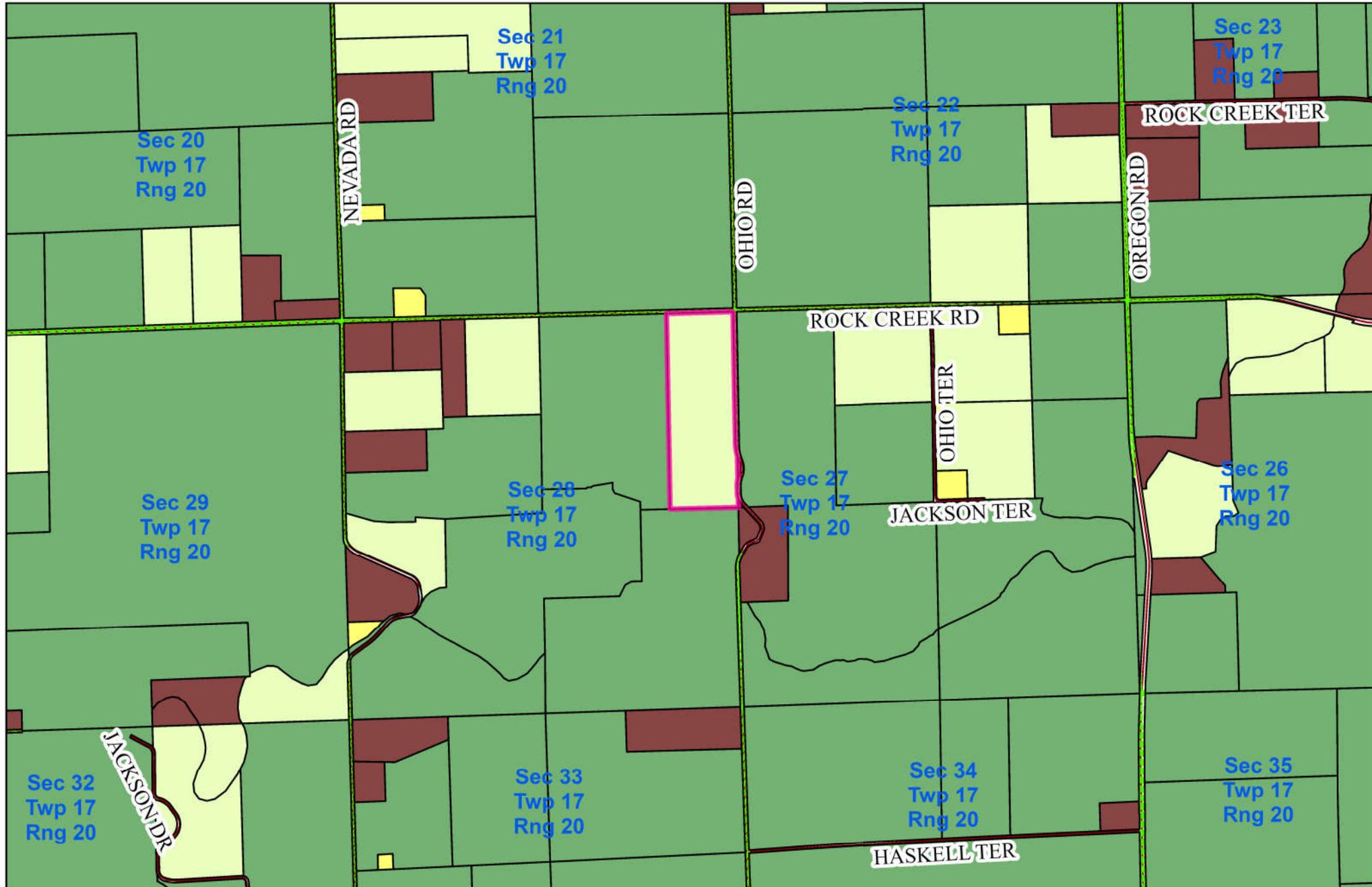
## Zoning Map

Agriculture

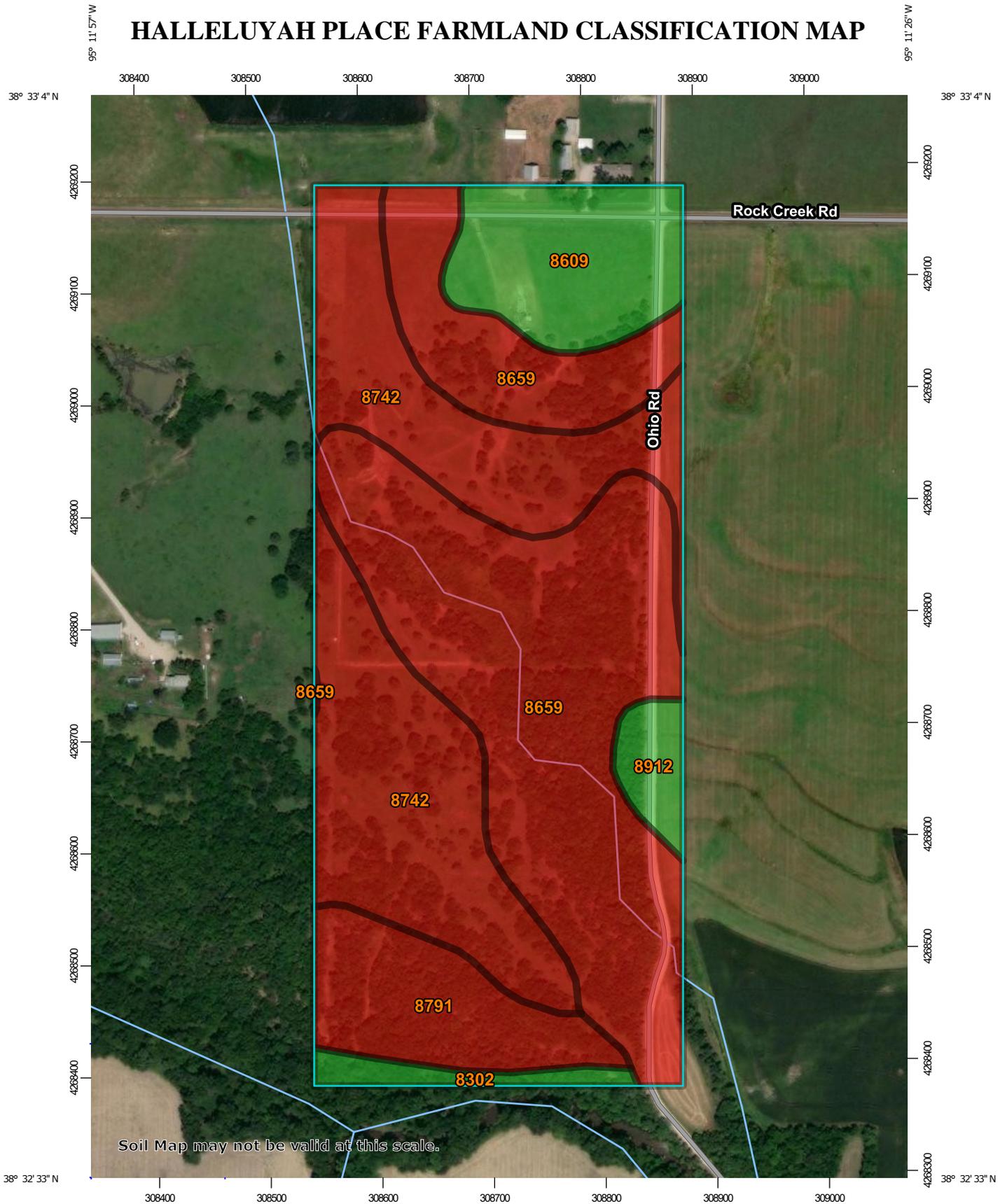
- Transitional Agriculture
- Commercial
- Highway Commercial
- Light Industrial

- Heavy Industrial
- Mobile Home Park
- Single Family

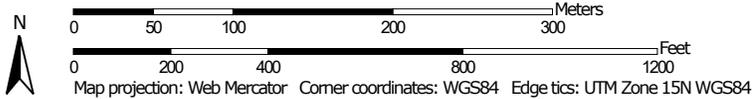
- Single Family Residential Three Acre
- Residential Estate
- City Zoning



# HALLELUYAH PLACE FARMLAND CLASSIFICATION MAP



Map Scale: 1:4,710 if printed on A portrait (8.5" x 11") sheet.



## Farmland Classification

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
8302	Verdigris silt loam, 0 to 1 percent slopes, occasionally flooded	All areas are prime farmland	1.3	2.0%
8609	Aliceville silty clay loam, 1 to 3 percent slopes	All areas are prime farmland	6.7	10.2%
8659	Clareson-Eram complex, 3 to 15 percent slopes, very rocky	Not prime farmland	29.2	44.3%
8742	Eram-Aliceville complex, 3 to 8 percent slopes	Not prime farmland	20.9	31.8%
8791	Lebo-Rock outcrop complex, 20 to 40 percent slopes	Not prime farmland	6.1	9.2%
8912	Summit silty clay loam, 3 to 7 percent slopes	All areas are prime farmland	1.6	2.5%
<b>Totals for Area of Interest</b>			<b>65.9</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

# Halleluyah Place Road Surface & Floodplain Map

## ROAD SURFACE

- █ PAVED ROAD
- █ MIN. MAINT.
- GRAVEL

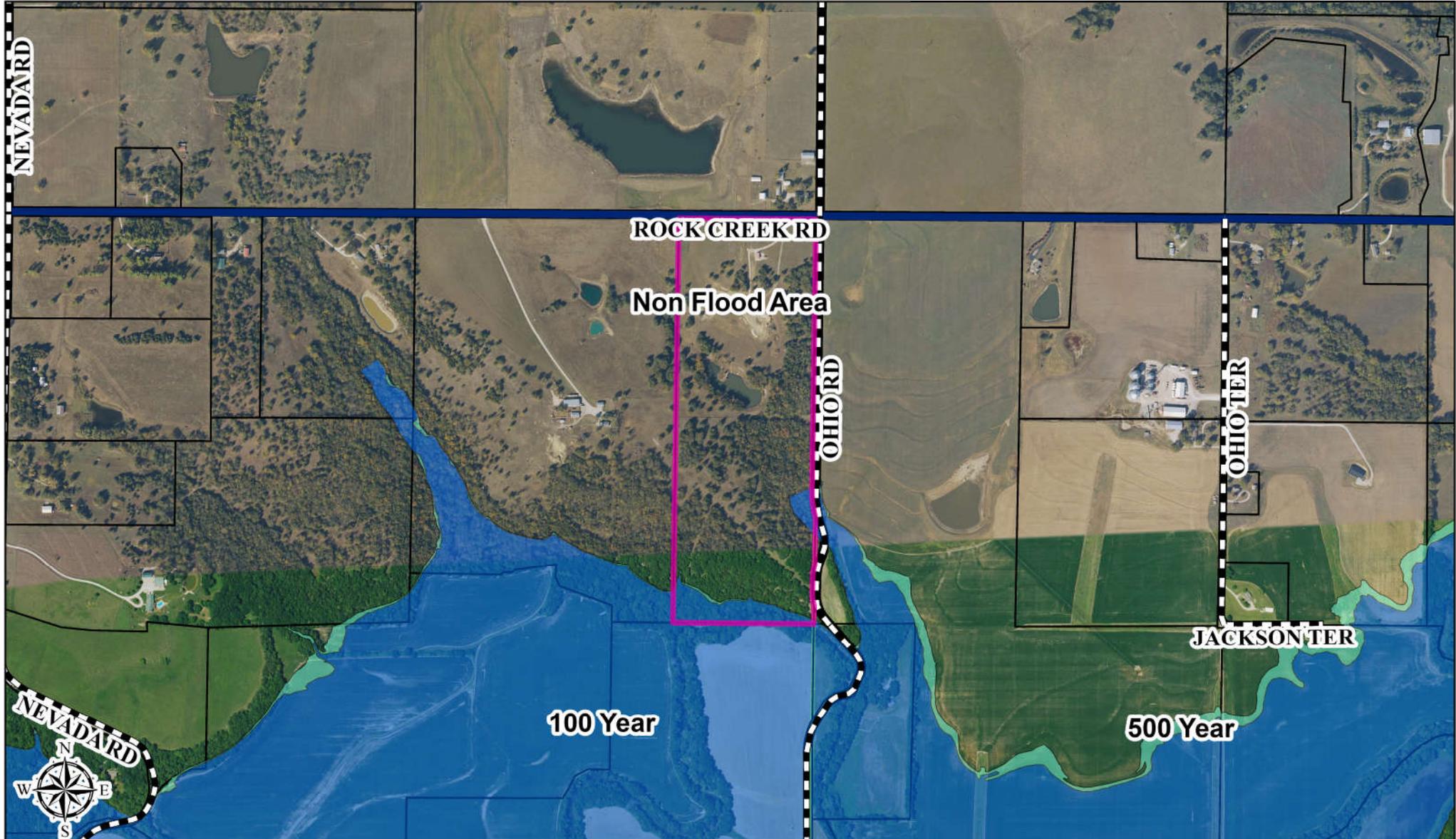
## ROAD\_SURFA

- █ Private Drive

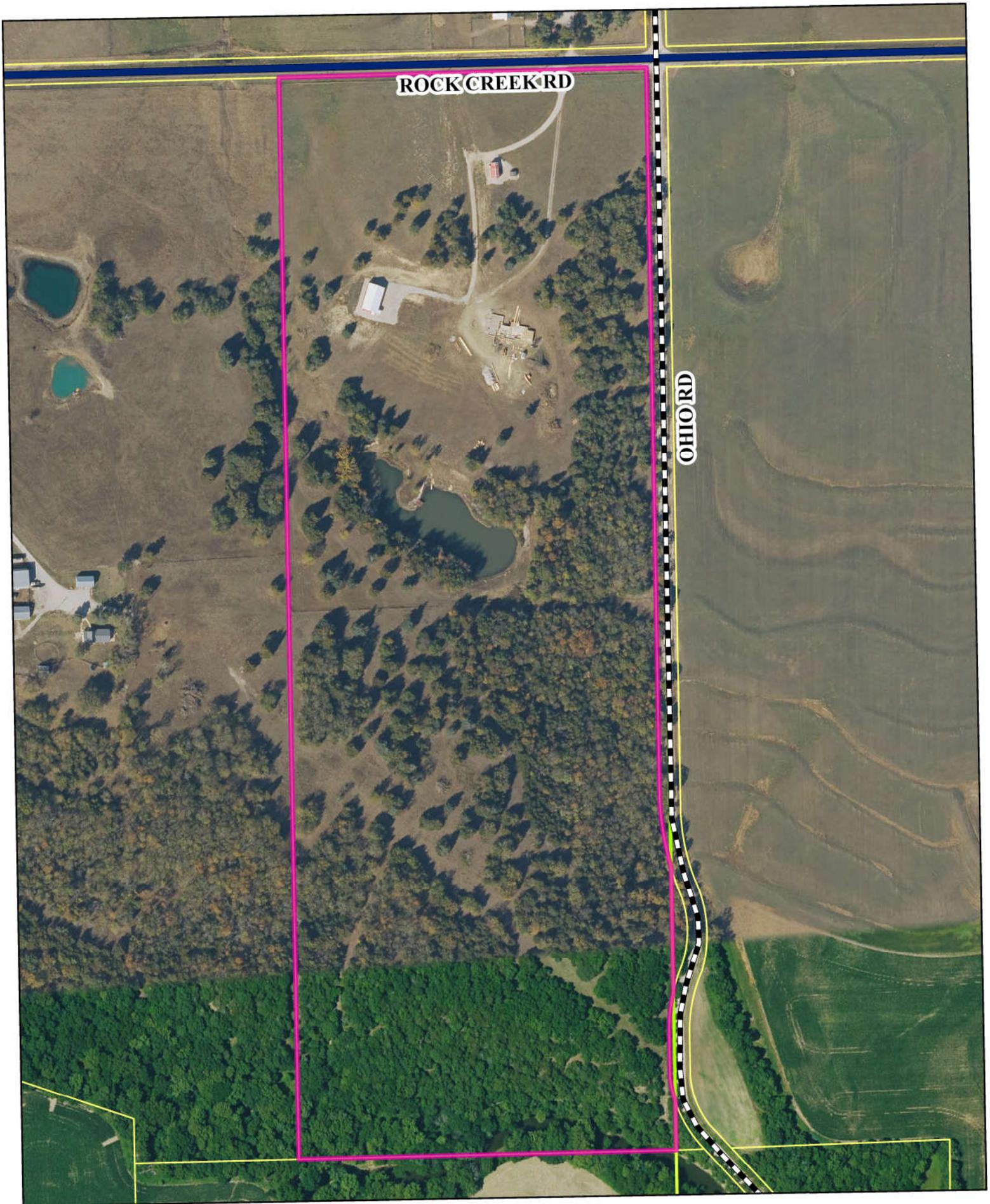
## Flood\_Year\_2022

- 500 Year
- Non Flood Area

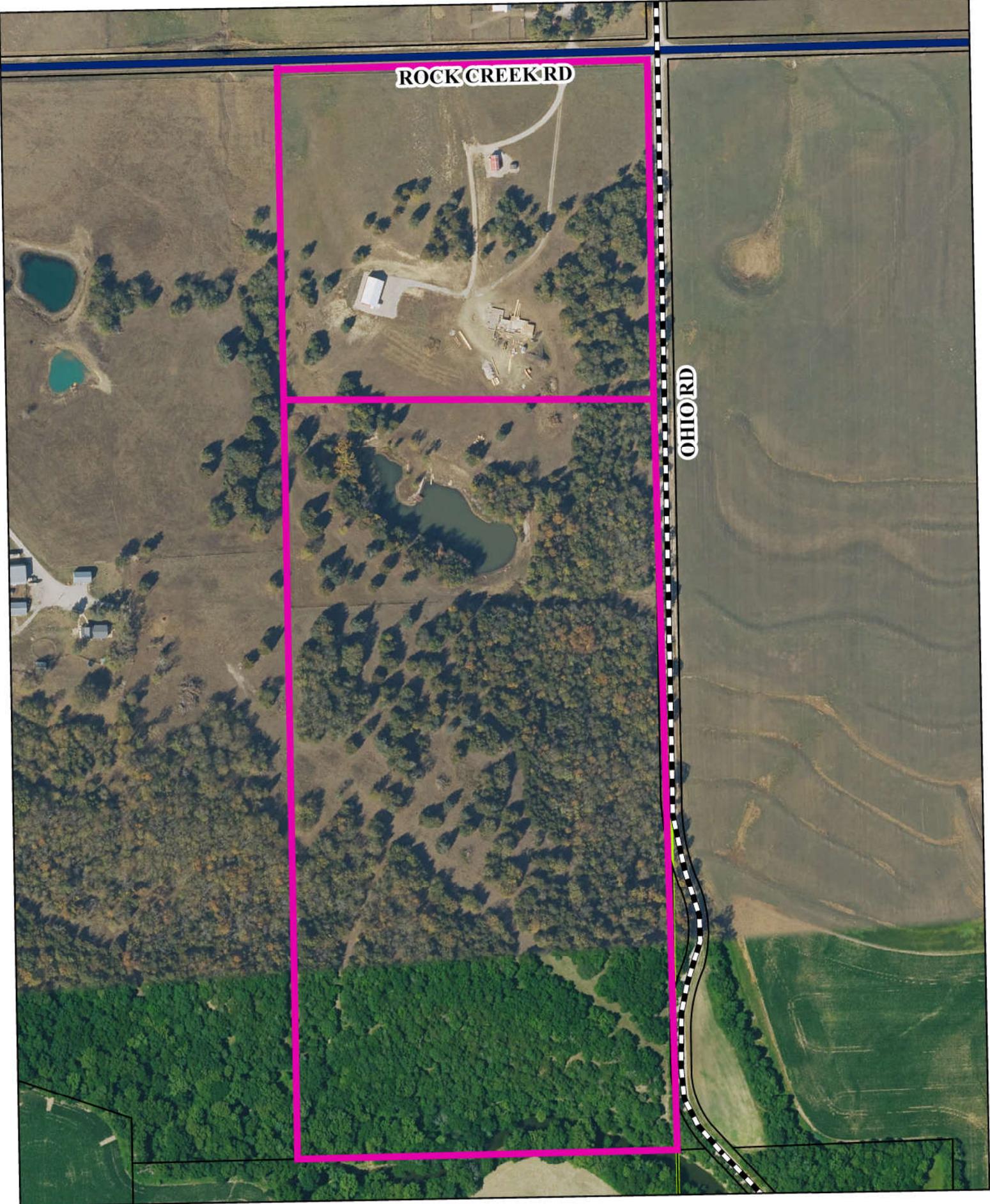
- Reduced Flood Risk due to Levee
- 100 Year Floodway
- Distance from firing line to residences with bullet holes



# HALLELUYAH PLACE BEFORE LOT ADJUSTMENT



# HALLELUYAH PLACE AFTER LINE ADJUSTMENT



# PREVIOUS SURVEY COMPLETED IN 2016

**NEW TRACT 1 DESCRIPTION:**

BEGINNING AT AN EXISTING 1/2" IRON BAR AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER SECTION 28, TOWNSHIP 17 SOUTH, RANGE 20 EAST OF THE SIXTH P.M., FRANKLIN COUNTY, KANSAS; THENCE NORTH 89 DEGREES 56 MINUTES 40 SECONDS EAST 1726.40 FEET ON THE NORTH LINE OF SAID NORTHEAST QUARTER, BEING MARKED WITH A 1/2" IRON BAR; THENCE SOUTH 00 DEGREES 37 MINUTES 54 SECONDS WEST 2649.38 FEET TO A 1/2" IRON BAR ON THE SOUTH LINE OF SAID NORTHEAST QUARTER; THENCE SOUTH 89 DEGREES 10 MINUTES 21 SECONDS WEST 392.27 FEET TO A 1/2" IRON BAR, AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 28; THENCE NORTH 00 DEGREES 24 MINUTES 36 SECONDS EAST 108.41 FEET TO A 1/2" IRON BAR; THENCE NORTH 70 DEGREES 00 MINUTES 36 SECONDS WEST 365.46 FEET TO A 1/2" IRON BAR IN AN EXISTING FENCE; THENCE NORTH 25 DEGREES 12 MINUTES 20 SECONDS WEST 59.80 FEET TO A 1/2" IRON BAR IN AN EXISTING FENCE; THENCE NORTH 02 DEGREES 12 MINUTES 20 SECONDS EAST 86.84 FEET TO A 1/2" IRON BAR IN AN EXISTING FENCE; THENCE SOUTH 81 DEGREES 59 MINUTES 58 SECONDS WEST 272.81 FEET TO A 1/2" IRON BAR IN AN EXISTING FENCE; THENCE SOUTH 50 DEGREES 03 MINUTES 14 SECONDS WEST 25.43 FEET TO A 1/2" IRON BAR IN AN EXISTING FENCE; THENCE SOUTH 89 DEGREES 16 MINUTES 02 SECONDS WEST 52.71 FEET TO A 1/2" IRON BAR IN AN EXISTING FENCE; THENCE SOUTH 49 DEGREES 42 MINUTES 49 SECONDS WEST 22.92 FEET TO A 1/2" IRON BAR IN AN EXISTING FENCE; THENCE SOUTH 89 DEGREES 27 MINUTES 25 SECONDS WEST 595.34 FEET ALONG AN EXISTING EAST/WEST FENCE TO A 1/2" IRON BAR ON THE WEST LINE OF THE NORTHEAST QUARTER; THENCE NORTH 00 DEGREES 50 MINUTES 16 SECONDS EAST 1010.12 FEET TO AN EXISTING STONE AT THE SOUTHWEST CORNER OF NORTHEAST QUARTER OF THE NORTHEAST QUARTER; THENCE NORTH 00 DEGREES 00 MINUTES 30 SECONDS EAST 1344.41 FEET TO THE POINT OF BEGINNING, CONTAINING 96.10 ACRES MORE OR LESS, ALL IN FRANKLIN COUNTY, KANSAS.

**NEW TRACT 2 DESCRIPTION:**

COMMENCING AT AN EXISTING 1/2" IRON BAR AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER SECTION 28, TOWNSHIP 17 SOUTH, RANGE 20 EAST OF THE SIXTH P.M., FRANKLIN COUNTY, KANSAS; THENCE NORTH 89 DEGREES 56 MINUTES 40 SECONDS EAST 1726.40 FEET ON THE NORTH LINE OF SAID NORTHEAST QUARTER, BEING MARKED WITH A 1/2" IRON BAR, AND BEING THE TRUE POINT OF BEGINNING; THENCE NORTH 89 DEGREES 56 MINUTES 40 SECONDS EAST 921.53 FEET (921.64' DEED) TO THE NORTHEAST CORNER OF SECTION 28 TOWNSHIP 17 SOUTH, RANGE 20 EAST OF THE SIXTH P.M., BEING MARKED WITH A 1/2" IRON BAR; THENCE SOUTH 00 DEGREES 38 MINUTES 31 SECONDS WEST 2636.97 FEET TO AN EXISTING LIMESTONE AT THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER; THENCE SOUTH 89 DEGREES 10 MINUTES 21 SECONDS WEST 921.28 FEET TO A 1/2" IRON BAR; THENCE NORTH 00 DEGREES 37 MINUTES 54 SECONDS EAST 2649.38 FEET TO THE POINT OF BEGINNING, CONTAINING 55.90 ACRES MORE OR LESS, ALL IN FRANKLIN COUNTY, KANSAS.

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.

Approved by James D. Walrod Date: 1/23/16  
JIM SCHMITZ PS 727

CERTIFICATE OF (BOUNDARY LINE ADJUSTMENT) APPROVAL  
STATE OF KANSAS  
FRANKLIN COUNTY  
I hereby certify that this (BLA) has been examined and found to comply with the Subdivision Regulation of Franklin County, Kansas, and is, therefore, approved for recording.  
Signed the 23rd day of January 2016  
James D. Walrod  
Larry D. Walrod - Planning Director

**NOTES:**

THERE ARE NO FENCES, GAPS, OVERLAPS, OR KNOWN DISCREPANCIES BETWEEN OWNERSHIP OR POSSESSION, UNLESS SHOWN.

ALL DISTANCES SHOWN ARE MEASURED UNLESS OTHERWISE NOTED.

NO EASEMENTS OR SETBACKS SHOWN BY AGREEMENT WITH CLIENT.

THERE WERE NO UNDERGROUND OR ABOVE GROUND UTILITIES LOCATED OR SHOWN THIS SURVEY, BY AGREEMENT WITH CLIENT.

BASIS OF BEARING :  
A BEARING OF N 89°-56'-40" E WAS ASSUMED ALONG THE NORTH LINE OF NORTHEAST QUARTER OF SECTION 28-17-20 FRANKLIN COUNTY, KANSAS.

THIS SURVEY DOES NOT CERTIFY OWNERSHIP

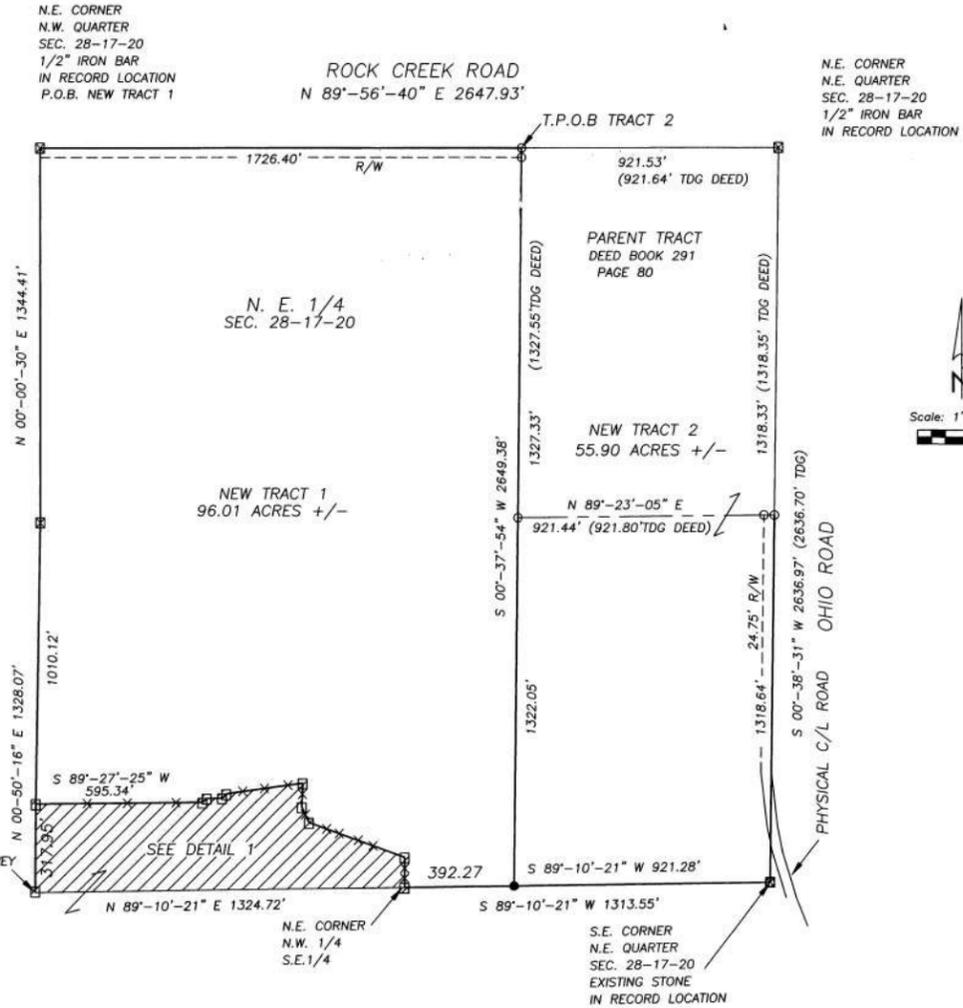
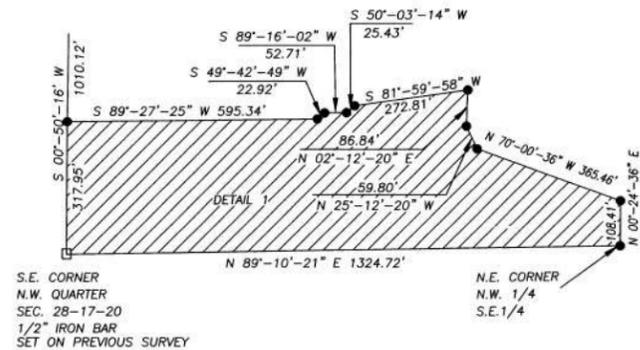
**REFERENCE SURVEY:**

SURVEY BY TODD BURROUGHS PS 1187 BY SURVEY 1903 COUNTY PUBLIC WORKS OFFICE  
SURVEY BY BRYON K. CATES PS 1208 BY SURVEY 1828, 2624, 2325, 2624,3043 COUNTY PUBLIC WORKS OFFICE

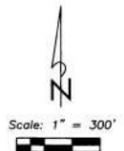
TIES IN FRANKLIN COUNTY PUBLIC WORKS OFFICE OLD SURVEY BY DATED MAY 12, 1873 BOOK

FILED FOR RECORD  
TIME 3:30 PM

MAR 02 2016  
Book Side page 407c  
REGISTER OF DEEDS, FRANKLIN COUNTY, KS  
INSTRUMENT # 572  
2600



N.E. CORNER  
N.E. QUARTER  
SEC. 28-17-20  
1/2" IRON BAR  
IN RECORD LOCATION



THIS SURVEY IS TO COMBINE DEED BOOK 291 PAGE 80 WITH ADDITIONAL LAND TO BECOME NEW TRACT 2

I Bryon K. Cates, A Professional Land Surveyor in the State of Kansas do hereby certify that this Plat represents the true and accurate results of a Survey completed in the field under my direct supervision on DECEMBER 15, 2015.



NOTE: PARENT TRACT DEED RECORDED IN DEED BOOK 289 PAGE 279

SURVEY ORDERED BY JIM FERGUSON  
BOUNDARY LINE ADJUSTMENT SURVEY

CATES SURVEYING INC. (CSI)  
Bryon K. Cates PLS 1208  
Professional Surveying Services  
790 Pawnee Rd. Pomona, KS 66076  
Phone 785-566-3391 Fax 785-566-3391  
JOB # 15021457FC

- LEGEND:**
- Existing Monument as noted
  - EXISTING 1/2" IRON BAR SET BY TDG
  - 1/2"x24" Iron bar w/L.D. Cap 1208 set by Bryon K. Cates this survey
  - 1/2"x24" Iron bar w/L.D. Cap 1208 set by Bryon K. Cates on previous survey
- IB = IRON BAR T.P.O.B. = POINT OF BEGINNING  
FD = FOUND HCP = HEDGE CORNER POST  
E = EAST N = NORTH  
W = WEST S = SOUTH
- R/W = RIGHT OF WAY  
--- FENCE LINE

S.E. CORNER  
N.W. QUARTER  
SEC. 28-17-20  
1/2" IRON BAR  
SET ON PREVIOUS SURVEY  
1336.11'

S.E. CORNER  
N.E. QUARTER  
SEC. 28-17-20  
EXISTING STONE  
IN RECORD LOCATION

**TRACT 1**

A TRACT OF LAND IN THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 17 SOUTH, RANGE 20 EAST OF THE SIXTH P.M., AS WRITTEN BY BRYON K. CATES PS 1208, DATED 11-28-2025 AS FOLLOWS; BEGINNING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 17 SOUTH, RANGE 20 EAST OF THE SIXTH P.M.; THENCE SOUTH 00°38'31" WEST 745.25 FEET ON THE EAST LINE OF SAID NORTHEAST QUARTER; THENCE SOUTH 89°10'21" WEST 921.62 FEET ON A LINE PARALLEL WITH THE SOUTH LINE OF SAID NORTHEAST QUARTER; THENCE NORTH 00°37'54" EAST 757.67 FEET, TO THE NORTH LINE OF SAID NORTHEAST QUARTER; THENCE NORTH 89°56'41" EAST 921.52 FEET TO THE POINT OF BEGINNING, CONTAINING 15.90 ACRES MORE OR LESS, ALL IN FRANKLIN COUNTY, KANSAS.

**TRACT 2**

A TRACT OF LAND IN THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 17 SOUTH, RANGE 20 EAST OF THE SIXTH P.M., AS WRITTEN BY BRYON K. CATES PS 1208, DATED 11-28-2025 AS FOLLOWS; COMMENCING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 17 SOUTH, RANGE 20 EAST OF THE SIXTH P.M.; THENCE SOUTH 00°38'31" WEST 745.25 FEET ON THE EAST LINE OF SAID NORTHEAST QUARTER, TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 00°38'31" WEST 1891.72 FEET TO THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER; THENCE SOUTH 89°10'21" WEST 921.28 FEET ON THE SOUTH LINE OF SAID NORTHEAST QUARTER; THENCE NORTH 00°37'54" EAST 1891.71 FEET, THENCE NORTH 89°10'21" EAST 921.62 FEET TO THE POINT OF BEGINNING, CONTAINING 40.00 ACRES MORE OR LESS, ALL IN FRANKLIN COUNTY, KANSAS.

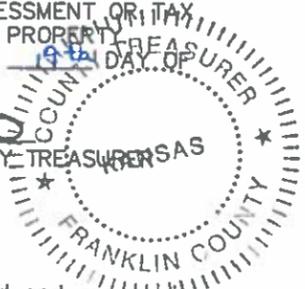
I hereby certify that this LOT SPLIT SURVEY has been examined and approved by Franklin County, Kansas Planning Director and is APPROVED for recording.

Signed the 29th day of December 2025.

*[Signature]*  
PAT TOTH PLANNING DIRECTOR

CERTIFICATE OF COUNTY TREASURER  
THIS IS TO CERTIFY THAT THERE ARE NO UNPAID TAXES, SPECIAL ASSESSMENT OR TAX LIENS OUTSTANDING ON THIS PROPERTY GIVEN UNDER MY HAND THIS 19th DAY OF December 2025.

*[Signature]*  
MARILYN STEVENSON COUNTY TREASURER



**SURVEY REVIEW**

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.

*[Signature]* 12/8/2025  
TIM SLOAN DATE

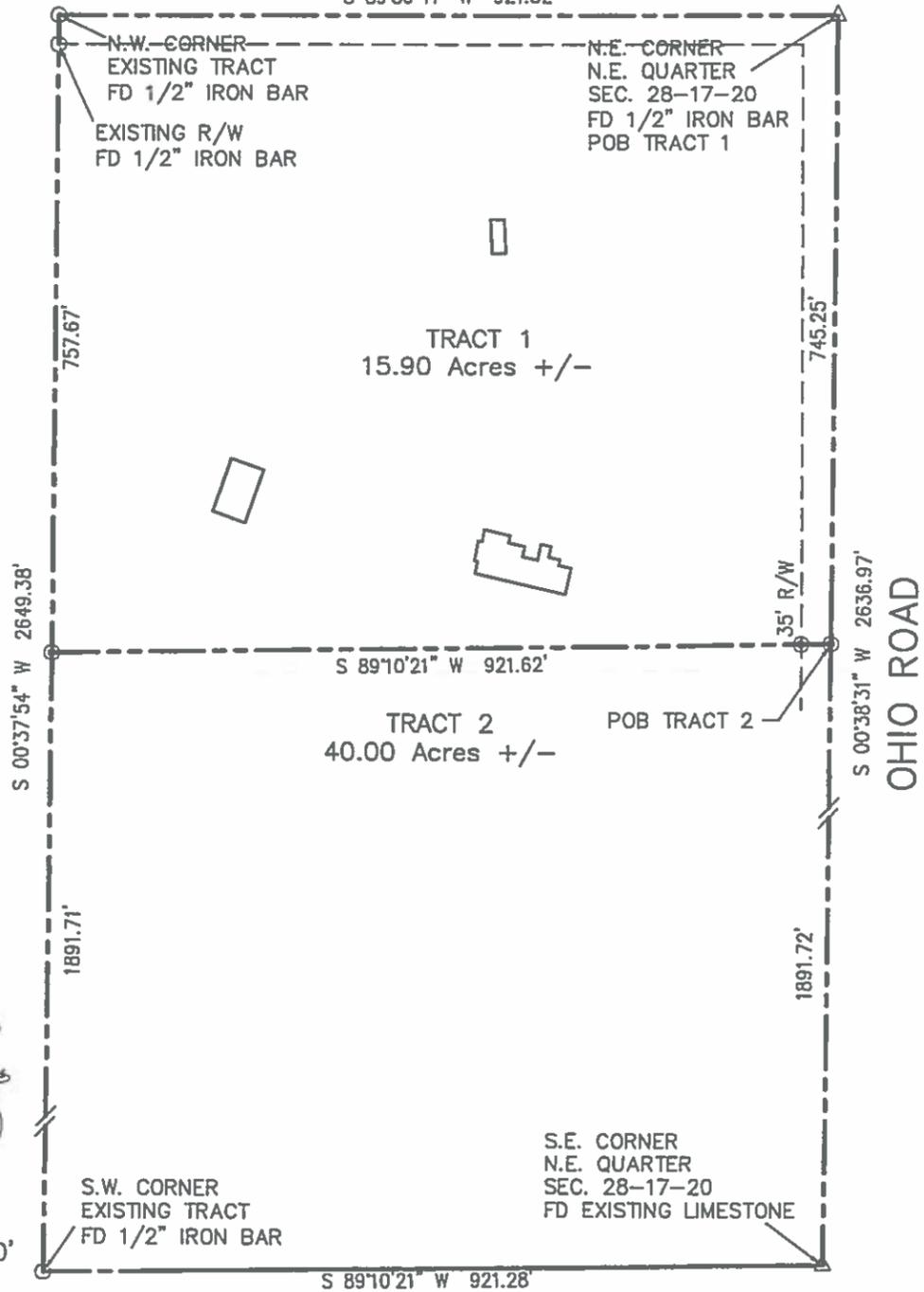
**LEGEND**

- Existing Iron Rod
- Origin Unknown (unless noted)
- ⊙ Set 1/2"x24" Iron Rod/Cap (unless otherwise noted)
- △ Section Corner
- Origin Unknown (unless noted)
- Boundary Line
- \*- Fence line
- (GLO) General Land Office
- (M) Measured Dimension
- (D) Deed Dimension
- (P) Plat Dimension
- R/W Right of Way

SCALE: 1" = 200'

**ROCK CREEK ROAD**

S 89°56'41" W 921.52'



**SURVEYOR'S CERTIFICATION**

I HEREBY CERTIFY THAT WE HAVE MADE A SURVEY OF THE PREMISES HEREIN DESCRIBED WHICH MEETS OR EXCEEDS THE CURRENT MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS IN THE STATE OF KANSAS AND THE RESULTS OF SAID SURVEY ARE PRESENTED ON THIS DRAWING TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF.

1. The bearings shown hereon are based upon the East line of the Northeast Quarter, S 00°38'41" E, per PREVIOUS SURVEY BY ME.
2. This survey does not reflect any easements, rights-of-way, or other instruments of record which may encumber this property per agreement with client.
3. Underground, above ground utilities, nor improvements were located or shown on this survey.
4. All distances are measured unless otherwise noted.

*[Signature]*  
BRYON K. CATES  
PS-1208  
DATE: 11-28-2025  
KANSAS

**CATES SURVEYING INC.**  
Bryon K. Cates  
Professional Surveying Services  
790 Pawnee Rd. Pomona, KS 66076  
Phone 785-566-3391 Fax 785-566-3391

DRAWN BY : BKC  
JOB No. 25112330  
CHECKED BY : BKC  
LATEST REVISION: 11/28/2025  
PREPARED FOR: HALLELUYAH PLACE LLC

**LOT SPLIT SURVEY**

OF A PORTION N.E./4 SEC. 28, T17S, R20E

FRANKLIN COUNTY, KANSAS



**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 Halleluyah Place, LLC to rezone approximately 15.90 acres, described as Tract 1, from the A-2, Transitional Agriculture District to the R-E, Residential Estate District and to rezone approximately 40.00 acres, described as Tract 2, from the A-2, Transitional Agriculture District to the A-1, Agriculture District. The properties described below lie outside any incorporated city and is described as follows:

**TRACT 1:**

A tract of land in the Northeast Quarter of Section 28, Township 17 South, Range 20 East of the Sixth P.M., as written by Bryon K. Cates PS 1208, dated 11-28-2025 as follows: Beginning at the Northeast Corner of the Northeast Quarter of Section 28, Township 17 South, Range 20 East of the Sixth P.M., Thence South  $00^{\circ}38'31''$  West 745.25 feet on the East line of said Northeast Quarter; Thence South  $89^{\circ}10'21''$  West 921.62 feet on a line parallel with the South line of said Northeast Quarter; Thence North  $00^{\circ}37'54''$  East 757.67 feet to the North line of said Northeast Quarter; Thence North  $89^{\circ}56'41''$  East 921.52 feet to the Point of Beginning, containing 15.90 acres, more or less, all in Franklin County Kansas.

**TRACT 2:**

A tract of land in the Northeast Quarter of Section 28, Township 17 South, Range 20 East of the Sixth P.M. as written by Bryon K. Cates PS 1208 dated 11-28-2025 as follows: Commencing at the Northeast Corner of the Northeast Quarter of Section 28, Township 17 South, Range 20 East of the Sixth P.M., Thence South  $00^{\circ}38'31''$  West 745.25 feet on the East line of said Northeast Quarter to the True Point of Beginning; Thence South  $00^{\circ}38'31''$  West 1891.72 feet to the Southeast Corner of the Northeast Quarter; Thence South  $89^{\circ}10'21''$  West 921.28 feet on the South line of said Northeast Quarter; Thence North  $00^{\circ}37'54''$  East 1891.71 feet; Thence North  $89^{\circ}10'21''$  East 921.62 feet to the Point of Beginning, containing 40.00 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 October 29, 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 November 20, 2025 regarding said Zoning Change; and

WHEREAS, the Franklin County Planning Commission, on November 20, 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 tracts from A-2, Transitional Agriculture District to the R-E, Residential Estate District and from the A-2, Transitional Agriculture District to the A-1, 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 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



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

**Resolution 26-**

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A RESOLUTION DENYING REZONING APPLICATION #2510-0058 (HALLELUYAH PLACE, LLC) TO REZONE APPROXIMATELY 15.90 ACRES, DESCRIBED AS TRACT 1, FROM THE A-2, TRANSITIONAL AGRICULTURE DISTRICT TO THE R-E, RESIDENTIAL ESTATE DISTRICT AND TO REZONE APPROXIMATELY 40.00 ACRES, DESCRIBED AS TRACT 2, FROM THE A-2, TRANSITIONAL AGRICULTURE DISTRICT TO THE A-1, AGRICULTURE 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 October 29, 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 November 20, 2025 regarding said Zoning Change; and

WHEREAS, the Franklin County Planning Commission, on November 20, 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" and from "A-2" to "A-1" is not consistent with the County Zoning Regulations.
2. That the rezoning from "A-2" to "R-E" and from "A-2" to "A-1" is not in conformance with and would not further enhance the County Comprehensive Plan.
3. That the rezoning from "A-2" to "R-E" and from "A-2" to "A-1" will unduly affect the character of the surrounding community.
4. That the rezoning from "A-2" to "R-E" and from "A-2" to "A-1" 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 #2510-0058 (Halleluyah Place, LLC) to rezone approximately 15.99 acres from R-E, Residential Estate District to A-2, Transitional Agriculture District and to rezone approximately 10.00 acres from the 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.

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Sabrina Meador  
Vice Chair

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

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Janet Paddock  
County Clerk