

# Franklin County Agenda Cover Sheet



To: Franklin County Board of County Commissioners  
From: Larry D. Walrod  
Department: Planning & Building  
Date: Wednesday, April 4, 2018

## **AGENDA ITEM NARRATIVE**

Consider for Approval Rezoning Application #1801-1563 (Dillon) to rezone approximately 10.31 acres from an R-E (Residential Estate) Zoning District to an A-1 (Agriculture) Zoning District and to rezone approximately 33.04 acres from an A-1 (Agriculture) Zoning District to an A-2 (Transitional Agriculture) Zoning District.

## **BACKGROUND**

The applicant is requesting to rezone approximately 10.31 acres from an R-E (Residential Estate) Zoning District to an A-1 (Agriculture) Zoning District and to rezone approximately 33.04 acres from an A-1 (Agriculture) Zoning District to an A-2 (Transitional Agriculture) Zoning District. The property is located at the intersection of Thomas Road and Louisiana Road, on the North side of Thomas Road and on the West side of Louisiana Road.

The purpose for the rezoning is to settle the family estate and to permit a boundary line adjustment to merged the existing 10.31 acres to an 53.37 acres and the division of 33.04 acres from an existing 139.7 acre tract. Since the 10.31 acres will no longer meet the maximum allowed for the R-E Zoning District is must be rezoned to the A-1 Zoning District. The newly created 33.04 acre tract will no longer meet the minimum allowed for the A-1 Zoning District so it must be rezoned to the A-2 Zoning District.

The Planning Commission recommended approval of rezoning application #1801-1563 (Dillon) to rezone approximately 10.31 acres from an R-E (Residential Estate) Zoning District to an A-1 (Agriculture) Zoning District and to rezone approximately 33.04 acres from an A-1 (Agriculture) Zoning District to an A-2 (Transitional Agriculture) Zoning District.

## **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 #1801-1563 (Dillon) to approximately 10.31 acres from an R-E (Residential Estate) Zoning District to an A-1 (Agriculture) Zoning District and to rezone approximately 33.04 acres from an A-1 (Agriculture) Zoning District to an A-2 (Transitional Agriculture) Zoning 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 #1801-1563 (Dillon) to approximately 10.31 acres from an R-E (Residential Estate) Zoning District to an A-1 (Agriculture) Zoning District and to rezone approximately 33.04 acres from an A-1 (Agriculture) Zoning District to an A-2 (Transitional Agriculture) Zoning District and to amend the Official County Zoning Map accordingly".

## **ATTACHMENTS**

Aerial photos (2)  
Surveys  
Resolution

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

RESOLUTION NO. 18- \_\_\_\_\_

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 Teresa Dillon requesting to rezone approximately 10.31 acres, described as Tract 1, from an R-E (Residential Estate) Zoning District to an A-1 (Agriculture) Zoning District and to rezone approximately 33.04 acres, described as Tract 2, from an A-1 (Agriculture) Zoning District to an A-2 (Transitional Agriculture) Zoning District. The property described below lies outside any incorporated city and is described as follows:

**TRACT 1:**

Beginning at the Northeast Corner of the Southeast Quarter of Section 21, Township 15 South, Range 19 East; THENCE West 330 feet; THENCE South 1390 feet; THENCE East 330 feet; THENCE North 1390 feet to the Place of Beginning, containing 10.31 acres, more or less, all in Franklin County Kansas. Subject to right-of-way for highway purposes.

**TRACT 2:**

Commencing at the Southeast Corner of the Southeast Quarter of Section 21, Township 15 South, Range 19 East; THENCE North 89 degrees 50 minutes 19 seconds West 546.55 feet along the South line of said Quarter Section to the True Point of Beginning; THENCE continuing North 89 degrees 50 minutes 19 seconds West 1029.93 feet along the South line of said Quarter Section; THENCE North 00 degrees 14 minutes 56 seconds East 1250.00 feet; THENCE South 89 degrees 50 minutes 19 seconds East 1246.14 feet along a line parallel to the South line of said Quarter Section; THENCE South 00 degrees 14 minutes 01 seconds West 671.49 feet along a line parallel to the East line of said Quarter Section; THENCE South 89 degrees 22 minutes 53 seconds West 194.85 feet; THENCE South 02 degrees 23 minutes 37 seconds West 576.29 feet to the Point of Beginning containing 33.04 acres, more or less, all in Franklin County Kansas. Subject to any part thereof in roads.

WHEREAS, pursuant to K.S.A. 12-757(b), the Franklin County Planning Commission has published in the official county newspaper on the 20<sup>th</sup> day of February, 2018, notice of public hearing for said Zoning Change Request; and

WHEREAS, pursuant to K.S.A. 12-757(b), the Franklin County Planning Commission held a public hearing on March 15, 2018 regarding said Zoning Change Request; and

WHEREAS, the Franklin County Planning Commission, on March 15, 2018 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 tracts of land from an "R-E" Residential Estate District to an "A-1" Agriculture District and from an "A-1" Agriculture District to an "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 4<sup>th</sup> day of April, 2018. This action shall become effective upon publication in the official county newspaper.

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Randall L. Renoud  
Chairman

Received and recorded this the 4<sup>th</sup> day of April, 2018.

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Janet Paddock  
County Clerk