

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

RESOLUTION NO. 18- 01

**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 Daniel and Victoria Fehling to rezone approximately 6.47 acres, described as New Tract 1 and New Tract 2, from an A-2 (Transitional Agriculture) Zoning District to an R-3A (Single Family Residential Three Acre) Zoning District and to rezone approximately 5.00 acres, described as Tract 3, from an A-2 (Transitional Agriculture) Zoning District to an R-E (Single Family Residential Three Acre) Zoning District. The property described below lies outside any incorporated city and is described as follows:

New Tract #1:

Commencing at the Northeast Corner of the Southwest Quarter of Section 4, Township 16 South, Range 19 East of the Sixth P.M.; THENCE South 01 degrees 28 minutes 30 seconds East 1438.99 feet on the East line of said Southwest Quarter, to the Point of Beginning; THENCE South 01 degrees 28 minutes 30 seconds East 216.00 feet on the East line of said Southwest Quarter to the Southeast Corner of the North 10 acres of the Southeast Quarter of the Southwest Quarter; THENCE South 88 degrees 38 minutes 34 seconds West 655.00 feet on said South line of North 10 acres; THENCE North 01 degrees 28 minutes 30 seconds West 216.00 feet; THENCE North 88 degrees 38 minutes 34 seconds East 655.00 feet, to the Point of Beginning, containing 3.25 acres, more or less, all in Franklin County Kansas.

New Tract #2:

Commencing at the Northeast Corner of the Southwest Quarter of Section 4, Township 16 South, Range 19 East of the Sixth P.M.; THENCE South 01 degrees 28 minutes 30 seconds East 1167.28 feet on the East line of said Southwest Quarter to the Point of Beginning; THENCE South 01 degrees 28 minutes 30 seconds East 271.71 feet on the East line of the Southwest Quarter; THENCE South 88 degrees 38 minutes 34 seconds West 512.00 feet; THENCE North 01 degrees 28 minutes 30 seconds West 275.68 feet; THENCE North 89 degrees 05 minutes 12 seconds East 512.01 feet, to the Point of Beginning, containing 3.22 acres, more or less, all in Franklin County Kansas.

Tract #3:

Commencing at the Southeast Corner of the Southwest Quarter of Section 4, Township 16 South, Range 19 East; THENCE North 1484.34 feet along the East line of said Quarter Section to the True Point of Beginning; THENCE North 89 degrees 29 minutes 05 seconds West 400 feet; THENCE North 544.50 feet along a line parallel to the East line of said Quarter; THENCE South 89 degrees 29 minutes 05 seconds East 400 feet to a point on the East line of said Quarter Section; THENCE South 544.50 feet along the East line of said Quarter Section to the Point of Beginning, containing 5.00 acres, more or less, 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 26th day of September, 2017, notice of public hearing for said Zoning Change Request; and

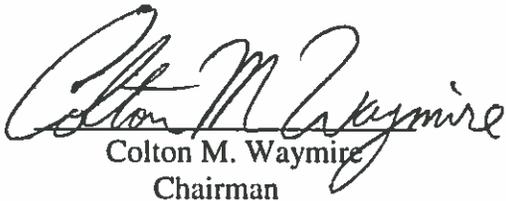
WHEREAS, pursuant to K.S.A. 12-757(b), the Franklin County Planning Commission held a public hearing on October 19th, 2017 regarding said Zoning Change Request; and

WHEREAS, the Franklin County Planning Commission, on October 19th, 2017 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 "A-2" Transitional Agriculture District to an "R-3A" Single Family Residential Three Acre District and from an "R-E" Residential Estate 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 3rd day of January, 2018. This action shall become effective upon publication in the official county newspaper.


Colton M. Waymire
Chairman

Received and recorded this the 3rd day of January, 2018.




Janet Paddock
County Clerk

FILED FOR RECORD
TIME 12:30 P.M.

Mae

JAN 03 2018
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REGISTER OF DEEDS, FRANKLIN CO., KS
INSTRUMENT # 16

(Original compared with record)

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