

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

RESOLUTION NO. 07-011

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 Donald D. Fiehler, Trust, property owner of record, to rezone approximately 5.038 acres from an A-1 (Agriculture) District to an R-E (Residential Estate) District. The property described below lies outside any incorporated city and is described as follows:

Tract 1:

A tract of land being part of the Northwest Quarter (NW $\frac{1}{4}$) of Section 08, Township 16 South, Range 21 East, Franklin County Kansas being described as: Commencing at the Northwest Corner of said Northwest Quarter (NW $\frac{1}{4}$); THENCE South 00 degrees 02 minutes 14 seconds East along the West line of said Northwest Quarter (NW $\frac{1}{4}$) 207.42 feet; THENCE South 89 degrees 14 minutes 32 seconds East parallel to the North line of said Northwest Quarter (NW $\frac{1}{4}$) 275.38 feet; THENCE South 00 degrees 02 minutes 14 seconds East parallel to the West line of said Northwest Quarter (NW $\frac{1}{4}$) 155.51 feet to the POINT OF BEGINNING; THENCE South 00 degrees 02 minutes 14 seconds East 202.44 feet; THENCE South 00 degrees 02 minutes 14 seconds East 202.44 feet; THENCE South 88 degrees 22 minutes 42 seconds East 1044.17 feet to a point on the East line of the West Half (W $\frac{1}{2}$) of said Northwest Quarter (NW $\frac{1}{4}$); THENCE North 00 degrees 09 minutes 24 seconds West along the East line of the West Half (W $\frac{1}{2}$) of said Northwest Quarter (NW $\frac{1}{4}$) 218.19 feet; THENCE North 89 degrees 14 minutes 32 seconds West parallel to the North line of said Northwest Quarter (NW $\frac{1}{4}$) 1043.36 feet to the POINT OF BEGINNING. Containing 5.038 acres of land 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 24th day of January 2007, 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 February 15th, 2007 regarding said Zoning Change Request; and

WHEREAS, the Franklin County Planning Commission, on February 15th, 2007 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 rezoning of the above described tract of land from an "A-1" Agriculture District to an "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 7th day of March 2007. This action shall become effective upon publication in the official county newspaper.

/s/ Karen S. Farrell
Karen S. Farrell
Commissioner District 1

Absent
John E. Taylor
Commissioner District 2

/s/ Roy C. Dunn
Roy C. Dunn
Commissioner District 3

/s/ Donald C. Hay
Donald C. Hay
Commissioner District 4

/s/ Donald R. Stottlemire
Donald R. Stottlemire
Commissioner District 5

Received and recorded this the 7th day of March 2007.

Shari Perry

/s/ Shari Perry
County Clerk