

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

RESOLUTION NO. 07-079

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 Robert and Sharon Sparks, property owner of record, to rezone approximately 5.00 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:

Commencing at the Southwest Corner of the East Half of the Southwest Quarter of Section 34, Township 16 South, Range 18 East of the 6th P.M., Franklin County Kansas; THENCE North 00 degrees 26 minutes 47 seconds East, along the West line of the East Half of said Southwest Quarter, 53.70 feet to a ½" rebar on the North right of way line of K-68 Highway the Point of Beginning; THENCE continuing North 00 degrees 26 minutes 47 seconds East along the West line of the East Half of said Southwest Quarter, 363.27 feet to a ½" rebar; THENCE South 89 degrees 12 minutes 14 seconds East, 600.24 feet to a ½" rebar; THENCE South 00 degrees 39 minutes 45 seconds West, 363.27 feet to a ½" rebar on said North right of way line; THENCE North 89 degrees 12 minutes 12 seconds West along said North right of way line 598.87 feet to the Point of Beginning. Together with and subject to covenants, easements and restrictions of record. Said property contains 5.00 acres more or less Franklin County Kansas as shown on survey by Taylor Design Group, P.A. dated November 2007.

WHEREAS, pursuant to K.S.A. 12-757(b), the Franklin County Planning Commission has published in the official county newspaper on the 19th day of October 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 November 15th, 2007 regarding said Zoning Change Request; and

WHEREAS, the Franklin County Planning Commission, on November 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 26th day of December 2007. This action shall become effective upon publication in the official county newspaper.

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

/s/ John E Taylor
John E. Taylor
Commissioner District 2

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

Absent
Donald C. Hay
Commissioner District 4

Abstained
Donald R. Stottlemire
Commissioner District 5

Received and recorded this the 26th day of December 2007.

Shari Perry

/s/ Shari Perry
County Clerk