

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

RESOLUTION NO. 06-025

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 Zoning Change from Lee Nitcher, property owner of record, to rezone approximately 5.73 acres from an "A-1" Agriculture District to a "R-E" Residential Estate District. The property described below lies outside any incorporated city and is described as follows:

Beginning at a ½" rebar at the Northwest Corner of the Southwest Quarter of Section 14, Township 17 South, Range 18 East of the 6th Principal Meridian, Franklin County, Kansas; THENCE North 89 degrees 59 minutes 23 seconds East for a distance of 371.55 feet along the North line of said Southwest Quarter to a ½" rebar; THENCE South 00 degrees 23 minutes 32 seconds East for a distance of 672.89 feet parallel with the West line of said Southwest Quarter to a ½" rebar; THENCE South 89 degrees 59 minutes 23 seconds West for a distance of 371.55 feet parallel with said North line to a ½" rebar on said West line, said rebar being 1968.80 feet North of the Southwest Corner of said Southwest Quarter; THENCE North 00 degrees 23 minutes 32 seconds West for a distance of 672.89 feet to the Point of Beginning. Together with and subject to covenants, easements and restrictions of record. Said property contains 5.73 acres more or less in Franklin County Kansas, as shown on survey by Taylor Design Group, P.A. dated March, 2006

WHEREAS, pursuant to K.S.A. 12-757(b), the Franklin County Planning Commission has published in the official county newspaper on the 23rd day of February 2006, 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 16th, 2006 regarding said Zoning Change Request; and

WHEREAS, the Franklin County Planning Commission, on March 16th, 2006 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 a "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 5th day of April 2006. This action shall become effective upon publication in the official county newspaper.

/s/ Donald E. Waymire
Donald E. Waymire
Commissioner District 1

/s/ John E. Taylor
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 5th day of April 2006.

/s/ Shari Perry
Shari Perry
County Clerk