

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

RESOLUTION NO. 06-039

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 Jim and Vicki Cain, property owner of record, to rezone approximately 15 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:

Commencing at a ½" rebar at the Northwest Corner of the East Half of the Northwest Quarter of Section 24, Township 17 South, Range 17 East of the 6th Principal Meridian, Franklin County, Kansas; THENCE North 88 degrees 30 minutes 04 seconds East for a distance of 350.00 feet to a point on the North line of said Northwest Quarter, to the POINT OF BEGINNING; THENCE North 88 degrees 30 minutes 04 seconds East for a distance of 521.21 feet along said North line to a ½" rebar; THENCE South 01 degrees 44 minutes 36 seconds East for a distance of 1250.00 feet to a ½" rebar; THENCE South 88 degrees 30 minutes 04 seconds West for a distance of 521.21 feet; THENCE North 01 degrees 44 minutes 36 seconds West for a distance of 1250.00 feet to the TRUE POINT OF BEGINNING. Together with and subject to covenants, easements and restrictions of record. Said property contains 15.00 acres, more or less, in Franklin County Kansas as shown on survey by Taylor Design Group, P.A., dated April 2006.

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 April 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 May 18th, 2006 regarding said Zoning Change Request; and

WHEREAS, the Franklin County Planning Commission, on May 18th, 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 7th day of June 2006. This action shall become effective upon publication in the official county newspaper.

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

Absent
Roy C. Dunn
Commissioner District 3

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

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

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

Received and recorded this the 7th day of June 2006.

/s/ Shari Perry
Shari Perry
County Clerk