

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

RESOLUTION NO. 05-17

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 Roger Johnson, property owner of record, to rezone Tract A, approximately 10 acres, from an "A-1" Agriculture District to a "R-E" Residential Estate District and to rezone Tract B, approximately 30 acres, from an "A-1" Agriculture District to an A-2 Transitional Agriculture District. The property described below lies outside any incorporated city and is described as follows:

Tract A:

Beginning at the Southwest Corner (SW) of the Northwest Quarter (NW $\frac{1}{4}$) of Section 26, Township 15 South, Range 18 East of the sixth principal meridian; THENCE on a bearing of North 89 degrees 58 minutes 55 seconds East 860.70 feet along the South line of the Northwest Quarter (NW $\frac{1}{4}$); THENCE on a bearing of North 00 degrees 46 minutes 05 seconds West 506.52 feet parallel with the West line of the Northwest Quarter (NW $\frac{1}{4}$); THENCE on a bearing of South 89 degrees 56 minutes 19 seconds West 860.69 feet to the West line of the Northwest Quarter (NW $\frac{1}{4}$); THENCE on a bearing of South 00 degrees 46 minutes 05 seconds East 505.87 feet along said West line to the POINT OF BEGINNING, containing 10.00 acres more or less including that part used for road right of way.

Tract B:

The Southwest Quarter (SW $\frac{1}{4}$) of the of the Northwest Quarter (NW $\frac{1}{4}$) of Section 26, Township 15 South, Range 18 East of the sixth principal meridian except a tract beginning at the Southwest Corner (SW) of the Northwest Quarter (NW $\frac{1}{4}$) of Section 26, Township 15 South, Range 18 East of the sixth principal meridian; THENCE on a bearing of North 89 degrees 58 minutes 55 seconds East 860.70 feet along the South line of the Northwest Quarter (NW $\frac{1}{4}$); THENCE on a bearing of North 00 degrees 46 minutes 05 seconds West 506.52 feet parallel with the West line of the Northwest Quarter (NW $\frac{1}{4}$); THENCE on a bearing of South 89 degrees 56 minutes 19 seconds West 860.69 feet to the West line of the Northwest Quarter (NW $\frac{1}{4}$); THENCE on a bearing of South 00 degrees 46 minutes 05 seconds East 505.87 feet along said West line to the POINT OF BEGINNING and containing 30.00 acres, more or less, after the exception including that part used for road right of way.

WHEREAS, pursuant to K.S.A. 12-757(b), the Franklin County Planning Commission has published in the official county newspaper on the 29th day of December 2004, 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 January 20th, 2005 regarding said Zoning Change Request; and

WHEREAS, the Franklin County Planning Commission, on January 20th, 2005 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 from "A-1" Agriculture District to a "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 7th day of February 2005. This action shall become effective upon publication in the official county newspaper.

/s/ Donald E. Waymire /s/ John E. Taylor
Donald E. Waymire John E. Taylor Commissioner District 1 Commissioner District 2

/s/ Roy C. Dunn; /s/ Donald C. Hay
Roy C. Dunn Donald C. Hay
Commissioner District 3#9; Commissioner District 4

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

Received and recorded this the 7th day of February 2005.

/s/ Shari Perry
Shari Perry
County Clerk