

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

RESOLUTION NO. 05-25

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 Ben Kays, property owner of record, to rezone approximately 3.46 acres from an "A-1" Agriculture District to a "R-3A" Single Family Residential Three Acre District. The property described below lies outside any incorporated city and is described as follows:

Commencing at a railroad spike at the Southwest Corner (SW) of the Southwest Quarter (SW ¼) of Section 25, Township 16 South, Range 20 East of the 6th Principal Meridian, Franklin County, Kansas; THENCE North 01 degrees 57 minutes 28 seconds West for a distance of 844.47 feet along the West line of said Southwest Quarter (SW ¼) to a ½" rebar, the POINT OF BEGINNING; THENCE North 01 degrees 57 minutes 28 seconds West for a distance of 476.07 feet along said West line to a ½" rebar; THENCE North 88 degrees 02 minutes 32 seconds East for a distance of 316.92 feet to a ½" rebar; THENCE South 01 degrees 57 minutes 28 seconds East for a distance of 476.07 feet parallel with said West line to a ½" rebar; THENCE South 88 degrees 02 minutes 32 seconds West for a distance of 316.92 feet to the POINT OF BEGINNING. Together with and subject to covenants, easements and restrictions of record. Said property contains 3.46 acres more or less, in Franklin County, Kansas, as shown on survey by Taylor Design Group, P.A., dated December, 2004.

WHEREAS, pursuant to K.S.A. 12-757(b), the Franklin County Planning Commission has published in the official county newspaper on the 28th day of January 2005, 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 17th, 2005 regarding said Zoning Change Request; and

WHEREAS, the Franklin County Planning Commission, on February 17th, 2005 in regular session and by a majority 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-3A" Single Family Residential Three Acre 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 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. Dunn9; /s/ Donald C. Hay

Roy C. DunnDonald 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 March 2005.

/s/ Shari Perry

Shari Perry
County Clerk