

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

RESOLUTION NO. 05-35

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 Tim Bowyer, property owner of record, to rezone approximately 5.35 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:

Tract A:

Beginning at a point in the center of the East and West highway 20.02 rods West of the Northeast Corner (NE) of the Northwest Quarter (NW  $\frac{1}{4}$ ) of Section 12, Township 17S, Range 20E; THENCE South along center of the North and South highway 129.34 rods; THENCE West 78.10 rods to center of the stone partition fence; THENCE North 129.44 rods to a point in the center of the East and West highway 72.98 rods West of the place of beginning; THENCE East along the center of said highway to place of beginning, Franklin County, Kansas; THENCE South 01 degrees 25 minutes 14 seconds West 510.10 feet along the center of the stone partition fence; THENCE North 87 degrees 05 minutes 23 seconds East 466.83 feet; THENCE North 01 degrees 26 minutes 22 seconds East 491.00 feet to a point on the North line of the Northwest Quarter (NW  $\frac{1}{4}$ ) of said section; THENCE South 89 degrees 25 minutes 16 seconds West 465.94 feet along said North line to the Point of Beginning, containing 5.35 acres, more or less, Franklin County, Kansas.

WHEREAS, pursuant to K.S.A. 12-757(b), the Franklin County Planning Commission has published in the official county newspaper on the 24th day of February 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 March 17, 2005 regarding said Zoning Change Request; and

WHEREAS, the Franklin County Planning Commission, on March 17, 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 tracts 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 4th day of April 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#9; /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 4th day of April 2005.

/s/ Shari Perry

Shari Perry  
County Clerk