

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

RESOLUTION NO. 05-36

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 Tony Fowler, property owner of record, to rezone approximately 35.30 acres from an "A-2" Transitional Agriculture District to an "R-E" Residential Estate District. The property described below lies outside any incorporated city and is described as follows:

Tract A:

Beginning at the Southeast Corner (SE) of the Northeast Quarter (NE $\frac{1}{4}$) of Section 32, Township 15 South, Range 21 East of the Sixth Principal Meridian, in Franklin County, Kansas; THENCE North 89 degrees 43 minutes 49 seconds West for a distance of 1411.83 feet along the South line of said Northeast Quarter (NE $\frac{1}{4}$); THENCE North 00 degrees 05 minutes 57 seconds East for a distance of 1040.38 feet parallel with the East line of said Northeast Quarter (NE $\frac{1}{4}$); THENCE South 89 degrees 54 minutes 03 seconds East for a distance of 362.37 feet; THENCE North 00 degrees 05 minutes 57 seconds East for a distance of 62.57 feet parallel with said East line; THENCE South 89 degrees 54 minutes 03 seconds East for a distance of 1049.45 feet to a point on the East line of said Northeast Quarter (NE $\frac{1}{4}$), said point being 1551.94 feet South of the Northeast Corner (NE) of said Northeast Quarter (NE $\frac{1}{4}$); THENCE South 00 degrees 05 minutes 57 seconds West for a distance of 1107.16 feet along said East line to the Point of Beginning. Together with and subject to covenants, easements, and restrictions of record. Said property contains 35.30 acres, more or less, in 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-2" Transitional Agriculture District to an "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 2

005. This action shall become effective upon publication in the official county newspaper.

/s/ Donald E. Waymire 9; /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. 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