

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

RESOLUTION NO. 05-49

**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 Kenneth & Janice Claerhout and Ron & Mary Ann Metzger, property owner of record, to rezone approximately 25.6 acres from an "A-2" Transitional Agriculture District to a "R-E" Residential Estate District. The property described below lies outside any incorporated city and is described as follows:

New Tract:

A tract of land in the Southeast Quarter (SE ¼) of the Southeast Quarter (SE ¼) lying South and East of the Ottawa Creek in Section 28, Township 16S, Range 20E containing 25.6 acres, more or less, all 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 31st day of March 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 April 21st, 2005 regarding said Zoning Change Request; and

WHEREAS, the Franklin County Planning Commission, on April 21st, 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 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 16th day of May 2005. This action shall become effective upon publication in the official county newspaper.

/s/ Donald E. Waymire

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 16th day of May 2005.

/s/ Shari Perry
Shari Perry
County Clerk