

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

RESOLUTION NO. 05-89

**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 Lynard Scheckel, property owner of record, to rezone approximately 10 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:

A tract of land in the Southwest Quarter (SW $\frac{1}{4}$) of Section 31, Township 18 South, Range 19 East of the 6th P.M., Franklin County, Kansas, and being more particularly described as follows: Beginning at a point on the South line of the Southwest Quarter (SW $\frac{1}{4}$) of said Section 31, Said point being 889.26 feet North 89 degrees 59 minutes 29 seconds East of the Southwest Corner thereof; THENCE North 00 degrees 00 minutes 31 seconds West 728.05 feet; THENCE North 89 degrees 59 minutes 29 seconds East 598.31 feet; THENCE South 00 degrees 00 minutes 31 seconds West 728.05 feet to a point on the South line of said Southwest Quarter (SW $\frac{1}{4}$); THENCE South 89 degrees 59 minutes 29 seconds West 598.31 feet to the Point of Beginning Containing 10.00 acres and subject to all easements, setbacks and encumbrances of record, if any. Corners are monumented with $\frac{1}{2}$ " x 24" rebar as shown on survey by James D. Schmitz, dated 8-04-05.

WHEREAS, pursuant to K.S.A. 12-757(b), the Franklin County Planning Commission has published in the official county newspaper on the 27th day of July 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 August 18th, 2005 regarding said Zoning Change Request; and

WHEREAS, the Franklin County Planning Commission, on August 18th, 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 7th day of Sept

mber 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. 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 September 2005.

/s/ Shari Perry

Shari Perry

County Clerk