

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

RESOLUTION NO. 05-109

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 Mark and Julia Thomas, property owner of record, to rezone approximately 7.57 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:

Beginning at a ½" rebar at the Southeast Corner of the Northeast Quarter of Section 33, Township 17 South, Range 18 East of the Sixth Principal Meridian, Franklin County, Kansas; THENCE South 89 degrees 33 minutes 06 seconds West for a distance of 888.74 feet to a ½" rebar on the South line of said Northeast Quarter; THENCE North 00 degrees 00 minutes 08 seconds West for a distance of 370.98 feet parallel with the East line of said Northeast Quarter to a ½" rebar; THENCE North 89 degrees 33 minutes 06 seconds East for a distance of 88.74 feet parallel with said South line to a ½" rebar on said East line; THENCE South 00 degrees 00 minutes 08 seconds East for a distance of 370.98 feet to the POINT OF BEGINNING. Together with and subject to covenants, easements and restrictions of record. Said property contains 7.57 acres, more or less, in Franklin County, Kansas, as shown on survey by Taylor Design Group, P.A. dated August 2005.

WHEREAS, pursuant to K.S.A. 12-757(b), the Franklin County Planning Commission has published in the official county newspaper on the 23rd day of August 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 October 20th, 2005 regarding said Zoning Change Request; and

WHEREAS, the Franklin County Planning Commission, on October 20th, 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-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 November 2005. This action shall become effective upon publication in the official county newspaper.

/s/ Donald E. Waymire
Donald E. Waymire
Commissioner District 1

/s/ John E. Taylor
John E. Taylor
Commissioner District 2

/s/ Roy C. Dunn
Roy C. Dunn
Commissioner District 3

/s/ Donald C. Hay
Donald C. Hay
Commissioner District 4

/s/ Donald R. Stottlemire
Donald R. Stottlemire
Commissioner District 5
Received and recorded this the 7th day of November 2005.

/s/ Shari Perry
Shari Perry
County Clerk