

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

RESOLUTION NO. 05-113

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 Terri Papatheodore and Joanne Derosa, property owner of record, to rezone approximately 100.00 acres from an "A-1" Agriculture District to a "A-2" Transitional Agriculture District. The property described below lies outside any incorporated city and is described as follows:

Beginning at the Northeast Corner of the Northeast Quarter of Section 14, Township 18 South, Range 18 East of the 6th Principal Meridian, Franklin County, Kansas; THENCE South 01 degrees 48 minutes 29 seconds East for a distance of 2656.41 feet along the East line of said Northeast Quarter to the Southeast Corner of said Northeast Quarter; THENCE South 87 degrees 56 minutes 07 seconds West for a distance of 1536.17 feet along the South line of said Northeast Quarter; THENCE North 01 degrees 48 minutes 29 seconds West for a distance of 1135.75 feet parallel with said East line; THENCE South 88 degrees 02 minutes 47 seconds West for a distance of 254.56 feet parallel with the North line of said Northeast Quarter; THENCE North 01 degrees 48 minutes 29 seconds West for a distance of 1523.63 feet to a point on said North line; THENCE North 88 degrees 02 minutes 47 seconds East for a distance of 1790.72 feet along said North line to the Point of Beginning. Together with and subject to covenants, easements and restrictions of record. Said property contains 102.63 acres, more or less, in Franklin County, Kansas, as shown on survey by Taylor Design Group, P.A. dated November, 2005.

WHEREAS, pursuant to K.S.A. 12-757(b), the Franklin County Planning Commission has published in the official county newspaper on the 26th day of October 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 November 17th, 2005 regarding said Zoning Change Request; and

WHEREAS, the Franklin County Planning Commission, on November 17th, 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 "A-2" Transitional Agriculture 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 5th day of December 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 5th day of December 2005.

/s/ Shari Perry
Shari Perry
County Clerk