

BOARD OF COUNTY COMMISSIONERS  
OF  
FRANKLIN COUNTY, KANSAS

RESOLUTION NO. 19- 24

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 Zone Change from Dennis and Stefanie Pearce to rezone approximately 18.67 acres, described as New Tract 1, from an A-1 (Agriculture) Zoning District to an R-E (Residential Estate) Zoning District and to rezone approximately 38.46 acres, described as New Tract 2, from an A-1 (Agriculture) Zoning District to an A-2 (Transitional Agriculture) Zoning District, including a rule exception as provided in Article 8-1.01 of the County Subdivision Regulations to permit a reduction in the lot length-to-width ratio. The property described below lies outside any incorporated city and is described as follows:

**NEW TRACT 1:**

Commencing at the Northeast Corner of the Southeast Fractional Quarter of Section 33, Township 15 South, Range 19 East of the Sixth P.M.; THENCE South 00 degrees 07 minutes 17 seconds West 950.71 feet on the East line of said Southeast Fractional Quarter to the Northeast Corner of the South Half of the North Half of the Southeast Fractional Quarter of said Section 33, and the True Point of Beginning; THENCE South 00 degrees 07 minutes 17 seconds West 433.55 feet on said East line; THENCE North 89 degrees 13 minutes 26 seconds West 1176.83 feet; THENCE South 00 degrees 07 minutes 17 seconds West 110.01 feet; THENCE North 89 degrees 13 minutes 26 seconds West 557.40 feet; THENCE North 00 degrees 07 minutes 17 seconds West 543.56 feet to the North line of the South Half of the North Half of the Southeast Fractional Quarter; THENCE South 89 degrees 13 minutes 26 seconds East 1734.23 feet to the Point of Beginning, containing 18.67 acres, more or less, all in Franklin County Kansas.

**NEW TRACT 2:**

Commencing at the Northeast Corner of the Southeast Fractional Quarter of Section 33, Township 15 South, Range 19 East of the Sixth P.M.; THENCE South 00 degrees 07 minutes 17 seconds West 1384.26 feet on the East line of said Southeast Fractional Quarter, being the True Point of Beginning; THENCE South 00 degrees 07 minutes 17 seconds West 517.17 feet to the Southeast Corner of the North Fractional Half of the Southeast Quarter of said Section 33; THENCE North 88 degrees 47 minutes 56 seconds West 2644.62 feet, to the Southwest Corner of the North Half of the Southeast Fractional Quarter; THENCE North 00 degrees 03 minutes 55 seconds East 931.11 feet to the Northwest Corner of the South Half of the North Half of said Southeast Fractional Quarter; THENCE South 89 degrees 13 minutes 26 seconds East 911.01 feet on said North line; THENCE South 00 degrees 07 minutes 17 seconds West 543.56 feet; THENCE South 89 degrees 13 minutes 26 seconds East 557.40 feet; THENCE North 00 degrees 07 minutes 17 seconds East 110.01 feet; THENCE South 89 degrees 13 minutes 26 seconds East 1176.83 feet to the Point of Beginning containing 38.46 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 August 22, 2019, 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 September 19, 2019 regarding said Zoning Change Request; and

WHEREAS, the Franklin County Planning Commission, on September 19, 2019 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, and rule exception, 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 the rezoning of the above described tracts of land from an "A-1" Agriculture District to an "R-E" Residential Estate District and from an "A-1" Agriculture District to an "A-2" Transitional Agriculture District, including a rule exception as provided in Article 8, Section 8-1.01 of the County Subdivision Regulations to permit a reduction in the lot length-to-width ratio, 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 9<sup>th</sup> day of October, 2019. This action shall become effective upon publication in the official county newspaper.



Richard A. Howard  
Chairman

Received and recorded this the 9<sup>th</sup> day of October, 2019.




Janet Paddock  
County Clerk

FILED FOR RECORD  
TIME 1:15 P.M.

MISC OCT 09 2019

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REGISTER OF DEEDS, FRANKLIN CO., KS  
INSTRUMENT # 3332

(Original compared with record)