



**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 Jill & Andrew Nitcher to rezone approximately 3.12 acres, described as New Tract A, from an A-2 (Transitional Agriculture) District to an R-3A (Single Family Residential Three Acre) District and to rezone approximately 16.46 acres, described as New Tract B, from an A-2 (Transitional Agriculture) District to an R-E (Residential Estate) District. The property described below lies outside any incorporated city and is described as follows

**NEW TRACT A:**

Commencing at a 5/8" rebar at the Northwest Corner of the Northeast Quarter of Section 19, Township 16 South, Range 18 East of the 6<sup>th</sup> Principal Meridian, Franklin County Kansas; THENCE South 88 degrees 24 minutes 48 seconds East for a distance of 658.98 feet along the North line of said Northeast Quarter to a 1/2" rebar, the Point of Beginning; THENCE South 88 degrees 24 minutes 48 seconds East for a distance of 327.71 feet along said North line; THENCE South 03 degrees 08 minutes 33 seconds East for a distance of 427.12 feet; THENCE North 88 degrees 24 minutes 58 seconds West 351.12 feet; THENCE North 00 degrees 00 minutes 05 seconds West for a distance of 225.83 feet; THENCE South 89 degrees 59 minutes 55 seconds West for a distance of 20.00 feet; THENCE North 00 degrees 00 minutes 05 seconds West for a distance of 140.00 feet; THENCE North 89 degrees 59 minutes 55 seconds East for a distance of 20.00 feet; THENCE North 00 degrees 00 minutes 05 seconds West for a distance of 60.00 feet to the Point of Beginning, containing 3.12 acres, more or less, Franklin County Kansas.

**NEW TRACT B:**

Commencing at a 5/8" rebar at the Northwest Corner of the Northeast Quarter of Section 19, Township 16 South, Range 18 East of the 6<sup>th</sup> Principal Meridian, Franklin County Kansas; THENCE South 88 degrees 24 minutes 48 seconds East for a distance of 658.98 feet along the North line of said Northeast Quarter to a 1/2" rebar, the Point of Beginning; THENCE South 88 degrees 24 minutes 48 seconds East for a distance of 658.98 feet along said North line to a 1/2" rebar at the Northeast Corner of the West Half of said Northeast Quarter; THENCE South 00 degrees 00 minutes 02 seconds East for a distance of 1325.07 feet along the East line of said West Half to a 1/2" rebar; THENCE North 88 degrees 26 minutes 19 seconds West 658.95 feet to a 1/2" rebar; THENCE North 00 degrees 00 minutes 05 seconds West for a distance of 1125.36 feet to a 1/2" rebar; THENCE South 89 degrees 59 minutes 55 seconds West for a distance of 20.00 feet; to a 1/2" rebar; THENCE North 00 degrees 00 minutes 05 seconds West for a distance of 140.00 feet to a 1/2" rebar; THENCE North 89 degrees 59 minutes 55 seconds East for a distance of 20.00 feet to a 1/2" rebar; THENCE North 00 degrees 00 minutes 05 seconds West for a distance of 60.00 feet to the Point of Beginning, together with and subject to covenants, easements and restrictions of record EXCEPT Commencing at a 5/8" rebar at the Northwest Corner of the Northeast Quarter of Section 19, Township 16 South, Range 18 East of the 6<sup>th</sup> Principal Meridian, Franklin County Kansas; THENCE South 88 degrees 24 minutes 48 seconds East for a distance of 658.98 feet along the North line of said Northeast Quarter to a 1/2" rebar, the Point of Beginning; THENCE South 88 degrees 24 minutes 48 seconds East for a distance of 327.71 feet along said North line; THENCE South 03 degrees 08 minutes 33 seconds East for a distance of 427.12 feet; THENCE North 88 degrees 24 minutes 58 seconds West 351.12 feet; THENCE North 00 degrees 00 minutes 05 seconds West for a distance of 225.83 feet; THENCE South 89 degrees 59 minutes 55 seconds West for a distance of 20.00 feet; THENCE North 00 degrees 00 minutes 05 seconds West for a distance of 140.00 feet; THENCE North 89 degrees 59 minutes 55 seconds East for a distance of 20.00 feet; THENCE North 00 degrees 00 minutes 05 seconds West for a distance of 60.00 feet to the Point of Beginning, containing 16.46 acres after said exception, 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 October 24, 2020, notice of public hearing for said Zoning Change Request; and

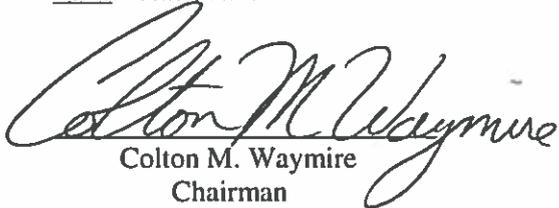
WHEREAS, pursuant to K.S.A. 12-757(b), the Franklin County Planning Commission held a public hearing on November 19, 2020 regarding said Zoning Change Request; and

WHEREAS, the Franklin County Planning Commission, on November 19, 2020 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 the rezoning of the above described tract of land from an A-2 (Transitional Agriculture) District to an R-3A (Single Family Residential Three Acre) District and from an A-2 (Transitional Agriculture) District to an 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 24<sup>th</sup> day of February, 2021. This action shall become effective upon publication in the official county newspaper.

  
Colton M. Waymire  
Chairman

Received and recorded this the 24<sup>th</sup> day of February, 2021.

  
Janet Paddock  
County Clerk



FILED FOR RECORD  
TIME 1:50 P.M.

(Original compared with record)

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FEB 24 2021  
Book 298 Page 59 Fee \_\_\_\_\_  
  
REGISTRAR OF DEEDS, FRANKLIN CO., KS  
INSTRUMENT # 753