



**Franklin**  
COUNTY KANSAS

EST. 1875

FILED FOR RECORD  
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VICKI HUGHES  
REGISTER OF DEEDS  
FRANKLIN COUNTY, KANSAS  
INSTRUMENT # 2024-01916

**Board of County Commissioners  
Franklin County, Kansas**

**Resolution 24- 18**

A RESOLUTION APPROVING A ZONING OF LESSOR CHANGE FOR REZONING APPLICATION #2405-0004 (BOWMAN) TO REZONE APPROXIMATELY 5.00 ACRES FROM THE A-1, AGRICULTURE DISTRICT TO THE R-E, RESIDENTIAL ESTATE DISTRICT AND 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 Benita Bowman to rezone approximately 3.00 acres from the A-1, Agriculture District to the R-3A, Single Family Residential Three Acre District. The subject request pertains to the following real property, as described in Section 1 below, that lies outside any incorporated city and is described as follows:

Section 1:

A tract of land in the Northeast Quarter of Section 17, Township 16 South, Range 18 East of the Sixth P.M. written by Bryon K. Cates, PS 1208 dated July 5<sup>th</sup>, 2024 as follows: Being a part of the South 64 acres of the Northeast Quarter of said Section 17, Township 16 South, Range 18 East of the Sixth P.M.; Beginning at the Southeast Corner of the Northeast Quarter of said Section 17; Thence North 89°41'45" West 726.00 feet; Thence North 00°22'46" West 300.00 feet; Thence South 89°41'45" East 726.00 feet to the East line of said Northeast Quarter; Thence South 00°22'46" East 300.00 feet to the Point of Beginning, containing 5.00 acres, more or less, all in Franklin County Kansas including that part used for road right-of-way.

Section 2:

WHEREAS Franklin County, Kansas is a county municipal government, organized pursuant to K.S.A. 19-101; and

WHEREAS the Franklin County Board of County Commissioners did adopt Resolution # 23-91 creating the Franklin County Planning Commission as provided in K.S.A. 12-744; and

WHEREAS the Franklin County Board of County Commissioners did adopt Zoning Regulations on August 14<sup>th</sup>, 2002 which included Article 23, Section 23-5.05 setting out the procedures and basis for recommending a zoning of lesser change; and

WHEREAS the Franklin County Planning Commission did publish notice on May 22, 2024 that a public hearing would be held to consider rezoning application #2405-0004 (Bowman) to rezone approximately 3.00 acres from the A-1, Agriculture District to the R-3A, Single Family Residential Three Acre District as required by K.S.A. 12-757 and Article 23, Section 23-5.02 of the Franklin County Zoning Regulations; and

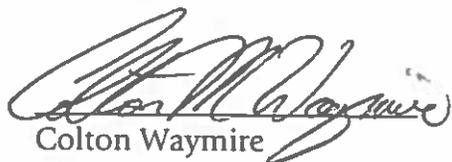
WHEREAS the Planning Commission did on June 20, 2024 hold a public hearing for the consideration of rezoning application #2405-0004 (Bowman) to rezone approximately 3.00 acres from the A-1, Agriculture District to the R-3A, Single Family Residential Three Acre District; and

WHEREAS, the Franklin County Planning Commission, after reviewing all written and oral testimony at the hearing, and after reviewing the Golden Criteria, recommended by a unanimous vote of those members present, that the County Commission approve a Zoning of Lessor Change, as provided by Section 23-5.05 of the Franklin County Zoning Regulations, for Rezoning Application #2405-0004 (Bowman) to rezone approximately 5.00 acres from the A-1, Agriculture District to the R-E, Residential Estate District and recommending 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 Rezoning, find that the Rezoning of the property described in Section 1 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 property described in Section 1 above from the A-1, Agriculture District to the 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 17<sup>th</sup> day of July 2024. This action shall become effective upon publication in the official county newspaper.



Colton Waymire  
Chair

Received and recorded this the 17<sup>th</sup> day of July 2024.



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Janet Paddock  
County Clerk

