

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

RESOLUTION NO. 14- 08

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 Karl & Judith Kelsey to rezone approximately 20.00 acres described as Tracts 1 and 2 from an R-E (Residential Estate) Zoning District to an A-1 (Agriculture) Zoning District and to rezone approximately 14.73 acres described as Tract 3 from an A-2 (Transitional Agriculture) District to an A-1 (Agriculture) Zoning District and to rezone approximately 20.00 acres described as Tract 4 from an A-1 (Agriculture) Zoning District to an A-2 (Transitional Agriculture) Zoning District and to rezone approximately 4.99 acres as described as Tract 5 from an R-E (Residential Estate) Zoning District to an A-2 (Transitional Agriculture) Zoning District. The property described below lies outside any incorporated city and is described as follows:

TRACT 1:

Beginning at the Northwest Corner of the Northeast Quarter of Section 5, Township 16 South, Range 19 east, Franklin County Kansas; THENCE East 1320 feet; THENCE South 330 feet; THENCE West 1320 feet; THENCE North 330 feet to the Place of Beginning, containing 10.05 acres, more or less.

TRACT 2:

South 10.14 acres of the Northeast Quarter of the Southeast Quarter of Section 5, Township 16 South, Range 19 East, in Franklin County Kansas.

TRACT 3:

Beginning at the Northeast Corner of the Southwest Quarter of Section 4, Township 16 South, Range 19 East of the Sixth P.M.; THENCE South 88 degrees 34 minutes 34 seconds West 1501.72 on the North line of said Southwest Quarter; THENCE South 01 degrees 28 minutes 30 seconds East 762.51 feet, to the True Point of Beginning; THENCE South 01 degrees 28 minutes 30 seconds East 561.49 feet to the South line of the North Half of the Southwest Quarter; THENCE South 88 degrees 38 minutes 33 seconds West 1144.33 feet to the Southwest Corner of the North half of the Southwest Quarter of said Section 4; THENCE North 01 degrees 22 minutes 28 seconds West 560.19 feet on the West line of said Quarter; THENCE North 88 degrees 34 minutes 39 seconds East 1143.34 feet to the Point of Beginning, containing 14.73 acres more or less, all in Franklin County Kansas.

TRACT 4:

Beginning at the Northeast Corner of the Southwest Quarter of Section 4, Township 16 South, Range 19 East of the Sixth P.M.; THENCE South 88 degrees 34 minutes 34 seconds West 300.00 (measured/deed) on the North line of said Southwest Quarter to the True Point of Beginning; THENCE South 07 degrees 41 minutes 35 seconds West 627.49 feet to an existing ½" iron bar; THENCE South 01 degrees 29 minutes 27 seconds East 142.98 feet to an existing ½" iron bar; THENCE South 88 degrees 34 minutes 39 seconds West 1101.78 feet; THENCE North 01 degrees 28 minutes 30 seconds West 762.51 feet to the North line of the Southwest Quarter; THENCE North 88 degrees 34 minutes 34 seconds East 1201.72 feet to the Point of Beginning, containing 20.00 acres, more or less, all in Franklin County Kansas.

TRACT 5:

Beginning at the Northeast Corner of the Southwest Quarter of Section 4, Township 16 South, Range 19 East of the Sixth P.M.; THENCE South 01 degrees 28 minutes 30 seconds East 622.78 feet measured (622.3 feet deed) on the East line of said Southwest Quarter; THENCE South 89 degrees 02 minutes 15 seconds West 399.99 feet (400 feet deed) to an existing ½" iron bar; THENCE North 07 degrees 41 minutes 35 seconds East 627.49 feet to the North line of said Southwest Quarter to a point 300 feet West of the Point of Beginning; THENCE North 88 degrees 34 minutes 34 seconds East 300.00 feet to the Point of Beginning, containing 4.99 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 23rd day of January, 2014, 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 February 20th, 2014 regarding said Zoning Change Request; and

WHEREAS, the Franklin County Planning Commission, on February 20th, 2014 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 rezoning of the above described new tracts of land from an "R-E" Residential Estate Zoning District to an "A-1" Agriculture Zoning District and from an "A-2" Transitional Agriculture District to an "A-1" Agriculture Zoning District and from an "A-1" Agriculture Zoning District to an "A-2" Transitional Agriculture Zoning District and from an "R-E" Residential Estate Zoning District to an "A-2" Transitional Agriculture Zoning 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 12th day of March, 2014. This action shall become effective upon publication in the official county newspaper.

/s/Steven W. Harris
Steven W. Harris
Chairman

Received and recorded this the 12th day of March, 2014.

/s/Janet Paddock
Janet Paddock
County Clerk

