

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

RESOLUTION NO. 12-33

WHEREAS, the Franklin County Planning Commission of Franklin County, Kansas, received an application for a Zone Change from Robbie Stewart to rezone approximately 9.2 acres from an R-E (Residential Estate) District to a C-2 (Highway Commercial) District. The property described below lies outside any incorporated city and is described as follows:

Tract A:

A tract commencing at the Southwest Corner of the Southwest Quarter of the Northwest Quarter of Section 28, Township 15 South, Range 21 East of the 6th P.M.; THENCE East along the South line of said Quarter/Quarter section on an assumed bearing of North 90 degrees 00 minutes 00 seconds East a distance of 679.12 feet to the True Point of Beginning; THENCE continuing along said South line on a bearing of North 90 degrees 00 minutes 00 seconds East a distance of 650.34 feet; THENCE North 00 degrees 22 minutes 02 seconds West a distance of 647.50 feet to a point on the center of the former Southern Kansas Railway (now vacated); THENCE South 86 degrees 17 minutes 38 seconds West along said center of the former Southern Kansas Railway a distance of 229.70 feet; THENCE on a curve to the left with a radius of 2,425.00 feet, an arc length of 422.81 feet, a chord that bears South 81 degrees 17 minutes 57 seconds West and a chord length of 422.28 feet; THENCE South 00 degrees 02 minutes 42 seconds East on a line parallel to the West line of said Quarter/Quarter section a distance of 568.76 feet to the Place of Beginning, containing 9.2118 acres, more or less, 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 29th day of August, 2012, 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 20th, 2012 regarding said Zoning Change Request; and

WHEREAS, the Franklin County Planning Commission, on September 20th, 2012 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 tract of land from an "R-E" Residential Estate District to a "C-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 10th day of October 2012. This action shall become effective upon publication in the official county newspaper.

/s/ David J Hood
David J. Hood
Chairman

Received and recorded this the 10th day of October 2012.

Shari Perry

/s/ Shari Perry

County Clerk