

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

RESOLUTION NO. 11-29

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 Lester and Barbara Wuertz and Joseph and Kimberly Wuertz to rezone approximately 10.00 acres from an A-1 (Agriculture) District to an R-E (Residential Estate) District. The property described below lies outside any incorporated city and is described as follows:

Tract A:

A 10.00 acre tract of land being part of the West Half of the Southeast Quarter of Section 4, Township 19 South, Range 19 East, Franklin County Kansas described as: Commencing at the Southwest Corner of said Southeast Quarter; THENCE South 88 degrees 52 minutes 14 seconds East along the South line of said Southeast Quarter 553.90 feet to the Point of Beginning; THENCE North 00 degrees 12 minutes 07 seconds West 681.18 feet; THENCE South 88 degrees 52 minutes 14 seconds East parallel with the South line of said Southeast Quarter 639.65 feet; THENCE South 00 degrees 12 minutes 12 seconds East parallel with the East line of the West Half of said Southeast Quarter 681.18 feet to a point on the South line of said Southeast Quarter; THENCE North 88 degrees 52 minutes 14 seconds West along the South line of said Southeast Quarter 639.66 feet to the Point of Beginning. Subject to existing road right-of-way and encumbrances of record if any.

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 June 2011, 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 July 21st, 2011 regarding said Zoning Change Request; and

WHEREAS, the Franklin County Planning Commission, on July 21st, 2011 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 "A-1" 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 10th day of August 2011. This action shall become effective upon publication in the official county newspaper.

/s/ John E Taylor  
John E. Taylor  
Chairman

Received and recorded this the 10th day of August 2011.

Shari Perry

/s/ Shari Perry

County Clerk