

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

RESOLUTION NO. 10-06

A RESOLUTION OF THE FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS APPROVING ARTICLE 2 (DEFINITIONS), SECTION 2-1.01, DEFINING MOBILE HOME; AMENDING ARTICLE 4 (AGRICULTURE DISTRICT; A-1) SECTION 4-2.01.3 (PERMITTED USES) ADDING PROVISIONS FOR MANUFACTURED HOUSING; AMENDING ARTICLE 5 (TRANSITIONAL AGRICULTURE DISTRICT; A-2) SECTION 5-2.01.3 (PERMITTED USES) ADDING PROVISIONS FOR MANUFACTURED HOUSING; AMENDING ARTICLE 6 (RESIDENTIAL ESTATE; R-E) SECTION 6-2.01.2 (PERMITTED USES) ADDING PROVISIONS FOR MANUFACTURED HOUSING; AMENDING ARTICLE 7 (SINGLE FAMILY RESIDENTIAL THREE ACRE DISTRICT; R-3A) SECTION 7-2.01.2 (PERMITTED USES) ADDING PROVISIONS FOR MANUFACTURED HOUSING; AMENDING ARTICLE 8 (SINGLE FAMILY RESIDENTIAL DISTRICT; R-1) SECTION 8-2.01.2 (PERMITTED USES) ADDING PROVISIONS FOR MANUFACTURED HOUSING TO THE FRANKLIN COUNTY ZONING REGULATIONS FOR THE UNINCORPORATED AREAS OF THE COUNTY AS PROVIDED BY K.S.A.12 757.

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

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

WHEREAS, the Franklin County Board of County Commissioners did adopt the Zoning Regulations of Franklin County, Kansas on August 4, 2002 as provided in K.S.A. 12-757; and

WHEREAS, the Franklin County Planning Commission published a notice on December 20th, 2009, that a public hearing would be held to consider said revision of the Franklin County, Kansas Zoning Regulations, as required by K.S.A. 12-757; and

WHEREAS, the Franklin County Planning Commission did, on January 21st, 2010, hold a Public Hearing for the consideration of adopting an amendment to the County Zoning Regulations as prescribed by K.S.A. 12-757; and

WHEREAS, the Franklin County Planning Commission has reviewed in detail the Amendment to Article 2 (Definitions) Section 2-1.01; to Article 4 (Agriculture District; A-1) Section 4-2.01.3; to Article 5 (Transitional Agriculture District; A-2) Section 5-2.01.3; to Article 6 (Residential Estate District; R-E) Section 6-2.01.2; to Article 7 (Single Family Residential Three Acre District; R-3A) Section 7-2.01.2; to Article 8 (Single Family Residential District; R-1) Section 8-2.01.2 addressing manufactured housing; and

WHEREAS, the Franklin County Board of County Commissioners, after duly reviewing the recommendation of the Planning Commission and considering all written reports, public comments and evidence regarding the developments standards for manufactured housing, the Board of County Commissioners finds:

1. That said amendments to be in the public interest and necessary to protect the public health, safety and general welfare; and
2. That said amendments are consistent with the provisions and requirements of K.S.A. 58-4217, et seq. and the

U.S. Department of Housing and Urban Development Manufactured Home and Construction and Safety Standards.

NOW, THEREFORE, BE IT RESOLVED, that the Franklin County Board of County Commissioners does hereby approve the adoption of an Amendment to the County Zoning Regulations as follows:

Article 2 (Definitions), Section 2-1.01

MOBILE HOME: A manufactured structure designed to be used as a dwelling unit and constructed of one (1) or more sections which as a body width of eight feet (8') or more and a body length of forty feet (40') or more and when assembled or installed contains a minimum of nine hundred fifty (950) square feet of total living area. A mobile home shall be installed in accordance with the requirements of K.S.A. 58-4217, et. seq. and shall be connected to the required utilities including plumbing (water and sanitation), heating, air conditioning and electrical systems. For purposes of these Regulations, a mobile home shall be considered to be a single family residence provided the unit is affixed to a foundation system as specified by the manufacturer and further complies with the U.S. Department of Housing and Urban Development Federal Manufactured Home Construction and Safety Standards established in 1976; Title 24 Code of Federal Regulations (CFR) part 3280 and all changes approved and adopted by HUD through 1994.

Article 4 (Agriculture District; A-1)

Section 4-2 Permitted Uses

4-2.01.3 Manufactured home or mobile home, provided a manufactured home complies with a nationally recognized Building Code or mobile home unit meets the standards of the National Manufactured Home Construction and Safety Standards Act of 1976 and all amendments through 1994 as defined in Article 2, Section 2-1.01 (Definitions) of these Zoning Regulations and displays the HUD Label identifying the manufacturer and the date it was manufactured.

Article 5 (Transitional Agriculture District; A-2)

Section 5-2 Permitted Uses

5-2.01.3 Manufactured home or mobile home, provided a manufactured home complies with a nationally recognized Building Code or mobile home unit meets the standards of the National Manufactured Home Construction and Safety Standards Act of 1976 and all amendments through 1994 as defined in Article 2, Section 2-1.01 (Definitions) of these Zoning Regulations and displays the HUD Label identifying the manufacturer and the date it was manufactured.

Article 6 (Residential Estate District; R-E)

Section 6-2 Permitted Uses

6-2.01.2 Manufactured home or mobile home, provided a manufactured home complies with a nationally recognized Building Code or mobile home unit meets the standards of the National Manufactured Home Construction and Safety Standards Act of 1976 and all amendments through 1994 as defined in Article 2, Section 2-1.01 (Definitions) of these Zoning Regulations and displays the HUD Label identifying the manufacturer and the date it was manufactured.

Article 7 (Single Family Residential Three Acre District; R-3A)

Section 7-2 Permitted Uses

7-2.01.2 Manufactured home or mobile home, provided a manufactured home complies with a nationally recognized Building Code or mobile home unit meets the standards of the National Manufactured Home Construction and Safety Standards Act of 1976 and all amendments through 1994 as defined in Article 2, Section 2-1.01 (Definitions) of these Zoning Regulations and displays the HUD Label identifying the manufacturer and the date it was manufactured.

Article 8 (Single Family Residential District; R-1)

Section 8-2 Permitted Uses

8-2.01.2 Manufactured home or mobile home, provided a manufactured home complies with a nationally recognized Building Code or mobile home unit meets the standards of the National Manufactured Home Construction and Safety Standards Act of 1976 and all amendments through 1994 as defined in Article 2, Section 2-1.01 (Definitions) of these Zoning Regulations and displays the HUD Label identifying the manufacturer and the date it was manufactured.

PASSED AND ADOPTED by the Franklin County Board of County Commissioners this 3rd day of February 2010. 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 3rd day of February 2010.

Shari Perry

/s/ Shari Perry
County Clerk