

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

RESOLUTION NO. 09-43

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 Robert and Connie Pearce 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:

New Tract:

Beginning at the Southwest Corner of the East Half (E ½) of the Southwest Quarter (SW ¼) of Section 31, Township 15 South Range 21 East of the 6th P.M., Franklin County, Kansas. THENCE North 02 degrees 08 minutes 12 seconds West for a distance of 505.85 feet; THENCE North 87 degrees 55 minutes 39 seconds East for a distance of 861.12 feet; THENCE South 02 degrees 08 minutes 12 seconds East for a distance of 505.85 feet; THENCE South 87 degrees 55 minutes 39 seconds West for a distance 861.12 feet to the Point of Beginning containing 10.00 acres, more or less, 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 29th day of August 2009, 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 17th, 2009 regarding said Zoning Change Request; and

WHEREAS, the Franklin County Planning Commission, on September 17th, 2009 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 30th day of September 2009. This action shall become effective upon publication in the official county newspaper.

/s/ John E Taylor
John E. Taylor
Chairman

/s/ Shari Perry
Shari Perry
County Clerk

Received and recorded this the 30th day of September 2009.