

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

RESOLUTION NO. 09-47

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 Dale Reece to rezone approximately 5.78 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:

A tract of land in the Northeast Quarter of Section 22, Township 16 South, Range 20 East of the Sixth Principal Meridian, in Franklin County Kansas, being more particularly described as follows: Beginning at a ½” rebar over an existing stone at the Northeast corner of the Northeast Quarter of Section 22, Township 16 South, Range 20 East of the Sixth Principal Meridian; THENCE South 00 degrees 04 minutes 24 seconds East for a distance of 306.29 feet along the East line of said Northeast Quarter to a ½” rebar; THENCE North 89 degrees 37 minutes 11 seconds West for a distance of 846.09 feet to a ½” rebar; THENCE North 00 degrees 04 minutes 24 seconds West for a distance of 289.34 feet to a ½” rebar on the North line of said Northeast Quarter; THENCE North 89 degrees 13 minutes 57 seconds East for a distance of 846.13 feet to the Point of Beginning. Subject to covenants, easements and restrictions of record. Said property contains 5.78 acres, more or less, in Franklin County Kansas according to a survey by Taylor Design Group, P.A. dated October 2009.

WHEREAS, pursuant to K.S.A. 12-757(b), the Franklin County Planning Commission has published in the official county newspaper on the 28th day of July 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 August 20th, 2009 regarding said Zoning Change Request; and

WHEREAS, the Franklin County Planning Commission, on August 20th, 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 21st day of October 2009. 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 21st day of October 2009.

Shari Perry

/s/ Shari Perry

County Clerk