

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

RESOLUTION NO. 09-52

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 Terry Ballard and Judy Simpson to rezone approximately 5.00 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:

Beginning at the existing ½” iron bar at the Northeast Corner of the Southwest Quarter of the Northeast Quarter of Section 12, Township 17 South, Range 18 East of the Sixth P.M.; THENCE South 01 degrees 14 minutes 25 seconds East 252.64 feet on the East line of the Southwest Quarter of the Northeast Quarter to a ½” iron bar; THENCE South 87 degrees 58 minutes 29 seconds West 385.73 feet to a ½” iron bar; THENCE North 01 degrees 14 minutes 25 seconds West 580.81 feet to a ½” iron bar; THENCE North 88 degrees 06 minutes 30 seconds East 365.50 feet to a point 16.5 feet West of the East line of the Northwest Quarter of the Northeast Quarter of said Section 12, being marked with a ½” iron bar; THENCE South 01 degrees 53 minutes 30 seconds East 327.29 feet to the South line of the Northwest Quarter of the Northeast Quarter of said Section 12, being marked with a ½” iron bar; THENCE North 87 degrees 58 minutes 29 seconds East 16.50 feet to the Point of Beginning, containing 5.00 acres, more or less, all 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 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 18th day of November

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 18th day of November 2009.

Shari Perry

/s/ Shari Perry

County Clerk