

FRANKLIN COUNTY

To:	Franklin County	Reviewed:	
	Board Of County Commissioners		
From:	Larry D. Walrod <i>LW</i>	Extension:	3571
	Planning & Building Dept.		
Date:	February 25 th , 2009	No.	

ITEM:

Rezoning Application #0812-901, for Nathan Ball, to rezone from an A-1 to an R-3A, located near the intersection of Georgia Road and Jackson Road, on the West side of Georgia Road and North of Jackson Road.

BACKGROUND:

To rezone approximately 3.00 acres from an A-1 (Agriculture) District to an R-3A (Single Family Residential Three Acre) District.

PLANNING COMMISSION RECOMMENDATION:

The Planning Commission recommended approval of rezoning application #0812-901 to rezone approximately 3.00 acres from an A-1 (Agriculture) District to an R-3A (Single Family Residential Three Acre) District.

STAFF RECOMMENDED ACTION:

To adopt the attached resolution approving Rezoning Application #0812-901 rezone approximately 3.00 acres from an A-1 (Agriculture) District to an R-3A (Single Family Residential Three Acre) District and to amend the Official Zoning Map accordingly.

ATTACHMENTS:

Staff Report
Aerial Photo
Site Plan (Improvement Exhibit)
Survey
Resolution



STAFF REPORT

To: Franklin County
Board Of County Commissioners

From: Larry D. Walrod *LW*
Planning Director

Case: Application #0812-901
Rezoning

Date: February 6, 2009

GENERAL INFORMATION

Applicant: Nathan & Kelli Ball
2172 Georgia Rd.
Williamsburg, KS 66095

Property Owner: Nathan & Kelli Ball
2172 Georgia Rd.
Williamsburg, KS 66095

Requested Action: Approval of a Rezoning Request.

Purpose: To rezone approximately 3.00 acres from an A-1 (Agriculture) District to an R-3A (Single Family Residential Three Acre) District.

Existing Land Use and Zoning: A-1, Agriculture.

File Date: December 15th, 2008

BACKGROUND:

At their meeting of January 15th, 2009 the Planning Commission considered and unanimously approved Rezoning Application #0812-901 requesting to rezone approximately 3.00 acres from an A-1 (Agriculture) to R-3A (Single Family Residential Three Acre) District.

The property is located near the intersection of Georgia Road and Jackson Road, on the West side of Georgia Road and North of Jackson Road, in the North half (N ½) of the Southeast Quarter (SE ¼) of Section 27, Township 17 South, Range 18 East and is currently used for agriculture with an existing residence and outbuildings.

The purpose for the rezoning is to permit the division of approximately 3.00 acres, with the existing residence and outbuildings, for refinancing purposes. The applicant would retain the approximately 99.04 acres for agricultural purposes.

Notice was sent to eighteen (18) surrounding property owners. There were no comments for or against this application received by the Planning Department and no one appeared at the public hearing

RECOMMENDATION:

Staff recommends that the Board of County Commissioners accept the recommendation of the Planning Commission and adopt the attached resolution to approve Rezoning Application #0812-901 to rezone approximately 3.00 acres from an A-1 (Agriculture) District to an R-3A (Single Family Residential Three Acre) District.

Taylor Design Group, P.A.
Surveyors • Engineers

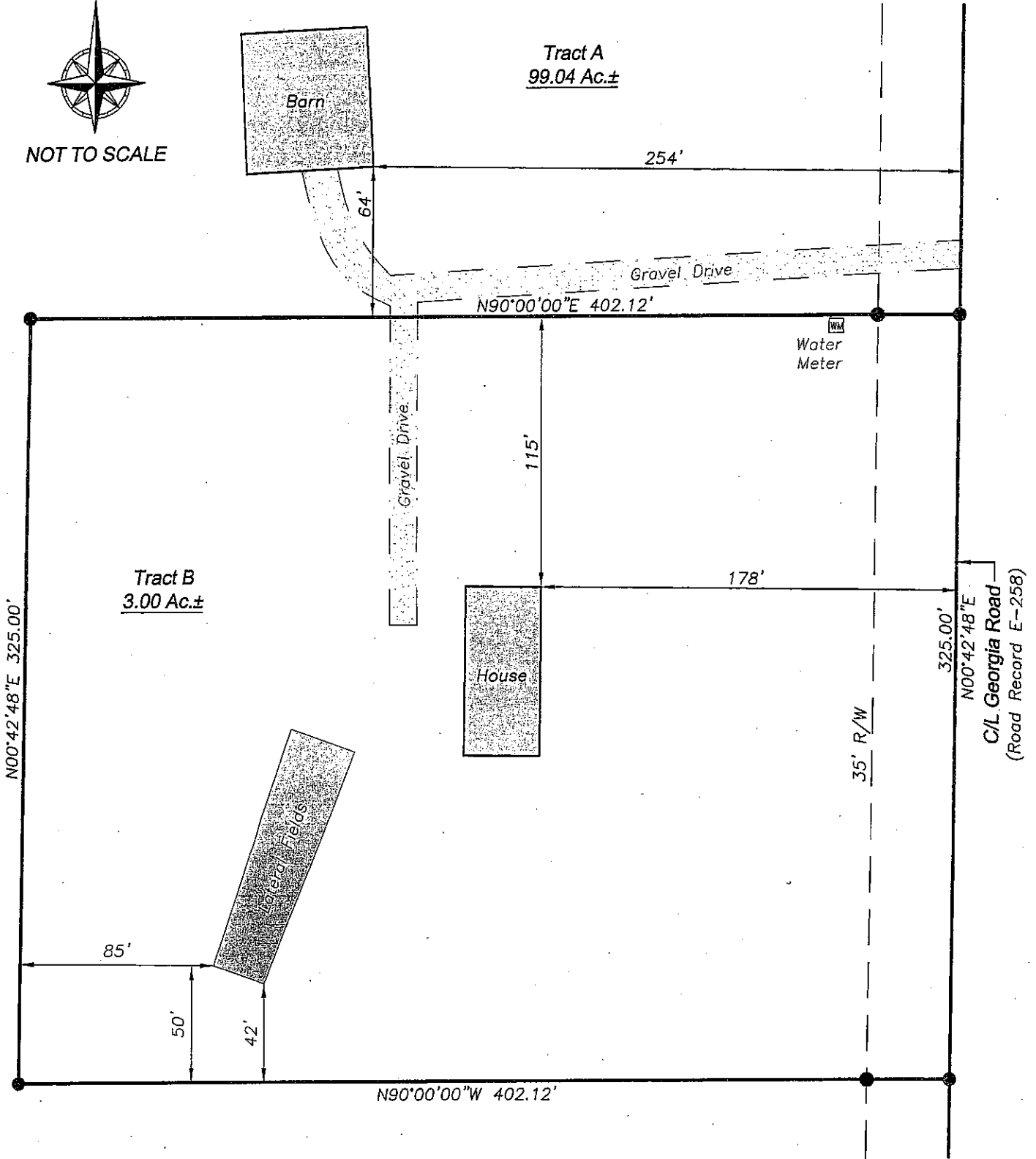
1220 East Logan • Ottawa, KS 66067
785-242-8845 • Fax: 785-242-8852



IMPROVEMENT EXHIBIT



NOT TO SCALE



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

RESOLUTION NO. 09- _____

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 Nathan and Kelli Ball to rezone approximately 3.00 acres from an A-1 (Agriculture) District to an R-3A (Single Family Residential Three Acre) District. The property described below lies outside any incorporated city and is described as follows:

New Tract:

Commencing at a 5/8" rebar at the Southeast Corner of the Southeast Quarter of Section 27, Township 17 South, Range 18 East of the 6th P.M., Franklin County, Kansas; THENCE North 00 degrees 42 minutes 48 seconds East, 1662.46 feet along the East line of said Southeast Quarter to a 1/2" rebar, being the point of beginning; THENCE North 90 degrees 00 minutes 00 seconds West, 402.12 feet to a 1/2" rebar; THENCE North 00 degrees 42 minutes 48 seconds East, 325.00 feet to a 1/2" rebar; THENCE North 90 degrees 00 minutes 00 seconds East, 402.12 feet to a 1/2" rebar on said East line; THENCE South 00 degrees 42 minutes 48 seconds West 325.00 feet to the Point of Beginning. Together with and subject to covenants, easements and restrictions of record. Said property contains 3.00 acres, more or less, in Franklin County, Kansas as shown on survey by Taylor Design Group, P.A., dated January 2009.

WHEREAS, pursuant to K.S.A. 12-757(b), the Franklin County Planning Commission has published in the official county newspaper on the 23rd day of December 2008, 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 January 15th, 2009 regarding said Zoning Change Request; and

WHEREAS, the Franklin County Planning Commission, on January 15th, 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-3A" Single Family Residential Three Acre 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 25th day of February 2009. This action shall become effective upon publication in the official county newspaper.

John E. Taylor
Commissioner District 1

Received and recorded this the 25th day of February 2009.

Shari Perry
County Clerk