



Franklin County Kansas Rezoning Application Process

Franklin County
Planning Department
1428 S. Main St.
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Ottawa, KS 66067
Phone: (785) 229-3570
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This handout summarizes the steps involved to rezone property in the unincorporated area of Franklin County, Kansas.

If at **any** time during the application process you have any questions, concerns or need clarification, please contact the Planning Department at your earliest convenience.

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1. The applicant must submit the following documents when applying for a rezoning:
 - a. completed rezoning application
 - b. filing fee
 - c. deed
 - d. aerial photo depicting where the tract to be rezoned is located on the existing tract
 - e. proof of ability to obtain on-site water (letter from rural water district or well driller).
2. Prior to submitting a rezoning application, it is encouraged that you meet with the Planning Department so staff can provide you with important information about how to proceed with your rezoning application.
3. If you are requesting to rezone a tract that is less than 20 acres in size you must contact the rural water district that serves your area to see if they will be able to provide on-site water to the tract you are wanting to rezone. If the tract is not located within a rural water district, you must contact the Environmental Health Department and a water well driller to determine if there is an adequate ground water supply to meet the on-site water requirements.
4. If you are requesting to rezone a tract that is less than 5 acres in size (3.00 to 4.99) you are required to have a soil profile done to ensure the soils are capable of handling an in-ground septic system. If the soil profile shows that a lagoon is required based on the type of soils then the minimum acreage that can be rezoned would be 5 acres. This will ensure that the correct zoning district and acreage size is stated in the application.
5. State law requires the County to advertise notice of the rezoning request in the local newspaper 20 days before the meeting date.
6. Notification must also be sent to all property owners that are within 1,000 feet of the property that is being rezoned. In order to meet this deadline, the completed application, fee and all required documents must be submitted to the Planning Department approximately six (6) weeks before the Public Hearing date. Please contact the Planning Department to ensure your application is received on time for the desired date.
7. The Planning Department will get the list of property owners that need to be notified and send them letters stating the date, time and location of the Public Hearing as well as who has requested the rezoning as well as what and where the requested rezoning is located. The Planning Department will also send this information to the local newspaper. The applicant will receive a copy of the letter sent to the property owners as well as a letter telling them the date, time and location of the meeting.
8. Approximately one week before the Public Hearing, the applicant will receive a packet in the mail with a copy of the agenda and also a copy of the Staff Report and recommendation that will be considered by the Planning Commission.
9. At the Public Hearing, the Planning Director will present the applicant's request to the Planning Commission. After Staff's presentation, the applicant will have the opportunity to add any additional comments or answer any questions the Planning Commission may have. After the Applicant's presentation, any public that wishes to may state whether they are in favor of or opposed to the rezoning request. They may also ask questions, addressed to the Planning Commission. After Public Comment, the Board will then discuss the rezoning request and also may ask the Applicant to come back up to answer questions that the Public may have asked. After Board Discussion, the Planning Commission will make a motion to recommend that the Board of County Commissioners either approve or deny the rezoning request.
10. State law requires a 14 day period between the Planning Commission meeting and the Board of County Commissioners meeting to allow for a protest petition be filed if the public should object to the motion the Planning Commission made on the application.
11. After the 14 day period has passed the rezoning application will then be placed on the Board of County Commissioners agenda for final approval or denial.
12. After the Board of County Commissioners meeting Staff will forward to you a copy of the signed Resolution either approving or denying your rezoning request.

