

**MARION COUNTY BOARD OF  
COUNTY COMMISSIONERS**

**RESOLUTION NO. 06-05**

**A RESOLUTION OF THE MARION COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING THE MARION COUNTY ZONING REGULATIONS BY ADOPTING NEW RESIDENTIAL DENSITY STANDARDS FOR CERTAIN AGRICULTURAL ZONED PROPERTIES.**

**BE IT RESOLVED BY THE MARION COUNTY BOARD OF COUNTY COMMISSIONERS:**

**Section 1. Planning Commission Action.** The Marion County Planning Commission held a public hearing on January 19, 2006 for the consideration of an amendment to the Zoning Regulations to create new density standards for single-family residential development of certain "A"-zoned property; and after due consideration, the Planning Commission at that meeting recommended approval of such amendment by the County Commission.

**Section 2. County Commission Findings.** The County Commission, after duly reviewing the recommendation of the Planning Commission, and the record compiled on this matter, finds that the approval of the zoning amendment is in the interest of the public health, safety and general welfare of the citizens of Marion County and is in compliance with the intent and purpose of K.S.A. 12-741 *et seq.*

**Section 3. Amendment Adopted.** The Marion County Zoning Regulations are hereby amended by the adoption of the following additions to Article 2, Section 2-102:

**2-102. Use Regulations.** In District "A", no building, structure, land or premises shall be used and no building or structure shall be hereafter erected, constructed, reconstructed, moved or altered, except for one or more of the following uses:

6. Single-family dwellings, on legally-created lots no less than 3 acres when located on a farmstead which either (a) has a residential structure existing as of November 1, 2005, whether habitable or not, or (b) has been the site of a residential structure and the Zoning Administrator determines there has been no subsequent nonresidential use of the property comprising the proposed lot. Any such lot created after November 1, 2005 having less than 40 acres shall comply with the applicable lot split requirements of Article 6 of the County's Subdivision Regulations. The County shall require an agricultural disclaimer recorded with the deed transfer that