

11-14-74

Map No. 6247  
Sec. 22  
Twp. 27S  
Range 2E

DATA SHEET  
(ZONING & CONDITIONAL USE)

Z- \_\_\_\_\_  
SCZ- \_\_\_\_\_  
CU- 165  
Filed 10-18-74

APPLICATION DATA: From \_\_\_\_\_ to \_\_\_\_\_

1. Applicant: James and Patricia Rich  
Address 329 Jackson East 67206 Phone 685-8837
2. Agent: \_\_\_\_\_  
Address \_\_\_\_\_ Phone \_\_\_\_\_
3. General Location: West side of Jackson in an area south of Central.  
Address \_\_\_\_\_
4. Proposed Use: Nursery

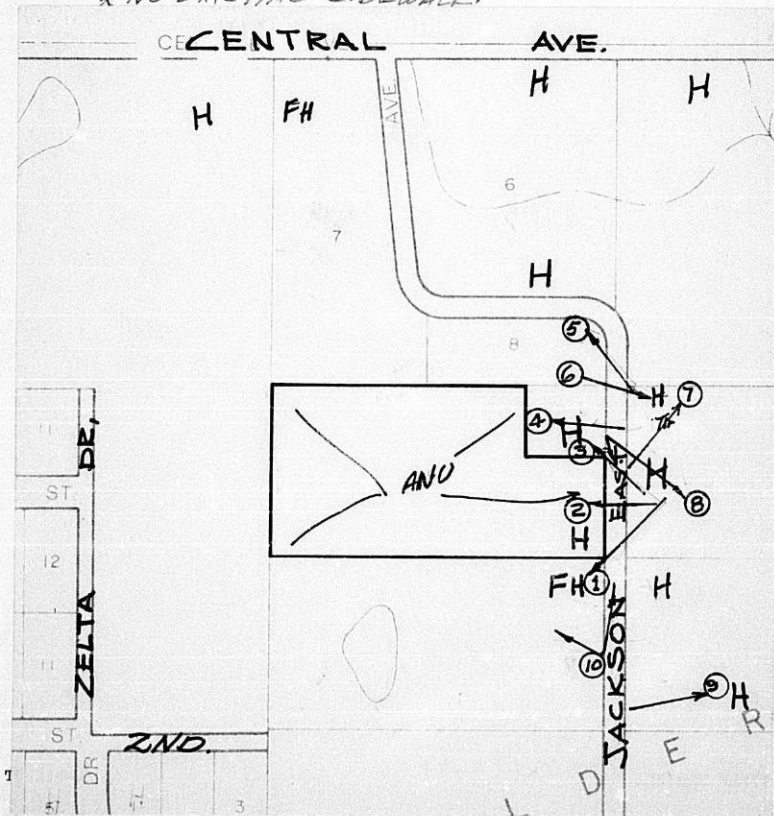
AREA DATA:

1. Acres: 4.44 (330 (IRREGULAR) ft. by 649 ft.)
2. Adjoining Zoning: E R-1 S R-1 W R-1 N R-1
3. Land Use: East SINGLE FARM South FARM HOUSE  
West UNDEVELOPED North SINGLE FARM
4. Sketch Plan Land Use is for: \_\_\_\_\_
5. Present Land Use is for: SINGLE FARM
6. Area (is) (~~33,000~~) platted.

PHOTO DATA:

Taken by TB Date 10-31-74 Time 10:00

\* NO EXISTING SIDEWALK.



WICHITA-SEDGWICK COUNTY

DATE

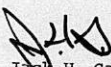
April 30, 1976

**METROPOLITAN AREA PLANNING DEPARTMENT**

**TO** THE FILES  
**FROM** Jack H. Galbraith, Chief Planner  
**SUBJECT** CU-165 - Conditional Use for Nursery Operation

As a result of complaints stated by Mr. Johnson, owner of the property to the south of the above captioned case, concerning the stacking of railroad ties and packaged fertilizer, I have observed the premises on April 29, 1976. There seems to be a neighbors dispute over the use of a common driveway and the complaints allege that the Nursery operation often blocks the use of the driveway to Mr. Johnson.

My observation was that the Nursery's operation is neat, that there was no storage of fertilizer that could be seen from Jackson Street and all the plant materials were displayed for sale in a neat arrangement. Therefore, I observed no violation of the conditions of approval for this case. In fact, I would question the purpose of the nine trucks and cars parked on Mr. Johnson's property to the south.

  
Jack H. Galbraith  
Chief Planner

JHG:el

( ) Published in The Wichita Beacon on 12-19, 1974.

R E S O L U T I O N

CASE NO. CU-165

A RESOLUTION PERMITTING A NURSERY OPERATION IN  
"R-1" SUBURBAN RESIDENTIAL DISTRICT

ON CERTAIN LANDS LOCATED WITHIN THE UNINCORPORATED TERRITORY LYING WITHIN THREE MILES OF EITHER THE CITY OF WICHITA, THE CITY OF HAYSVILLE, THE CITY OF DERBY, THE CITY OF MULVANE, THE CITY OF VALLEY CENTER, THE CITY OF GODDARD, AND THAT PORTION OF THE AREA WITHIN THREE MILES OF THE CITY OF CHENEY AS ESTABLISHED BY THE BOARD OF COUNTY COMMISSIONERS ON OCTOBER 3, 1973, ALL IN SEDGWICK COUNTY, KANSAS, UNDER THE AUTHORITY GRANTED BY SECTION 4.A.10 s) AND SECTION 11.E OF THE ZONING RESOLUTION ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS, ON MARCH 3, 1958, AND SUBSEQUENT AMENDMENTS THERETO.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF SEDGWICK COUNTY, KANSAS:

SECTION I. That after receiving a recommendation from Wichita-Sedgwick County Metropolitan Area Planning Commission and after said Planning Commission has given proper notice and held a public hearing as provided by law, and under authority granted by Section 4.A.10 s) and Section 11.E. of the Zoning Resolution, as amended, a Conditional Use Permit to allow a nursery operation in "R-1" Suburban Residential District

is hereby approved on the lands legally described as follows:

Lot 9, except the north 136 feet of the east 150 feet, Gilders Gardens, Sedgwick County, Kansas. Generally located on the west side of Jackson East in an area south of Central,

SUBJECT TO THE FOLLOWING:

1. The use of subject property shall be limited to residential, agricultural, and the sale of plant materials. Approval shall not be construed as permitting a greenhouse, garden store or the outdoor storage of equipment and materials used in the landscaping business.
2. The following items shall not be displayed or sold on the premises:
  - a. Irrigation equipment designed to be used for agricultural, commercial or residential purposes.
  - b. Garden and landscape equipment, bulk or unpackaged fertilizers, plant food, ground preparation and/or nutrients.
3. No signs shall be permitted larger than two square feet, provided that it shall be non-illuminated and shall be mounted flat against the main face of the residence or accessory building involved. The illegal sign shall be removed at the corner of Jackson East and Central, and the front yard of subject property.
4. The applicant shall dedicate the east 15 feet of the south 194 feet of subject property by separate instrument for street right-of-way purposes.

SECTION II. That upon the taking effect of this Resolution, the notation of such Conditional Use approval shall be entered in the Official zoning atlas on file in the Office of the County Zoning Administrator and in the Office of the Wichita-Sedgwick County Metropolitan Area Planning Department.

SECTION III. That this Resolution shall take effect and be in force from and after its adoption and publication in the Official County Paper.

PASSED AND ADOPTED at Sedgwick County, Kansas, this 11<sup>th</sup> day of November, 1974.



Tom Scott  
Tom Scott, Chairman

Elmer S. Peters  
Elmer S. Peters, Commissioner

Earl E. Rush  
Earl E. Rush, Commissioner

ATTEST:

Marie Warden  
Marie Warden, County Clerk

Approved as to Form  
Tom O. Turner  
County Counselor

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This CU File

Has a Large Drawing

On 35mm Microfilm.

Roll # 1

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