

5952

2-27-75

Map No. A-8-B
 Sec. 25
 Twp. 26S
 Range 1E

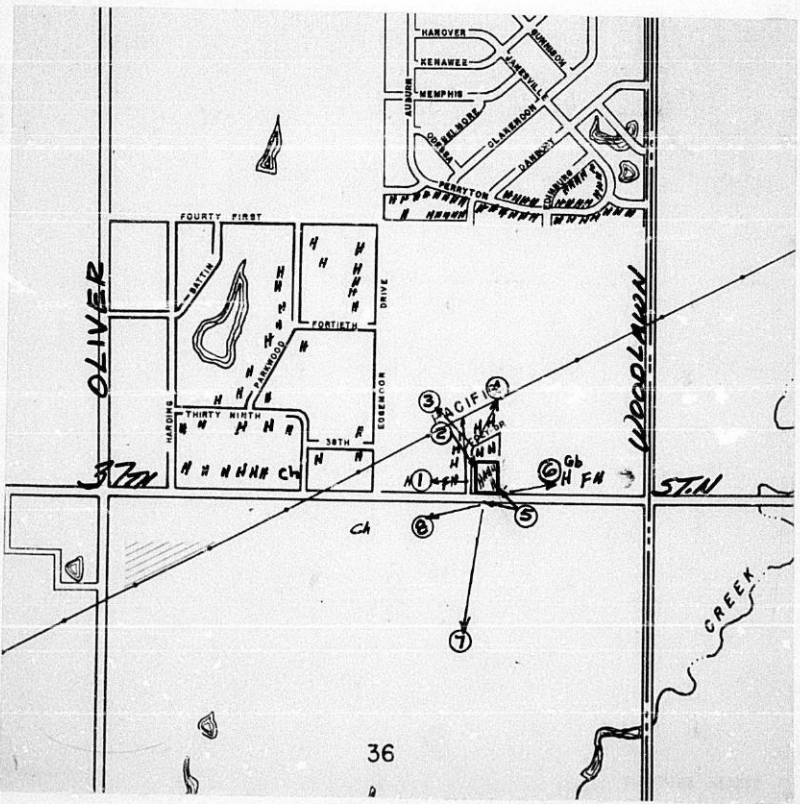
DATA SHEET
 (ZONING & CONDITIONAL USE)

Z- _____
 SCZ- _____
 CU- 173
 Filed 2-5-75

APPLICATION DATA: Nursery and greenhouse operation
 1. Applicant: Thomas O. Mosteller, et.al.
 Address 5900 E. 37th St. North 67220 Phone 686-7491
 2. Agent: none
 Address _____ Phone _____
 3. General Location: North side of 37th St. North, approx 1/4 mile west of
Woodlawn Address _____
 4. Proposed Use: greenhouse

AREA DATA:
 1. Acres: 1.83 (240 ft. by 333 ft.)
 2. Adjoining Zoning: E ~~R-1~~ S R-1 W R-1 N R-1
 3. Land Use: East FARM LAND South UNDEVELOPED
 West FARM HOUSE North MISSOURI VALLEY RR
 4. Sketch Plan Land Use is for: _____
 5. Present Land Use is for: NURSERIES & SINGLE FARM
 6. Area ~~is~~ (is not) platted.

PHOTO DATA:
 Taken by _____ Date _____ Time _____



(*copy furnished*) Published in The Wichita Beacon on June 4, 1975

RESOLUTION

CASE NO. CU-173

A RESOLUTION PERMITTING
A NURSERY AND GREENHOUSE OPERATION IN THE "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 and greenhouse operation in the "R-1" Suburban Residential District

is hereby approved on the lands legally described as follows:

Beginning 120 feet west of the SE corner of the west half of the Southeast Quarter of Section 25, Township 26 South, Range 1 East, thence west 240 feet, thence north 363 feet, thence east 240 feet, thence south 363 feet to place of beginning. Generally located on the north side of 37th Street North approximately 1/4 mile west of Woodlawn,

subject to the following:

1. Platting within one year from the date of approval by the Board of County Commissioners, or the application be considered denied and closed.
2. The plat shall reflect complete access control adjacent to Cozy Avenue, except for the existing driveway to the single-family home.
3. Prior to the issuance of a permit to expand the nursery and greenhouse operation, the applicant shall complete the 6-foot vertical cedar fence along the north property line; and shall install a 6-foot vertical fence of the same material along the street right-of-way line for Cozy Avenue from the north property line south to the north side of the existing single-family home.
4. The applicant shall dedicate the south 50 feet of subject property for street right-of-way purposes.
5. All structures shall set back a distance of not less than 35 feet from the north line of 37th Street North.

6. No parking shall be permitted within 35 feet of the north line of 37th Street North.
7. The use of land shall be limited to residential, agricultural, nursery, greenhouse and the sale of plant materials. Approval shall not be construed as permitting a garden center.
8. The following items shall not be displayed or sold on the premises:
 - a. Irrigation equipment designed to be used for agricultural or commercial purposes.
 - b. Bulk or unpackaged fertilizers, plant food, ground preparations and/or nutrients.
9. No sign shall be permitted except to advertise the uses herein permitted. No signs shall be illuminated, nor shall flashing or oscillating lights be permitted.
10. The owner, or occupant, of the subject property shall comply with the rules and requirements of the Wichita-Sedgwick County Health Department relative to water and sewer.

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 19th day of March, 1975.



Earl E. Rush, Chairman
Earl Rush

John Hale, Commissioner
John Hale

Tom Scott, Commissioner
Tom Scott

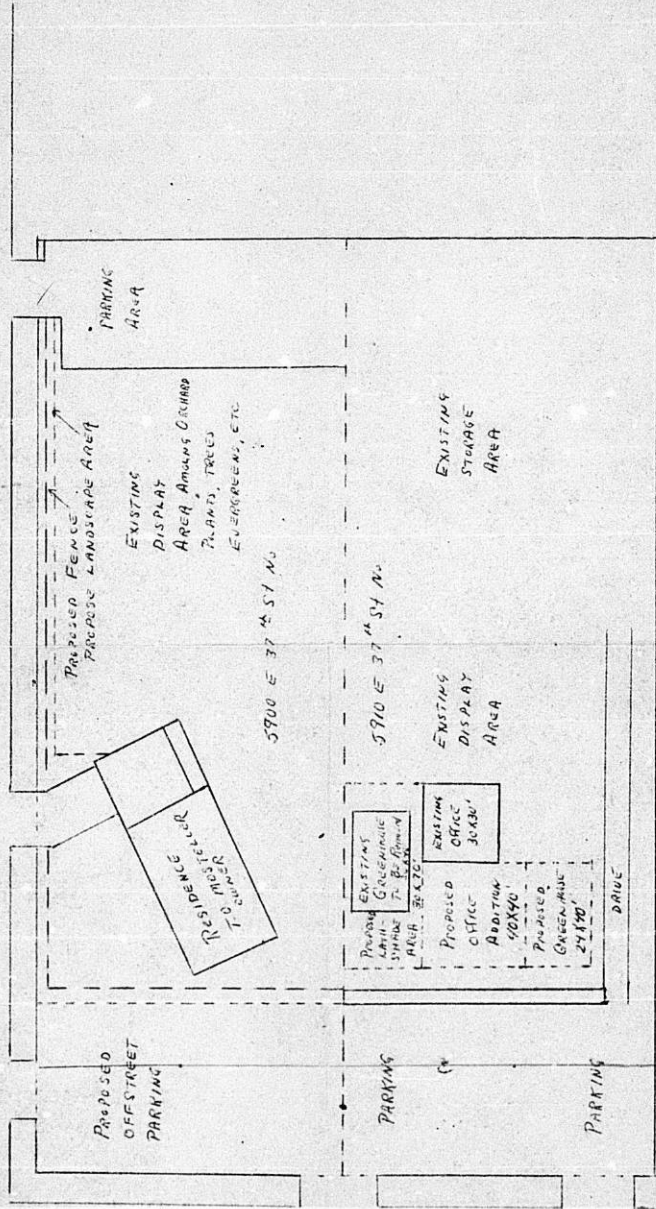
ATTEST:

George Pierce by Chapman
George Pierce, County Clerk
(SEAL) McDonald
Deputy

Approved as to form by
County Counselor
Jack Turner
Jack Turner, County Counselor

CU-173

COZY AVE



37th St N

THOMAS C. F. NEIL / MOSTELLER
 5900 E 37th St N
 WICHITA, KANSAS
 SCALE 1"=40'

DRAWN BY
 THOMAS C. MOSTELLER
 LANDSCAPE CONSULTANT

CU-173

