

DR 74-8 - Amendment to County  
Zoning Resolution re: Front  
Yard Setbacks

~~11/17~~ B. CO. C. *Approved* — 7.10.74

*Published 7-26-74*

# ACTION

DATE

COMMITTEE \_\_\_\_\_

M.A.P.C. App. as amended <sup>6-13</sup>~~7-25~~ 74

~~PLC~~/B. CO. C. Approved 7.10.74

*published 7-26-74*

DR 74-8 - Amendment to County  
Zoning Resolution re: Front  
Yard Setbacks

WICHITA-SEDGWICK COUNTY

DATE

**METROPOLITAN AREA PLANNING DEPARTMENT**

June 26, 1974

TO Board of County Commissioners  
FROM Jack H. Galbraith, Chief Planner *JHG*  
SUBJECT DR 74-8 - Proposed Amendment -  
Sedgwick County Zoning Resolution  
Re: Front yard setbacks

Attached is a copy of a proposed amendment to the Sedgwick County Zoning Resolution, which, after notice and public hearing before the Wichita-Sedgwick County Metropolitan Area Planning Commission on June 13, 1974, was recommended for adoption.

This amendment was prepared after discussions between the Planning Commission and the Board of County Commissioners concerning the policy of requiring 35-foot setbacks from major streets vs. that required by the existing Zoning Resolution. There also has been a need to establish reasonable front yard setbacks that was heretofore lacking.

This amendment will prevent the encroachment of structures into areas that are necessary for public improvement and the maintenance of said improvements.

Copies of the proposed amendment were furnished to the Wichita Association of Homebuilders, Wichita Board of Realtors and the consulting engineers that are involved in the process of platting through the Metropolitan Area Planning Commission and your Commission. We have not received any negative comments on the proposed amendment.

Consideration of this amendment to the Sedgwick County Zoning Resolution is scheduled for your regular meeting of July 10, 1974.

JHG:GEL:ber

Attachment

cc: Jack Turner, County Counselor  
Sharon Dearing, Deputy County Clerk  
Grover C. McLure, County Engineer  
Max Christman, County Zoning Office

WICHITA-SEDGWICK COUNTY

DATE

METROPOLITAN AREA PLANNING DEPARTMENT

June 26, 1974

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Sharon Dearing, Deputy County Clerk  
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WICHITA-SEDGWICK COUNTY

DATE

METROPOLITAN AREA PLANNING DEPARTMENT

June 26, 1974

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SUBJECT DR 74-3 - Proposed Amendment -  
Sedgwick County Zoning Resolution  
Re: Front yard setbacks

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WICHITA-SEDGWICK COUNTY

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METROPOLITAN AREA PLANNING DEPARTMENT

June 26, 1974

TO Board of County Commissioners

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SUBJECT DR 74-8 - Proposed Amendment -  
Sedgwick County Zoning Resolution  
Re: Front yard setbacks

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JHG:GEL:ber

Attachment

cc: Jack Turner, County Counselor  
Sharon Dearing, Deputy County Clerk  
Grover C. McLure, County Engineer  
Max Christman, County Zoning Office

R E S O L U T I O N

A RESOLUTION CHANGING THE SEDGWICK COUNTY ZONING RESOLUTION ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS AND EFFECTIVE AFTER MARCH 3, 1958, WITH AMENDMENTS TO FEBRUARY 19, 1974, FOR THE UNINCORPORATED TERRITORY LYING WITHIN THREE MILES OF 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 IN SECTION 14.C. THEREOF.

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

SECTION I. That upon the recommendation of the Metropolitan Area Planning Commission on June 13, 1974, after notice and public hearing as provided by law under authority granted by Section 14.C. of the Sedgwick County Zoning Resolution, as adopted March 3, 1958, the following Sections of the Sedgwick County Zoning Resolution are hereby amended as follows:

Sections 3-D-2, 4-D-2, 5-D-2, 6-D-2, 7-D-2, and 8-C-2 shall be amended to read as follows:

2. Front Yard: See Section 11-D.

Section 11-D shall be amended to read as follows:

D. Front Yards

All buildings hereafter erected, enlarged, moved in or reconstructed shall provide a front yard setback in accordance with the following regulations:

1. On properties that have been platted in accordance with all provisions of the Subdivision Regulations of the Wichita-Sedgwick County Metropolitan Area Planning Commission, a front yard setback shall be as shown on the face of the plat, or if not shown, it shall be not less than that shown in paragraph 4, based on the zoning district.
2. In areas where it has been determined by the County Engineer and approved by the Board of County Commissioners that adequate right-of-way has been acquired for necessary public improvements, then the front yard setback shall be not less than shown in paragraph 4, based on the zoning district.
3. In areas where a development plan for road improvements has been approved and adopted by the Board of County Commissioners, the front yard setback shall be not less than shown in paragraph 4, based on the zoning district, and measured from the proposed right-of-way line.

4. Zoning district front yard setbacks referred to in the above paragraphs are as follows:

"R"	- Rural Residential District	30 feet
"R-1"	- Suburban Residential District	30 feet
"AA"	- One Family Dwelling District	30 feet
"BB"	- Office District	20 feet
"LC"	- Light Commercial District	35 feet
"C"	- General Commercial District	35 feet
"E"	- Light Industrial District	35 feet
"F"	- Heavy Industrial District	35 feet

5. On all other properties, no building shall be erected, enlarged, moved in or reconstructed to extend nearer to the center line of the roadway than is set forth in the following table:

(a)	U. S. 54	150 feet
(b)	K-15	150 feet
(c)	K-96	150 feet
(d)	K-254	150 feet
(e)	U. S. 81	125 feet
(f)	K-42	125 feet
(g)	K-296	125 feet
(h)	K-53	125 feet
(i)	All FAS roads	100 feet
(j)	All Section line roads	85 feet
(k)	All other roads	
	Urban standards	60 feet
	Rural standards	65 feet

SECTION II. This Resolution shall take effect and be in force from and after its adoption and publication in the Official County paper.

PASSED AND ADOPTED this 10<sup>th</sup> day of July, 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

(SEAL)

Charmaine Lawrence  
Deputy

Approved as to form:

Jack K. Turner  
Jack K. Turner  
County Counselor

June 26, 1974

Board of County Commissioners

Jack H. Galbraith, Chief Planner

DR 74-8 - Proposed Amendment -  
Sedgwick County Zoning Resolution  
Re: Front yard setbacks

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This amendment was prepared after discussions between the Planning Commission and the Board of County Commissioners concerning the policy of requiring 35-foot setbacks from major streets vs. that required by the existing Zoning Resolution. There also has been a need to establish reasonable front yard setbacks that was heretofore lacking.

This amendment will prevent the encroachment of structures into areas that are necessary for public improvement and the maintenance of said improvements.

Copies of the proposed amendment were furnished to the Wichita Association of Homebuilders, Wichita Board of Realtors and the consulting engineers that are involved in the process of platting through the Metropolitan Area Planning Commission and your Commission. We have not received any negative comments on the proposed amendment.

Consideration of this amendment to the Sedgwick County Zoning Resolution is scheduled for your regular meeting of July 10, 1974.

JHG:GEL:ber

Attachment

cc: Jack Turner, County Counselor  
Sharon Dearing, Deputy County Clerk  
Grover C. McLure, County Engineer  
Max Christman, County Zoning Office

R E S O L U T I O N

A RESOLUTION CHANGING THE SEDGWICK COUNTY ZONING RESOLUTION ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS AND EFFECTIVE AFTER MARCH 3, 1958, WITH AMENDMENTS TO FEBRUARY 19, 1974, FOR THE UNINCORPORATED TERRITORY LYING WITHIN THREE MILES OF 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 IN SECTION 14.C. THEREOF.

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

SECTION I. That upon the recommendation of the Metropolitan Area Planning Commission on June 13, 1974, after notice and public hearing as provided by law under authority granted by Section 14.C. of the Sedgwick County Zoning Resolution, as adopted March 3, 1958, the following Sections of the Sedgwick County Zoning Resolution are hereby amended as follows:

Sections 3-D-2, 4-D-2, 5-D-2, 6-D-2, 7-D-2, and 8-C-2 shall be amended to read as follows:

2. Front Yard: See Section 11-D.

Section 11-D shall be amended to read as follows:

D. Front Yards

All buildings hereafter erected, enlarged, moved in or reconstructed shall provide a front yard setback in accordance with the following regulations:

1. On properties that have been platted in accordance with all provisions of the Subdivision Regulations of the Wichita-Sedgwick County Metropolitan Area Planning Commission, a front yard setback shall be as shown on the face of the plat, or if not shown, it shall be not less than that shown in paragraph 4, based on the zoning district.
2. In areas where it has been determined by the County Engineer and approved by the Board of County Commissioners that adequate right-of-way has been acquired for necessary public improvements, then the front yard setback shall be not less than shown in paragraph 4, based on the zoning district.
3. In areas where a development plan for road improvements has been approved and adopted by the Board of County Commissioners, the front yard setback shall be not less than shown in paragraph 4, based on the zoning district, and measured from the proposed right-of-way line.

4. Zoning district front yard setbacks referred to in the above paragraphs are as follows:

"R"	- Rural Residential District	30 feet
"R-1"	- Suburban Residential District	30 feet
"AA"	- One Family Dwelling District	30 feet
"BB"	- Office District	20 feet
"LC"	- Light Commercial District	35 feet
"C"	- General Commercial District	35 feet
"E"	- Light Industrial District	35 feet
"F"	- Heavy Industrial District	35 feet

5. On all other properties, no building shall be erected, enlarged, moved in or reconstructed to extend nearer to the center line of the roadway than is set forth in the following table:

(a)	U. S. 54	150 feet
(b)	K-15	150 feet
(c)	K-96	150 feet
(d)	K-254	150 feet
(e)	U. S. 81	125 feet
(f)	K-42	125 feet
(g)	K-296	125 feet
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(i)	All FAS roads	100 feet
(j)	All Section line roads	85 feet
(k)	All other roads	
	Urban standards	60 feet
	Rural standards	65 feet

SECTION II. This Resolution shall take effect and be in force from and after its adoption and publication in the Official County paper.

PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 1974.

\_\_\_\_\_  
Tom Scott, Chairman

\_\_\_\_\_  
Elmer S. Peters, Commissioner

\_\_\_\_\_  
Earl E. Rush, Commissioner

ARTEST:

\_\_\_\_\_  
Marie Warden, County Clerk

(SEAL)

WICHITA-SEDGWICK COUNTY

DATE

**METROPOLITAN AREA PLANNING DEPARTMENT**

May 29, 1974

TO Wichita-Sedgwick County Metropolitan  
Area Planning Commission

FROM Jack Galbraith, Chief Planner *J. H. D.*

SUBJECT DR 74-8 - Possible Amendment to Sedgwick County  
Zoning Resolution Re: Front yard Setbacks

*Approved as  
amended -  
EGH.  
see pg 2.  
me.5*

Attached hereto is a copy of a possible amendment to the Sedgwick County Zoning Resolution related to front yard setbacks. This amendment has been advertised for public hearing before the Planning Commission at your meeting of June 13, 1974.

BACKGROUND

This amendment was prepared after discussions between the Planning Commission and the Board of County Commissioners concerning the 35-foot setback policy from major streets vs. that required by the existing zoning Resolution.

The possible amendment will delete the existing front yard requirements from each of the separate zoning districts by inserting the reference "See Section 11-D". Section 11-D then establishes front yard setbacks on properties based on three basic situations:

- (1) Property platted in accordance with the subdivision regulations; or
- (2) areas where determination has been made that adequate right-of-way has been acquired for public improvement; or
- (3) areas where a development plan has been made and approved by the Board of County Commissioners.

If any of the above three conditions do not fit a particular piece of property, then a catch-all provision (No. 5) is included to prevent the encroachment of structures into areas that will be required for public improvements or the maintenance of same.

Copies of the proposed amendment have been furnished to the Wichita Association of Homebuilders, Wichita Board of Realtors and those engineers that are involved in the platting process with this Commission.

JRG:CEL:ber  
Attachment

cc: Grover C. McClure, County Engineer  
Max Christman, County Zoning Office

POSSIBLE AMENDMENTS TO THE  
SEDGWICK COUNTY ZONING RESOLUTION  
ESTABLISHING FRONT YARD SETBACKS

Amendments shall be made to each of the zoning districts (Sections 3 thru 10) to establish minimum front yard setbacks as follows:  
Front yard. See Section 11-D.

SECTION 11-D shall be amended to read as follows:

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May 29, 1974

Wichita-Sedgwick County Metropolitan  
Area Planning Commission

Jack Galbraith, Chief Planner

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Zoning Resolution Re: Front yard Setbacks

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JHG:GEL:ber  
Attachment

cc: Grover C. McLure, County Engineer  
Max Christman, County Zoning Office

May 29, 1974

Grover McLure, County Engineer

Glen E. Lytle, Special Assistant for Zoning

DR-74-8 - Possible amendment to the County Zoning Resolution .

Re: Front yard setbacks.

Attached hereto is a copy of a possible amendment to the Sedgwick County Zoning Resolution revising the front yard setbacks in all zoning districts. This possible amendment has been advertised for public hearing before the Wichita-Sedgwick County Metropolitan Area Planning Commission on June 13, 1974. This meeting is scheduled to begin at 1:30 p.m. and this item will appear near the end of the agenda after the subdivision and zoning cases.

As we have discussed previously, this amendment was prepared after discussion by the Planning Commission and the Board of County Commissioners regarding the policy of the 35 foot setbacks from major streets vs. the setbacks required by the existing zoning resolution. This amendment is essentially the same as Mr. Lakin and I discussed with you a couple of weeks ago. If you have any questions or concerns on this prior to the public hearing, please let Mr. Lakin or I know.

GEL:rme  
Attachment

cc: Board of County Commissioners  
Jack Turner, County Counselor  
Max Christman, County Planning & Zoning Office  
Jim Aiken, Director, Environmental Health Department

May 29, 1974

Mr. Tim Hurley  
Executive Director  
Wichita Association of Home Builders  
730 North Main  
Wichita, Kansas 67203

Gentlemen:

Enclosed you will find a copy of a proposed amendment to the Sedgwick County Zoning Resolution that has been advertised for public hearing before the Metropolitan Area Planning Commission on June 13, 1974. This meeting is scheduled to begin at 1:30 p.m. and is held in Room 401, City Building Annex, 140 South Main.

This proposed amendment will establish minimum front yard setbacks from all streets in order to provide reasonable protection of existing right-of-way necessary for public improvements and maintenance of such improvements. It will also prevent the encroachment of private improvements into areas that are needed for public improvements, thus reducing the total costs for such improvements.

If you or any member of your organization wish to comment on this amendment, it will be heard by the Planning Commission. If you are unable to attend the meeting and wish to submit comments in writing, please submit same to this office prior to the meeting and they will be given to the Planning Commission.

Sincerely,

Glen E. Lytle  
Special Assistant for Zoning

GEL:rme  
Enclosure

Letter sent to: Wichita Board of Realtors  
230 South Market, 67202

May 29, 1974

Mr. Kenneth O. Taylor  
1542 South St. Francis  
Wichita, Kansas 67211

Dear Mr. Taylor:

Attached hereto is a copy of a proposed amendment to the Sedgwick County Zoning Resolution that has been advertised for public hearing before the Wichita-Sedgwick County Metropolitan Area Planning Commission on Thursday, June 13, 1974. This meeting is scheduled to begin at 1:30 p.m. in Room 401, City Building Annex, 104 South Main.

This proposed amendment will establish minimum front yard setbacks on all public streets in conformance to the established standards for public improvements. This proposed amendment was requested after discussions between the Planning Commission and the Board of County Commissioners over the policy of the 35 foot setback from major streets vs. the requirement in the existing resolution.

If you have any comment on this proposed amendment, it will be welcomed by the Planning Commission at the meeting of June 13. If you are unable to attend the meeting and wish to comment, please furnish same to this office prior to the meeting so that it may be passed on to the Commission.

Sincerely,

Glen E. Lytle  
Special Assistant for Zoning

GEL:rme  
Attachment

May 29, 1974

Letters sent to:

Baughman Company  
330 Laura, 67211

Moehring & Associates  
314 Brown Building, 67202

Professional Engineering Consultants  
1440 East English, 67211

Campbell & Castle Engineers  
P. O. Box 1835, 67201

Reiss & Goodness Engineers  
2160 East Douglas, 67214

Delamater, Freund & Scherer, P.A.  
512 Century Plaza Building, 67202

(Published in The Wichita Beacon on May 28, 1974.)

OFFICIAL NOTICE

TO WHOM IT MAY CONCERN AND TO ALL PERSONS INTERESTED:

NOTICE IS HEREBY GIVEN that on June 13, 1974, the Wichita-Sedgwick County Metropolitan Area Planning Commission, in Room 401 City Building Annex, 104 South Main, Wichita, Kansas, at 1:30 p.m., will consider the following changes to the Zoning Resolution of Sedgwick County, Kansas:

That all Sections (3 thru 11) relating to front yard setbacks shall be amended. Minimum front yard setbacks will be based on the necessary right-of-way for public improvements and the space needed to maintain such improvements, all in accordance with adopted standards.

Copies of the proposed amendment are available upon request from the Wichita-Sedgwick County Metropolitan Area Planning Department.

The proposed amendment will there be discussed and considered by the said Wichita-Sedgwick County Metropolitan Area Planning Commission, and all persons interested in said matter will be heard at this time concerning their views and wishes, and any protest against any of the provisions of the proposed changes to the Sedgwick County Zoning Resolution will be considered by the Commission as by law provided.

WITNESS my hand and seal this 24th day of May, 1974.

Robert A. Lakin, Secretary  
Wichita-Sedgwick County Metro-  
politan Area Planning Commission

(SEAL)

POSSIBLE AMENDMENTS TO THE  
SEDGWICK COUNTY ZONING RESOLUTION

*Mc Lane  
Comment  
4.22.75*

*MTC W/LAKIN  
LITTLE  
MCLURE*

The following amendment shall be made to each of the zoning districts to establish minimum front yard setbacks.

Front yard. (\*) feet. See Section 11-D.

\*Insert the following distances based on the zoning district:

"R"	- Rural Residential District	30 feet	<i>35</i>
"R-1"	- Suburban Residential District	30 feet	<i>35</i>
"AA"	- One-family Dwelling District	30 feet	<i>35</i>
"BB"	- Office District	20 feet	
"LC"	- Light Commercial District	35 feet	
"C"	- General Commercial District	35 feet	
"E"	- Light Industrial District	35 feet	
"F"	- Heavy Industrial District	35 feet	

SECTION 11-D shall be amended to read as follows:

D. Front Yards

All buildings hereafter erected, enlarged, moved in or reconstructed shall provide a front yard setback in accordance with the following regulations:

1. In areas that have been platted in accordance with all provisions of the Wichita-Sedgwick County Metropolitan Area Planning Commission, then the front yard setback shall be as is required by the zoning district or as shown on the face of the plat.

2. In areas where it has been determined by the County Engineer and approved by the Board of County Commissioners that adequate right-of-way has been acquired for necessary public improvements, then the front yard setback shall be as is required by the zoning district.
3. In areas where a development plan for road improvements has been approved and adopted by the Board of County Commissioners, then the front yard setbacks shall be as is required by the zoning district, measured from the proposed right-of-way lines.
4. In areas where sufficient right-of-way has not been acquired, nor has it been determined by a development plan for public improvements, the necessary right-of-way, no building shall be erected, enlarged, moved in or reconstructed to extend nearer to the center line of the roadway than is set forth in the following table:

(a)	U. S. 54	150 feet
(b)	K-15	150 feet
(c)	U. S. 81	125 feet
(d)	K-42	125 feet
<i>120' ROW</i>	(e) All FAS roads	100 feet
<i>100' ROW</i>	(f) All Section line roads	85 feet
	(g) All other Township roads	<del>65 feet</del>

*urban Rd.  
Rural Rds*

*60'  
65'*

*60' in developed areas and  
85' in other areas.*

*Units on  
Parity*

WICHITA-SEDGWICK COUNTY

DATE

**METROPOLITAN AREA PLANNING DEPARTMENT**

March 11, 1974

TO Glen Lytle, Special Assistant for Zoning  
FROM Jack H. Galbraith, Chief Planner *JHG*  
SUBJECT DR 74-8 - Amendment to County Zoning Resolution re: Front  
Yard Setbacks

As a result of recent discussions between the Planning Commission and the Board of County Commission concerning the policy of a 35' setbacks from major streets vs. setback requirements in the County Zoning Resolution, we were instructed to amend the zoning text.

Please review both the front yard setback requirements in the various county zoning districts and Section 11.D Front Yards to determine those areas where changes should be made. Particularly where we are desirous of wanting to maintain a 35' setback from proposed future major street rights of way, we still may need to measure from the section line.

After you determine the areas that need amending, draft proposals should be reviewed first with the County Engineer and Max Christman. Notices should be mailed to them as well as the Home Builders and Board of Realtors.

Advertising date is April 8, for the Metropolitan Area Planning Commission meeting of April 25. Joyce has set up a case file and Shirkey is available to assist you if you desire.

JHG:js

cc: Lynn Shirkey, Jr. Planner

March 27, 1974

Grover McLure, County Engineer

Glen E. Lytle, Special Assistant for Zoning

Possible Amendment - County Zoning Resolution  
DR-74-8 Re: Front yard setbacks.

Attached hereto is a copy of a possible amendment to the Sedgwick County Zoning Resolution that would establish front yard setbacks.

As you will note Section 11-D would be revised to include four categories of determining the front yard setback. Based on these categories, the Zoning Administrator would determine which would be applicable and thereby determine the minimum front yard setback.

I would appreciate a review by you and Mr. Christman of the application of this possible amendment in resolving some of the inadequacies of the existing zoning resolution in establishing setbacks. In order to advertise an amendment to be considered by the Planning Commission on April 25, 1974 it will be necessary to advertise same for public hearing by April 8, 1974.

I will be on vacation after today until April 4, 1974. Upon my return I will be pleased to discuss this with you at your convenience. If you wish to set a definite time on April 4 or 5, check with Jack Galbraith for a time that is convenient for both of you.

GEL:rme

cc: Max Christman, County Planning & Zoning Office  
Jack H. Galbraith, Chief Planner  
Robert A. Lakin, Director of Planning

POSSIBLE AMENDMENTS TO THE  
SEDGWICK COUNTY ZONING RESOLUTION

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March 11, 1974

Glen Lytle, Special Assistant for Zoning

Jack H. Galbraith, Chief Planner

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