RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION TO BOARD OF COUNTY COMMISSIONERS

REQUEST FOR ZONING

CASE NO. SCZ-0413 CONSIDERED BY MAPC: 2-1-79

REQUEST FOR: "R-1" to "AA"

REASON FOR REQUEST (AS PROVIDED BY APPLICANT):

"To allow development on smaller size lots than permitted in "R-1" zoning."

GENERAL LOCATION: Northeast corner of 135th Street West and Maple.

LEGAL DESCRIPTION:

(See excerpt from Planning Commission minutes of 2-1-79)

APPLICANT: Rainbow Lakes, Inc., et al, 322 Wheatland Place.

AGENT FOR APPLICANT: K. O. Taylor, engineer, 1542 S. St. Francis.

PROTESTORS (LIST AGENT) IF ANY: None

SURROUNDING ZONING: North, East, South and West, "R-1".

LAND USE: Existing, North, East, South and West, undeveloped.

PLANNING COMMISSION RECOMMENDATION:

That this application be approved subject to platting within one year from the date of zone change approval by the Board of County Commissioners; or the case be considered denied and closed; and that the resolution effectuating the zone change not be published until the plat has been recorded with the Register of Deeds. Savina moved, Hennessy seconded and it carried unanimously. Barrier and Greider were absent.

ACTION: 1. Approve the recommendation of the Metropolitan Area Planning Commission, subject to the condition of platting, adopt a resolution evvectuating the zone change, and instruct the Planning Department to withhold publication until such time as the plat has been recorded; or

2. Deny the application.

Patricia Scott
3-D

R 88-1979

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35555

R E S O L U T I O N

A RESOLUTION CHANGING THE ZONING CLASSIFICATIONS FOR 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 IN SECTION 14.C OF THE ZONING RESOLUTION ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS, MARCH 3, 1958, AND SUBSEQUENT AMENDMENTS THERETO.

BE IT RESOLVED BY THE GOVERNING BODY OF SEDGWICK COUNTY, KANSAS.

SECTION I. That after receiving a recommendation from the 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 14.C of the Zoning Resolution as amended, the zoning district of the lands legally described are hereby changed as follows:

CASE NO. SCZ-0413

Zone Change from the "R-1" Suburban Residential District to the "AA" One Family Dwelling District

A tract in the SW 1/4 of Section 24, T27S, R2W of the 6th P.M., Sedgwick County, Kansas. described as follows: Beginning at the SE corner of said SW 1/4; thence S88° 55'03"W along the south line of said SW 1/4, 330 feet; thence N0°11'20"W parallel to the east line of said SW 1/4, 264.18 feet; thence N52°01'37"W, 2542.09 feet; thence S37°58'23"W, 19.12 feet to the P.C. of a curve; thence southerly on a curve to the left having a radius of 236 feet and a deflection angle of 38°02'30", 159.69 feet to the P.T. of said curve; thence S0°04'07"E parallel to the west line of said SW 1/4, 250 feet; thence S89°55'53"W, 244 feet to the west line of said SW 1/4; thence N0°04'07"W along the west line of said SW 1/4, 750.27 feet to a point 427.73 feet south of the NW corner of said SW 1/4; thence N61°47'03"E, 950.52 feet to a point on the north line of said SW 1/4, 838.36 feet east of the NW corner of said SW 1/4; thence N88°31'08"E along the north line of said SW 1/4, 1795.34 feet to the NE corner of said SW 1/4; thence S0°11'20"E, 2657.3 feet to the point of beginning. Generally located at the northeast corner of Maple and 135th St. West.

SECTION II. That upon the taking effect of this Resolution, the above zoning change shall be entered and shown on the 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 once in the official County paper.

PASSED AND ADOPTED by the Board of County Commissioners at Wichita, Kansas, this 28th day of February, 1979.

R58-1979

Tom Scott, Chairman

Donald Gragg, Commissioner

Everett Patrick, Commissioner

ATTEST:

Dorothy K. White
Dorothy K. White, County Clerk

(SEAL)

APPROVED AS TO FORM:

for James W. Hutchenson, Deputy
Theodore H. Hill, County Counselor