Form T9-221A

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION TO BOARD OF COUNTY COMMISSIONERS

REQUEST FOR ZONING

CASE NO. SCZ-0400 CONSIDERED BY MAPC: 9-14-78

REQUEST FOR: "R-1" & "C" to "E"

REASON FOR REQUEST (AS PROVIDED BY APPLICANT):

"To obtain the appropriate zoning on both lots proper for the operation of the buyer's business being a machine shop."

GENERAL LOCATION: Southeast corner of 53rd Street North and Valentine.

LEGAL DESCRIPTION:

Lots Seventy-seven (77) and Seventy-eight (78) Broadway Heights, Sedgwick County, Kansas.

APPLICANT: Carolyn K. Wood, et al, 400 Circle Dr., Derby, Ks.

COUNSEL FOR APPLICANT: Lawrence Howland, Vice President, L. E. Machine Co., Inc.

PROTESTORS (LIST COUNSEL) IF ANY: None

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

LAND USE: Existing, undeveloped and single family; North, undeveloped; East, railroad and Drainage Ditch; South, single family; West, oil storage tanks.

PLANNING COMMISSION RECOMMENDATION:

That this application be approved for "E" Light Industrial except for the south 125 feet which was recommended for "C" General Commercial, subject to replatting subject property in order to provide appropriate street right-of-way, building setbacks and access control within one year from the date of 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County Commissioners; or the case be considered denied and closed; and that the resolution effectuating the zone change not be published until the plat has been recorded with the Register of Deeds. Bayouth moved, Greider seconded and it carried with a vote of 9 in favor (Barrier, Bell, Bayouth, Cole, May, Greider, Hennessy, Jones and Savina) and 1 opposed (Taylor).

NOTE: The percentage of the protest petitions received on this application will be pointed out at the time the case is considered by the County Commission.

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

2. Take such action as the County Commission deems appropriate.

None given Published in The Wichita Beacon on Sept. 10, 1979.

R #190-1978

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-0400

Zone Change from the "R-1" Suburban Residential District and the "C" General Commercial District to the "E" Light Industrial District

Lots Seventy-seven (77) and Seventy-eight (78) Broadway Heights, Sedgwick County, Kansas, except the south 125 feet, AND

Zone Change from the "R-1" Suburban Residential District and the "C" General Commercial District to the "C" General Commercial District

The south 125 feet of Lot Seventy-seven (77) Broadway Heights, Sedgwick County, Kansas. All generally located at the southeast corner of 53rd Street North and Valentine.

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 11th day of October, 1978.

_____, Chairman
Everett Patrick

_____ Commissioner
John Hale

_____, Commissioner
Tom Scott

ATTEST:

Dorothy K. White

Dorothy K. White, County Clerk

(SEAL)

APPROVED AS TO FORM:

Theodore H. Hill

Theodore H. Hill, County Counselor