

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION TO
BOARD OF COUNTY COMMISSIONERS

REQUEST FOR ZONING

CASE NO. SCZ-0473

CONSIDERED BY MAPC: 1-15-81

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

REASON FOR REQUEST (AS PROVIDED BY APPLICANT):

"Contract purchaser desires to establish and operate a retail
"garden center" and plant nursery on the property."

GENERAL LOCATION: West side of Rock Road in an area approximately
1/4 mile north of 13th Street.

LEGAL DESCRIPTION:

(See excerpt from Planning Commission minutes
Of January 15, 1981).

APPLICANT: The Radio Station KFH Company, Inc., et al, 104 S. Emporia.

AGENT FOR APPLICANT: Phillip S. Frick, attorney, 700 Fourth Financial Ct.

PROTESTORS (LIST AGENT) IF ANY: Joseph D. Whitt, 1441 N. Rock Road,
#1001; Kent R. Jacobs, 1441 N. Rock Road.

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

LAND USE: Existing; North and East, Undeveloped; South, Bell Telephone
facility; West, KFH towers & undeveloped.

PLANNING COMMISSION RECOMMENDATION:

That this application be approved subject to platting 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 establishing
the zone change not be published until the plat has been recorded with
the Register of Deeds. Bayouth moved, Gardner seconded and it carried
with a vote of 3 in favor (Bayouth, Gardner, Savina, Hennessy, Jones,
Lofton, Martens and Goebel), and 2 opposed (Shook and Wright).

ACTION: 1. Concur with the findings of fact of the Metropolitan Area
Planing Commission, approve the application subject to the condition of
platting, adopt a resolution establishing the zone change and instruct
the Planning Department to withhold publication of the resolution until
the plat has been recorded with the Register of Deeds; or

2. Deny the application.

R #27-1981

~~now given~~ Published in The Wichita Eagle-Beacon on April 29, 1981.

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-0473

Zone Change from the "R-1" Suburban Residential District
to the "LC" Light Commercial District

The South 300 feet of the East 400 feet, except the South 25 feet, of the South 20 acres of the Northeast Quarter of the Southeast Quarter of Section 7, Township 27 South, Range 2 East of the 6th P.M., Sedgwick County, Kansas.

AND

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

The North 337.83 feet of the East 400 feet, except the South 25 feet, of the South 20 acres of the Northeast Quarter of the Southeast Quarter of Section 7, Township 27 South, Range 2 East of the 6th P.M., Sedgwick County, Kansas. All generally located on the west side of Rock Road, in an area between 13th and 21st Streets.

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

PASSED AND ADOPTED by the Board of County Commissioners at
Wichita, Kansas, this 11th day of February, 1921.

Donald E. Gragg Chairman
Donald E. Gragg

Tom Scott Commissioner
Tom Scott

Jack Spratt Commissioner
Jack Spratt

ATTEST:

Dorothy K. White by
Dorothy K. White, County Clerk
(SEAL) Judy Smith, Deputy

APPROVED AS TO FORM:

William D. Rustin
William D. Rustin, County Counselor