

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION TO  
BOARD OF COUNTY COMMISSIONERS

REQUEST FOR ZONING  
AND SPECIAL PERMIT

CASE NO. SCZ-0444

CONSIDERED BY MCPC: 11-13-79

CONSIDERED BY MAPC: 12-20-79

REQUEST FOR: "R" to "F" and Special Permit

REASON FOR REQUEST (AS PROVIDED BY APPLICANT):

"To open a business of rebuilding Honda Cars."

GENERAL LOCATION: Southwest corner of Oliver and 111th Street South.

LEGAL DESCRIPTION:

(See excerpt from Planning Commission minutes of  
December 20, 1979)

APPLICANT: George & Winifred Heersche, Rt. #2, Box 143, Mulvane, KS

COUNSEL FOR APPLICANT: Don Matlack, attorney, 301 N. Market.

PROTESTORS (LIST COUNSEL) IF ANY: John Pike, attorney, P. O. Box 1179,  
Wichita, KS

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

LAND USE: Existing, Accessory Building & Undeveloped; North and South,  
Undeveloped; East, Farm Homes & Accessory Buildings; West, Single Family  
Home.

PLANNING COMMISSION RECOMMENDATION:

That this application be approved subject to the platting of the property  
to provide additional street right-of-way, access controls and building  
setbacks within one year from the date of approval of the zone change 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closed; and that the resolution establishing the zone change not be  
published until the plat has been recorded with the Register of Deeds;  
and a recommendation of approval of the special permit request subject  
to the applicant providing a 6 to 8 foot high solid or semi-solid fence  
constructed of masonry, architectural steel, wood, louvered wood, or other  
similar material around the area where the inoperative vehicles would be  
stored, and the submission of a site plan indicating the vehicle storage  
area and required fencing. Bayouth moved, Gardner seconded and it carried  
with a vote of 5 in favor (Bayouth, Gardner, Goebel, Jones and Savina),  
and 1 opposed (Shook). Cole, Hennessy, Lofton and Martens were absent.

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 Com-  
mission.

ACTION: 1. Concur with the findings of fact of the Metropolitan Area  
Planning Commission; approve the zone change and special permit subject to  
the recommended conditions; adopt resolutions establishing the zone change  
and special permit, and instruct the Planning Department to withhold publi-  
cation of the resolutions until the plat has been recorded with the Register  
of Deeds; or

2. Deny the application.

January 16, 1980

Syd Werbin, County Director  
Building, Planning & Codes  
1015 Stillwell  
Wichita, Kansas 67213

Re: SCZ-0444 - Zone Change "R" to "F",  
South side of 111th St. South, between  
Oliver and Hillside.

Dear Syd:

This is to call to your attention that the above captioned case was denied by the Board of County Commissioners on this date. Inasmuch as Mr. Heersche has been in violation for over two years and this is the second case which has been denied by the County Commission, you should take whatever action is necessary to see that the violations cease, and that the use of the property conforms to the "R" Rural Residential District. This means that all the operations related to the storage of automobiles, maintenance, repair, and rebuilding cease, as none of these uses are permitted in the "R" District.

If you have any questions concerning this case, please call.

Sincerely,

Jack H. Galbraith  
Chief Planner

JHG:el

cc: Theodore H. Hill, County Counselor, 525 N. Main, 67203  
Paul Nye, Chairman Mulvane Planning Commission  
#3 Willowdel, Mulvane, Ks. 67110

*John B. Pike, attorney, P.O. Box 1179, 67201*