

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION TO
BOARD OF COUNTY COMMISSIONERS

REQUEST FOR ZONING

CASE NO. SCZ-0508

CONSIDERED BY MAPC: 11-4-82

REQUEST FOR: "R" to "E"

REASON FOR REQUEST (AS PROVIDED BY APPLICANT):

"To erect a building to be used as an auto mechanic repair shop."

GENERAL LOCATION: East side of 143rd Street East in an area south of 45th Street North.

LEGAL DESCRIPTION:

(See excerpt from Planning Commission minutes of November 4, 1982)

APPLICANT: David L. Borg, 309 Turnpike Road, Andover, Kansas.

AGENT FOR APPLICANT: None

PROTESTORS (LIST AGENT) IF ANY: None

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

LAND USE: Existing, Undeveloped; North, East, South and West, Agriculture.

PLANNING COMMISSION RECOMMENDATION:

That the application for "E" Light Industrial be denied and that the "C" Commercial District be approved subject to platting the five acre tract 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Commissioners; or the case be considered denied and closed; and that the resolution establishing the change of zoning not be published until the plat has been recorded with the Register of Deeds. Cazal moved, Gardner seconded and it carried with a vote of 6 in favor (Cazal, Gardner, Bayouth, Parsons, Moore and Goebel) and 3 opposed (Hansen, Lofton and Wilson). Chisholm was absent.

ACTION: 1. Concur with the findings of fact of the Metropolitan Area Planning 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. Take such action as the County Commission deems appropriate.

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 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-0508

ZONE CHANGE from the "R" Rural Residential District to the "C" General Commercial District

Beginning at the SW corner of N 1/2 of NW 1/4 of Section 25 - Township 26S-R2E of the 6th P.M.; thence East along South line of said North 1/2 a distance of 660 feet, thence North parallel to West line of said NW 1/4, a distance of 330 feet, thence West parallel to South line of said North 1/2 a distance 660 feet to West line of said NW 1/4 thence South along said West line a distance of 330 feet to point of beginning. Generally located on the east side of 143rd Street East, in an area south of 45th Street North.

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 1st day of December, 1983.



ATTEST:

Dorothy K. White
Dorothy K. White, County Clerk

(SEAL)

APPROVED AS TO FORM:

William D. Rustin
William D. Rustin, County Counselor

Jack Spratt, Chairman
Jack Spratt

Tom Scott, Commissioner
Tom Scott

Donald E. Gragg, Commissioner
Donald E. Gragg