

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION
TO BOARD OF COUNTY COMMISSIONERS

REQUEST FOR ZONING AND
CONDITIONAL USE PERMIT

SCZ-0627 - REQUEST FOR ZONE CHANGE FROM "R" RURAL RESIDENTIAL DISTRICT TO "LC" LIGHT COMMERCIAL DISTRICT, AND

CU-344 - CONDITIONAL USE PERMIT TO ESTABLISH AN ANIMAL HOSPITAL, LOCATED ON THE WEST SIDE OF ROCK ROAD, APPROXIMATELY 1,000 FEET NORTH OF 103RD STREET SOUTH.

The MAPC recommends that the applications be approved. (see minutes for full motion).

Gardner moved, Goebel seconded, and it carried unanimously. Sherman and Miles were absent. One vacancy.

ACTION:

1. Adopt the findings of fact of the Metropolitan Area Planning Commission and approve the zone change subject to the condition of platting and the conditional use request subject to conditions; adopt resolutions establishing the zone change and conditional use and instruct the Planning Department to withhold publication until the plat has been recorded with the Register of Deeds; or
2. Adopt findings and deny the applications.

DATA AND MINUTES

MPC Hearing Date: 5/23/91 Approved

MAPC Hearing Date: 6/06/91 Approved

BCoC Hearing Date: 7/3/91

COMMISSION DISTRICT #2

ADJACENT ZONING AND LAND USE:

NORTH	"R"	Undeveloped (agricultural use)
SOUTH	"R"	Undeveloped (agricultural use)
EAST	"R"	Undeveloped (agricultural use)
WEST	"R"	Undeveloped (agricultural use)

Applicants: Joe & Meta K. Wenzel, #37 Circle Drive, Mulvane, KS 67110; and Joe L. & Kathryn Gosch, 215 Frontier Drive, Mulvane, KS 67110

Protestors: Linda Hofford, 17 Tristan, Mulvane, KS

NOTE: Protest petitions have been submitted by property owners within 1,000 feet of the application area. The percentage of protest will be announced at the meeting.

20.1%

R E S O L U T I O N N O .

A RESOLUTION AUTHORIZING A CONDITIONAL USE PERMIT TO ESTABLISH AN ANIMAL HOSPITAL IN THE "LC" LIGHT COMMERCIAL DISTRICT ON CERTAIN LANDS LOCATED WITHIN THE UNINCORPORATED AREA OF SEDGWICK COUNTY, KANSAS, UNDER THE AUTHORITY GRANTED IN SECTION 17.C OF THE ZONING REGULATIONS ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS, DECEMBER 12, 1984, AND SUBSEQUENTLY AMENDED.

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 17.C of the Zoning Regulations, a conditional use permit to establish an animal hospital on property zoned "LC" Light Commercial District is hereby approved on lands legally described below:

Case No. CU-344

Conditional Use Permit request to establish an animal hospital on property to be zoned the "LC" Light Commercial District

Beginning on the east line of and 992.94 feet north of the southeast corner of the Southeast Quarter, Section 19, Township 29 South, Range 2 East of the 6th P.M.; thence west 300 feet on a bearing of N 89°51'24" W; thence 125 feet on a bearing of N 00°18'00" W; thence 300 feet on a bearing of S 89°51'24" E to said east line; thence 125 feet on a bearing of S 00°18'00" E along said east line to the point of beginning. Said tract contains 0.86 acres. Generally located on the west side of Rock Road in an area approximately 1,000 feet north of 103rd Street South.

SUBJECT TO THE FOLLOWING CONDITIONS:

- A. All animal treatment shall be conducted indoors.
- B. All animals boarded on the property shall be harbored indoors. Nothing in the approval of this case shall be construed to permit the outdoor harboring of animals.
- C. Development of this property is restricted to one building not to exceed 3,500 square feet in gross floor area. The location of the one permitted building shall be in substantial compliance with the site plan for this case, subject to any modifications made necessary by the platting of this site.
- D. A minimum of 1 parking space per 250 square feet of building area shall be provided on site. The parking lot improvement standards shall be acceptable to the County Zoning Administrator.

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- E. On-site sewerage shall be provided in accordance with the standards of the Wichita-Sedgwick County Health Department.
- F. One double-faced, non-lighted sign up to 32 square feet in surface area is authorized at the proposed entrance into the site from Rock Road. A sign permit shall be obtained from Sedgwick County's Department of Code Enforcement prior to installation of the sign.
- G. Prior to the issuance of any building permits for the animal hospital, the applicant shall submit to the Director of Planning a landscaping plan for review and approval. The landscaping plan shall depict and identify the plant materials proposed to be placed adjacent to the west and north lines of the application area and between the animal hospital building and the south line of the site.
- H. Any violation of these conditions shall declare the conditional use permit null and void.

SECTION II. That upon the taking effect of this Resolution, the notation of such conditional use permit shall be entered 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 in the official county paper.

Commissioners present and voting were:

BETSY GWIN	_____
PAUL W. HANCOCK	_____
BERNARD A. HENTZEN	_____
BILLY Q. McCRAY	_____
MARK F. SCHROEDER	_____

DATED this _____ day of _____, 1991.

BOARD OF COUNTY COMMISSIONERS OF
SEDGWICK COUNTY, KANSAS

BILLY Q. McCRAY, Chairman

ATTEST:

BETSY GWIN, Chair Pro Tem

DON WRIGHT, County Clerk

PAUL W. HANCOCK, Commissioner

APPROVED AS TO FORM ONLY:

BERNARD A. HENTZEN, Commissioner

County Counselor/Assistant

MARK F. SCHROEDER, Commissioner