



Wichita-Sedgwick County Metropolitan Area Planning Department

January 7, 2021

RAW Investments, LLC Attn: Allen Williams
2008 West Harry Court
Wichita, KS 67213

Baughman Company, P.A. Attn: Phil Meyer
311 South Ellis
Wichita, KS 67211

RE: ZON2020-00005 – County Zone Change from LC Limited Commercial to LI Limited Industrial to allow industrial development on property located east of South Clifton Avenue and north of East 47th Street South.

Dear Applicants:

I apologize for the delay in the mailing of this letter. Dave Yearout, Principle Planner, retired and it has taken some time to follow up with his cases. At its regular meeting on **April 22 2020**, the Sedgwick County Board of County Commissioners considered the above captioned request. The action of the BoCC was to **APPROVE** the requests as recommended by staff.

If you have any questions concerning this application, please contact our office at 268-4421.

Sincerely,

Philip Zevenbergen, AICP
Associate Planner

Copies to: BCCC #5 James M. Howell
Justin Waggoner
MABCD – Kelly Dixon
Barbara Stapleton—Oakview, 4940 S Hemlock, Wichita, KS 67216
Jim Costlow—Deer Lakes, 14911 Black Oak Ct., Wichita, KS 67230

(150006) Published in The Derby Informer on

May 4, 2020

~~005-2020~~

RESOLUTION NO.

005-2020

A RESOLUTION CHANGING THE ZONING CLASSIFICATION FOR CERTAIN LANDS LOCATED WITHIN THE UNINCORPORATED AREA OF SEDGWICK COUNTY, KANSAS, UNDER THE AUTHORITY GRANTED BY THE WICHITA-SEDGWICK COUNTY UNIFIED ZONING CODE, SECTION V-C AS ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS, DECEMBER 12, 1984 AND SUBSEQUENTLY AMENDED.

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS 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 V-C of the Wichita Sedgwick County Unified Zoning Code, the zoning classification or district of the lands legally described hereby are changed as follows:

Case No. ZON2020-00005

Zone change request from "LC" Limited Commercial to "LI" Limited Industrial on property described as:

That part of the Southeast Quarter of the Southwest Quarter of Section 14, Township 28 South, Range 1 East of the Sixth Principal Meridian, Sedgwick County, Kansas, lying west of the Atchison, Topeka, and Santa Fe Railway Company right-of-way; EXCEPT the west 180 feet of the south 200 feet thereof; AND EXCEPT the north 1125.22 feet of the west 50 feet thereof for highway; AND EXCEPT the south 50 feet thereof for road; AND EXCEPT that part platted as Opportunity Center Addition, Sedgwick County, Kansas; AND EXCEPT that part described as Dollar General Subdivision, an Addition to Sedgwick County, Kansas; AND EXCEPT that part described as U-Save Tire Addition, an Addition to Sedgwick County, Kansas; AND EXCEPT a tract of land in said Southwest Quarter; Commencing at the Southeast corner of Lot 1, Opportunity Center Addition, in said Sedgwick County; THENCE Southeasterly, a distance of 82.62 feet, coincident with the West right-of-way line of the Atchison, Topeka & Santa Fe Railroad, to a point of curvature; THENCE South Southeasterly along a curve to the left with a radius of 14,144.71 feet, a delta of 1°10'17", arc length of 289.21 feet, with a chord bearing of S11°10'47"E, and a chord distance of 289.21 feet, coincident with the West right-of-way line of the Atchison, Topeka & Santa Fe Railroad; THENCE S78°14'04"W, a distance of 1.86 feet, for a Point of Beginning; THENCE S15°24'12"E, a distance of 6.79 feet; THENCE S61°23'44"W, a distance of 23.21 feet; THENCE S28°36'16"E, a distance of 15.00 feet; THENCE S61°23'44"W, a distance of 10.00 feet; THENCE N28°36'16"W, a distance of 15.00 feet; THENCE S61°23'44"W, a distance of

16.96 feet; THENCE N15°22'52"W, a distance of 29.36 feet; THENCE N87°24'27"E, a distance of 50.08 feet to the Point of Beginning; AND EXCEPT that portion lying South of the Easterly prolongation of the North line of Lot 1, Block 1, Dollar General Subdivision; AND EXCEPT that portion lying North of a line 602 feet North of and parallel with the South line of said Southwest Quarter.

Subject to road rights-of-way of record.

Subject property contains 181,380.60 sq. ft. or 4.17 Acres. Generally located on the east side of South Clifton Avenue and north of East 47th Street South, Sedgwick County.

SECTION II. That upon the taking effect of this Resolution, the notation of such zone change 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 by the Governing Body and publication.

Commissioners present and voting were:

| | |
|--------------------------|------------|
| PETER F. MEITZNER | <u>Aye</u> |
| MICHAEL B. O'DONNELL, II | <u>Aye</u> |
| DAVID T. DENNIS | <u>Aye</u> |
| LACEY D. CRUSE | <u>Aye</u> |
| JAMES M. HOWELL | <u>Aye</u> |

Dated this 22 day of April, 2020.

BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS

ATTEST:

AK

Karen S. Bailey
KELLY B. ARNOLD, County Clerk



Peter F. Meitzner
PETER F. MEITZNER, Chairman
Commissioner, First District

Lacey D. Cruse
LACEY D. CRUSE, Chair Pro Tem
Commissioner, Fourth District

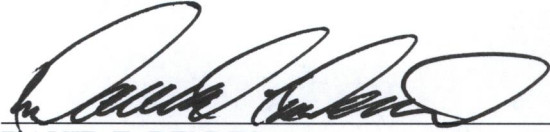
APPROVED AS TO FORM:

Justin M. Waggoner

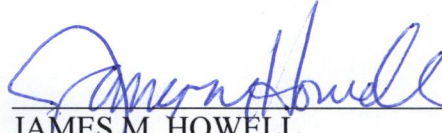
JUSTIN M. WAGGONER
Assistant County Counselor



MICHAEL B. O'DONNELL, II
Commissioner, Second District



DAVID T. DENNIS
Commissioner, Third District



JAMES M. HOWELL
Commissioner, Fifth District

Affidavit of Legal Publication

STATE OF KANSAS)

ss.

County of Sedgwick)

Jennifer Perryman, being first duly sworn, deposes and says:

That he/she is Legal Manager of

The Derby Informer

a weekly newspaper printed in the State of Kansas, and published in and of general circulation in Sedgwick County, Kansas, with a general paid circulation on a weekly basis in Sedgwick County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a weekly published on Wednesdays, and has been so published continuously and uninterrupted in said county and state for a period of more than one year prior to the first publication of said notice, and has been admitted at the post office of Derby, Kansas, in said county as second class matter.

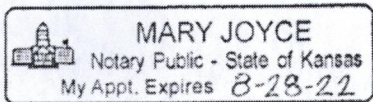
That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for 1 week the first publication thereof being made as aforesaid on the 6th day of May 2020, with subsequent publications being made on the following dates:

N/A

Jennifer Perryman
Legal Manager

Subscribed and sworn to before me this 6th day of May, 2020.

Mary Joyce
Notary Public



Resolution No. 065-2020

Printer's Fee: \$44.24

Additional copies: \$ _____

Legal Publication

(Published in The Derby Informer on May 6, 2020)

(150006) Published in The Derby Informer on
RESOLUTION NO. 065-2020

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Commissioners present and voting were:

| | |
|--------------------------|-----|
| PETER F. MEITZNER | AYE |
| MICHAEL B. O'DONNELL, II | AYE |
| DAVID T. DENNIS | AYE |
| LACEY D. CRUSE | AYE |
| JAMES M. HOWELL | AYE |

Dated this 22nd day of April, 2020.

BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS

PETER F. MEITZNER, Chairman
Commissioner, First District

LACEY D. CRUSE, Chair Pro Tem
Commissioner, Fourth District

MICHAEL B. O'DONNELL, II
Commissioner, Second District

DAVID T. DENNIS
Commissioner, Third District

JAMES M. HOWELL
Commissioner, Fifth District

ATTEST:

KELLY B. ARNOLD, County Clerk

APPROVED AS TO FORM:

JUSTIN M. WAGGONER
Assistant County Counselor