

DR 73-26 - Amendment to Section 1  
Districts and General Regulations  
of County Zoning Resolution to in-  
clude the area between Cheney City  
Limits and beyond.

ACTION

DATE

COMMITTEE

M.A.P.C. Approved 1.10.74

~~B.C.C.~~ B. CO. C. Approved 1/24/74

R E S O L U T I O N

A RESOLUTION CHANGING THE SEDGWICK COUNTY ZONING RESOLUTION ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS AND EFFECTIVE AFTER MARCH 3, 1958, WITH AMENDMENTS TO OCTOBER 26, 1970, FOR THE UNINCORPORATED TERRITORY LYING WITHIN THREE MILES OF THE CITY OF WICHITA, THE CITY OF HAYSVILLE, THE CITY OF DERBY, THE CITY OF MULVANE, THE CITY OF VALLEY CENTER AND THE CITY OF GODDARD, ALL IN SEDGWICK COUNTY, KANSAS, UNDER THE AUTHORITY GRANTED BY SECTION 14.C THEREOF.

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS:

SECTION I. That upon the recommendation of the Metropolitan Area Planning Commission on January 10, 1974, after notice and public hearing as provided by law under authority granted by Section 14.C of the Sedgwick County Zoning Resolution as adopted March 3, 1958, the following section of the Sedgwick County Zoning Resolution is hereby amended to read as follows:

SECTION I - DISTRICTS AND GENERAL REGULATIONS

7

1. That portion of Sedgwick County, Kansas, between the Wichita City Limits and three (3) miles beyond; and between the Haysville City Limits and three (3) miles beyond; and between the Derby City Limits and three (3) miles beyond; and between the Mulvane City Limits and three (3) miles beyond; and between the Valley Center City Limits and three (3) miles beyond; between the Goddard City Limits and three (3) miles beyond; and that portion of the area within three (3) miles of the Cheney City Limits as established by the Board of County Commissioners on October 3, 1973, is hereby divided into eight (8) districts as follows:

Symbol	Name
"R" District	Rural Residential District
"R-1" District	Suburban Residential District
"AA" District	One Family Dwelling District
"BB" District	Office District
"LC" District	Light Commercial District
"C" District	General Commercial District
"E" District	Light Industrial District
"F" District	Heavy Industrial District

2. The location and boundaries of the districts shall be as shown on the map entitled "Sedgwick County Zoning Plan". Said map and all notations, dimensions and designations shown thereon are hereby declared to be a part of this Resolution.
3. Where there is uncertainty as to the boundaries of any of the districts shown on the aforesaid map, the following shall apply:
  - A. The district boundary lines are intended to follow street, alley, lot or property lines as they exist at the time of the passage of this Resolution, unless otherwise indicated by dimensions on the zoning map. In case of the vacation of a street, alley, watercourse or other right-of-way, the abutting zoning classification on each side thereof, shall

automatically be extended to the center line of said vacated street, alley, watercourse or right-of-way.

- B. Where boundaries appear to approximately follow such aforesaid lines and are not more than ten (10) feet distance therefrom, such lines shall be construed to be the boundary.

4. General Regulations

- A. The regulations herein set forth do not apply to the use of land or the erection, construction, alteration, or use of buildings for strictly agricultural purposes. All residences shall conform to the provisions of these regulations.
- B. Except as hereinafter provided, it shall be unlawful to locate, erect, construct, reconstruct, enlarge or structurally alter any building except in conformity with the regulations of the district in which such building is located.
- C. Except as hereinafter provided, it shall be unlawful to use any land or building for any purpose other than is permitted in the district in which such land or building is located.
- D. No open space provided about any building for the purpose of complying with the provisions of this Resolution shall be considered as providing open space for any other building.
- E. No parcel of land held under one (1) ownership, with or without buildings, at the time this resolution became effective shall be reduced nor shall any such parcel be subdivided, in any manner, below the minimum lot width and lot area required by this Resolution.
- F. Prior to the issuance of any occupancy or building permit, streets and utility easements must be dedicated as required to conform with the objectives of this State Statute and G. S. 13-1112 et seq., to secure safety from fire, to promote health and general welfare, to facilitate adequate provisions of transportation and other public requirements, and to conserve and protect property and building values.
- G. In no case shall there be more than one (1) main residential building on one (1) lot.
- H. Within a period of no more than one hundred twenty (120) days subsequent to the inclusion of additional territory within the three-mile boundary, the Commission shall initiate action to assign the most suitable zoning classification to that territory; such zoning classification to be determined by the Governing Body of Sedgwick County after the appropriate public hearing as prescribed in Section 14. C. of the Zoning Resolution, Sedgwick County, Kansas, effective March 3, 1958, and subsequent amendments thereto.

END -

SECTION II. That Section 1 of the Sedgwick County Zoning Resolution, as adopted on March 3, 1958, and last amended on October 26, 1970, is hereby repealed.

SECTION III. This Resolution shall take effect and be enforced from and after its adoption and publication in the official County paper.

PASSED AND ADOPTED this 27<sup>th</sup> day of January, 1974.

Ray Lee Chairman  
Earl G. Burk Commissioner  
Elmer H. Hester Commissioner

ATTEST:  
Marie Warden  
Marie Warden, County Clerk  
by Marie Warden, Secretary  
(SEAL)

February 12, 1974

Mrs. Sharon Dearing, Deputy County Clerk  
Sedgwick County Courthouse  
Wichita, Kansas 67203

Dear Sharon:

Enclosed are copies of resolutions which I have had retyped as a result of the originals being lost for the following cases:

1. CU-156 Approved by County Commission 12-12-73
2. SCE-0320 Approved by County Commission 12-26-73
3. SCE-0319 Approved by County Commission 1-9-74
- X4. DR 73-26 Approved by County Commission 1-24-74

Also enclosed is a corrected resolution for SCE-0312, which was approved by the Board of County Commissioners on August 6, 1973. Inasmuch as only a portion of the area contained in the original resolution has been platted, the copy in your file should be noted to reflect same. At such time as the remainder of the area is platted, another resolution will be forwarded to you for the signatures of the County Commissioners and the County Clerk. Eventually the original resolution will be marked void upon the platting of the remainder of the area.

It should be noted that CU-156, SCE-0312 and SCE-0320 were approved while Mr. Rush was Chairman of the Commission, while SCE-0319 and DR 73-26 have been approved since Mr. Scott was elected Chairman.

If you have any questions concerning these resolutions, please call.

Sincerely,

Jack H. Galbraith  
Chief Planner

JHG:GLS:ber  
Enclosures

R E S O L U T I O N

A RESOLUTION CHANGING THE SEDGWICK COUNTY ZONING RESOLUTION ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS AND EFFECTIVE AFTER MARCH 3, 1958, WITH AMENDMENTS TO OCTOBER 26, 1970, FOR THE UNINCORPORATED TERRITORY LYING WITHIN THREE MILES OF THE CITY OF WICHITA, THE CITY OF HAYSVILLE, THE CITY OF DERBY, THE CITY OF MULVANE, THE CITY OF VALLEY CENTER AND THE CITY OF GODDARD, ALL IN SEDGWICK COUNTY, KANSAS, UNDER THE AUTHORITY GRANTED BY SECTION 14.C THEREOF.

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS:

SECTION I. That upon the recommendation of the Metropolitan Area Planning Commission on January 10, 1974, after notice and public hearing as provided by law under authority granted by Section 14.C of the Sedgwick County Zoning Resolution as adopted March 3, 1958, the following section of the Sedgwick County Zoning Resolution is hereby amended to read as follows:

SECTION I - DISTRICTS AND GENERAL REGULATIONS

1. That portion of Sedgwick County, Kansas, between the Wichita City Limits and three (3) miles beyond; and between the Haysville City Limits and three (3) miles beyond; and between the Derby City Limits and three (3) miles beyond; and between the Mulvane City Limits and three (3) miles beyond; and between the Valley Center City Limits and three (3) miles beyond; between the Goddard City Limits and three (3) miles beyond; and that portion of the area within three (3) miles of the Cheney City Limits as established by the Board of County Commissioners on October 3, 1973, is hereby divided into eight (8) districts as follows:

Symbol	Name
"R" District	Rural Residential District
"R-1" District	Suburban Residential District
"AA" District	One Family Dwelling District
"BB" District	Office District
"LC" District	Light Commercial District
"C" District	General Commercial District
"E" District	Light Industrial District
"F" District	Heavy Industrial District

2. The location and boundaries of the districts shall be as shown on the map entitled "Sedgwick County Zoning Plan". Said map and all notations, dimensions and designations shown thereon are hereby declared to be a part of this Resolution.
3. Where there is uncertainty as to the boundaries of any of the districts shown on the aforesaid map, the following shall apply:
  - A. The district boundary lines are intended to follow street, alley, lot or property lines as they exist at the time of the passage of this Resolution, unless otherwise indicated by dimensions on the zoning map. In case of the vacation of a street, alley, watercourse or other right-of-way, the abutting zoning classification on each side thereof, shall

automatically be extended to the center line of said vacated street, alley, watercourse or right-of-way.

- B. Where boundaries appear to approximately follow such aforesaid lines and are not more than ten (10) feet distance therefrom, such lines shall be construed to be the boundary.

4. General Regulations

- A. The regulations herein set forth do not apply to the use of land or the erection, construction, alteration, or use of buildings for strictly agricultural purposes. All residences shall conform to the provisions of these regulations.
- B. Except as hereinafter provided, it shall be unlawful to locate, erect, construct, reconstruct, enlarge or structurally alter any building except in conformity with the regulations of the district in which such building is located.
- C. Except as hereinafter provided, it shall be unlawful to use any land or building for any purpose other than is permitted in the district in which such land or building is located.
- D. No open space provided about any building for the purpose of complying with the provisions of this Resolution shall be considered as providing open space for any other building.
- E. No parcel of land held under one (1) ownership, with or without buildings, at the time this resolution became effective shall be reduced nor shall any such parcel be subdivided, in any manner, below the minimum lot width and lot area required by this Resolution.
- F. Prior to the issuance of any occupancy or building permit, streets and utility easements must be dedicated as required to conform with the objectives of this State Statute and G. S. 13-1112 et seq., to secure safety from fire, to promote health and general welfare, to facilitate adequate provisions of transportation and other public requirements, and to conserve and protect property and building values.
- G. In no case shall there be more than one (1) main residential building on one (1) lot.
- H. Within a period of no more than one hundred twenty (120) days subsequent to the inclusion of additional territory within the three-mile boundary, the Commission shall initiate action to assign the most suitable zoning classification to that territory; such zoning classification to be determined by the Governing Body of Sedgwick County after the appropriate public hearing as prescribed in Section 14. C. of the Zoning Resolution, Sedgwick County, Kansas, effective March 3, 1958, and subsequent amendments thereto.

SECTION II. That Section 1 of the Sedgwick County Zoning Resolution, as adopted on March 3, 1958, and last amended on October 26, 1970, is hereby repealed.

SECTION III. This Resolution shall take effect and be enforced from and after its adoption and publication in the official County paper.

PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 1974.

\_\_\_\_\_, Chairman  
\_\_\_\_\_, Commissioner  
\_\_\_\_\_, Commissioner

ATTEST:

\_\_\_\_\_  
Marie Warden, County Clerk

(SEAL)

RESOLUTION

A RESOLUTION CHANGING THE SEDGWICK COUNTY ZONING RESOLUTION ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS AND EFFECTIVE AFTER MARCH 3, 1958, WITH AMENDMENTS TO ~~SECTION 14.C~~ *October 26, 1970,* FOR THE UNINCORPORATED TERRITORY LYING WITHIN THREE MILES OF THE CITY OF WICHITA, THE CITY OF HAYSVILLE, THE CITY OF DORBY, THE CITY OF MELVANE, ~~THE CITY OF VALLEY CENTER,~~ ALL IN SEDGWICK COUNTY, KANSAS, UNDER THE AUTHORITY GRANTED BY SECTION 14.C THEREOF

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS:

*and the City of Suburban,*  
*January 10, 1974,*  
SECTION 1. That upon the recommendation of the Metropolitan Area Planning Commission on ~~October 11, 1969~~ after notice and public hearing as provided by law under authority granted by Section 14.C of the Sedgwick County Zoning Resolution as adopted March 3, 1958, the following section of the Sedgwick County Zoning Resolution is hereby amended to read as follows:

SECTION 1 - DISTRICTS AND GENERAL REGULATIONS

1. That portion of Sedgwick County, Kansas, between the Wichita City Limits and three (3) miles beyond; and between the Haysville City Limits and three (3) miles beyond; and between the Dorby City Limits and three (3) miles beyond; and between the Melvane City Limits and three (3) miles beyond; and between the Valley Center City Limits and three (3) miles beyond; ~~and between the Goddard City Limits and three (3) miles beyond;~~ is hereby divided into eight (8) districts as follows:

General

Name

"R" District	Rural Residential District
"R-1" District	Suburban Residential District
"AA" District	One-Family Dwelling District
"BB" District	Office District
"LC" District	Light Commercial District
"C" District	General Commercial District
"I" District	Light Industrial District
"F" District	Heavy Industrial District

2. The location and boundaries of the districts shall be as shown on the map entitled "Sedgwick County Zoning Plan", said map and all notations, dimensions and designations shown thereon are hereby declared to be a part of this resolution.
3. Where there is uncertainty as to the boundaries of any of the districts shown on the aforesaid map, the following shall apply:

- a. The district boundary lines are intended to follow street, alley, lot or property lines as they exist at the time of the passage of this

\* and that portion of the area within three (3) miles of the Cherry City limits as established by the Board of County Commissioners on October 3, 1973,

MICROFILMED  
FROM THE BEST  
AVAILABLE COPY

NOVEMBER 17, 1969

Board of County Commissioners  
320 Sedgwick County Courthouse  
Wichita, Kansas 67203

Re: DR 73-26 - Amendment to  
County Zoning Resolution to  
include area between ~~\_\_\_\_\_~~ *Cheney*  
City Limits and three miles  
beyond

Gentlemen:

As a result of establishing zoning in the 3-mile ring of *Cheney*  
it is necessary that Section 1 - Districts and General Regulations  
of the County Zoning Resolution be amended to include the area be-  
tween the *Cheney* City Limits and 3-miles beyond.

Attached for your information and consideration is a copy of the  
official notice of the proposed amendment to Section 1.

On January 10, 1974, the Metropolitan Area Planning Commission  
recommended to the County Commission that Section 1 of the County  
Zoning Resolution be amended as ~~\_\_\_\_\_~~ *indicated above on the attached*  
resolution.

We request that this matter be scheduled for your regular meeting  
of ~~\_\_\_\_\_~~.

January 24, 1974.

Respectfully submitted,

Jack H. Galbraith  
\_\_\_\_\_ Planner  
*chief*

JHG:ber  
*was Christian*  
cc: ~~\_\_\_\_\_~~, County Zoning ~~\_\_\_\_\_~~  
~~\_\_\_\_\_~~, Deputy County Clerk

*Sharon Downing*

MICROFILMED  
FROM THE BEST  
AVAILABLE COPY

January 18, 1974

Board of County Commissioners  
320 Sedgwick County Courthouse  
Wichita, Kansas 67203

Re: DR 73-26 - Amendment to  
County Zoning Resolution to  
include area between Cheney  
City Limits and three miles  
beyond

Gentlemen:

As a result of establishing zoning in the 3-mile ring of Cheney, it is necessary that Section 1 - Districts and General Regulations of the County Zoning Resolution be amended to include the area between the Cheney City Limits and 3-miles beyond.

On January 10, 1974, the Metropolitan Area Planning Commission recommended to the County Commission that Section 1 of the County Zoning Resolution be amended as underlined on the attached resolution.

We request that this matter be scheduled for your regular meeting of January 24, 1974.

Respectfully submitted,

Jack H. Galbraith  
Chief Planner

JHG:GLS:ber

cc: Max Christman, County Zoning Office, 1015 Stillwell 67213  
Sharon Dearing, Deputy County Clerk

January 18, 1974

Jack Turner, County Counselor

Jack H. Galbraith, Chief Planner

DR 73-26 - Amendment to County Zoning  
Resolution to include area between  
Cheney City Limits and three miles  
beyond

On January 10, 1974, the Metropolitan Area Planning Commission recommended to the County Commission that Section 1 of the County Zoning Resolution be amended to include that portion of the area within three miles of the Cheney City Limits as established by the Board of County Commissioners on October 3, 1973.

Enclosed for your review and approval are seven copies of the resolution effectuating the amendment, six of which should be forwarded to Sharon Dearing in the County Clerk's Office prior to the hearing on January 24, 1974, by the County Commission, so that the signatures of the Commissioners may be obtained.

If you have any questions on this matter, please call.

JHG:GLS:ber

Attachment

cc: Sharon Dearing  
Deputy County Clerk

January 15, 1974

G. Lynn Shirkey, Junior Planner  
Jack H. Galbraith, Chief Planner

Z-1580 - "LC" to "C" - South side of  
21st Street in an area west of Amidon

DR 73-24 - Amendment to Zoning Ordinance  
Re: Outdoor storage of merchandise in  
"LC" District

DR 73-26 - Amendment to County Zoning  
Resolution to include City of Cheney  
3-mile ring area

Please have prepared the necessary ordinance and related  
minutes for DR 73-24 and Z-1580 to be forwarded to the  
Board of City Commissioners on February 4, 1974.

Also have prepared the appropriate County Zoning Resolution  
for DR 73-26, to include the City of Cheney 3-mile area in  
the text, for submission to the County Commission on January  
23, 1974.

JHG:ber

January 3, 1974

Wichita-Sedgwick County Metropolitan  
Area Planning Commission

Jack H. Galbraith, Chief Planner

DR 73-26 - Amendment to Section 1 - Districts  
and General Regulations of the County Zoning  
Resolution

As a result of establishing zoning in the three-mile ring of Cheney, it is necessary that Section 1 - Districts and General Regulations of the County Zoning Resolution be amended to include the area between the Cheney City Limits and three miles beyond.

1. That portion of Sedgwick County, Kansas, between the Wichita City Limits and three (3) miles beyond; and between the Haysville City Limits and three (3) miles beyond; and between the Derby City Limits and three (3) miles beyond; and between the Mulvane City limits and three (3) miles beyond; and between the Valley Center City Limits and three (3) miles beyond; and between the Goddard City Limits and three (3) miles beyond; and between the Cheney City Limits and three (3) miles beyond, is hereby divided into eight (8) districts as follows:

<u>Symbol</u>	<u>Name</u>
"R" District	Rural Residential District
"R-1" District	Suburban Residential District
"AA" District	One Family Dwelling District
"BB" District	Office District
"LC" District	Light Commercial District
"C" District	General Commercial District
"E" District	Light Industrial District
"F" District	Heavy Industrial District

The underlined portion is that being amended. This matter is scheduled for public hearing at your regular meeting of January 10, 1974.

JHG:ber

(Published in the Wichita Beacon on December 24, 1973.)

OFFICIAL NOTICE

TO WHOM IT MAY CONCERN AND TO ALL PERSONS INTERESTED:

NOTICE IS HEREBY GIVEN that on January 10, 1974, at 1:30 p.m., the Wichita-Sedgwick County Metropolitan Area Planning Commission, in Room 401 City Building Annex, 104 South Main Street, Wichita, Kansas, will consider the following proposed changes to the text of the Zoning Resolution of Sedgwick County, Kansas.

SECTION 1 - DISTRICTS AND GENERAL REGULATIONS

Add and amend to read as follows:

1. That portion of Sedgwick County, Kansas, between the Wichita City Limits and three (3) miles beyond; and between the Haysville City Limits and three (3) miles beyond; and between the Derby City Limits and three (3) miles beyond; and between the Mulvane City Limits and three (3) miles beyond; and between the Valley Center City Limits and three (3) miles beyond; and between the Goddard City Limits and three (3) miles beyond; and between the Cheney City Limits and three (3) miles beyond is hereby divided into eight (8) districts as follows:

<u>Symbol</u>	<u>Name</u>
"R" District	Rural Residential District
"R-1" District	Suburban Residential District
"AA" District	One Family Dwelling District
"BB" District	Office District
"LC" District	Light Commercial District
"C" District	General Commercial District
"E" District	Light Industrial District
"F" District	Heavy Industrial District

This proposed amendment will then be discussed and considered by the said Wichita-Sedgwick County Metropolitan Area Planning Commission, and all persons interested in said matter will be heard at that time concerning their views and wishes in the premises, and any protest against any of the provisions of the proposed changes to the revised Zoning Resolution will be considered by the Commission as provided by law.

1973. WITNESS MY HAND AND SEAL this 21st day of December,

Robert A. Lakin, Secretary  
Wichita-Sedgwick County Metro-  
politan Area Planning Commission

(SEAL)