

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION TO
BOARD OF COUNTY COMMISSIONERS

REQUEST FOR CHANGE OF ZONING

CASE NO. SCZ-0424

CONSIDERED BY VCPC: 5-7-79

CONSIDERED BY MAPC: 5-10-79

REQUEST FOR: "R" to "R-1"

REASON FOR REQUEST (AS PROVIDED BY APPLICANT):

"For development into residential lots of 40,000 square feet or more."

GENERAL LOCATION: North side of 85th Street North, in an area
between Seneca and Broadway.

LEGAL DESCRIPTION:

(See excerpt from Planning Commission minutes of
May 10, 1979)

APPLICANT: Newt Harrell, et al, P. O. Box 615, Beloit, Ks.

COUNSEL FOR APPLICANT: William T. Weir, 1107 N. Broadway.

PROTESTORS (LIST COUNSEL) IF ANY: Robert Kauffman, #9 High Point Road;
Vivian Witt, 2239 S. Mead.

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

LAND USE: Existing, North, East and South, Undeveloped; West, Single
Family & Undeveloped.

PLANNING COMMISSION RECOMMENDATION:

That the application be approved subject to platting within one year of the date of approval by the Board of County Commissioners; or the case be considered denied and closed; and that the resolution effectuating the zone change not be published until the plat has been recorded with the Register of Deeds. Bayouth moved, Savina seconded and it resulted in a moot vote with 5 in favor (Savina, Bayouth, Hennessy, Greider and Jones), and 5 opposed (Cole, Bell, Barrier, Taylor and Shook).

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 Commission.

ACTION: 1. Take such action as the County Commission deems appropriate.

See backside

May 14, 1979

Norman Roelfs, P.E.
Delameter Freund & Associates
Century Plaza Building
Wichita, Kansas 67202

Re: SCZ-0424 "R" to "R-1"
north side of 85th St.
North between Seneca
and Broadway

Dear Mr. Roelfs:

At its regular meeting on May 10, 1979, the Metropolitan Area Planning Commission considered the above-captioned zone change request. A motion to recommend the approval of the application subject to platting within one year of the date of approval by the Board of County Commissioners; or the case be considered denied and closed; and that the resolution effectuating the zone change not be published until the plat has been recorded with the Register of Deeds; resulted in a moot vote of five in favor and five opposed. Therefore, this constitutes a "failure to recommend" and thus the Board of County Commissioners can take whatever action they deem appropriate.

This matter will be forwarded to the Board of County Commissioners for their consideration at 9:00 a.m., on Wednesday, June 6, 1979, in Room 320, Sedgwick County Courthouse.

If you have any questions concerning this matter, please contact our office.

Sincerely yours,

Jack H. Galbraith
Chief Planner

JHG:bbc