

# WICHITA-SEDGWICK COUNTY

## METROPOLITAN AREA PLANNING DEPARTMENT

TO LETTER TO THE FILES

DATE AUGUST 10, 1961

FROM ROBERT A. LAKIN, PLANNER III

SUBJECT SCZ-0125 - ZONING OF HAYSVILLE THREE-MILE RING

THE HAYSVILLE CITY PLANNING COMMISSION MET ON AUGUST 9, 1961, AT THE HAYSVILLE CITY HALL TO DISCUSS CERTAIN AMENDMENTS TO THE PROPOSED ZONING FOR THE HAYSVILLE THREE-MILE AREA. MR. GIFFORD, OWNER OF PART OF BLOCK B, OELLA ADDITION, APPEARED ASKING FOR GENERAL COMMERCIAL ZONING FOR HIS PROPERTY SO THAT HE WOULD BE CONFORMING IN THE OPERATION OF A LAPIDARY. I EXPLAINED TO HIM THAT IF COMMERCIAL ZONING WERE NOT GRANTED, HE WOULD BE NONCONFORMING. IN THAT HE HAS FOOTINGS ALREADY RUN, HE WOULD BE ABLE TO EXPAND HIS BUSINESS UP TO 50 PER CENT OF THE TOTAL AREA NOW EXISTING (INCLUDING THAT PORTION TO BE BUILT ON THE NEWLY RUN FOUNDATION OR FOOTINGS). THE HAYSVILLE PLANNING COMMISSION FELT THAT THE ZONING SHOULD REMAIN "LC" INSTEAD OF "C". MR. GIFFORD COMMENTED THAT AS LONG AS HIS CURRENT OPERATION WAS NOT IMPAIRED, HE HAD NO OBJECTION TO THE LOT BEING ZONED "LC". HE FURTHER STATED ANY NEW BUSINESS OR STRUCTURES WOULD CONFORM TO THE USES ALLOWED IN THE ZONING ESTABLISHED.

MR. HERBERT MARSHALL APPEARED ASKING THAT LOTS 2 THROUGH 6, BLOCK C, OELLA ADDITION, BE ZONED "LC". HE STATED HE WAS ACTING IN BEHALF OF MRS. RHODES, OWNER OF THE PROPERTY. THE HAYSVILLE PLANNING COMMISSION ADVISED MR. MARSHALL TO HAVE MRS. RHODES WRITE A LETTER REQUESTING SUCH CHANGE AND THEY WOULD CONSIDER THE CHANGE AT THEIR NEXT REGULAR MEETING.

MR. MARSHALL ALSO REQUESTED, AS AGENT FOR MR. GREEN, THAT BLOCK A, OELLA ADDITION, BE CHANGED TO "LC". A LETTER SIGNED BY MR. GREEN WAS SUBMITTED IN SUPPORT OF THIS REQUEST. THE HAYSVILLE PLANNING COMMISSION RECOMMENDED THAT THE METROPOLITAN AREA PLANNING COMMISSION INITIATE THE NECESSARY CHANGE FROM "R" TO "LC" FOR BLOCK A, OELLA ADDITION.

MR. YOUNGMAYER APPEARED INQUIRING AS TO THE POSSIBILITY OF FUTURE ZONING FOR THE AREA PROPOSED FOR INDUSTRIAL DEVELOPMENT BY DON DINNING. NO OFFICIAL ACTION WAS TAKEN BY THE COMMISSION. MR. KIRBY REQUESTED THAT "LC" ZONING BE GRANTED THREE LOTS IN DEPTH ON BOTH SIDES OF KIRBY AVENUE, KIRBY ADDITION, AND FOR THE SAME DEPTH FOR THE METES AND BOUNDS TRACT IMMEDIATELY TO THE SOUTH (THE WHOLE TRACT COMPRISING APPROXIMATELY 80 ACRES). CHAIRMAN BLOOD EXPLAINED TO MR. KIRBY THE POSSIBILITY OF THE LAND BEING ASSESSED AT A HIGHER RATE IF THE "LC" IS GRANTED. MR. KIRBY DECIDED THAT HE WOULD NOT REQUEST "LC" AT THIS TIME DUE TO THE POSSIBLE INCREASE IN TAXES.

AUGUST 10, 1961

MRS. R. A. McCLURE (JA 4-6569), OWNER OF PROPERTY IN THE VICINITY OF 95TH STREET SOUTH AND MERIDIAN, INQUIRED AS TO THE EFFECT OF THE RURAL MINIMUM TWO-ACRE ZONING ON LAND WHICH HAS BEEN SOLD OFF IN ONE ACRE LOTS. SHE ALSO EXPLAINED THAT THERE WAS A TWO OR THREE ACRE TRACT (REMAINING FROM AN ORIGINAL SEVEN ACRE TRACT) WHICH THEY INTENDED ON SELLING IN ONE ACRE PORTIONS. SHE WAS ADVISED THAT THE EXISTING ONE ACRE TRACTS HAVING SEPARATE DEEDS AND HAVING BEEN RECORDED COULD BE UTILIZED FOR SINGLE-FAMILY HOMES. THE TWO ACRE TRACT WOULD NOT BE ALLOWED TO BE SPLIT UNLESS:

- A. THE ZONING WERE CHANGED TO ALLOW ONE-THIRD ACRE MINIMUM LOT SIZE, OR
- B. THE PROPERTY WERE SEPARATED, REDEEDED AND RECORDED IN ONE ACRE TRACT SIZES PRIOR TO THE OFFICIAL ADOPTION AND PUBLICATION OF THE RESOLUTION MAKING THE ZONING EFFECTIVE IN THIS AREA.

IT WAS MY IMPRESION THAT MRS. McCLURE LEFT STILL UNSURE OF THE COURSES OF ACTION AVAILABLE TO HER. THE HAYSVILLE PLANNING COMMISSION INDICATED GENERALLY THAT THEY WERE NOT IN FAVOR OF ESTABLISHING "R-1" ZONING IN THIS AREA AT THIS TIME. IT WAS THE IMPRESION OF ALL PRESENT THAT MRS. McCLURE WOULD PROBABLY ATTEMPT TO REDEED THE PROPERTY PRIOR TO THE OFFICIAL ZONING.

*Rad.*  
ROBERT A. LAKIN  
PLANNER III

P.S. - ON KIRBY'S REQUEST FOR THE SIX LOTS PLATTED IN KIRBY'S ADDITION, HE WAS ADVISED THAT THE OWNERS OF THIS PROPERTY SHOULD SUBMIT A SIMILAR REQUEST TO THE HAYSVILLE PLANNING COMMISSION FOR CONSIDERATION AT THEIR NEXT MEETING.

9/8

Published in the Wichita Evening Eagle and Beacon, September 8, 1961

RESOLUTION

COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS

Copy A

A RESOLUTION ESTABLISHING ZONING REGULATIONS FOR THE AREA WITHIN THE UNINCORPORATED TERRITORY LYING WITHIN THREE (3) MILES OF THE CITY OF HAYSVILLE, SEDGWICK COUNTY, KANSAS, EXCEPT THAT AREA WITHIN THREE (3) MILES OF THE CITY OF WICHITA ALREADY ZONED, AND EXCEPT FOR THE AREA WITHIN THE CITY OF HAYSVILLE, DIVIDING SAID AREA INTO EIGHT DISTRICTS AND REGULATING AND RESTRICTING THE HEIGHT, NUMBER OF STORIES AND SIZE OF BUILDINGS, THE MINIMUM SIZE OF RESIDENCES, THE PERCENTAGE OF LOTS THAT MAY BE OCCUPIED, THE SIZE OF YARDS, COURTS AND OTHER OPEN SPACES, THE DENSITY OF THE POPULATION, THE LOCATION AND THE USE OF BUILDINGS, STRUCTURES AND LAND FOR INDUSTRY, TRADE, RESIDENCE OR OTHER PURPOSES AND PROHIBITING ADDITIONS, ALTERATIONS OR REMODELING OF BUILDINGS OR STRUCTURES IN SUCH A WAY AS TO AVOID OR EVADE THE RESTRICTIONS AND LIMITATIONS LAWFULLY IMPOSED UNDER THIS RESOLUTION, AND PROVIDING FOR NON-CONFORMING USES AND THE GRADUAL ELIMINATION OF NON-CONFORMING USES, ALL FOR THE PURPOSE OF PROMOTING HEALTH, SAFETY, MORALS, COMFORT, AND THE GENERAL WELFARE, AND CONSERVING AND PROTECTING PROPERTY AND BUILDING VALUES THROUGHOUT SAID AREAS.

set

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, after notice and a public hearing as provided by law, and under authority granted by Chapter 19, Article 29, 1959, supplement to the G. S. Kansas, 1949, and amendments thereto in order to promote the public health, safety,

morals, comfort or general welfare; to conserve and protect property and property values; to secure the most appropriate use of land; and to facilitate adequate but economical provision for public improvements and services, and in accordance with a comprehensive plan, that the regulations attached hereto marked exhibit "A" are hereby adopted, for the area within the unincorporated territory lying within three (3) miles of the City of Haysville, Sedgwick County, Kansas, except that area within three (3) miles of the City of Wichita already zoned, and except for the area within the City of Haysville.

SECTION II. Be it further resolved that said properties within the unincorporated territory lying within three (3) miles of the city limits of the City of Haysville, Sedgwick County, Kansas, except that area already within the unincorporated territory lying within three (3) miles of the City of Wichita and except the area included within the city limits of the City of Haysville are zoned "R" Rural Residential District, except as follows:

A. "R-I", Suburban Residential

Clarkdale Subdivision (not previously zoned).

Third Clarkdale Subdivision (not previously zoned)

Second Clarkdale Subdivision.

South Hydraulic Vista Addition except for the Kansas Turnpike condemnation, (not previously zoned).

Woodvale Addition (not previously zoned).

The SW $\frac{1}{4}$  of Section 31, Township 28 South, Range 1 East except that portion within the City of Haysville.

The NW $\frac{1}{4}$  of Section 31, Township 28 South, Range 1 East, except that portion condemned for Flood Control purposes and except that portion within the City of Haysville.

Wards Porth Addition

All of the NE $\frac{1}{4}$  of Section 32, Township 28, Range 1 East except Wards Fourth Addition and except a tract beginning at the NE corner of said quarter section; thence south 756.5 feet; thence west 350 feet; thence north 756.5 feet; thence east to point of beginning.

The W $\frac{1}{2}$  of the SE $\frac{1}{4}$  of Section 32, Township 28, Range 1 East.

The E $\frac{1}{2}$  of the SE $\frac{1}{4}$  of Section 32, Township 28, Range 1 East, except for that portion within the City of Haysville.

The E $\frac{1}{2}$  of the SW $\frac{1}{4}$  of Section 32, Township 28, Range 1 East, except that portion within the City of Haysville.

The  $W\frac{1}{2}$  of the  $SW\frac{1}{4}$  of Section 32, Township 28, Range 1 East, except that portion lying west of the center line of the Chicago, Rock Island and Pacific Railroad right-of-way, and except that portion within the City Limits of Haysville.

The  $NW\frac{1}{4}$  of Section 32, Township 28, Range 1 East.

The  $SE\frac{1}{4}$  of Section 33, Township 28 South, Range 1 East, except that portion lying east and northerly of the center line of the relocated Midland Valley Railroad right-of-way.

The  $NW\frac{1}{4}$  of the  $SW\frac{1}{4}$  of Section 34, Township 28 South, Range 1 East, except that portion condemned for Flood Control purposes.

The  $NE\frac{1}{4}$  of Section 6, Township 29 South, Range 1 East, except that portion within the City of Haysville.

$SE\frac{1}{4}$  of Section 6, Township 29 South, Range 1 East, except that portion within the City of Haysville.

$SW\frac{1}{4}$  of Section 6, Township 29 South, Range 1 East.

$NW\frac{1}{4}$  of Section 6, Township 29 South, Range 1 East, except for the portion within the City of Haysville.

The  $NE\frac{1}{4}$  of Section 5, Township 29 South, Range 1 East, except that portion within the City of Haysville.

The  $SE\frac{1}{4}$  of Section 5, Township 29 South, Range 1 East.

The  $SW\frac{1}{4}$  of Section 5, Township 29 South, Range 1 East.

The  $S\frac{1}{2}$  of the  $W\frac{1}{2}$  of the  $NW\frac{1}{4}$  of Section 5, Township 29 South, Range 1 East, except that portion within the City of Haysville.

The  $E\frac{1}{2}$  of the  $NW\frac{1}{4}$  of Section 5, Township 29 South, Range 1 East, except that portion within the City of Haysville, and except for a tract described as beginning 460 feet east of the west line of the east one-half of said quarter section; and 445 feet south of the north line of said quarter section; thence east 190 feet; thence south 95 feet; thence west 190 feet; thence north to point of beginning.

The west  $\frac{1}{2}$  of the  $NE\frac{1}{4}$  of Section 4, Township 29 South, Range 1 East.

The  $W\frac{1}{2}$  of the  $SE\frac{1}{4}$  of Section 4, Township 29 South, Range 1 East.

Sleepy Hollow Farm Addition (that portion lying within three miles of the City of Haysville).

The  $N\frac{1}{2}$  of the  $NE\frac{1}{4}$  of Section 9, Township 29 South, Range 1 East.

The  $NE\frac{1}{4}$  of Section 8, Township 29 South, Range 1 East, except the Protection Drainage Ditch.

The  $SE\frac{1}{4}$  of Section 9, Township 29 South, Range 1 East, except the Protection Drainage Ditch, and except that portion west of the Protection Drainage Ditch.

$S\frac{1}{2}$  of the  $SW\frac{1}{4}$  of Section 9, Township 29 South, Range 1 East, except Lots 1 and 2, Dorrell Addition and except a tract described as beginning at the SW corner of said quarter section; thence east 300 feet; thence north 336 feet; thence west 15 feet; thence north 135 feet; thence west 285 feet; thence south to point of beginning, and except the Kansas Turnpike.

The  $N\frac{1}{2}$  of the  $NE\frac{1}{4}$  of Section 17, Township 29 South, Range 1 East, except for a tract described as beginning at the northeast corner of said quarter section; thence south 400 feet; thence west 250 feet; thence north 400 feet; thence east 250 feet to point of beginning, and except for that area west of the east line of the Protection Drainage Ditch.

Oella Addition, except for Lot 1, Block C and Blocks A and B of said Addition.

The NE $\frac{1}{4}$  of the NE $\frac{1}{4}$  of Section 20, Township 29 South, Range 1 East, except for a tract described as beginning at the NE corner of said quarter section; thence west 198 feet; thence south 230 feet parallel to the east line of said quarter section; thence southeasterly to the NW corner of Lot 11, Waco First Addition; thence south to the southwest corner of Lot 12, Waco First Addition; thence east to the east line of said quarter section; thence north to point of beginning.

B. "LC", Light Commercial District.

That part of the SE $\frac{1}{4}$  of Section 26, Township 28 South, Range 1 East, east of Highway K-15 and within three miles of the City of Haysville, except that portion already zoned which lies within three miles of the City of Wichita.

A tract described as beginning at the NE corner of the NE $\frac{1}{4}$  of Section 32, Township 28 South, Range 1 East; thence south 756.5 feet; thence west 350 feet; thence north 756.5 feet; thence east 350 feet to point of beginning.

A tract beginning at the NW corner of the SW $\frac{1}{4}$  of Section 32, Township 28 South, Range 1 East; thence east to the center line of the Chicago, Rock Island and Pacific Railroad right-of-way; thence southwesterly along the center line of said right-of-way to a point 2,111.7 feet; north of the south line of Section 32; thence west to the west line of said Section 32; thence north to point of beginning.

That portion of the SW $\frac{1}{4}$  of Section 36, Township 28 South, Range 1 East, east of Highway K-15 and within three miles of the City of Haysville.

That portion of the NW $\frac{1}{4}$  of Section 36, Township 28 South, Range 1 East, east of Highway K-15 and within three miles of the City of Haysville.

A tract of land beginning 460 feet east of the west line of the E $\frac{1}{2}$  of the NW $\frac{1}{4}$  of Section 5, Township 29 South, Range 1 East and 445 feet south of the north line of said section; thence south 95 feet; east 190 feet; north 95 feet; thence west to point of beginning.

A tract beginning at the SW corner of the SW $\frac{1}{4}$  of Section 4, Township 29 South, Range 1 East; thence east 208.3 feet; thence north 208.3 feet; thence west 208.3 feet; thence south to point of beginning.

Beginning at the SW corner of the SW $\frac{1}{4}$  of Section 9, Township 29 South, Range 1 East; thence east 300 feet; thence north 330 feet; thence west 15 feet; thence north 135 feet; thence west 285 feet; thence south to point of beginning.

Lots 1 and 2, Dorrell Addition.

A tract beginning at the NE corner of the NE $\frac{1}{4}$  of Section 17, Township 29 South, Range 1 East; thence south 400 feet; thence west 250 feet; thence north 400 feet; thence east to point of beginning.

Block B, and Lot 1, Block c, Oella Addition.

That portion of the SW $\frac{1}{4}$  of Section 16, Township 29 South, Range 1 East, lying south and west of the Protection Drainage Ditch.

Beginning at the NE corner of the NE $\frac{1}{4}$  of Section 20 Township 29 South, Range 1 East; thence west 198 feet; thence south 230 feet parallel to the east line of said section; thence southeasterly to the northwest corner of Lot 11, Waco First Addition; thence south to the southwest corner of Lot 12, Waco First Addition; thence east parallel to the north line of said section to the east line of said section; thence north to point of beginning.

Beginning at the NW corner of the NW $\frac{1}{4}$  of Section 21, Township 29 South, Range 1 East; thence east 333 feet; thence south 700 feet; thence west 333 feet; thence north 700 feet to point of beginning.

C. "C", General Commercial District.

Beginning at the SW corner of the SW $\frac{1}{4}$  of Section 28, Township 28 South, Range 1 East; thence east 600 feet; thence north 600 feet; thence west 600 feet; thence south 600 feet to point of beginning.

Beginning at the NW corner of the SW $\frac{1}{4}$  of Section 33, Township 28 South, Range 1 East; thence south 1,980 feet, more or less, to the City Limits of Haysville; thence east 300 feet; thence north to the north line of said quarter; thence west 300 feet to point of beginning, except for a track described as beginning 940 feet, more or less, south of the north line of said quarter; thence east 300 feet; thence south 380 feet, more or less; thence east 300 feet; thence north 380 feet to point of beginning.

Beginning 1,090 feet south of the NW corner of the NW $\frac{1}{4}$  of Section 4, Township 29 South, Range 1 East; thence south 730 feet; thence east 434 feet; thence north 500 feet; thence west 134 feet; thence north 230 feet; thence west 300 feet to point of beginning.

D. "E", Light Industrial District

The NE $\frac{1}{4}$  of Section 27, Township 28 South, Range 1 West, except that portion west and north of the center line of the Missouri Pacific Railroad right-of-way, and except for that portion already zoned which is within three miles of the City of Wichita.

E. "F", Heavy Industrial District.

The SE $\frac{1}{4}$  of Section 27, Township 28 South, Range 1 West.  
The E $\frac{1}{2}$  of the SW $\frac{1}{4}$  of Section 27, Township 28 South, Range 1 West (that area within three miles from the City of Haysville.)

as ?

All is shown by the map attached hereto marked Exhibit "B" entitled "Sedgwick County Zoning Plan", which map and the detailed quarter section maps of said area, in custody of the Sedgwick County Zoning Administrator and the Director of the Wichita, Sedgwick County Metropolitan Area Planning Commission, are hereby adopted as the official zoning plan maps of Sedgwick County, Kansas.

SECTION III. This Resolution and the Regulations promulgated thereunder, shall be in full force and effect after Sept 8, 1961.

The above and foregoing Zoning Resolution, Regulations and Sedgwick County Zoning Plan as shown by the map attached thereto was adopted by the Board of County Commissioners of Sedgwick County, Kansas, this 9th day of August, 1961, after due consideration of all members being present and voting as follows:

Vernon E. Reed Yes  
H. B. Scott Yes  
Floyd Schroeder Yes

Dated at Wichita, Kansas this 9th day of August, 1961.

BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS

Vernon E Reed  
Chairman

H. B. Scott  
Commissioner

Floyd Schroeder  
Commissioner

ATTEST:

W. O. Williams  
County Clerk

(Seal)

[Signature]  
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