

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION TO
BOARD OF COUNTY COMMISSIONERS

REQUEST FOR ZONING

CASE NO. SCZ-0445

CONSIDERED BY MAPC: 11-8-79

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

REASON FOR REQUEST (AS PROVIDED BY APPLICANT):

"The application area is being incorporated in a proposed light commercial lot, the balance of which is presently zoned light commercial."

GENERAL LOCATION: Southwest corner of Harry and 143rd St. East.

LEGAL DESCRIPTION:

(See excerpt from Planning Commission minutes of November 8, 1979)

APPLICANT: W. E. Lusk, Jr., 207 S. Broadway.

AGENT FOR APPLICANT: Gary Wiley, Professional Engineering Consultants,
1440 E. English.

PROTESTORS (LIST AGENT) IF ANY: None

SURROUNDING ZONING: North and East, "LC"; South and West, "R-1".

LAND USE: Existing, East, South and West, Undeveloped; North, Farm Home.

PLANNING COMMISSION RECOMMENDATION:

That this application be approved subject to the submission of a revised legal for the "LC" portion of zone case SCZ-0303 prior to recording of the Timber Valley plat and that the plat be recorded within one year after approval of the requested zone change by the Board of County Commissioners, or the zone case be considered denied and closed; and that resolution establishing the zone change not be published until the plat has been recorded with the Register of Deeds. Hennessy moved, Savina seconded and it carried with a vote of 7 in favor (Hennessy, Bayouth, Savina, Martens, Lofton, Shook and Goebel), and 1 opposed (Cole). Gardner was not present. Jones was absent.

ACTION: 1. Concur with the findings of fact of the Metropolitan Area Planning Commission, approve the application subject to the condition of platting, adopt a resolution establishing the zone change and instruct the Planning Department to withhold publication of the resolution until the plat has been recorded with the Register of Deeds; or

2. Deny the application.

R# 284-1979

Published in The Daily Reporter on 6 - 17 - 83.

RESOLUTION # 284-1979

A RESOLUTION CHANGING THE ZONING CLASSIFICATIONS FOR CERTAIN LANDS LOCATED WITHIN THE UNINCORPORATED TERRITORY LYING WITHIN THREE MILES OF EITHER THE CITY OF WICHITA, THE CITY OF HAYSVILLE, THE CITY OF DERBY, THE CITY OF MULVANE, THE CITY OF VALLEY CENTER, THE CITY OF GODDARD, AND THAT PORTION OF THE AREA WITHIN THREE MILES OF THE CITY OF CHENEY AS ESTABLISHED BY THE BOARD OF COUNTY COMMISSIONERS ON OCTOBER 3, 1973, ALL IN SEDGWICK COUNTY, KANSAS, UNDER THE AUTHORITY GRANTED IN SECTION 14.C OF THE ZONING RESOLUTION ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS, MARCH 3, 1958, AND SUBSEQUENT AMENDMENTS THERETO.

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 14.C of the Zoning Resolution as amended, the zoning district of the lands legally described are hereby changed as follows:

CASE NO. SCZ-0445

ZONE CHANGE from the "R-1" Suburban Residential District to the "LC" Light Commercial District

A tract of land in the Northeast 1/4 of Section 35, Township 27 South, Range 2 East of the 6th P.M., commencing at the northeast corner of said northeast 1/4 thence bearing S 90°00'W along the north line of said Northeast 1/4 a distance of 660.00 feet; thence bearing S 0°00'E a distance of 369.88 feet to the point of beginning; thence continuing bearing S 0°00'E a distance of 288.12 feet; thence bearing N 90°00'E a distance of 348.11 feet to the P.C. of a curve to the right having a chord of 451.88 feet bearing N 50°23'12"W; thence along said curve to the right with a radius of 497.53 feet through a central angle of 54°01'02" an arc distance of 469.06 feet to the point of beginning. Generally located at the southwest corner of Harry and 143rd Street East.

SECTION II. That upon the taking effect of this Resolution, the above zoning change shall be entered and shown on the particular sectional zoning map contained 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.

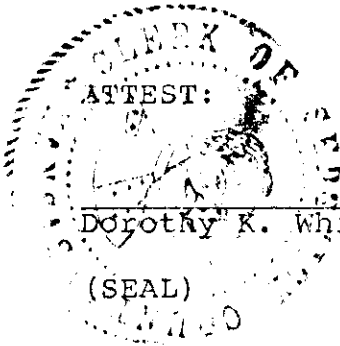
SECTION III. That this Resolution shall take effect and be in force from and after its adoption and publication once in the official County paper.

PASSED AND ADOPTED by the Board of County Commissioners at Wichita, Kansas, this 5 day of December, 19 79.

Tom Scott, Chairman
Tom Scott

Donald Gragg, Commissioner
Donald Gragg

Everett Patrick, Commissioner
Everett Patrick



Dorothy K. White, County Clerk

(SEAL)

APPROVED AS TO FORM:

Theodore H. Hill, County Counselor
Theodore H. Hill, County Counselor