

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION  
TO BOARD OF COUNTY COMMISSIONERS

REQUEST FOR ZONING AND CONDITIONAL USE PERMIT

SCZ-0555 - ZONE CHANGE FROM "R-1" SUBURBAN RESIDENTIAL DISTRICT  
TO "C" COMMERCIAL DISTRICT.

CU-289 - CONDITIONAL USE PERMIT FOR A MINIATURE GOLF COURSE AND  
DRIVING RANGE IN THE "C" COMMERCIAL DISTRICT. GENERALLY LOCATED  
ON THE SOUTH SIDE OF 21ST STREET NORTH, 1320 FEET ± EAST OF TYLER.

The Planning Commission recommends that the applications be approved, with revisions. (see minutes for full motion)

Moore moved, Miles seconded and it carried with a vote of 8 in favor (Moore, Miles, Bayouth, Conlee, Crockett, Gardner, Goebel, and Peters) and 2 opposed (Banzer and Wilson).

- ACTION:
1. Adopt the findings of fact of the Metropolitan Area Planning Commission and approve the zone change to "BB" and "C" and the conditional use subject to the recommended conditions; adopt resolutions authorizing the zone change and the conditional use and instruct the Planning Department to withhold publication until a plat of this property has been recorded with the Register of Deeds; or
  2. Adopt findings and deny the applications.

DATA AND MINUTES

|                                       |                                            |
|---------------------------------------|--------------------------------------------|
| MAPC Hearing Date: 10-31-85 moot vote | BCoC Hearing Date: 11-27-85 defer          |
|                                       | BCoC Hearing Date: 12-04-85 return to MAPC |
| MAPC Hearing Date: 01-09-86 approve   | BCoC Hearing Date: 02-05-86                |

COMMISSION DISTRICT #3

AREA DATA:

|            |                    |
|------------|--------------------|
| Acres: 20± | Size: 1320' x 717' |
|------------|--------------------|

Reason: "The contract purchaser presently owns Golf Park, a miniature golf and driving range located at 6655 East Harry, and wishes to construct Golf Park West at this location."

|                  | <u>Land Use</u>                         | <u>Zoning</u> |
|------------------|-----------------------------------------|---------------|
| Application Area | Agricultural                            | "R-1"         |
| North            | Farmhouse                               | "R-1"         |
| South            | Single-family residential & undeveloped | "AA"          |
| East             | Agricultural                            | "R-1"         |
| West             | Agricultural                            | "R-1"         |

History: 10/31/85 MAPC reviewed this zoning request but because of a moot vote (4-4, with Banzer and Miles absent) no recommendation was forwarded to the County Commission. On 12/4/85, following a one-week deferral, the County Commission voted to return this case to the MAPC for reconsideration with a conditional use application for the requested outdoor recreational activities.

Applicant: Westwind Associates II, ATTN: Leonard Marotte, 727 N. Waco, Suite 260, Wichita, Kansas 67203

Protestors: Jeff Peier, 1824 N. Socora; Bob Priest, Aldersgate United Methodist Church, 7901 W. 21st St.; Richard Schweninger, 1820 N. Socora; Bruce Kolarik, 1921 N. Socora; Beverly Jackson, 1826 N. Recca; Bill Maus, 1908 N. Socora; Dale Simmons, 1837 N. Socora; Eldon Folmsbee, Aldersgate United Methodist Church, 7901 W. 21st St.; Raymond Traynor, 1838 N. Socora.

Published in The Daily Reporter on December 19, 1986, 1986

RESOLUTION NO. R#17-1986

A RESOLUTION CHANGING THE ZONING CLASSIFICATIONS FOR CERTAIN LANDS LOCATED WITHIN THE UNINCORPORATED AREA OF SEDGWICK COUNTY, KANSAS, UNDER THE AUTHORITY GRANTED IN SECTION 17.C OF THE ZONING REGULATIONS ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS, DECEMBER 12, 1984.

BE IT RESOLVED BY THE GOVERNING BODY OF SEDGWICK COUNTY, KANSAS.

SECTION 1. 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 17.C of the Zoning Regulations, the zoning district of the lands legally described are hereby changed as follows:

CASE NO. SCZ-0555

Zone Change from the "R-1" Suburban Residential District to the "BB" Office District

The North 270 feet of the W 1/2, NE 1/4, NW 1/4, and the North 270 feet of the West 57.6 feet of the E 1/2, NE 1/4, NW 1/4, Section 9, T27S, R1W of the 6th P.M.: EXCEPT road right-of-way on the North recorded on Film 131, Page 898, and EXCEPT beginning at a point 210 feet East and 270 feet South of the northwest Corner of said NE 1/4, NW 1/4; thence North, parallel to the West line of said NE 1/4, NW 1/4, 174.1 feet ± to the South line of 21st Street; thence East, along the South line of 21st Street, 35.01 feet ±; thence South, parallel to the West line of said NE 1/4, NW 1/4, 173.2 feet ± to a point 270 feet South of the North line of said 1/4 Section; thence West 35 feet to the point of beginning.

AND

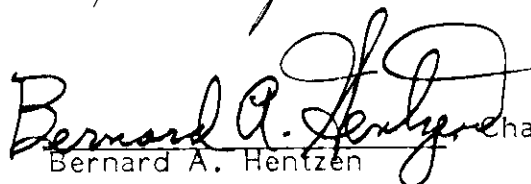
Zone Change from the "R-1" Suburban Residential District to the "C" General Commercial District

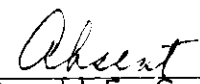
Commencing at the NW Corner of the NE 1/4, NW 1/4, Section 9-T27S-R1W of the 6th P.M.: thence South along the West line of said NE 1/4, NW 1/4, 270 feet to the point of beginning; thence East, parallel to the north line of said NE 1/4, NW 1/4, 210 feet; thence north, parallel to the west line of said NE 1/4, NW 1/4, 174.1 feet ± to the South line of 21st Street; thence East, along the South line of 21st, 35.01 feet; ±; thence South, parallel to the West line of said NE 1/4, NW 1/4, 173.2 feet ±, to a point 270 feet South of the North line of said 1/4 Section; thence East, parallel to and 270 feet South of the North line of said 1/4 Section, 471.15 feet ±; thence South, parallel to and 57.6 feet East of the East line of the West 1/2 of said NE 1/4, NW 1/4, 1050 feet ± to the South line of said NE 1/4, NW 1/4; thence West, along the South line of said NE 1/4, NW 1/4, 716.15 feet ± to the west line of said NE 1/4, NW 1/4; thence North along the West line of said NE 1/4, NW 1/4, 1050 feet ± to the point of beginning. All generally located on the south side of 21st Street North, 1320 feet ± East of Tyler Road.

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 5th day of February, 1986.

  
Bernard A. Hentzen chairman

  
Donald E. Cragg Commissioner

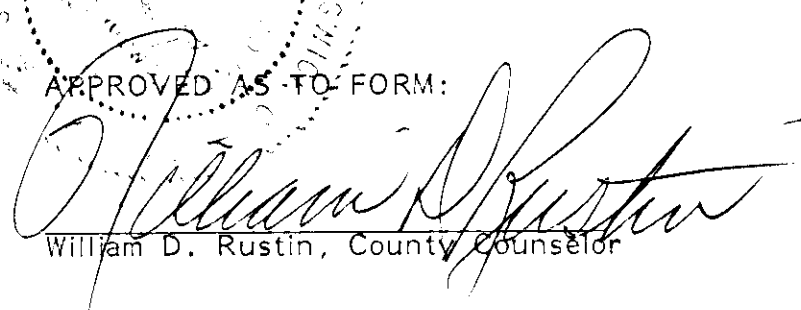
  
Tom Scott Commissioner

ATTEST:

  
Donnell L. Wright, County Clerk

(SEAL)

APPROVED AS TO FORM:

  
William D. Rustin, County Counselor