

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION
TO BOARD OF COUNTY COMMISSIONERS

REQUEST FOR ZONING

SCZ-0668 - REQUEST FOR ZONE CHANGE FROM THE "R" RURAL RESIDENTIAL
DISTRICT TO THE "C" GENERAL COMMERCIAL DISTRICT, LOCATED
NORTHWEST OF 63RD STREET SOUTH AND K-15.

The MAPC recommends that the application be approved, subject to platting. Winkler moved, Frye seconded and it carried with a vote of 9 in favor (Winkler, Frye, Goebel, Johnson, McKay, Osborne-Howes, Phillips, Polczinski and Sherman), and 1 opposed (Ross). Lopez was not present. Haggart, Miner and Roberts were absent.
(See minutes for full motion).

ACTION:

1. Adopt the findings of fact of the Metropolitan Area Planning Commission and approve the zone change subject to platting within one year; adopt a resolution establishing the zone change and instruct the Planning Department to withhold publication until the plat has been recorded with the Register of Deeds; or
2. Take such action as the Commission deems appropriate.

(An override of the Planning Commission's recommendation requires a 2/3rd majority vote of the membership of the governing body on first reading).

DATA AND MINUTES

DPC Hearing Date:	5/19/94 Approve 15 acres	
DPC Hearing Date:	6/23/94 Approve 6 acres	
MAPC Hearing Date:	6/02/94 Deferred	
MAPC Hearing Date:	6/30/94 Approve 6 acres	BCoC Hearing Date: 7/27/94

COMMISSION DISTRICT #5

ADJACENT ZONING AND LAND USE:

NORTH	"R"	Agricultural uses
SOUTH	"R"	3 single family residences
EAST	"LC", "E"	Railroad tracks, K-15, Derby Welding, 2 single family residences, Scroggin mini storage
WEST	"R"	Agricultural uses

Case No. SCZ-0668
Page 2

Applicant: Dale V. Kuhn, 6630 SE Blvd., Derby, KS 67037
Carol L. Stewart, 2600 Bent Oak Pl, Adrian, MI 49221

Protestors: Earl B. Goodman, 4415 E. 63rd St. So., Derby, KS 67037

RESOLUTION NO. _____

A RESOLUTION CHANGING THE ZONING CLASSIFICATION FOR CERTAIN LANDS LOCATED WITHIN THE UNINCORPORATED AREA OF SEDGWICK COUNTY, KANSAS, UNDER THE AUTHORITY GRANTED IN SECTION 7.C OF THE ZONING REGULATIONS ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS, DECEMBER 12, 1984, AND SUBSEQUENTLY AMENDED.

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

Case No. SCZ-0668

Zone change request from the "R" Rural Residential District to the "C" General Commercial District

That part of the SE1/4 of Sec. 26, Twp. 28-S, R-1-E of the 6th P.M., Sedgwick County, Kansas, described as beginning at the intersection of the north line of 63rd St. So., as established on Film 265, Page 1276 and the westerly right-of-way line of the AT.7 S.F. Railroad; thence northwesterly along the westerly right-of-way line of said Railroad, 595 feet; thence west, parallel with the south line of said SE1/4, 620 feet; thence northwesterly, with a deflection angle to the right of 15°30', 540 feet; thence southwesterly, with a deflection angle to the left of 38°, 840 feet more or less to the northerly right-of-way line of said 63rd St. So.; thence southeasterly and easterly along the northerly right-of-way line of said 63rd St. So., to the place of beginning. Generally located northwest of 63rd Street South and K-15.

SECTION II. That upon the taking effect of this Resolution, the notation of such zone change shall be entered 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 in the official county paper.

Commissioners present and voting were:

PAUL W. HANCOCK	_____
THOMAS G. WINTERS	_____
ANDREW L. BIAS	_____
MARK F. SCHROEDER	_____
BETSY GWIN	_____

DATED this _____ day of _____, 1994.

BOARD OF COUNTY COMMISSIONERS OF
SEDGWICK COUNTY, KANSAS

BETSY GWIN, Chair

ATTEST:

ANDREW L. BIAS, Chairman Pro Tem

SUSAN CROCKETT-SPOON
County Clerk

PAUL W. HANCOCK, Commissioner