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R E S O L U T I O N

CASE NO. CU-142

A RESOLUTION PERMITTING A NURSERY AND GREENHOUSE OPERATION

ON 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, OR THE CITY OF GODDARD, ALL IN SEDGWICK COUNTY, KANSAS, UNDER THE AUTHORITY GRANTED BY SECTION 4.A.10(p) and (s) AND SECTION 11.E OF THE ZONING RESOLUTION ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS, ON MARCH 3, 1958, AND SUBSEQUENT AMENDMENTS THERETO.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF SEDGWICK COUNTY, KANSAS:

SECTION I. That after receiving a recommendation from 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 4.A.10(p) and (s) and Section 11.E of the Zoning Resolution, as amended, a Conditional Use Permit to allow _____ a nursery and greenhouse operation

is hereby approved on the lands legally described as follows:

Beginning at NW Cor SE 1/4 NW 1/4 Sec. 1, Twp. 29, R 1 East; th south 1359.4 ft; NE 332 ft. to W line of the A.T. & S.F. Railroad ROW; th NW along said ROW 1264 ft; W 24 ft. to beginning, Sedgwick County, Kansas. Generally located on the east side of McIntosh Road in an area south of 73rd Street South.

SUBJECT TO THE FOLLOWING:

- A. The applicant shall dedicate the west 40 feet of subject property by separate instrument for street right-of-way purposes.
- B. All structures shall set back a distance of not less than 35 feet from the east right-of-way line of McIntosh Road.
- C. The use of land shall be limited to residential, agricultural, nursery, greenhouse and garden supply purposes.
- D. The following items shall not be displayed or sold on the premises:
 - a. Irrigation equipment designed to be used for agricultural or commercial purposes.
 - b. Bulk or unpackaged fertilizers, plant food, ground preparations and/or nutrients.
- E. No signs shall be permitted except to advertise the uses herein permitted. No signs shall be illuminated, nor shall flashing or oscillating lights be permitted.

F. The owner, or occupant of the subject property shall comply with the rules and requirements of the Wichita-Sedgwick County Health Department relative to water and sewer.

SECTION II. That upon the taking effect of this Resolution, the notation of such Conditional Use approval 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 in the official County paper.

27th PASSED AND ADOPTED at Sedgwick County, Kansas, this day of September, 1972.

Carl E. Rush, Chairman
Carl Scott, Commissioner
James H. Hester, Commissioner

ATTEST:

Marie Warden by Anna Manning
Marie Warden, County Clerk
Manning

