

Referral From Wichita-Sedgwick County Metropolitan Area Planning Commission  
To Mulvane City Planning Commission.

Case No. CU-186 To Be Heard By The M.A.P.C. on April 1, 1976

Request For approval of Conditional Use Permit

Reason For Request (As Provided By Petitioner): To establish a radio tower and transmitter building

Location of Property: an area south of 95th Street South, in an area approximately 1000 feet east of Woodlawn.

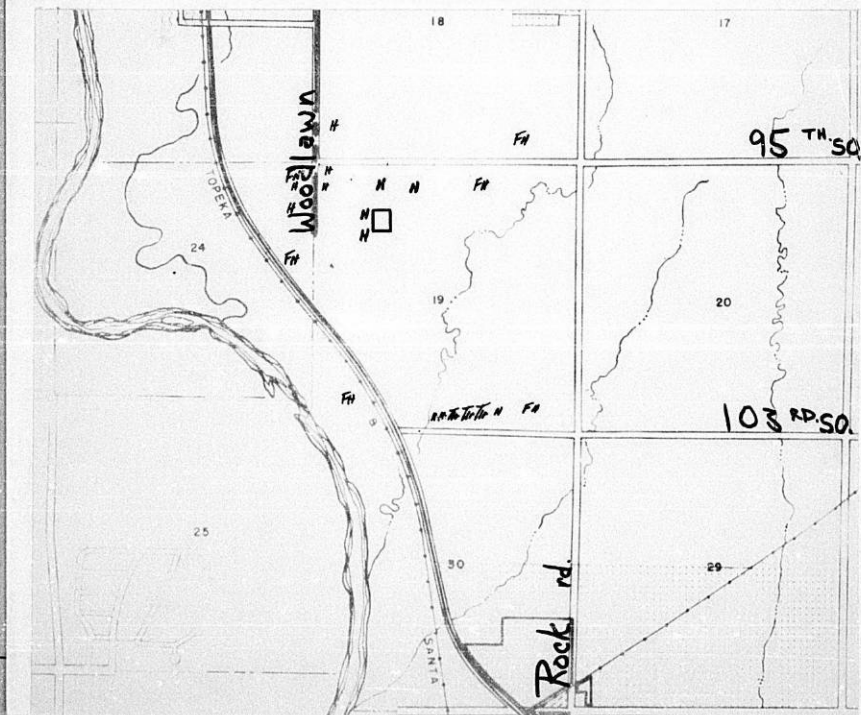
Legal Description Of Property:

The South 420 feet of the East 327.61 feet of the West 1242.15 feet of the North Half of the Northwest Quarter of Section 19, Township 29 South, Range 2 East of the 6th P.M., Sedgwick County, Kansas.

Petitioner: Dolan E. Pelley  
Address: 126 E. Madison, Derby, KS 67037

Council For Petitioner: F. P. Egan, Jr.

Surrounding Land Use: North and West - Single Family;  
East and South - Undeveloped



( ) Published in The Derby Daily Reporter on April 30, 1976.

RESOLUTION

CASE NO. CU-186

A RESOLUTION PERMITTING THE ESTABLISHMENT OF  
A RADIO TRANSMITTING AND BROADCASTING FACILITY  
IN THE "R" RURAL RESIDENTIAL ZONING DISTRICT

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, 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 BY SECTION 3.A.8.1 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 3.A.8.1 and Section 11.E. of the Zoning Resolution, as amended, a Conditional Use Permit to allow the establishment of a radio transmitting and broadcasting facility in the "R" Rural Residential zoning district

is hereby approved on the lands legally described as follows:

The south 420 feet of the east 327.61 feet of the west 1,242.15 feet of the north half of the northwest quarter of Section 19, Township 29 South, Range 2 East of the 6th P.M., Sedgwick County, Kansas. Generally located in an area south of 95th Street south in an area approximately 1,000 feet east of Woodlawn.


SUBJECT TO THE FOLLOWING:

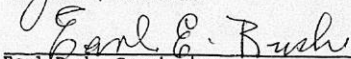
1. The applicant obtaining an airport zoning permit from the Central Inspection Division of the City of Wichita so that the tower heights can be accurately determined.
2. The applicant obtaining approval from the Federal Aviation Administration and complying with all conditions of approval.


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

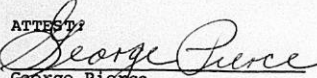
PASSED AND ADOPTED at Sedgwick County, Kansas, this 21st  
day of April, 1976.

  
John Hale, Chairman

  
Earl E. Bush, Commissioner

  
Tom Scott, Commissioner

ATTEST:

  
George Pierce  
County Clerk

(SEAL)