

DR 65-30 - (Amendment to Section 1 -
Districts & General Regulations and
Section 14 - Administration of the
County Zoning Resolution

~~RECEIVED~~ D. CO. C. *Johnson* 12-8-65

Cloud 12-8-65

ACTION

DATE

COMMITTEE

M.A.P.C. Advertise for pub. hear. 10-21-65

M.A.P.C. Approve 11-18-65

~~E.C.C.~~ / B. CO. C. Approve 12-8-65

Closed 12-8-65

DR 65-30 - Amendment to Section 1 -
Districts & General Regulations and
Section 14 - Administration of the
County Zoning Resolution

RESOLUTION

A RESOLUTION CHANGING THE SEDGWICK COUNTY ZONING RESOLUTION ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS AND EFFECTIVE AFTER MARCH 3, 1958, WITH AMENDMENTS TO APRIL 27, 1963, FOR THE UNINCORPORATED TERRITORY LYING WITHIN THREE MILES OF THE CITY OF WICHITA, IN SEDGWICK COUNTY, KANSAS, UNDER THE AUTHORITY GRANTED BY SECTION 14 C THEREOF.

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

SECTION 1. That upon the recommendation of the Metropolitan Area Planning Commission on November 18, 1965, after notice and public hearing as provided by law, under authority granted by Section 14 C of the Sedgwick County Zoning Resolution as adopted March 3, 1958, the following sections of the Sedgwick County Zoning Resolution are hereby amended to read as follows:

SECTION 1 - DISTRICTS AND GENERAL REGULATIONS

1. That portion of Sedgwick County, Kansas, between the Wichita City Limits and three (3) miles beyond; and between the Haysville City Limits and three (3) miles beyond; and between the Derby City Limits and three (3) miles beyond, is hereby divided into eight (8) districts as follows:

<u>Symbol</u>	<u>Name</u>
"R" District	Rural Residential District
"R-1" District	Suburban Residential District
"AA" District	One-Family Dwelling District
"BB" District	Office District
"LC" District	Light Commercial District
"C" District	General Commercial District
"E" District	Light Industrial District
"F" District	Heavy Industrial District

2. The location and boundaries of the districts shall be as shown on the map entitled "Sedgwick County Zoning Plan", said map and all notations, dimensions and designations shown thereon are hereby declared to be a part of this Resolution.
3. Where there is uncertainty as to the boundaries of any of the districts shown on the aforesaid map, the following shall apply:
 - A. The district boundary lines are intended to follow street, alley, lot or property lines as they exist at the time of the passage of this Resolution, unless otherwise indicated by dimensions on the Zoning Map. In case of the vacation of a street, alley, water course or other right-of-way, the abutting zoning classification on each side thereof shall automatically be extended to the center line of said vacated street, alley, watercourse or right-of-way.

- B. Where boundaries appear to approximately follow such aforesaid lines and are not more than ten (10) feet distance therefrom, such lines shall be construed to be the boundary.

4. General Regulations

- A. The regulations herein set forth do not apply to the use of land or the erection, construction, alteration, or use of buildings for strictly agricultural purposes. All residences shall conform to the provisions of these regulations.
- B. Except as hereinafter provided, it shall be unlawful to locate, erect, construct, reconstruct, enlarge or structurally alter any building except in conformity with the regulations of the district in which such building is located.
- C. Except as hereinafter provided it shall be unlawful to use any land or building for any purpose other than is permitted in the district in which such land or building is located.
- D. No open space provided about any building for the purpose of complying with the provisions of this Resolution shall be considered as providing open space for any other building.
- E. No parcel of land held under one ownership, with or without buildings, at the time this Resolution became effective shall be reduced nor shall any such parcel be subdivided, in any manner below the minimum lot width and lot area required by this Resolution.
- F. Prior to the issuance of any occupancy or building permit, streets and utility easements must be dedicated as required to conform with the objectives of this State Statute and G.S. 13-1112 et seq., to secure safety from fire, to promote health and general welfare, to facilitate adequate provisions of transportation and other public requirements, and to conserve and protect property and building values.
- G. In no case shall there be more than one (1) main residential building on one (1) lot.
- H. Within a period of no more than one hundred twenty (120) days subsequent to the inclusion of additional territory within the three-mile boundary, the Commission shall initiate action to assign the most suitable zoning classification to that territory; such zoning classification to be determined by the governing body of Sedgwick County after the appropriate public hearing as prescribed in Section 14C of the Zoning Resolution, Sedgwick County, Kansas, effective March 3, 1958, and subsequent amendments thereto.

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SECTION 14 - ADMINISTRATION

A. CERTIFICATE OF OCCUPANCY OR BUILDING PERMIT:

1. **When Required:** A certificate of occupancy or zoning permit shall be required for any of the following, except for agricultural purposes:

- a) Construction, occupancy and use of a building or structure, hereafter erected or structurally altered.
- b) Change in use of an existing building to a use allowed in a more restricted classification.
- c) Change in the use of vacant land to use for a trailer court or mobile home park.
- d) Any change of a nonconforming use.

No construction, or change of use as outlined above, shall take place until a certificate of occupancy or zoning permit therefor shall have been issued by the Board of County Commissioners or their authorized agent.

dit 2. **Applications:** Written applications for a certificate of occupancy or zoning permit shall be made to the Board of County Commissioners or their authorized agent, on forms provided therefor, which shall include accurate information and dimensions as to:

- a) The size and location of the lot.
- b) The size and location of the buildings and structures proposed or existing on the lot.
- c) The dimensions of all yards and open spaces.
- d) Sufficient grades and elevations to establish the proper placement of buildings, adequate sewage disposal systems and the proper drainage of property.

3. Every certificate of occupancy or zoning permit shall state that the building or the proposed use of a building or land complies with all provisions of this Resolution. When it has been determined that these provisions have been met, the certificate of occupancy or zoning permit shall be issued forthwith, but in no case shall a decision be delayed more than ten (10) days.

4. Every permit issued by the Board of Commissioners of Sedgwick County or their authorized agent under the provisions of this zoning resolution shall

expire and become null and void if the building, activity, construction or occupancy authorized by such permit is not commenced within six months from the date of such permit and diligently executed, or if the building, activity, construction or occupancy is suspended or abandoned at any time after the work is commenced for a period of six months. Before such can be recommenced, a new permit shall be first obtained for the unfinished part of such work.

5. The fees for the certificate of occupancy or zoning permit shall be payable to the County Treasurer and shall be:

	<u>On Structures or Use Areas</u>	
	<u>For 250 sq. ft. or less</u>	<u>For over 250 sq. ft.</u>
Heavy Industrial Use	\$10.00	\$20.00
Light Industrial Use	10.00	20.00
Commercial Use	10.00	20.00
Light Commercial Use	10.00	20.00
<hr/>		
Residential Use		\$ 5.00
Change of Use or Occupancy		No Fee
Agricultural Buildings		No Fee

A written receipt shall be issued to the person making such payment and records shall be kept of all monies received. A report thereof shall be made daily of all monies received.

6. Registration is required with the authorized agent of the County Commission of farm buildings when used for non-agricultural storage for a period exceeding six (6) months.

B. ENFORCEMENT AND PENALTIES:

1. This Resolution shall be enforced by the Board of County Commissioners or such officer as may be designated by said Board, who shall in no case grant any certificate of occupancy or zoning permit if the building or use would be in violation of any of the provisions of this Resolution.
2. Any certificate or permit issued upon a false statement of fact which is material to the issuance thereof shall be void.
3. In case any building is located, erected, constructed, reconstructed, enlarged, changed, or maintained or used, or any land to be used in violation of this Resolution, the Board of County Commissioners, the County Counselor, County Attorney, the Zoning

Administrator or any adjacent or neighboring property owner who could be especially damaged by such violation, in addition to other remedies provided by law, may institute injunctions, mandamus, abatement, or any other appropriate action, actions, or proceedings to prevent, enjoin, abate or remove such unlawful location, erection, construction, reconstruction, enlargement, change, maintenance or use.

- 4. Any person, firm or corporation who shall violate, neglect or refuse to comply with, or who shall maintain, use or construct any building or premises in violation of any of the provisions of this Resolution shall, upon due conviction, be fined in a sum not exceeding one hundred (\$100.00) dollars for each offense, and each day that violation is committed, caused or continued to exist, shall constitute a separate offense.

C. CHANGES AND AMENDMENTS:

- 1. Initiation: Whenever the public necessity, convenience, general welfare or good zoning practice require, the Board of County Commissioners may by Resolution, after report thereof by the Commission, and subject to the procedure provided in this section, amend, supplement or change the regulations, district boundaries, or classification of property, now or hereafter established by this Resolution. An amendment, supplement, reclassification or change may be initiated by resolution of the Commission or the Board of County Commissioners, or by a verified application by the owner or owners of the property proposed to be changed.
- 2. Application: Application for any change of district boundaries or reclassification of districts as shown on the Zoning Map, shall be filed with the Commission upon forms and accompanied by such data and information as may be prescribed for that purpose by the Commission so as to assure the fullest practicable presentation of facts for the permanent record.

Each application shall be verified by at least one of the owners of property within the area proposed to be changed, attesting to the truth and correctness of all facts and information presented with the application.

Applications must be accompanied with a certified list of property owners of record and their addresses, if available, and if not available, then the address of the occupant of the premises, if tenanted, in all directions from the subject property for a distance of twice the frontage of the property included in the application; provided, no distance need be more than 1,000 feet and cannot be less than 200 feet.

For the purpose of defraying costs of proceedings prescribed herein, filing and publication fees shall be paid to the County Treasurer or his agent upon the filing of such application for change in district classification. The fee for such application is as follows:

<u>Classification</u>	<u>Fee</u>
"R" Rural Residential District	\$ 35.00
"R-1" Suburban Residential District	35.00
"AA" One-Family Dwelling District	35.00
"BB" Office District	70.00
"LC" Light Commercial District (6 acres and under)	100.00
"LC" Light Commercial District (over 6 acres)	200.00
"C" General Commercial District (6 acres and under)	100.00
"C" General Commercial District (over 6 acres)	200.00
"E" Light Industrial District (6 acres and under)	100.00
"E" Light Industrial District (over 6 acres)	200.00
"F" Heavy Industrial District (6 acres and under)	100.00
"F" Heavy Industrial District (over 6 acres)	200.00
"CU" Conditional Use Permit	Fee required is the same as for the District in which located.

A written receipt shall be issued to the person making such a payment and records thereof shall be kept in such a manner as prescribed by law. No fee shall be required when said application is submitted by any department of the City, County, State or Federal Government.

3. Hearing: Upon the filing of such application or the adoption of such Resolution by the Commission or Board of County Commissioners, the matter shall be set for hearing before the Commission. No less than fifteen (15) days' notice shall be given of the time and place of such hearing in a newspaper having general circulation within the County. Notice of proposed changes shall be mailed to those named on the verified list required in Paragraph 2, at least one (1) week before the hearing.
4. Decision by Commission and Board of County Commissioners: If, from the facts presented, the Commission finds that public necessity, convenience, general welfare or good zoning practice require the

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change or reclassification of any portion thereof, the Commission shall recommend such change to the Board of County Commissioners; otherwise it shall recommend denial of the application. The Commission shall immediately proceed to make its findings and issue a determination in writing, in not more than sixty (60) days from the date of filing of any application. Provided, however, that upon consent of the applicant, the Commission may defer making its findings and issuing its determination for a period of not to exceed an additional thirty (30) days.

The Board of County Commissioners shall approve or disapprove any change or disapproval recommended, within thirty (30) days of date of submission to them. Provided, however, that upon consent of the applicant, the Board of County Commissioners may defer its approval or disapproval for a period not to exceed an additional thirty (30) days.

If the Commission recommends against the change, or in the case of a written protest, filed with the County Clerk within ten (10) days after the hearing before the appropriate Commission, against any proposed change or amendment, signed and acknowledged by the owners of twenty percent (20%) of the total area, within one thousand (1,000) feet (excepting public streets and ways) of the area proposed to be altered or by the owners of twenty percent (20%) of the area (excepting public streets and ways) proposed to be altered, such amendments may not be passed except by the favorable vote of all members of the Board of County Commissioners.

D. INTERPRETATION - PURPOSE AND CONFLICT:

The provisions of this Resolution shall be held to be the minimum requirement for the promotion of the public health, safety, comfort, convenience and general welfare. It is not intended by this Resolution to interfere with or abrogate or annul any easement, covenant or other agreement between parties. Where this Resolution imposes a greater restriction upon the use of buildings or land, or upon the height of buildings, or requires larger open spaces than are imposed or required by other resolutions, rules, regulations, or by easements, covenants or agreements, the provisions of this Resolution shall control.

E. VALIDITY:

If any section, paragraph, subdivision, clause, sentence or provision of this Resolution shall be adjusted by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate or nullify

the remainder of this Resolution, but the effect thereof shall be confined to this section, paragraph, subdivision, clause, sentence or provision immediately involved in the controversy in which such judgment or decree shall be rendered.

F. WHEN EFFECTIVE:

This Resolution and the regulations promulgated thereunder, shall be in full force and effect after March 3, 1958.

SECTION 2. Sections 1 and 14 of the Sedgwick County Zoning Resolution, as adopted March 3, 1958, are hereby repealed.

SECTION 3. This Resolution shall take effect and be enforced from and after its adoption and publication in the official County paper.

PASSED AND ADOPTED this 8th day of December, 1965.

Richard Schneider Chairman

 Commissioner

60/ Charles Peters Commissioner

ATTEST:

W. O. Williams
W. O. Williams, County Clerk

(SEAL)

December 3, 1965

Board of County Commissioners
320 Sedgwick County Courthouse
Wichita, Kansas

Gentlemen:

Re: DR 65-30 - Amendment to Section
1 of the County Zoning Resolution
relating to districts and general
regulations and amendment to
Section 14 relating to issuance
of building permits in the County

At its regular meeting of November 18, 1965, the Metropolitan Area Planning Commission considered and approved an amendment to Sections 1 and 14 of the County Zoning Resolution.

Although zoning has already been established within 3 miles of the City of Derby, the City of Derby has been added to the proposed amendment to Section 1 inasmuch as at the time the zoning was established within three miles of the City of Derby and the Resolution was published, the name of the City of Derby was not included in the publication.

The proposed amendment to Section 14 entitled "Administration", relates to the issuance of building permits in the County. Specifically, the proposed amendment provides that every building permit issued by the Board of Sedgwick County Commissioners, or their authorized agent (County Zoning Administrator), shall expire and become null and void if the building activity, construction or occupancy authorized by the permit is not commenced within six months from the time the permit was issued. The proposed amendment also provides that if the building activity, construction or occupancy is suspended or abandoned at any time after the work is commenced for a period of six months, the permit will also be null and void. Consequently, before any work can be recommenced, a new permit shall have to be obtained for the unfinished work.

**Board of County Commissioners
December 3, 1965**

The fees charged for a Certificate of Occupancy or zoning permit have been changed to provide separate fees for structures or use area when they are 250 square feet or less or over 250 square feet.

It is felt that the proposed amendment to section 14 will give the County Zoning Administrator more control over the issuance of building permits in the County, especially once the work has been suspended on any construction project.

If the County Commission agrees with the proposed change, it is recommended that the Resolution be adopted.

Respectfully submitted,

**C. Bickley Foster
Secretary**

CHF:JMS:ber

Attachment

~~WICHITA-SEDGWICK COUNTY~~
METROPOLITAN AREA PLANNING DEPARTMENT
City Building Annex
104 South Main
Wichita, Kansas

November 15, 1965

TO: Metropolitan Area Planning Commission Members

FROM: C. Bickley Foster, Director of Planning

SUBJECT: DR 65-30 - Amendment to Section 1 of the County Zoning Resolution relating to districts and general regulations and amendment to Section 14 of the County Zoning Resolution relating to issuance of building permits in the County

Enclosed herewith is a copy of a proposed amendment to Section 1 and Section 14 of the County Zoning Resolution.

Although zoning has already been established within 3 miles of the City of Derby, the City of Derby has been added to the proposed amendment to Section 1 inasmuch as at the time the zoning was established within three miles of the City of Derby and the ordinance was published, the name of the City of Derby was not included in the publication.

The proposed amendment to Section 14 entitled "Administration", relates to the issuance of building permits in the County. Specifically, the proposed amendment provides that every building permit issued by the Board of Sedgwick County Commissioners or their authorized agent (County Zoning Administrator) shall expire and become null and void if the building activity, construction or occupancy authorized by the permit is not commenced within six months from the time the permit was issued. The proposed amendment also provides that if the building activity, construction or occupancy is suspended or abandoned at any time after the work is commenced for a period of six months, the permit will also be null and void. Consequently, before any work can be recommenced, a new permit shall have to be obtained for the unfinished work.

It is felt that the proposed amendment to Section 14 will give the County Zoning Administrator more control over the issuance of building permits in the County, especially once the work has been suspended on any construction project.

CBF:JHG:ber
Attachment

OFFICIAL NOTICE

TO WHOM IT MAY CONCERN AND TO ALL PERSONS INTERESTED:

NOTICE IS HEREBY GIVEN that at 2:00 p.m. on November 18, 1965, the Wichita-Sedgwick County Metropolitan Area Planning Commission, in Room 401 City Building Annex, 104 South Main, Wichita, Kansas, will consider the following proposed changes in the text of the Zoning Resolution, Sedgwick County, Kansas:

SECTION 1 - DISTRICTS AND GENERAL REGULATIONS

Add and amend to read as follows:

1. That portion of Sedgwick County, Kansas, between the Wichita City Limits and three (3) miles beyond; and between the Haysville City Limits and three (3) miles beyond; and between the Derby City Limits and three (3) miles beyond, is hereby divided into eight (8) districts as follows:

<u>Symbol</u>	<u>Name</u>
"R" District	Rural Residential District
"R-1" District	Suburban Residential District
"AA" District	One-Family Dwelling District
"BB" District	Office District
"LC" District	Light Commercial District
"C" District	General Commercial District
"E" District	Light Industrial District
"F" District	Heavy Industrial District

SECTION 1A - ADMINISTRATION

Add and amend to read as follows:

- A. CERTIFICATE OF OCCUPANCY OR ZONING PERMIT:
 1. When Required: A certificate of occupancy or zoning permit shall be required for any of the following, except for agricultural purposes:
 - a) Construction, occupancy and use of a building or structure, hereafter erected or structurally altered.

- b) Change in use of an existing building to a use allowed in a more restricted classification.
- c) Change in the use of vacant land to use for a trailer court or mobile home park.
- d) Any change of a nonconforming use.

No construction, or change of use as outlined above shall take place until a certificate of occupancy or zoning permit therefor shall have been issued by the Board of County Commissioners or their authorized agent.

- 2. Applications: Written applications for a certificate of occupancy or zoning permit shall be made to the Board of County Commissioners or their authorized agent, on forms provided therefor, which shall include accurate information and dimensions as to:
 - a) The size and location of the lot.
 - b) The size and location of the buildings and structures proposed or existing on the lot.
 - c) The dimensions of all yards and open spaces.
 - d) Sufficient grades and elevations to establish the proper placement of buildings, adequate sewage disposal systems and the proper drainage of property.
- 3. Every certificate of occupancy or zoning permit shall state that the building or the proposed use of a building or land complies with all provisions of this resolution. When it has been determined that these provisions have been met, the certificate of occupancy or zoning permit shall be issued forthwith, but in no case shall a decision be delayed more than ten (10) days.
- 4. Every permit issued by the Board of Commissioners of Sedgwick County or their authorized agent under the provisions of this zoning resolution shall expire and become null and void if the building, activity, construction or occupancy authorized by such permit is not commenced within six months from the date of

such permit and diligently executed, or if the building, activity, construction or occupancy is suspended or abandoned at any time after the work is commenced for a period of six months. Before such can be recommenced, a new permit shall be first obtained for the unfinished part of such work.

5. The fees for the certificate of occupancy or zoning permit shall be payable to the County Treasurer and shall be:

	<u>On Structures or Use Areas</u>	
	<u>For 250 sq. ft. or less</u>	<u>For over 250 sq. ft.</u>
Heavy Industrial Use	\$10.00	\$20.00
Light Industrial Use	10.00	20.00
Commercial Use	10.00	20.00
Light Commercial Use	10.00	20.00
<hr/>		
Residential Use	\$5.00	
Change of Use Or occupancy	No fee	
Agricultural Buildings	No fee	

A written receipt shall be issued to the person making such payment and records shall be kept of all monies received. A report thereof shall be made daily of all monies received.

6. Registration is required with the authorized agent of the County Commission of farm buildings when used for non-agricultural storage for a period exceeding six (6) months.

These proposed amendments will then be discussed and considered by the said Wichita-Sedgwick County Metropolitan Area Planning Commission, and all persons interested in said matters will be heard at this time concerning their views and wishes in the premises, and any protest against any of the provisions of the proposed changes to the revised Zoning Resolution will be considered by the Commission as by law provided.

WITNESS my hand and seal on this 25 day of October, 1965.

(SEAL)

C. Bickley Foster, Secretary
Wichita-Sedgwick County Metro-
politan Area Planning Commission

October 18, 1965

Mr. Scottie E. Cronin
County Zoning Administrator
100 County Courthouse
Wichita, Kansas

Subject: DR 65-30 - Amendment to Section 1, relating to districts and general regulations; and an amendment to Section 14, relating to issuance of building permits in the County, of the County Zoning Resolution

Dear Mr. Cronin:

Enclosed herewith is a copy of a proposed amendment to Section 1 and Section 14 of the County Zoning Resolution.

The proposed amendment to Section 1 entitled, "Districts and General Regulations", will give the Board of County Commissioners the authority to adopt zoning regulations within three miles of the City Limits of the City of Valley Center. Although zoning has already been established within 3 miles of the City of Derby, the City of Derby has been added to the proposed amendment to Section 1 inasmuch as at the time the zoning was established within three miles of the City of Derby and the ordinance was published, the name of the City of Derby was not included in the publication.

The proposed amendment to Section 14 entitled, "Administration", relates to the issuance of building permits in the County. Specifically, the proposed amendment provides that every building permit issued by the Board of Sedgwick County Commissioners or their authorized agent (County Zoning Administrator) shall expire and become null and void if the building activity, construction or occupancy authorized by the permit is not commenced within six months from the time the permit was issued. The proposed amendment also provides that if the building activity, construction or occupancy is suspended or abandoned at any time after the work is commenced for a period of six months, the permit will also be null and void. Consequently, before any work can be recommenced, a new permit will have to be obtained for the unfinished work.

October 18, 1965

It is felt that the proposed amendment to Section 14 will give you more control over the issuance of building permits in the County, especially once the work has been suspended on any construction project.

This matter has been placed on the Planning Commission agenda for its meeting on October 21, 1965, at which time we have asked that they direct the staff to advertise for public hearing on this matter. Unless, for some reason, there is a deferral it appears that this matter will be set for public hearing by the Planning Commission on November 18, 1965.

If you have any questions concerning this matter, please call.

Sincerely,

Jack H. Galbraith
Senior Planner

JHG:JWH:bgs

Enclosure

WICHITA-SEDGWICK COUNTY METROPOLITAN AREA PLANNING DEPARTMENT
City Building Annex, 104 South Main, Wichita, Kansas 67202
AM 2-8211

October 15, 1965

TO: Metropolitan Area Planning Commission

FROM: C. Bickley Foster, Director of Planning *CBF*

SUBJECT: DR 65-30 - Amendment to Section 1 of the County Zoning Resolution relating to districts and general regulations and an amendment to Section 14 of the County Zoning Resolution relating to issuance of building permits in the County.

Enclosed herewith is a copy of a proposed amendment to Section 1 and Section 14 of the County Zoning Resolution.

The proposed amendment to Section 1 entitled "Districts and General Regulations", will give the Board of County Commissioners the authority to adopt zoning regulations within three miles of the city limits of the City of Valley Center. Although zoning has already been established within 3 miles of the City of Derby, the City of Derby has been added to the proposed amendment to Section 1 in as much as at the time the zoning was established within three miles of the City of Derby and the ordinance was published, the name of the City of Derby was not included in the publication.

The proposed amendment to Section 14 entitled "Administration", relates to the issuance of building permits in the County. Specifically, the proposed amendment provides that every building permit issued by the Board of Sedgwick County Commissioners or their authorized agent (County Zoning Administrator) shall expire and become null and void if the building activity, construction or occupancy authorized by the permit is not commenced within six months from the time the permit was issued. The proposed amendment also provides that if the building activity, construction or occupancy is suspended or abandoned at any time after the work is commenced for a period of six months, the permit will also be null and void. Consequently, before any work can be recommenced, a new permit will have to be obtained for the unfinished work.

Page 2 - Metropolitan Area Planning Commission

It is felt that the proposed amendment to Section 14 will give the County Zoning Administrator more control over the issuance of building permits in the County, especially once the work has been suspended on any construction project.

CBF:JWH:jmm

Attachment

OFFICIAL NOTICE

TO WHOM IT MAY CONCERN AND TO ALL PERSONS INTERESTED:

NOTICE IS HEREBY GIVEN that at 2:00 p.m. on _____, 1965, the Wichita-Sedgwick County Metropolitan Area Planning Commission, in Room 401, City Building Annex, 104 South Main, Wichita, Kansas, will consider the following proposed changes in the text of the Zoning Resolution, Sedgwick County, Kansas:

SECTION 1 - DISTRICTS AND GENERAL REGULATIONS

Add and amend to read as follows:

1. That portion of Sedgwick County, Kansas, between the Wichita City Limits and three (3) miles beyond; and between the Haysville City Limits and three (3) miles beyond; and between the Derby City Limits and three (3) miles beyond; and between the Valley Center City Limits and three (3) miles beyond; is hereby divided into eight (8) districts as follows:

<u>Symbol</u>	<u>Name</u>
"R" District	Rural Residential District
"R-1" District	Suburban Residential District
"AA" District	One-Family Dwelling District
"BB" District	Office District
"LC" District	Light Commercial District
"C" District	General Commercial District
"E" District	Light Industrial District
"I" District	Heavy Industrial District

SECTION 14 - ADMINISTRATION

Add and amend to read as follows:

A. CERTIFICATE OF OCCUPANCY OR BUILDING PERMIT:

1. When Required: A certificate of occupancy or zoning permit shall be required for any of the following, except for agricultural purposes:
 - a) Construction, occupancy and use of a building or structure, hereafter erected or structurally altered.

- b) Change in use of an existing building to a use allowed in a more restricted classification.
- c) Change in the use of vacant land to use for a trailer court or mobile home park.
- d) Any change of a nonconforming use.

No construction, or change of use as outlined above shall take place until a certificate of occupancy or zoning permit therefor shall have been issued by the Board of County Commissioners or their authorized agent.

- 2. Applications: Written applications for a certificate of occupancy or zoning permit shall be made to the Board of County Commissioners or their authorized agent, on forms provided therefor, which shall include accurate information and dimensions as to:
 - a) The size and location of the lot.
 - b) The size and location of the buildings and structures proposed or existing on the lot.
 - c) The dimensions of all yards and open spaces.
 - d) Sufficient grades and elevations to establish the proper placement of buildings, adequate sewage disposal systems and the proper drainage of property.
- 3. Every certificate of occupancy or zoning permit shall state that the building or the proposed use of a building or land complies with all provisions of this resolution. When it has been determined that these provisions have been met, the certificate of occupancy or zoning permit shall be issued forthwith, but in no case shall a decision be delayed more than ten (10) days.
- 4. Every permit issued by the Board of Commissioners of Sedgwick County or their authorized agent under the provisions of this zoning resolution shall expire and become null and void if the building, activity, construction or occupancy authorized by such permit is not commenced within six months from the date of

such permit and diligently executed, or ^{if} the building, activity, construction or occupancy is suspended or abandoned at any time after the work is commenced for a period of six months. Before such can be ~~recommenced~~ ^{resumed}, a new permit shall be first obtained for the unfinished part of such work.

5. The fees for the certificate of occupancy or building permit shall be payable to the County Treasurer and shall be:

Heavy Industrial Use	\$10.00
Light Industrial Use	10.00
Commercial Use	10.00
Light Commercial Use	10.00
Residential Use	2.50
Change of Use Or Occupancy	No Fee
Agricultural Buildings	No Fee

A written receipt shall be issued to the person making such payment and records shall be kept of all monies so received. A report thereof shall be made daily of all monies received.

6. Registration is required with the authorized agent of the County Commission of farm buildings when used for non-agricultural storage for a period exceeding six (6) months.

These proposed amendments will then be discussed and considered by the said Wichita-Sedgwick County Metropolitan Area Planning Commission, and all persons interested in said matters will be heard at this time concerning their views and wishes in the premises, and any protest against any of the provisions of the proposed changes to the revised Zoning Resolution will be considered by the Commission as by law provided.

1965. WITNESS my hand and seal on this _____ day of _____

C. Bickley Foster, Secretary
Wichita-Sedgwick County
Metropolitan Area Planning
Commission

(SEAL)

OFFICIAL NOTICE

TO WHOM IT MAY CONCERN AND TO ALL PERSONS INTERESTED:

NOTICE IS HEREBY GIVEN that at 2:00 p.m. on Nov. 18, 1965, the Wichita-Sedgwick County Metropolitan Area Planning Commission, in Room 401, City Building Annex, 104 South Main, Wichita, Kansas, will consider the following proposed changes in the text of the Zoning Resolution, Sedgwick County, Kansas:

SECTION 1 - DISTRICTS AND GENERAL REGULATIONS

Add and amend to read as follows:

1. That portion of Sedgwick County, Kansas, between the Wichita City Limits and three (3) miles beyond; and between the Haysville City Limits and three (3) miles beyond; and between the Derby City Limits and three (3) miles beyond; and between the Valley Center City Limits and three (3) miles beyond; is hereby divided into eight (8) districts as follows:

<u>Symbol</u>	<u>Name</u>
"R" District	Rural Residential District
"R-1" District	Suburban Residential District
"AA" District	One-Family Dwelling District
"BB" District	Office District
"LC" District	Light Commercial District
"C" District	General Commercial District
"E" District	Light Industrial District
"F" District	Heavy Industrial District

SECTION 1A - ADMINISTRATION

Add and amend to read as follows:

- A. CERTIFICATE OF OCCUPANCY OR BUILDING PERMIT:
 1. When Required: A certificate of occupancy or zoning permit shall be required for any of the following, except for agricultural purposes:
 - a) Construction, occupancy and use of a building or structure, hereafter erected or structurally altered.

- b) Change in use of an existing building to a use allowed in a more restricted classification.
- c) Change in the use of vacant land to use for a trailer court or mobile home park.
- d) Any change of a nonconforming use.

No construction, or change of use as outlined above shall take place until a certificate of occupancy or zoning permit therefor shall have been issued by the Board of County Commissioners or their authorized agent.

2. Applications: Written applications for a certificate of occupancy or zoning permit shall be made to the Board of County Commissioners or their authorized agent, on forms provided therefor, which shall include accurate information and dimensions as to:
 - a) The size and location of the lot.
 - b) The size and location of the buildings and structures proposed or existing on the lot.
 - c) The dimensions of all yards and open spaces.
 - d) Sufficient grades and elevations to establish the proper placement of buildings, adequate sewage disposal systems and the proper drainage of property.
3. Every certificate of occupancy or zoning permit shall state that the building or the proposed use of a building or land complies with all provisions of this resolution. When it has been determined that these provisions have been met, the certificate of occupancy or zoning permit shall be issued forthwith, but in no case shall a decision be delayed more than ten (10) days.
4. Every permit issued by the Board of Commissioners of Sedgwick County or their authorized agent under the provisions of this zoning resolution shall expire and become null and void if the building, activity, construction or occupancy authorized by such permit is not commenced within six months from the date of

such permit and diligently executed, or of the building, activity, construction or occupancy is suspended or abandoned at any time after the work is commenced for a period of six months. Before such can be recommended, a new permit shall be first obtained for the unfinished part of such work.

5. The fees for the certificate of occupancy or building permit shall be payable to the County Treasurer and shall be:

Heavy Industrial Use	\$10.00
Light Industrial Use	10.00
Commercial Use	10.00
Light Commercial Use	10.00
Residential Use	2.50
Change of Use Or Occupancy	No Fee
Agricultural Buildings	No Fee

A written receipt shall be issued to the person making such payment and records shall be kept of all monies so received. A report thereof shall be made daily of all monies received.

6. Registration is required with the authorized agent of the County Commission of farm buildings when used for non-agricultural storage for a period exceeding six (6) months.

These proposed amendments will then be discussed and considered by the said Wichita-Sedgwick County Metropolitan Area Planning Commission, and all persons interested in said matters will be heard at this time concerning their views and wishes in the premises, and any protest against any of the provisions of the proposed changes to the revised Zoning Resolution will be considered by the Commission as by law provided.

WITNESS my hand and seal on this 25th day of October,

1965.

C. Bickley Foster, Secretary
Wichita-Sedgwick County
Metropolitan Area Planning
Commission

(SEAL)