

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION TO
BOARD OF COUNTY COMMISSIONERS

REQUEST FOR ZONE CHANGE

CASE NO. SCZ-0422

CONSIDERED BY MAPC: 4-12-79

REQUEST FOR: "R-1" & "LC" to "E"

REASON FOR REQUEST (AS PROVIDED BY APPLICANT):

"The property, because of its location and access can best be used by the applicants with "E" zoning (approximately 12600 block East Kellogg)".

GENERAL LOCATION: South side of Kellogg and west of the Kansas Turnpike.

LEGAL DESCRIPTION:

(See excerpt from Planning Commission minutes of April 12, 1979)

APPLICANT: Charles D. & Nancy Mattingly, 1 Highland Rd.

AGENT FOR APPLICANT: James Schaefer, attorney, 800 Brown Bldg.

PROTESTORS (LIST AGENT) IF ANY: None

SURROUNDING ZONING: North, East and South, "R-1"; West, "C".

LAND USE: Existing and North, undeveloped; East and South, Kansas Turnpike; West, Commercial building under construction.

PLANNING COMMISSION RECOMMENDATION:

That the application for "E" Light Industrial zoning be denied, and that the "C" Commercial District be approved subject to platting within one year from the date of zone change approval by the Board of County Commissioners; or the case be considered denied and closed; and that the resolution effectuating the zone change not be published until the plat has been recorded with the Register of Deeds. Cole moved, Jones seconded and it carried unanimously. Hennessy abstained from voting.

Patricia Scott - 2-1 Gray

ACTION: 1. Approve the recommendation of the Metropolitan Area Planning Commission, subject to the condition of platting, adopt a resolution effectuating the zone change and instruct the Planning Department to withhold publication until such time as the plat has been recorded; or
2. Take such action as the County Commission deems appropriate.

none given

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R E S O L U T I O N

A RESOLUTION CHANGING THE ZONING CLASSIFICATIONS FOR 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 IN SECTION 14.C OF THE ZONING RESOLUTION ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS, MARCH 3, 1958, AND SUBSEQUENT AMENDMENTS THERETO.

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 14.C of the Zoning Resolution as amended, the zoning district of the lands legally described are hereby changed as follows:

CASE NO. SCZ-0422


ZONE CHANGE from the "R-1" Suburban Residential District and the "LC" Light Commercial District to the "C" General Commercial District

That part of the Northeast Quarter of the Northeast Quarter of Section 27, Township 27 South, Range 2 East of the 6th P.M., lying South of U. S. 54 Highway as condemned in case No. A-17549, and lying North and West of the Kansas Turnpike as condemned in case No. A-54126. Generally located on the south side of Kellogg, west of the Kansas Turnpike.

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 9th day of May, 1979.


_____, Chairman
Tom Scott

_____, Commissioner
Donald Gragg


_____, Commissioner
Everett Patrick

ATTEST:

Dorothy K. White
Dorothy K. White, County Clerk

(SEAL)

APPROVED AS TO FORM:

for Russell O. Canaday assistant
Theodore H. Hill, County Counselor