

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION TO
BOARD OF COUNTY COMMISSIONERS

REQUEST FOR ZONING

CASE NO. SCZ-0404

CONSIDERED BY MAPC: 11-9-78

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

REASON FOR REQUEST (AS PROVIDED BY APPLICANT):

"To allow Rainbow Sales to build a warehousing and manufacturing facility adequate and suitable to related business of Rainbow. Rainbow is currently in the business of warehousing and selling carpet and floor covering products."

GENERAL LOCATION: East side of West Street in an area north of MacArthur Road.

LEGAL DESCRIPTION:

(See excerpt from Planning Commission minutes of November 9, 1978.)

4.73 acres.

APPLICANT: Roland Ketchum, et al, 1600 N. Mt. Carmel.

AGENT FOR APPLICANT: Bob Winder, 1600 N. Mt. Carmel.

PROTESTORS (LIST COUNSEL) IF ANY: None

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

LAND USE: Existing and East, undeveloped; North single family; South, single family and undeveloped; West, Contractors Storage Yard.

PLANNING COMMISSION RECOMMENDATION:

That this application be approved subject to platting within one year from the date of 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County Commissioners; or the case be considered denied and closed; and that the resolution effectuating the zone change not be published until the plat has been recorded with the Register of Deeds. Savina moved, Hennessy seconded and it resulted in a moot vote with 4 in favor (Savina, Hennessy, Bell and Bayouth) and 4 opposed (Greider, May, Barrier and Jones). Cole and Taylor were absent.

NOTE: The percentage of the protest petitions received on this application will be pointed out at the time the case is considered by the County Commission. *4.47%*

ACTION: Take such action as the County Commission deems appropriate.

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-0404

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

Beginning 1996.24 Feet South of the NW Corner ~~of the NW Corner~~ of the SW $\frac{1}{4}$ of Section 12, Township 28 South, Range 1 West, Thence East 512.15 feet, Thence South Parallel with the West line of said Section 428.2 feet m/1 to a point 235 feet North of the South line of said Section, thence West Parallel with the South of said Quarter 512.15 Feet to the West line of said Quarter, thence North 428.2 feet to beginning. Generally located at the northeast corner of West Street and MacArthur Road.

SECTION II. That upon the taking effect of this Resolution, the above zoning change shall be entered and shown on the 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 6th day of December, 1978.

Absent, Chairman
Everett Patrick

John Hale, Commissioner
John Hale

Tom Scott, Commissioner
Tom Scott

ATTEST:

Dorothy K. White by Judy Smith, Deputy
Dorothy K. White, County Clerk

(SEAL)

APPROVED AS TO FORM:

Theodore H. Hill
Theodore H. Hill, County Counselor