

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION TO
BOARD OF COUNTY COMMISSIONERS

REQUEST FOR ZONING

CASE NO. SCZ-0401

CONSIDERED BY DPC: 9-21-78
CONSIDERED BY MAPC: 9-28-78

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

REASON FOR REQUEST (AS PROVIDED BY APPLICANT):

"Insurance office, business office, and ladies' intimate apparel."

GENERAL LOCATION: East side of Nelson Drive between 71st Street
South and Herral Street.

LEGAL DESCRIPTION:

(See excerpt from Planning Commission
minutes of 9-28-78)

APPLICANT: Mr. & Mrs. Larry Lusk, 5001 E. 71st St. So., Derby, Ks.

COUNSEL FOR APPLICANT: Richard Rumsey, attorney, 1041 N. Waco.

PROTESTORS (LIST COUNSEL) IF ANY: None

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

LAND USE: Existing, undeveloped; North, service station & single family;
East & South, single family; West, single & two family, K-15 & Railroad.

PLANNING COMMISSION RECOMMENDATION:

That this application be approved, subject to the applicant dedicating by separate instrument 10 feet of additional street right-of-way in order to provide an adequate right-of-way for the frontage road, and 20 feet of additional street right-of-way for 71st Street South prior to the case being forwarded to the Board of County Commissioners and within one year from the date of zone change approval; or the case be denied and closed. Savina moved, Bayouth seconded and it carried unanimously. Taylor, Jones, Cole and Hennessy were absent.

ACTION: 1. Accept the dedication, approve the application as recommended by the Metropolitan Area Planning Commission, adopt a resolution effectuating the zone change and instruct the Planning Department to file the dedication with the Register of Deeds; or
2. Deny the application.

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-0401


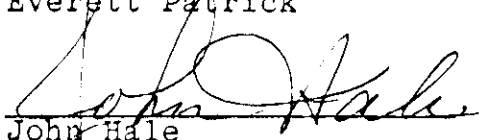
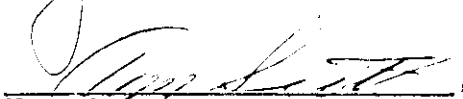
ZONE CHANGE from the "R-1" Suburban Residential District to the "LC" Light Commercial District

Lot 7 and Lot 1, Nelson's Crestview Addition, except a triangular tract of ground beginning at the NW corner of said Lot 1; thence SEly along the W line of said lot; being the east line of said Nelson Drive as platted; to SW corner of said Lot, thence N to point on N line, 50' to point of beginning; thence west along said north line, 50' to place of beginning deeded to State of Kansas, for highway. Generally located on the east side of Nelson Drive, between 71st St. South and Herral Street.

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 1st day of November, 1978.


_____, Chairman
Everett Patrick

_____, Commissioner
John Hale

_____, Commissioner
Tom Scott

ATTEST:

Dorothy K. White
Dorothy K. White, County Clerk

(SEAL)

APPROVED AS TO FORM:

Theodore H. Hill
Theodore H. Hill, County Counselor