

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION TO
BOARD OF COUNTY COMMISSIONERS

REQUEST FOR ZONING AND
CONDITIONAL USE PERMIT

CASE NO. SCZ-0388 and CU-201 CONSIDERED BY MAPC: 12-22-77

REQUEST FOR: "R-1" to "AA" and approval of a Conditional Use

REASON FOR REQUEST (AS PROVIDED BY APPLICANT):

"To conform with the preliminary plat of this area as submitted."

GENERAL LOCATION: East side of 143rd Street East in an area between
Central and 13th Street.

LEGAL DESCRIPTION:

SEE EXCERPT FROM PLANNING COMMISSION MINUTES- 12-22-77

APPLICANT: Karl and Barbara Solomon, et al, 1102 Whitfield Lane,
Wichita, Ks. 67206

COUNSEL FOR APPLICANT: Richard Clausing, Attorney, Douglas Bldg., 67202

PROTESTORS (LIST COUNSEL) IF ANY: Robert T. Schaumber, 14314 Wakanda
Court, 67235; John Siefkes, 7 Swallow, 67230.

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

LAND USE: Existing, North, East and South, undeveloped; West, farm
house and undeveloped.

PLANNING COMMISSION RECOMMENDATION: That SCZ-0388 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and also that the resolution effectuating the zone change not be published
until the plat has been recorded with the Register of Deeds; and that the
Conditional Use request be approved, subject to the following conditions:
(See attached excerpt from Planning Commission minutes of December 22, 1977
for conditions.) Cole moved, Greider seconded and it carried unanimously.
Barrier and Hartstein were absent.

NOTE: The percentage of the protest petitions received on these appli-
cations will be pointed out at the time these cases are considered by the
County Commission. 3.36

ACTION: 1. Approve the recommendation of the Metropolitan Area Planning
Commission, subject to the recommended conditions, adopt resolutions
effectuating the zone change and Conditional Use, and instruct the Plan-
ning Department to withhold publication until such time as the plat has
been recorded; or
2. Deny the applications.

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-0388

ZONE CHANGE from the "R-1" Suburban Residential District to the "AA" One Family Dwelling District

Beg. 50 feet N 88° 52' 12" E of the NW cor. of the SW¼ of Sec. 13, T27S, R2E of the 6th P.M., Sedg. Co. Ks. The pt. of beg. being on the north line of the SW¼ said Sec. 13, thence N 0° 54' 01" W 170 feet; thence N 88° 52' 12" E 390 feet; thence on a curcular curve to the left having a radius of 801.45 feet and a central angle of 16° 19' 03" for an arc distance of 228.25 feet; thence S 17° 26' 51" E 158.67 feet; thence S 0° 54' 01" E 450 feet; thence S 45° 18' 28" W 581.82 feet; thence S 89° 05' 59" W 240 feet; thence N 0° 54' 01" W 800 to Beg. Generally located on the east side of 143rd Street East, between Central and 13th Street.


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 18th day of January, 1978.


Everett Patrick, Chairman


John Hale, Commissioner


Tom Scott, Commissioner

ATTEST:

Dorothy K. White by
Dorothy K. White, County Clerk
(SEAL) Judy Smith, Deputy County Clerk

APPROVED AS TO FORM:

James W. Peterson, Assistant
for Theodore H. Hill, County Counselor