

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION TO
BOARD OF COUNTY COMMISSIONERS

REQUEST FOR ZONING

CASE NO. SCZ-0437

CONSIDERED BY MAPC: 8-30-79

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

REASON FOR REQUEST (AS PROVIDED BY APPLICANT):

"To allow for residential construction of homes provided with City of Wichita sewer and water, and to allow for construction of appropriate shops to serve the area being platted."

GENERAL LOCATION: Northwest corner of Pawnee & 107th Street West
(Lark Lane)

LEGAL DESCRIPTION:

(See excerpt from Planning Commission minutes of
August 30, 1979)

APPLICANT: Builders, Inc., 1000 Parklane.

AGENT FOR APPLICANT: Lawrence E. Wells, Architect, 254 Laura, Suite 205.

PROTESTORS (LIST AGENT) IF ANY: Wesley F. Sears, 1900 S. 107th St. West;
Prince E. McGuyre, 1920 S. 107th St. West.

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

LAND USE: Existing, North and South, Undeveloped; East and West, Farm House.

PLANNING COMMISSION RECOMMENDATION:

That the area requested for "LC" Light Commercial be denied and that the "AA" Single Family classification be approved for the entire application area, subject to recording the associated plat of Pawnee Mesa Addition within one year from the date of approval of the zone change 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County Commissioners; or the case be considered denied and closed; and that the resolution effectuating the zone change not be published until the plat has been recorded with the Register of Deeds. Shook moved, Taylor seconded and it carried with a vote of 4 in favor (Shook, Taylor, Cole and Jones), and 3 opposed (Bayouth, Hennessy and Martens. Savina abstained from voting. Greider and Barrier were absent.

The Planning Commission took action to defer the Conditional Use Permit (CU-223) until after the associated zone case was considered by the County Commission. Hennessy moved, Bayouth seconded and it carried unanimously. Savina abstained from voting. Greider and Barrier 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.

ACTION: 1. Concur with the findings of fact of the Metropolitan Area Planning Commission, approve the application subject to the condition of platting, adopt a resolution effectuating the zone change and instruct the Planning Department to withhold publication of the resolution until the plat has been recorded with the Register of Deeds; or

2. Deny the application.

R# 229-1979

~~none given~~ Published in The Wichita Beacon on March 31, 1980

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-0437


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

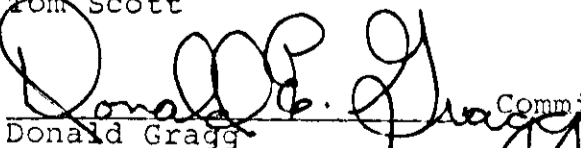
East half of the southwest quarter and the west half of the southeast quarter of Section 31, Township 27 South, Range 1 West of the Sixth Principal Meridian, Sedgwick County, Kansas. Generally located at the northwest corner of Pawnee and 107th Street West. (Lark Lane)


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.

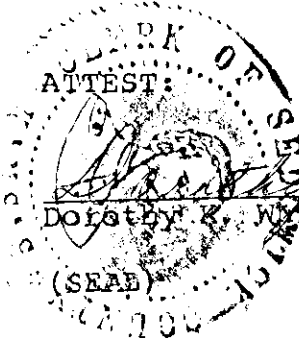
SECTION III. That this Resolution shall take effect and be in force from and after its adoption and publication once in the official County paper.

PASSED AND ADOPTED by the Board of County Commissioners at Wichita, Kansas, this 26 day of September, 1979.


Tom Scott, Chairman


Donald Gragg, Commissioner


Everett Patrick, Commissioner



Dorothy K. White
Dorothy K. White, County Clerk

APPROVED AS TO FORM:

for James W. Patterson
Theodore H. Hill, County Counselor