

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION TO
BOARD OF COUNTY COMMISSIONERS

REQUEST FOR ZONING

CASE NO. SCZ-0486

CONSIDERED BY MAPC: 7-30-81

REQUEST FOR: "R" to "BB"

REASON FOR REQUEST (AS PROVIDED BY APPLICANT): "On the land requested for rezoning stands a rural school building built in the early 1930's. I have had the building evaluated by an architectural firm which assures me that the building can be restored and used as a dental office. This would preserve a building of local architectural and historical importance."

GENERAL LOCATION: Southwest corner of 79th Street South and Seneca.

LEGAL DESCRIPTION:

(See excerpt from Planning Commission minutes of
July 30, 1981)

APPLICANT: Cecil L. Smith, 1701 W. 79th Street South.

AGENT FOR APPLICANT: Virgil L. Palmer, D.D.S., 134 Stewart, Haysville, KS

PROTESTORS (LIST AGENT) IF ANY: None

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

LAND USE: Existing, Vacant school building; North, East and South, Undeveloped; West, Single-family.

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County Commissioners; or the case be considered denied and closed; and that the resolution establishing the zone change not be published until the plat has been recorded with the Register of Deeds. Martens moved, Bayouth seconded and it carried unanimously. Hennessy and Shook were absent.

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 establishing 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 # 173-1981

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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-0486

ZONE CHANGE from the "R" Rural Residential District to the "BB" Office District

Beginning at the NE Corner of Section 7, T29S, R1E, of the 6th P.M.; thence south along the east line of said Section 7, 208 feet; thence westerly parallel with the north line of said Section 7, 263 feet; thence northerly parallel with the east line of said Section 7, 208 feet to the north line of said Section 7; thence easterly along the north line of said Section 7, 263 feet to the point of beginning. Generally located at the southwest corner of 79th Street South and Seneca.

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 26th day of August, 1981.

Donald E. Gragg Chairman
Donald E. Gragg

Jack Spratt, Commissioner
Jack Spratt

Absent, Commissioner
Tom Scott

ATTEST:

Dorothy K. White
Dorothy K. White, County Clerk

(SEAL)

APPROVED AS TO FORM:

William D. Rustin
William D. Rustin, County Counselor