

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION TO
BOARD OF COUNTY COMMISSIONERS

REQUEST FOR ZONING

CASE NO. SCZ-0478

CONSIDERED BY MCPC: 5-11-81

CONSIDERED BY MAPC: 5-21-81

REQUEST FOR: "R" to "E"

REASON FOR REQUEST (AS PROVIDED BY APPLICANT):

"For the purpose of automobile painting, upholstering, rebuilding, reconditioning and the operation of a body and fender works."

GENERAL LOCATION: South side of 111th Street South approximately
1/8 mile west of Oliver.

LEGAL DESCRIPTION:

(See excerpt from Planning Commission minutes of
May 21, 1981)

*6-17-81
Arabia*

APPLICANT: Stewart D. & Debra L. Heersche, Route 2, Box 144, Mulvane, Ks.

AGENT FOR APPLICANT: Paul Arabia, 120 S. Market, Suite 518.

PROTESTORS (LIST AGENT) IF ANY: John Pike, Attorney for Howard Goss,
One Main Place.

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

LAND USE: Existing, Garage; North and South, Undeveloped; East, Farm
house; 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County Commissioners; or the case be considered denied and closed, and that the resolution establishing the zone change not be published until the plat has been recorded with the Register of Deeds. Bayouth moved, Jones seconded and it carried with a vote of 6 in favor (Bayouth, Jones, Gardner, Hennessy, Goebel and Martens), and 2 opposed (Hansen and Shook). Cazal was not present. Lofton was absent.

NOTE: The percentage of protest petitions received on this application will be pointed out at the time the case is considered by the County Commission. *24.4 %*

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# 287-1981

Published in The Wichita Eagle-Beacon on June 14, 1982

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-0478

Zone change from the "R" Rural Residential District to the "E" Light Industrial District

Beginning at a point in the North line and 233.52' East of the NW Corner of the E 1/2 of the NE 1/4 of Sec. 35, T29S, R1E of the 6th P.M., Sedgwick County, Kansas; thence South parallel with the West line of the E 1/2 of said NE 1/4, a distance of 380.0; thence East 225.0'; thence North 165.0'; thence West 201.0'; thence North 215.0'; thence West 24.0' to the point of beginning. Generally located on the south side of 111th Street South, approximately 1/8 mile west of Oliver 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 17th day of June, 1982.

Donald E. Gragg Chairman
Donald E. Gragg

Jack Spratt, Commissioner
Jack Spratt

Tom Scott, Commissioner
Tom Scott

ATTEST:

Dorothy K. White
Dorothy K. White, County Clerk



William D. Rustin
William D. Rustin, County Counselor