

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION
TO BOARD OF COUNTY COMMISSIONERS

REQUEST FOR ZONING

SCZ-0626 - REQUEST FOR ZONE CHANGE FROM "R" RURAL RESIDENTIAL DISTRICT TO "R-1" SUBURBAN RESIDENTIAL DISTRICT, LOCATED ON THE EAST SIDE OF HILLSIDE, APPROXIMATELY 1/4 MILE SOUTH OF 79TH STREET SOUTH (8044 S. HILLSIDE).

The MAPC recommends that the application be approved. (see minutes for full motion).

Goebel moved, Parsons seconded, and it carried with a vote of 6 in favor (Goebel, Parsons, Breckenridge, McIntyre, Miles and Sherman) and 1 opposed (Winkler). Gardner, Gramke and Hunt were absent.

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

DATA AND MINUTES

DPC Hearing date: 3/21/91 No quorum
 MAPC Hearing date: 3/28/91 Deferred 2 weeks
 DPC Hearing Date: 4/04/91 Deny
 MAPC Hearing Date: 4/11/91 Approve BCoC Hearing Date: 5/08/91

COMMISSION DISTRICT #2

ADJACENT ZONING AND LAND USE:

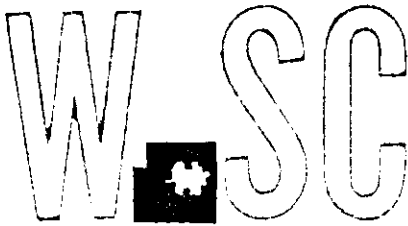
NORTH	"R"	Undeveloped (agricultural use)
SOUTH	"R"	Undeveloped (agricultural use)
EAST	"R-1"	Single-family residences
WEST	"R"	Undeveloped)agricultural use)

Applicant: Otis Knabe, 4749 Ellis, Wichita, KS 67216

Protestors: S.G. Laramore, 8347 Millsap Dr., Wichita 67236; Gene A. Aggus, 8252 S. Hillside, Wichita 67233; Walter Steekel, 8124 Millsap, Wichita 67236; Bob Draney, 8200 Millsap, Wichita 67236.

NOTE: Protest petitions have been filed by property owners within 1,000 feet of the application area. The percentage of protest will be announced at the meeting. Also, since the Derby Planning Commission voted to recommend that this case not be approved, a unanimous vote by the Board of County Commissioners in order to approve the case.

WICHITA - SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

CITY HALL -- TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202-1988
(316) 268-4561

May 9, 1991

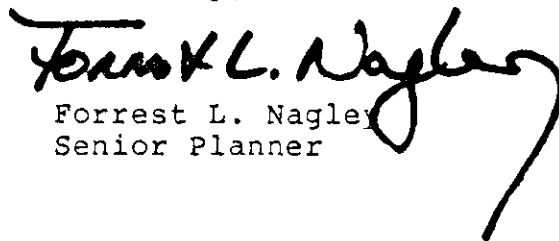
Otis Knabe
4749 Ellis
Wichita, KS 67216

Re: SCZ-0626 - Zone change from "R" Rural Residential to "R-1"
Suburban Residential, located on the east side of Hillside,
approximately 1/4-mile south of 79th Street South.

Dear Mr. Knabe:

On May 8, 1991, the Board of County Commissioners considered the above-captioned case. The action taken by the Commission was not to approve the request. A motion for approval received only a 3-2 vote in favor, whereas a unanimous vote was required. A unanimous vote was necessary, since the City of Derby chose to recommend against the proposed zone change and more than 20% of the property owners within 1,000 feet of the application area filed protest petitions against the zone change. The case file has been so marked and closed.

Sincerely,



Forrest L. Nagley
Senior Planner

FLN:jcm

cc: Fred Lee Maricle, 7533 S. Pattie, 67233
Ronald D. Konecny, 8044 S. Hillside, 67233
S.G. Laramore, 8347 Millsap Dr., 67236
Gene A. Aggus, 8252 S. Hillside, 67233
Walter Steekel, 8124 Millsap, 67236
Bob Draney, 8200 Millsap, 67236
Thomas Borniger, 106 W. Douglas, 800 First Nat'l Bank Bldg,
67202
Derby Planning Commission, c/o Phil Nelson, City Administra-
tor, 611 Mulberry, Derby, KS, 67037
Ken Arnold, Interim Code Enforcement Officer

FILE COPY