

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION
TO BOARD OF COUNTY COMMISSIONERS

REQUEST FOR ZONING

SCZ-0675 - REQUESTS ZONE CHANGE FROM THE "R-1" SUBURBAN RESIDENTIAL
TO THE "E" LIGHT INDUSTRIAL LOCATED NORTH OF K-42; SOUTH OF 31ST
STREET SOUTH AND EAST OF MAIZE ROAD.

The MAPC recommends that the application be denied. Miner moved, Lopez seconded and it carried with a vote of 6 in favor (Frye, Lopez, Miner, Osborne-Howes, Polczinski, Ross) and 5 opposed (Goebel, McKay, Roberts, Sherman, Wheeler). Haggar and Phillips were absent. Johnson abstained from the vote.

(See minutes for full motion).

- ACTION:**
1. Adopt the findings of fact of the Metropolitan Area Planning Commission and deny the rezoning application; or
 2. Return to the Planning Commission for reconsideration.

(An override of the Planning Commission's recommendation requires a 2/3rd majority vote of the membership of the governing body on first reading).

DATA AND MINUTES

MAPC Hearing Date: 8/11/94 Defer 8-weeks **BCoC Hearing Date:** 11/2/94
10/6/94 Deny

COMMISSION DISTRICT #2

ADJACENT ZONING AND LAND USE:

NORTH	"R-1"	Single family home, agricultural uses
SOUTH	"R-1", "E"	Single family homes. Andale Equipment, Inc., Wichita Collision Center
EAST	"R-1", "AA"	Hedgerow, agricultural uses, Mid-Continent Airport
WEST	"R-1"	Single family homes, agricultural uses

Applicant: John E. Dugan, R.R. 1, Box 37, Clearwater, KS 67026

Protestors: See attachment

to Kevin →
for Z-file

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING DEPARTMENT

DATE: July 10, 1995

TO: Mayor and City Council, through Chris Cherches, City Manager
FROM: Marvin Krout, Director of Planning *MKrout*
SUBJECT: County Zoning Case at K42/Maize

When the City Council was considering the relocation of Tyler Road two weeks ago, questions were raised about any zoning restrictions on the 140 acre parcel north of K42 and east of Maize that the County Commission re-zoned to "E" Light Industrial, to protect nearby residents.

Attached for your information, are the restrictions volunteered by the property owner when the County Commission approved the zoning. Because it is anticipated that this property would be annexed into the City before development occurs, it was proposed that the City of Wichita would accept these restrictions when the plat for this property is approved, and take responsibility for their enforcement.

SCZ-0675

MSK:kw
Attachment
cc: Gary Rebenstorf

FILE COPY

RESOLUTION NO. 196-1994

A RESOLUTION CHANGING THE ZONING CLASSIFICATION FOR CERTAIN LANDS LOCATED WITHIN THE UNINCORPORATED AREA OF SEDGWICK COUNTY, KANSAS, UNDER THE AUTHORITY GRANTED IN SECTION 7.C OF THE ZONING REGULATIONS ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS, DECEMBER 12, 1984, AND SUBSEQUENTLY AMENDED.

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 17.C of the Zoning Regulations, the zoning district of the lands legally described below are hereby changed as follows:

Case No. SCZ-0675

Zone change request from the "R-1" Suburban Residential District to the "E Light Industrial District

The northwest quarter of Section 8, Township 28 South, Range 1 West, of the 6th P.M., except, however the following described tract: Beginning at the intersection of the east line of the northwest quarter of said Section 8, Township 28 South, Range 1 West; and the north right-of-way line of K-42 highway, thence north along the said east line of said northwest quarter section, a distance of 270 feet; thence west at a right angle a distance of 150 feet, thence southwesterly parallel to the said north right-of-way line of K-42 highway, a distance of 310 feet; thence south parallel to the east line of said northwest quarter, 310 feet to the north line of said north right-of-way line of K-42 highway, thence northeasterly along the north line of said K-42 highway right-of-way line to the place of beginning and except part platted as Dugan Industrial Third Addition, Sedgwick County, Kansas and Lots 1 and 2, Block 1, Dugan Industrial Third Addition, Sedgwick County Kansas and Lot 1, Block 1, Dugan Industrial Second Addition, Sedgwick County, Kansas. Generally located north of K-42 highway and south of 31st Street South and east of Maize Road.

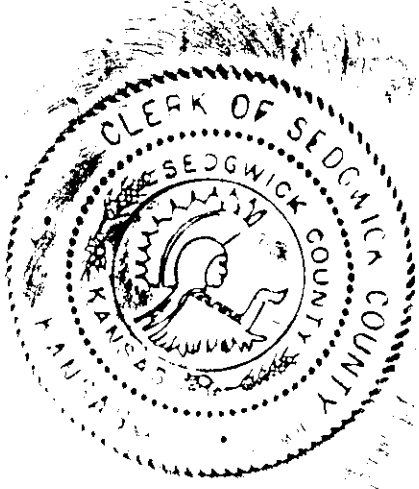
SECTION II. That upon the taking effect of this Resolution, the notation of such zone change shall be entered in the official zoning atlas on file in the Office of the County Zoning Administrator and in the Office of the Wichita-Sedgwick County Metropolitan Area Planning Department.

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

Commissioners present and voting were:

PAUL W. HANCOCK	<u><i>Yes</i></u>
THOMAS G. WINTERS	<u><i>Yes</i></u>
ANDREW L. BIAS	<u><i>Yes</i></u>
MARK F. SCHROEDER	<u><i>Yes</i></u>
BETSY GWIN	<u><i>Yes</i></u>

DATED this 2nd day of November, 1994.



BOARD OF COUNTY COMMISSIONERS OF
SEDGWICK COUNTY, KANSAS

Betsy Gwin
BETSY GWIN, Chair

Andrew L. Bias
ANDREW L. BIAS, Chairman Pro Tem

ATTEST:

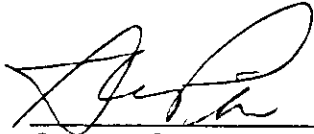
Susan Crockett-Spoon
SUSAN CROCKETT-SPOON
County Clerk

Paul W. Hancock
PAUL W. HANCOCK, Commissioner

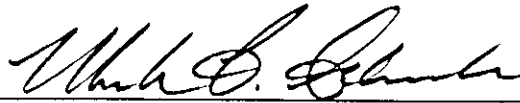
APPROVED AS TO FORM ONLY:



THOMAS G. WINTERS, Commissioner



County Counselor/Assistant



MARK F. SCHROEDER, Commissioner