

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION
TO BOARD OF COUNTY COMMISSIONERS

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PROPOSED AGENDA ITEMS : SCZ- 0695-Zone Change Request from 'R-1
Suburban Residential to 'E' Light Industrial-Generally
located 1/8 mile West of Maize Road between
MacArthur and Highway K-42.

PRESENTED BY: Marvin S. Krout, Director of Planning

PROPOSED AGENDA DATE: August 9, 1995

COMMISSION DISTRICT #2

MAPC Recommendation: Approved, subject to platting (Unanimous).

Staff Recommendation: Approved, subject to platting.

Background/Discussion: The applicant requests a zone change from the 'R-1' Suburban Residential District to the 'E' Light Industrial District for a 5.5 acre unplatted tract located 1/8 mile west of Maize Road between MacArthur and Highway K-42. The subject property is currently undeveloped and used for agricultural purposes. The zone change is requested for purposes of expanding Baalman Wholesale Lumber, Inc., which is located directly to the west. The applicant indicates that the subject property would be used to store lumber.

The area is characterized by a mixture of agricultural, commercial, and industrial uses. The site is bordered by agricultural uses to the south and east, an abandoned railroad right-of-way and Highway K-42 to the north, and Baalman Wholesale Lumber to the west. Commercial businesses are located at the intersection of Highway K-42 and MacArthur Road and the Mid-Continent Industrial Park is located approximately 1/4 mile to the east.

Recommended 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. 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 hearing).

Applicants: TH Properties LLC c/o Harold Baalman

Protestors: None

RESOLUTION NO. 200-1995

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-0695

Zone change request from 'R-1' Suburban Residential to 'E' Light Industrial

A tract of land in the Southeast Quarter of Section 7, Township 28 South, Range 1 west of the Sixth Principal Meridian, Sedgwick County, Kansas, being more particularly described as follows: BEGINNING at the Southwest corner of said Southeast Quarter of the Southeast Quarter of said Section 7; thence Northerly, on the West line of said Southeast Quarter of the Southeast Quarter, on an assumed bearing of North 0 deg 30'54" west, a distance of 375.95 feet to the southerly right-of-way line of the Atchison, Topeka and Santa Fe Railroad; thence Northeasterly, on said right-of-way line, North 56 deg 45'53" East, a distance of 542.73 feet; thence South 0 deg. 30'54" East, a distance of 673.42 feet to a point on the South line of said Southeast Quarter of the Southeast Quarter; thence North 90 deg 00'00" West, on said South line, a distance of 456.63 feet to the POINT OF BEGINNING. Said tract contains 5.5 acres, more or less, and is subject to a road right-of-way on the

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South. Generally located Southwest corner of Ridge Road and highway K-42.

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.

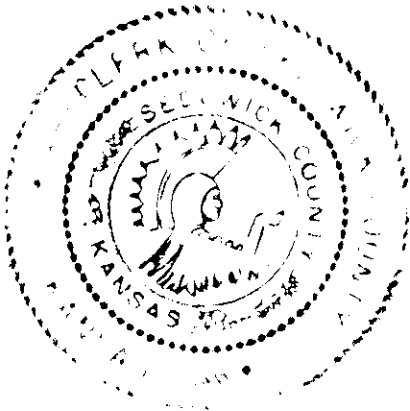
SECTION III. That this Resolution shall take effect and be in force from and after its adoption and publication in the official county paper.

Commissioners present and voting were:

PAUL W. HANCOCK
THOMAS G. WINTERS
MELODY C. MILLER
MARK F. SCHROEDER
BETSY GWIN

Yes
- Absent -
Yes
Yes
Yes

DATED this 9th day of August, 1995.



BOARD OF COUNTY COMMISSIONERS OF
SEDGWICK COUNTY, KANSAS

Mark F. Schroeder
MARK F. SCHROEDER, Chairman


absent
THOMAS G. WINTERS, Chairman Pro Tem

ATTEST:

Susan Crockett-Spoon
SUSAN CROCKETT-SPOON
County Clerk

Betsy Gwin
BETSY GWIN, Commissioner

APPROVED AS TO FORM ONLY:



PAUL W. HANCOCK, Commissioner



County Counselor/Assistant



MELODY C. MILLER, Commissioner