

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION  
TO BOARD OF COUNTY COMMISSIONERS

REQUEST FOR ZONE CHANGE

SCZ-0597 - ZONE CHANGE FROM THE "R-1" SUBURBAN RESIDENTIAL DISTRICT TO THE "E" LIGHT INDUSTRIAL DISTRICT. LOCATED ON THE NORTHEAST CORNER OF MIDLAND AVENUE AND 59TH STREET SOUTH.

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

SHERMAN moved, MOORE seconded, and it carried unanimously.

- ACTION:
1. Adopt the findings of fact of the Metropolitan Area Planning Commission and deny the rezoning application; or
  2. Take such action as the Commission deems appropriate.

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DATA AND MINUTES

MAPC Hearing Date: 11/21/88

BCoC Hearing Date: 12/21/88

COMMISSION DISTRICT #2

ADJACENT ZONING AND LAND USE:

|       |       |                        |
|-------|-------|------------------------|
| NORTH | "R-1" | Single-family dwelling |
| SOUTH | "R-1" | Undeveloped            |
| EAST  | "R-1" | Single-family dwelling |
| WEST  | "R-1" | Undeveloped            |

Legal Considerations: Valid protest petitions have been submitted by owners of 12.4% of the land within 1,000 feet of the application area. A number of protest petitions were also filed by land owners outside the 1,000-foot radius. A unanimous vote will be required if the Commission desires to override the MAPC recommendation and approve the zone change.

Applicants: Roger & Faren Baldwin, 5950 Midland Avenue, Wichita, KS, 67216  
Charles Testerman, 5940 Midland Avenue, Wichita, KS, 67216

Protestors: Nathan McDonald, 717 E. 58th St. So., Wichita, 67216  
Bill Earlywine, 618 E. 58th St. So., Wichita, 67216  
Mrs. Cheryl Frazier, 5900 Midland Avenue, Wichita, 67216  
Terri Hall, 622 E. 59th St. So., Wichita, 67216

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R E S O L U T I O N   N O. 201-1989

A RESOLUTION CHANGING THE ZONING CLASSIFICATIONS FOR CERTAIN LANDS LOCATED WITHIN THE UNINCORPORATED AREA OF SEDGWICK COUNTY, KANSAS, UNDER THE AUTHORITY GRANTED IN SECTION 17.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 districts of the lands legally described below are hereby changed as follows:

CASE NO. SCZ-0597

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

That portion of Lot 24, Midland Park, Sedgwick County, Kansas, being described as follows:

Beginning at the southwest corner of said Lot 24; thence northwest along the west lot line a distance of 155 feet; thence at a deflection angle to the right of 90° a distance of 95 feet; thence at a deflection angle to the right of 22°58'30" a distance of 122 feet to the east line of said lot; thence south along the east line of said lot a distance of 195 feet to the southeast corner of said lot; thence west along the south line of said lot a distance of 127.73 feet to the place of beginning. Generally located at the northeast corner of 59th Street South and Midland Avenue.

SECTION II. That this resolution is a result of action taken by the Sedgwick County Board of Commissioners on December 21, 1988, and is subject to the terms, conditions and limitations contained in that Restrictive Covenant executed by Roger R. Baldwin and Faren A. Baldwin dated April 7, 1989, and filed of record on June 1, 1989, on Film 1048, pages 835-842, document number 1011691.

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

PASSED AND ADOPTED by the Board of County Commissioners at Wichita, Kansas, this 21st day of June, 1989.

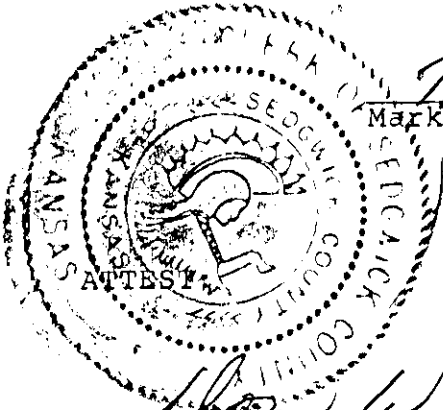
Paul W. Hancock, Chairman  
Paul W. Hancock

Bernard A. Hentzen, Chairman pro tem  
Bernard A. Hentzen

David Bayouth, Commissioner  
David Bayouth

Billy Q. McCray, Commissioner  
Billy Q. McCray

Mark F. Schroeder, Commissioner  
Mark F. Schroeder



Don Wright, County Clerk  
Don Wright, County Clerk

(SEAL)

APPROVED AS TO FORM:

Henry H. Blase  
Henry H. Blase, County Counselor