



Wichita-Sedgwick County Metropolitan Area Planning Department

August 9, 2017

Hope Ranch for Women
Attn: Cathy Turner
P.O. Box 226
Andover, KS 67002

Ferris Consulting
Attn: Greg Ferris
P.O. Box 573
Wichita, KS 67201

RE: CON2017-00016 - County Conditional use request to allow a Group Residence, Limited on RR Rural Residential zoned property; generally located east of North 143rd Street on the north side of 45th Street East (15408 E. 45th Street N.)

Dear Applicant;

At its regular meeting on **July 12, 2017**, the Board of Sedgwick County Commissioners considered the above captioned request. The action of the Board was to **APPROVE** the request.

If you have any questions concerning this application, please contact our office at 268-4421.

Sincerely,

Kathy L. Morgan,
Senior Planner
Current Plans Division

Copies to: BoCC 1, Dave Unruh, Mail Stop 320
County Law, Justin Waggoner, Mail Stop 359
County Public Works, Jim Weber, 1144 South Seneca, Wichita, KS 67213
MABCD
William & Mary Lou Hadwiger, P.O. Box Drawer H, Alva, OK 73717
Marian Beck, 4323 N. 159th Street, Wichita, KS 67228
John Pederson, 15411 E. 45th St. N., Wichita, KS 67228
Basem Krichati, 15350 E. 45th St. N., Wichita, KS 67228
Kathy Herzog, 15629 E. 45th St. N., Wichita, KS 67228

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www.wichita.gov

RESOLUTION NO 125-2017

A RESOLUTION FOR A CONDITIONAL USE FOR A GROUP RESIDENCE, LIMITED ON CERTAIN LANDS LOCATED WITHIN THE UNINCORPORATED AREA OF SEDGWICK COUNTY, KANSAS, UNDER THE AUTHORITY GRANTED BY THE WICHITA-SEDGWICK COUNTY UNIFIED ZONING CODE, SECTION V-D AS ADOPTED BY RESOLUTION NO. 84-01, AS SUBSEQUENTLY AMENDED.

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS 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 V-D of the Wichita Sedgwick County Unified Zoning Code, a Conditional Use for a Group Residence, Limited, located on property zoned RR Rural Residential ("RR").

Case No. CON 2017-00016

Legally described below:

The East Half of the Southwest Quarter of the Southeast Quarter of Section 24, Township 26 South, Range 1 East of the 6th P.M., Sedgwick County, Kansas; generally located north of 143rd Street East on the north side of 45th Street North (15408 E. 45th Street North)

SUBJECT TO THE FOLLOWING CONDITIONS:

- A. The number of the group residents be restricted to family members living on the property and no more than six (6) other individuals.
- B. Non-family members living at the residence be limited to women ages 18 and older.
- C. A resident family member or Hope Ranch staff is present on site at any time there is a non-family member resident present on the property.
- D. A site plan indicating on-site parking shall be submitted to the planning department staff for approval.
- E. The applicant shall obtain all applicable inspections, permits and licenses. The site shall be maintained and operated in general conformance with the approved site plan and conditions of approval.
- F. The owner or the manager of the facility shall comply with all regulations and licensing requirements.
- G. Signs at the property shall meet county sign code.
- H. If the Zoning Administrator finds that there is a violation of any of the conditions of the Conditional Use, the Zoning Administrator, in addition to enforcing the other remedies set forth in Article VIII of the Unified Zoning Code, may, with the concurrence of the Planning Director, declare that the Conditional Use is null and void.

SECTION II. That upon the taking effect of this Resolution, the notation of such Conditional Use shall be shown on the "Official Zoning District Map" on file in the office of the Planning Director 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 by the Governing Body.

Commissioners present and voting were:

DAVID M. UNRUH
MICHAEL B. O'DONNELL, II
DAVID T. DENNIS
RICHARD RANZAU
JAMES M. HOWELL

aye
aye
aye
aye
aye

**BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS**

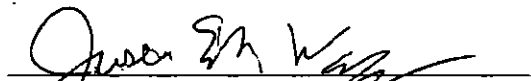
ATTEST:


KELLY B. ARNOLD, County Clerk


DAVID M. UNRUH, Chairman
Commissioner, First District

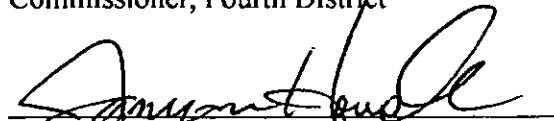

MICHAEL B. O'DONNELL, II, Chair Pro Tem
Commissioner, Second District

APPROVED AS TO FORM:


JUSTIN M. WAGGONER
Assistant County Counselor


DAVID T. DENNIS
Commissioner, Third District


RICHARD RANZAU
Commissioner, Fourth District


JAMES M. HOWELL
Commissioner, Fifth District



STAFF REPORT

REVISED

MAPC: June 8, 2017

DEFERRED from May 18, 2017

CASE NUMBER:

CON2017-00016

APPLICANT/AGENT:

Hope Ranch for Women, Cathy Turner (Owner/Applicant)
Greg Ferris (Agent)

REQUEST:

Conditional Use to Allow a Group Residence, Limited

CURRENT ZONING:

RR Rural Residential

SITE SIZE:

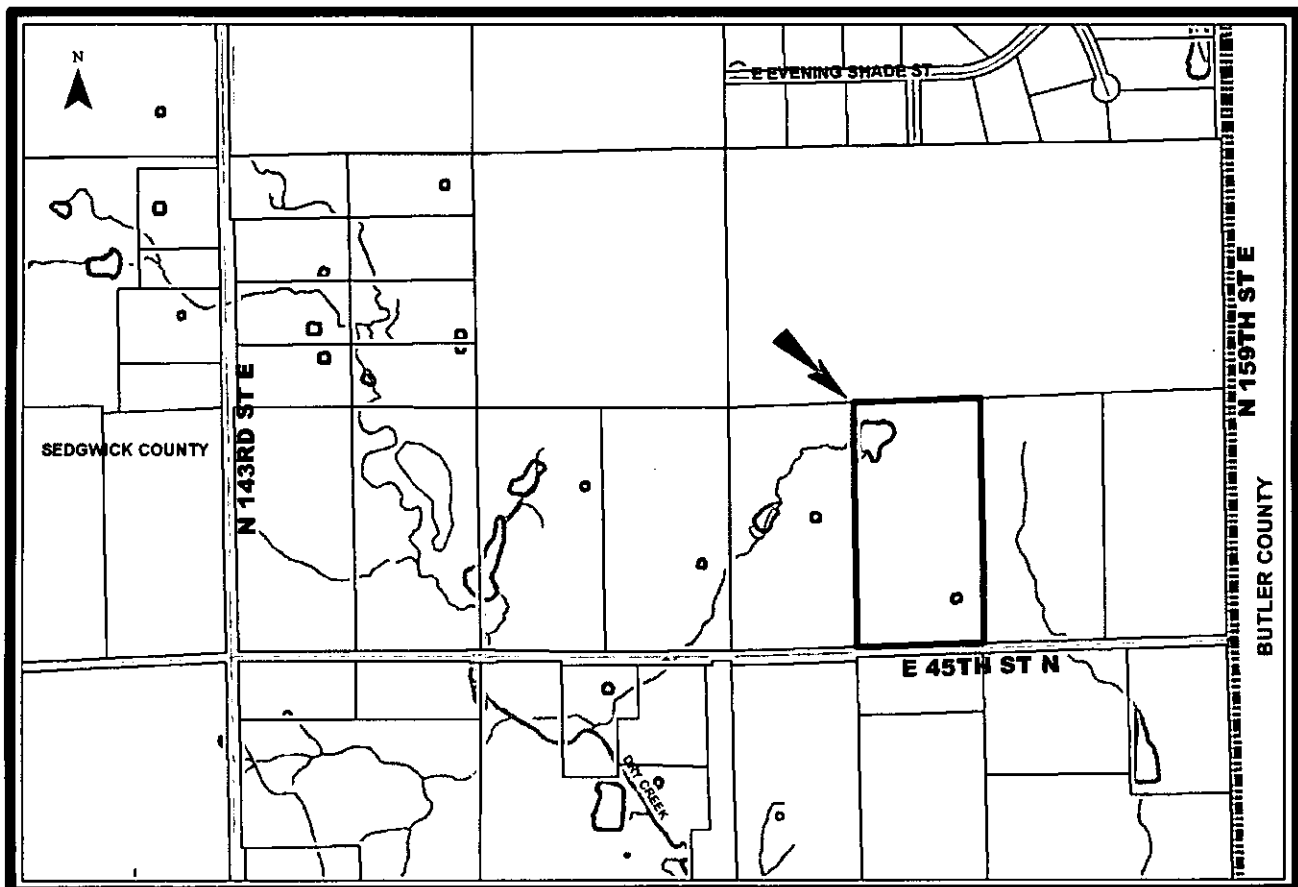
19.88 acres

LOCATION:

Generally located east of North 143rd Street on the north side of 45th Street East (15408 E. 45th Street N.)

PROPOSED USE:

Group Residence for up to 15 persons



BACKGROUND: The applicants are requesting a Conditional Use to operate a Group Residence, Limited at 15408 E. 45th Street North. The property is zoned RR Rural Residential (RR) and is improved with six bedroom, three bath home built in 2001. The group home will provide housing for women who have been abused, exploited and potentially trafficked. Hope Ranch for women will house eight to 10 women plus house parents and their children.

The Unified Zoning Code (“UZC”) defines “Group Residence” as a residential facility providing cooking, sleeping and sanitary accommodations for a group of people, not defined as a “Family,” on a weekly or longer basis. Typical uses include fraternity or sorority houses, dormitories, residence halls, boarding or lodging houses, children's homes, and emergency shelters for the homeless and for victims of crime, abuse or neglect. The term Group Residence does not include Group Homes or Correctional Placement Residences. “Group Residence, Limited” means a “Group Residence” that is occupied by six to 15 persons, including staff members who reside in the facility. The UZC requires one parking space per bedroom.

The property is located between East 143rd Street North and East 159th Street North on 45th Street North. The surrounding properties are zoned RR. The land is predominantly used for agriculture and residences on large acre lots.

CASE HISTORY: The property is an unplatted lot in eastern Sedgwick County.

ADJACENT ZONING AND LAND USE:

NORTH:	RR	Agricultural land, unimproved
SOUTH:	RR	Single-family residence, agricultural land
EAST:	RR	Agricultural land, unimproved
WEST:	RR	Single-family residence, agricultural land

PUBLIC SERVICES: Access to the site is from East 45th Street North, an unpaved gravel, county arterial street with travel in both directions. The site is served by private well and a septic system.

CONFORMANCE TO PLANS/POLICIES: The adopted Wichita-Sedgwick County Comprehensive Plan, the *Community Investments Plan*, identifies the site as within the Wichita Urban Growth Area – areas adjacent to Wichita that are primarily undeveloped but have the potential to develop by the year 2035. The Future Growth Concept Map identifies the area “Agricultural or Vacant.”

RECOMMENDATION: Based upon information available prior to the public hearing, Staff recommends that the Conditional Use request for a “Group Residence, Limited” be **APPROVED**, subject to the following conditions:

1. The number of the group residence be restricted to family member living on the property and no more than six (6) other individuals.
2. Non-family members living at the residence be limited to women ages 18 and older.
3. A resident family member is present on site at any time there is a non-family member resident present on the property.
4. A site plan indicating on-site parking shall be submitted to the planning department staff for

approval.

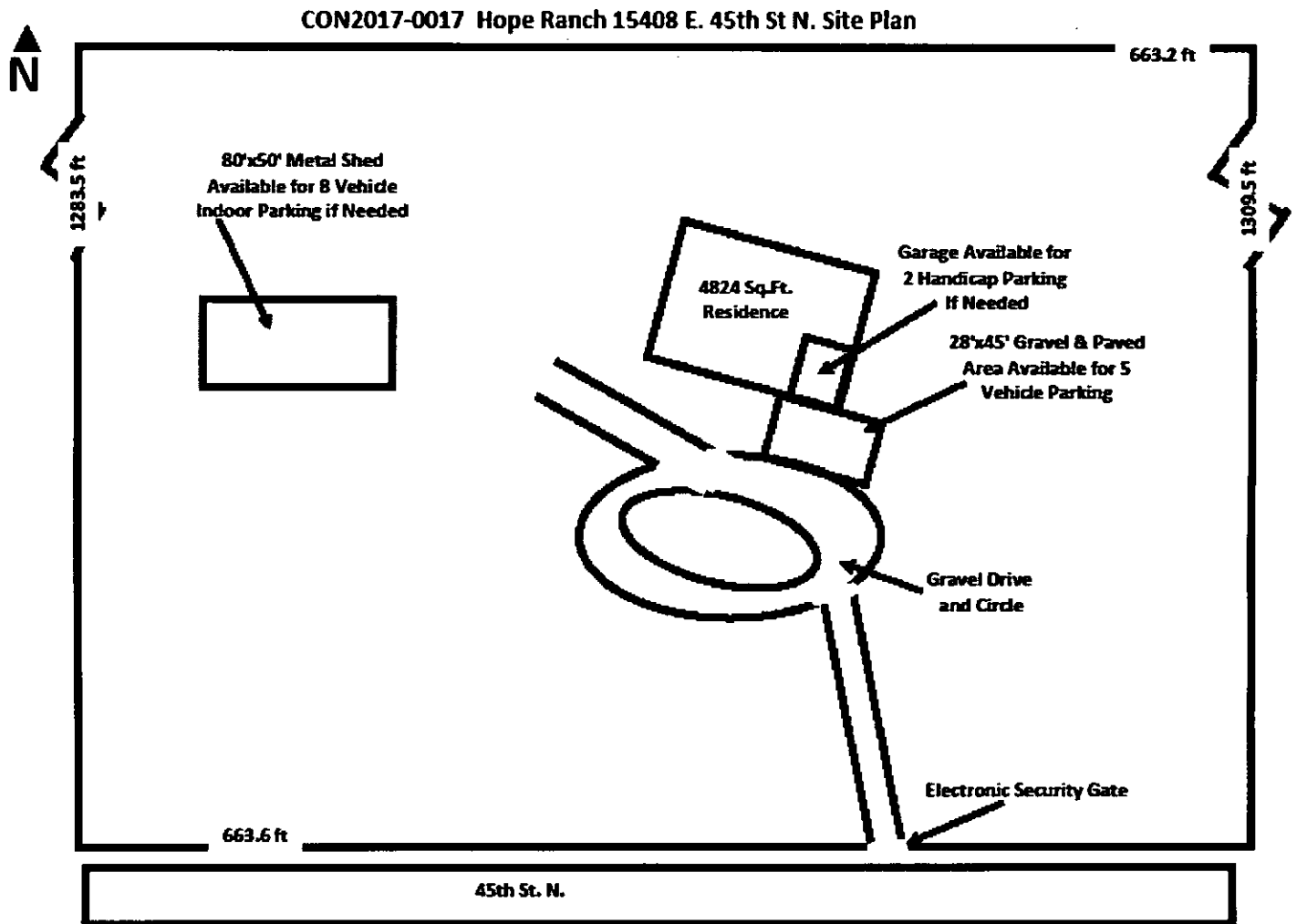
5. The applicant shall obtain all applicable inspections, permits and licenses. The site shall be maintained and operated in general conformance with the approved site plan and conditions of approval.
6. The owner or the manager of the facility shall comply with all regulations and licensing requirements.
7. Signs at the property shall meet county sign code.
8. If the Zoning Administrator finds that there is a violation of any of the conditions of the Conditional Use, the Zoning Administrator, in addition to enforcing the other remedies set forth in Article VIII of the Unified Zoning Code, may, with the concurrence of the Planning Director, declare that the Conditional Use is null and void.

This recommendation is based on the following findings:

1. **The zoning, uses and character of the neighborhood:** The properties to the east, north, south and west are zoned RR. Properties adjacent to the site are single-family dwellings with agricultural land.
2. **The suitability of the subject property for the uses to which it has been restricted:** The site is zoned RR developed with a single-family residence, and could continue to be used as such. A group is allowed with a conditional use approval.
3. **Extent to which removal of the restrictions will detrimentally affect nearby property:** The Conditional Use for "Group Residence, Limited" is for the operation of a shelter for victims of abuse. The property is secured with an electronic gate and is located approximately 350 feet north of the road. Parking can be accommodated adjacent to the house. Considering the size of the property and the rural character of the area, the group home will have no adverse impact on nearby property.
4. **Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies:** The adopted Wichita-Sedgwick County Comprehensive Plan, the *Community Investments Plan*, identifies the site as within the Wichita Urban Growth Area – areas adjacent to Wichita that are primarily undeveloped but have the potential to develop by the year 2035. The Future Growth Concept Map identifies the area "Agricultural or Vacant." The Unified Zoning Code permits "Group Residence, Limited" as a Conditional Use when it is determined to be an appropriate site for this type of use. The conditions of approval are designed to meet these criteria.
5. **Impact of the proposed development on community facilities:** There are sufficient utilities and public improvements for the proposed use.

Attachments to Staff Report:
Site Plan

Aerial of Parcel
Letter from Agent



Drawing Not To Scale

Ferris Consulting 04-27-17

SITE PLAN

APPROVED

7/12/2017 *[Signature]*