



Wichita-Sedgwick County Metropolitan Area Planning Department

May 23, 2017

John W. McKay, III
4017 E. 85th St., N.
Valley Center KS 67147

RE: CON2017-00007 – County Conditional Use request to allow a one-vehicle RV campground on RR Rural Residential zoned property; generally located east of Hillside Avenue and south of East 85th Street North (4007 E. 85th St. N.)

Dear Applicant:

At its regular meeting on **May 10, 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 Morgan, Senior Planner
Current Plans Division

Copies to: MABCD
Richard Ranzau, BOCC 4, Mail Stop 320
County Law, Justin Waggoner, Mail Stop 349
County Public Works, Jim Weber, 1144 South Seneca, Wichita, KS 67213
Bill Bowen, 4754 S. Palisade, Wichita, KS 6717-4926
Bill Breault, 4219 E. 85th Street N., Valley Center, KS 67147
Dave and Susan Studebaker, 5920 E. 93rd Street N., Valley Center, KS 67147
Ronald and Patricia Ross, 4500 E. 84th Street N., Valley Center, KS 67147
Theron Goering, 5211 E. 85th Street N., Valley Center, KS 67147
Tim and Julie Book 2113 Leigh St; Papillion, NE 68133
Stan Cochran, 8450 N. 44th St E; Valley Center, KS 67147
Randy & Diana Mark 4120 E. 85th St. N; Valley Center, KS 67147
Aaron Mark, 124 W. 60th St 42C; New York, NY 10023

RE: CON2017-00007 – County Conditional Use request to allow a one-vehicle RV campground on RR Rural Residential zoned property; generally located east of Hillside Avenue and south of East 85th Street North (4007 E. 85th St. N.)

Kevin Miller, 540 E. Idle Bank; Valley Center, 67147
Stephanie Bonen, 8455 N. Oliver; Valley Center, KS 67147
Dan Parsons, 4201 W. 84th St N; Valley Center, KS 67147
Ronald and Patricia Ross, 4500 E. 84th Street N., Valley Center, KS 67147
Michele Gifford, 4900 E. Idle Banks, Valley Center, KS 67147
Glenn DuBois, 7319 S. Spencer Rd., Newton, KS 67114
Jordan Mullen, 6800 E. 69th St. N., Valley Center, KS 67147

RESOLUTION NO D79-2017

A RESOLUTION FOR A CONDITIONAL USE FOR A ONE VEHICLE RECREATIONAL VEHICLE PARK 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 One Vehicle Recreational Vehicle Park, located on property zoned RR Rural Residential ("RR").

Case No. CON 2017-00007

Legally described below:

A tract of land in the North half of the Northeast Quarter of Section 35, Township 25 South, Range 1 East of the 6th P.M., Sedgwick County, Kansas, described as beginning at a point 330.8 feet East of the Northwest corner thereof; thence East along the North line of said Northeast Quarter 330.8 feet; thence South parallel to the West line of said Northeast Quarter 653.6 feet; thence West parallel with the North line of said Northeast Quarter 330.8 feet; thence North 653.5 feet to the point of beginning, except the North 60 feet of the East 328.25 feet, and except the North 40 feet of the West 1.975 feet for the road

All in Sedgwick County, Kansas

SUBJECT TO THE FOLLOWING CONDITIONS:

- A. The Conditional Use permits a recreational vehicle campground for one recreational vehicle.
- B. The site will have a gray water wetland filtration system and a compostable solid waste system approved by the Sedgwick County Waste Water Manager.
- C. Tent camping is not permitted.
- D. The recreational vehicle campground shall be developed and maintained in general compliance with the approved site plan. All improvements and the operation of the recreational vehicle campground shall be in compliance with applicable regulations and codes.
- E. The Conditional Use for a recreational vehicle campground for one recreational vehicle shall be declared null and void upon issuance of a certificate of occupancy for a permanent structure on the approved site; or, after the Recreational Vehicle has been removed from the site for a period of 30 days; or, for three (3) years from date of approval, with the property owner having an option to extend one time for up to two (2) additional years. The Zoning Administrator is authorized to approve any such extension. The site shall be developed and operated in compliance with all federal, state, and local rules and regulations. The property owner shall provide the Sedgwick County Engineer with any required plans, including a drainage plan, for review and approval of the site.
- F. 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.

Dated this 10th day of May, 2017.

BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS

ATTEST:

for Karen B. Arnold
KELLY B. ARNOLD, County Clerk

The seal of Sedgwick County, Kansas, is circular. It features a central figure of a Native American holding a bow and arrow. The words "SEDGWICK COUNTY" are written in a circle around the top, and "KANSAS" is written at the bottom.

David M. Unruh
DAVID M. UNRUH, Chairman
Commissioner, First District

APPROVED AS TO FORM:

Justin M. Waggoner
JUSTIN M. WAGGONER
Assistant County Counselor

STAFF REPORT
MAPC April 6, 2017

REVISED

CASE NUMBER: CON2017-00007

APPLICANT/AGENT: John W. McKay, III

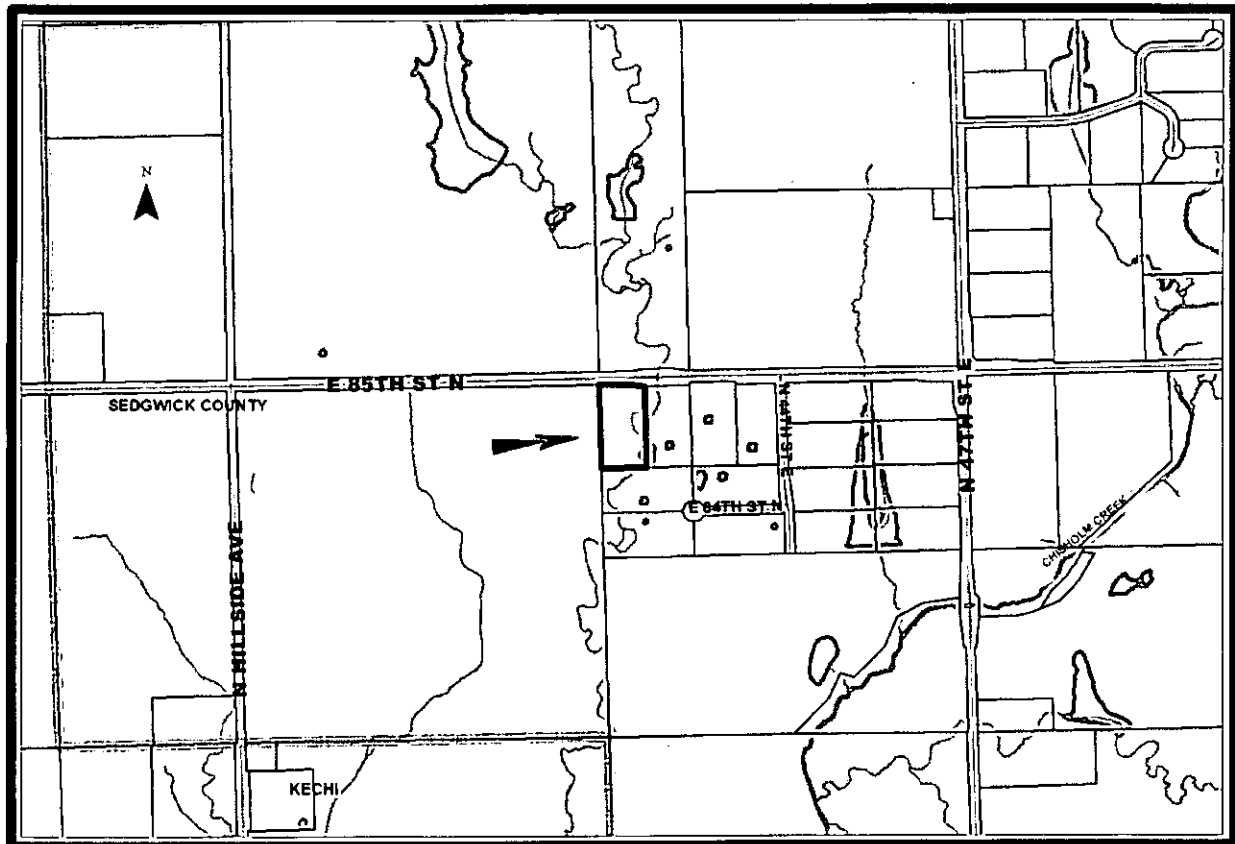
REQUEST: Conditional Use to permit a one-vehicle recreational vehicle campground

CURRENT ZONING: RR Rural Residential (RR)

SITE SIZE: Approximately 4.61-acres

LOCATION: Generally located west of Oliver Street (E. 47th Street N.), south of East 85th Street North

PROPOSED USE: Extended parking of a recreational vehicle on a site without a principal structure



BACKGROUND: The applicant is seeking Conditional Use approval for a “recreational vehicle campground” (RV campground) on the approximately 4.61-acre, RR Rural Residential (RR) zoned unplatted subject site. It is the applicant’s intention to place a single recreational vehicle on the site and use it in lieu of a permanent structure. In short, the RV will substitute for a building and will be used as a residence. A recreational vehicle campground is permitted in the RR district with Conditional Use approval.

The site is located one-half mile west of North Oliver Street (47th Street East) on the south side of East 85th Street North. Access to the site is from a gravel drive from 85th Street. RR zoned county properties completely surround the 4.61-acre tract. Large lot residential sites, pasture and agriculture uses are predominant within a two-mile radius of the property.

Two similar cases for a Recreational Vehicle (RV) Park with one RV have been approved in the county (CON2012-00028 and CON2016-00011) by the Metropolitan Area Planning Commission.

CASE HISTORY: The site’s “RR” zoning was established in 1985.

ADJACENT ZONING AND LAND USE:

NORTH: RR	40-acre single-family residence with agricultural outbuilding and agricultural land
SOUTH: RR	Large lot single-family residence
EAST: RR	Large lot single-family residence
WEST: RR	Quarter Section with single-family residence with agricultural outbuilding and agricultural land

PUBLIC SERVICES: No public sewer is available to the site. The property is located in Sedgwick County Rural Water District #2. As already noted, access to the site is from a gravel drive from 85th Street. The site will have a gray water wetland filtration system and a compostable solid waste system approved by the Sedgwick County Waste Water Manager.

CONFORMANCE TO PLANS/POLICIES: *The 2035 Community Investments Plan* identifies this area as “Rural” which encompasses land outside the 2035 urban growth areas for Wichita and the small cities. Agricultural uses, rural-based businesses, and larger lot residential exurban subdivisions likely will be developed in this area. Such development should occur in accordance with the Urban Fringe Development Standards for Wichita and Sedgwick County.

RECOMMENDATION: Based upon information available prior to the public hearings, planning staff recommends that the Conditional Use request be APPROVED, subject to the following conditions:

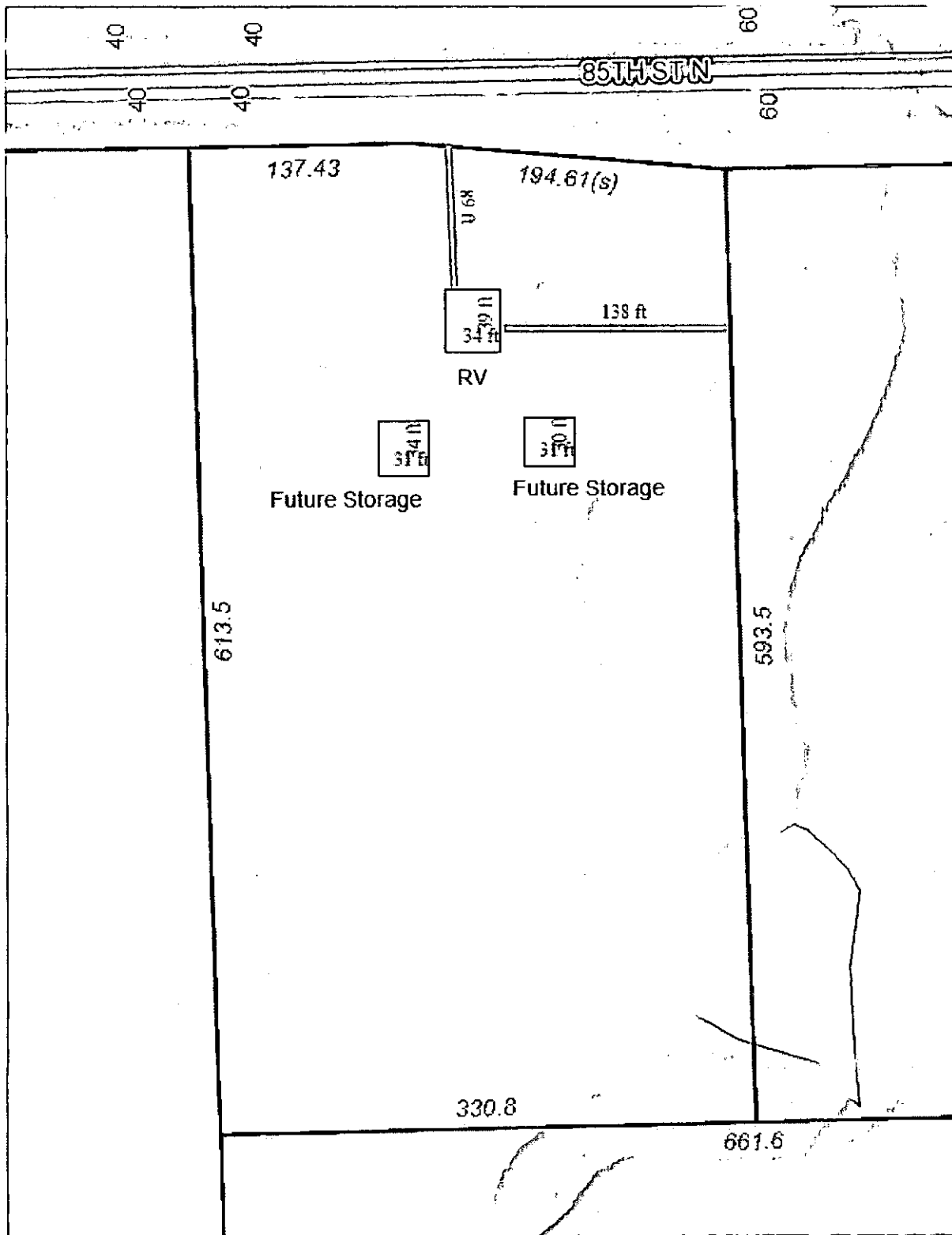
1. The Conditional Use permits a recreational vehicle campground for one recreational vehicle.
2. The site will have a gray water wetland filtration system and a compostable solid waste system approved by the Sedgwick County Waste Water Manager.
3. Tent camping is not permitted.
4. The recreational vehicle campground shall be developed and maintained in general compliance with the approved site plan. All improvements and the operation of the recreational vehicle campground shall be in compliance with applicable regulations and codes.
5. The Conditional Use for a recreational vehicle campground for one recreational vehicle shall be declared null and void upon issuance of a certificate of occupancy for a permanent structure on the approved site; or, after the Recreational Vehicle has been removed from the site for a period of 30 days; or, for three (3) years from date of approval with an option to extend one time for a two (2)

year period by the Metropolitan Area Planning Commission.

6. If the Zoning Administrator finds that there is a violation of any of the conditions of approval 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 the Conditional Use null and void.

This recommendation is based on the following findings:

1. The zoning, uses and character of the neighborhood: The site is located one-half mile west of North Oliver Street (47th Street East) on the south side of East 85th Street North. Access to the site is from a gravel drive from 85th Street. RR zoned county properties completely surround the 4.61-acre tract. Large lot residential sites, pasture and agriculture uses are predominant within a two-mile radius of the property.
2. The suitability of the subject property for the uses to which it has been restricted: The RR zoning district primarily permits single-family residences on two acres, specific agritourism and agricultural uses. Recreational vehicle campground means the use of land designed for occupancy by recreational vehicles for temporary or transient living purposes, including the use of camping spaces for tents.” Condition of approval is restricted to one R.V and no tent camping. A recreational vehicle campground is permitted in the RR district with Conditional Use approval.
3. Extent to which removal of the restrictions will detrimentally affect nearby property: Approval of the request will introduce a use that is not currently in the area; however, the scale requested and the recommended conditions of approval should mitigate any detrimental impacts.
4. Relative gain to the public health, safety and welfare as compared to the loss in value or the hardship imposed upon the applicant: The public’s health and safety should not be impacted by the request. Denial of the request could represent a loss in use and enjoyment to the applicant’s property.
5. Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies: *The 2035 Community Investments Plan* identifies this area as “Rural” which encompasses land outside the 2035 urban growth areas for Wichita and the small cities. Agricultural uses, rural-based businesses, and larger lot residential exurban subdivisions likely will be developed in this area. Such development should occur in accordance with the Urban Fringe Development Standards for Wichita and Sedgwick County.
6. Impact of the proposed development on community facilities: None identified.



APPROVED 5/10/2010 *[Signature]*

SITE PLAN