

A RESOLUTION CHANGING THE ZONING CLASSIFICATION FOR 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-C AS ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY KANSAS, DECEMBER 12, 1984, AND 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-C of the Wichita Sedgwick County Unified Zoning Code, the zoning classification or district of the lands legally described hereby are changed as follows:

Case No. ZON 2017-00037

Zone change request from SF-20 Single-family Residential to TF-3 Two-Family Residential.

Legally described as:

A tract of land generally located in the Northeast Quarter of Section 24, Township 27 South, Range 1 West, of the 6th Principal Meridian, Sedgwick County, Kansas, being more particularly described as:

Beginning at a point on the North line of said Northeast Quarter, said point being 1329.99 feet West of the Northeast corner of said Northeast Quarter; thence South to a point on the South line of said Northeast Quarter, said point being 1326.22 feet West of the Southeast corner of said Quarter; thence West, on the South line of said Quarter, a distance of 330.00 feet; thence North, to a point on the North line of the Northeast Quarter, said point being 330.00 feet West of the Point of Beginning; thence East, on the North line of said Northeast Quarter, a distance of 330.00 feet, to the Point of Beginning.

Also known as the East 330.00 feet of the West half of the Northeast Quarter.

SECTION II. That upon the taking effect of this Resolution, the notation of such zoning change 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 and publication in the official county newspaper.

Commissioners present and voting were:

DAVID M. UNRUH	<u>aye</u>	
MICHAEL O'DONNELL, II		<u>aye</u>
DAVID DENNIS	<u>aye</u>	
RICHARD RANZAU		<u>aye</u>
JAMES M. HOWELL	<u>aye</u>	

DATED this 1st day of November, 2017

BOARD OF COUNTY COMMISSIONERS OF
SEDGWICK COUNTY, KANSAS

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

ATTEST:

Kelly B. Arnold
KELLY B. ARNOLD
County Clerk



APPROVED AS TO FORM ONLY:

Justin M. Waggoner
JUSTIN M. WAGGONER
Assistant County Counselor



AGENDA ITEM NO. 7

STAFF REPORT
MAPC September 21, 2017

CASE NUMBER: ZON2017-00037

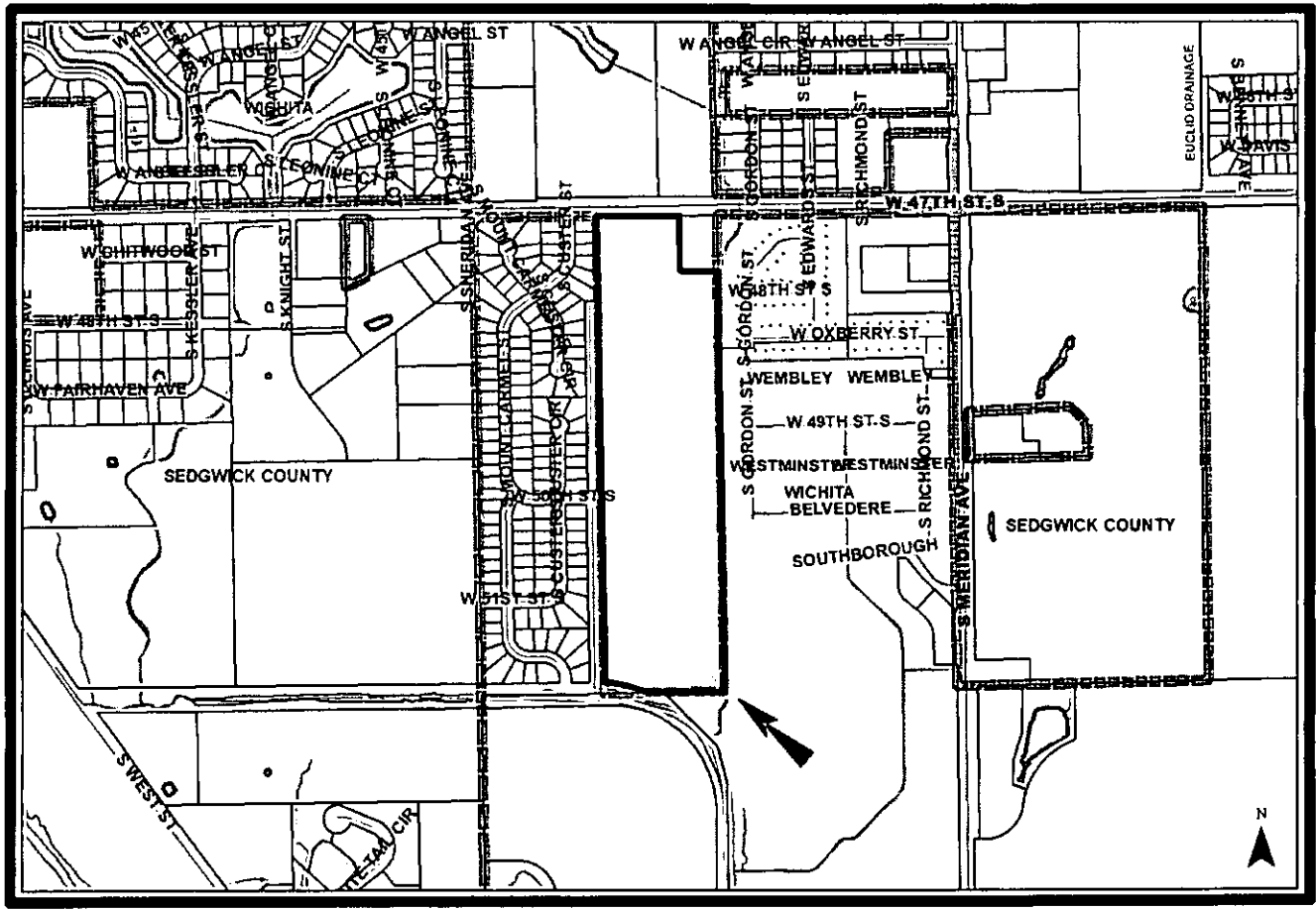
APPLICANT/AGENT: Superior Homes LC/ K.E. Miller Engineering, Kirk Miller

REQUEST: TF-3 Two-Family Residential zoning

CURRENT ZONING: SF-20 Single-Family Residential zoning

SITE SIZE: Approximately 38 acres

LOCATION: Generally located one-third mile west of South Meridian on the south side of West 47th Street



BACKGROUND: The applicant is requesting a zone change from SF-20 Single-Family Residential (SF-20) to TF-3 Two-Family Residential (TF-3) zoning on approximately 38 unplatted acres. The applicant proposes to build a mix of single family residences and duplexes subject to final platting.

Property north of the subject site is located in the unincorporated area of Sedgwick County and is zoned SF-20. Property east and south of the subject site is MH Manufactured Housing (MH) developed with a manufactured home park – Southborough Estates. Property west of the site is zoned SF-5 Single-Family Residential (SF-5) developed with single family residences.

CASE HISTORY: The site is located in the unincorporated area of Sedgwick County. A preliminary plat (SUB2017-00029) was filed July 22, 2017 and is scheduled to be annexed before final platting. Attached to the staff report is a copy of the Fox Run Preliminary Plat.

ADJACENT ZONING AND LAND USE:

NORTH: SF-20	Single-Family residence surrounded by agricultural land
SOUTH: MH	Manufactured Home Park
WEST: SF-5	Agricultural land
EAST: MH	Manufactured Home Park

PUBLIC SERVICES: The site has access to West 47th Street, a two-lane paved arterial street with a 100-foot right-of-way with traffic in both directions. City water and sewer lines are in proximity to the subject property along the north, east and west property boundaries.

CONFORMANCE TO PLANS/POLICIES: The adopted Wichita-Sedgwick County Comprehensive Plan; *the Community Investments Plan*, identifies the site as Wichita Urban Growth Area. The Plan encourages expansion and extension of municipal services and infrastructure. Determination of growth is based on municipal political considerations, anticipate population growth, and efficient patterns of growth.

RECOMMENDATION: Based upon information available prior to the public hearings, planning staff recommends that the request be **APPROVED**.

This recommendation is based on the following findings:

- (1) The zoning, uses and character of the neighborhood:** The undeveloped site is surrounded by SF-5, MH and SF-20 zoning districts. The proposed TF-3 zoning will provide a buffer between the single-family residences and the manufactured home park.
- (2) The suitability of the subject property for the uses to which it has been restricted:** TF-3 zoning would allow for single-family and two-family residences to be built, which is an appropriate use for urban residential development. The subject property will be platted and annexed into the Wichita City Limit.
- (3) Extent to which removal of the restrictions will detrimentally affect nearby property:** The adjacent zoning districts are zoned for residential uses. This zone change will be compatible with the area.

- (4) **Relative gain to the public health, safety and welfare as compared to the loss in value or the hardship imposed upon the applicant:** Approval of the request would limit development by right to single-family residential and duplex and some (but not limited to) institutional uses such as a parks, schools and churches.
- (5) **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 Wichita Urban Growth Area. The Plan encourages expansion and extension of municipal services and infrastructure. Determination of growth is based on municipal political considerations, anticipate population growth, and efficient patterns of growth.
- (6) **Impact of the proposed development on community facilities:** All services are in place and any increased demand on community facilities can be handled by current infrastructure.

Staff attachments: Preliminary Plat Fox Run Addition