



Wichita-Sedgwick County Metropolitan Area Planning Department

January 15, 2019

Robert and Jill Glasse
6127 North Bella Road
Wichita, KS 67204

RE: CON2018-00038 - County request to grant a Conditional Use Permit to allow a Recreational Vehicle Campground in an existing Manufactured Home Park located on the south side of US Highway 54/400 and west of 151st Street West

Dear Applicant:

At its regular meeting on **December 6, 2018**, the Wichita - Sedgwick County Metropolitan Area Planning Commission considered the above captioned request. The action of the MAPC was to **APPROVE** the request in accordance with the attached resolution.

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

Sincerely,

David L. Yearout, AICP
Principal Planner

Copies to: MABCD
David Dennis, BOCC District IV, County Mail Stop Room #320
Justin Waggoner, Assistant County Counselor, Mail Stop #349

CONDITIONAL USE RESOLUTION NO. CON2018-00038

WHEREAS, Robert and Jill Glasse, Owners, (applicants), pursuant to Section V-D of the Wichita-Sedgwick County Unified Zoning Code (herein referred to as Unified Zoning Code), requests a Conditional Use for a Recreational Vehicle Park use in a non-conforming Manufactured Home Park on property zoned SF-20, Single-Family Residential District, at 15301 West US 54 Highway, Wichita, Kansas, and legally described as:

That part of the Northeast Quarter (NE ¼) of the Northeast Quarter (NE ¼) of Section 34, T27S, R1W of the 6th P.M., Sedgwick County, Kansas described as; BEGINNING at a point on the South Right-of-Way line of US Highway 54, said point being 467 feet West and approximately 125 feet South of the Northeast corner of said NE1/4; thence South 00°40'06" East parallel with the East line of said NE1/4, a distance of 460.00 feet; thence North 88°39'29" East parallel with the North line of said NE1/4, a distance of 63.77 feet; thence South 00°40'06" East, a distance of 130.72 feet; thence South 88°39'29" West parallel with the North line of said NE1/4, a distance of 674.55 feet; thence North 09°33'30" West, a distance of 601.68 feet more or less to said South Right-of-Way line; thence North 89°03'01" East along said South Right-of-Way line, a distance of 703.73 feet to point of BEGINNING; all in the NE ¼ of the NE ¼ of Section 34, Township 27 South, Range 1 West of the 6th P.M., Sedgwick County, Kansas.

WHEREAS, proper notice as required by the Unified Zoning Code and by the policy of the Metropolitan Area Planning Commission (hereinafter referred to as MAPC) has been given; and

WHEREAS, the MAPC did, at the meeting of December 6, 2018, consider said application; and

WHEREAS, the MAPC has authority to permit a Conditional Use, subject to any special conditions deemed appropriate in order to assure full compliance with the criteria of the Unified Zoning Code:

NOW, THEREFORE, BE IT RESOLVED by the Metropolitan Area Planning Commission that this application be approved to permit a Recreational Vehicle Park use in a non-conforming Manufactured Home Park on property zoned SF-20, Single-Family Residential District, at 15301 West US 54 Highway, Wichita, Kansas, legally described as:

That part of the Northeast Quarter (NE ¼) of the Northeast Quarter (NE ¼) of Section 34, T27S, R1W of the 6th P.M., Sedgwick County, Kansas described as; BEGINNING at a point on the South Right-of-Way line of US Highway 54, said point being 467 feet West and approximately 125 feet South of the Northeast corner of said NE1/4; thence South 00°40'06" East parallel with the East line of said NE1/4, a distance of 460.00 feet; thence North 88°39'29" East parallel with the North line of said NE1/4, a distance of 63.77 feet; thence South 00°40'06" East, a distance of 130.72 feet; thence South 88°39'29" West parallel with the North line of said NE1/4, a distance of 674.55 feet; thence North 09°33'30" West, a distance of 601.68 feet more or less to said South Right-of-Way line; thence North 89°03'01" East along said South Right-of-Way line, a distance of 703.73 feet to point of BEGINNING; all in the NE ¼ of the NE ¼ of Section 34, Township 27 South, Range 1 West of the 6th P.M., Sedgwick County, Kansas.

Subject to the following conditions:

1. The Conditional Use permitting the parking of recreational vehicles is limited to the boundaries of the existing developed manufactured home park as show on aerial/site plan submitted with the application. Recreational vehicles may be parked within the existing approximately 8.6-acre boundaries of the existing manufactured home park (approximately 590 feet north to south by 635 feet east to west).
2. The applicant shall register the manufactured home park as a nonconforming use with the Metropolitan Area Building and Construction Department.

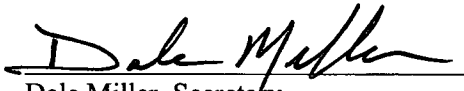
3. No tents or houseboats shall be permitted to be occupied as a place of residence, even on a temporary basis.
4. The placement of all recreational vehicles within the manufactured home park allowed by this Conditional Use shall be permitted and placed in conformance with all applicable codes and ancillary applicable regulations, including but not limited to: building, fire, sanitation, etc.
5. If the Zoning Administrator finds there is a violation of any provision or condition of the Conditional Use, or any other provision of the Unified Zoning Code (UZC), the Zoning Administrator shall enforce all remedies of Section VIII of the UZC, and with the concurrence of the Planning Director, declare the Conditional Use null and void.

Adopted this 6th Day of December, 2018

METROPOLITAN AREA PLANNING COMMISSION


Cindy Miles, Chair, MAPC

ATTEST:


Dale Miller, Secretary



AGENDA ITEM NO. 4

STAFF REPORT
CAB Dec. 3, 2018
MAPC Dec. 6, 2018

CASE NUMBER: CON2018-00038

APPLICANT/AGENT: Robert and Jill Glasse (applicant/agent)

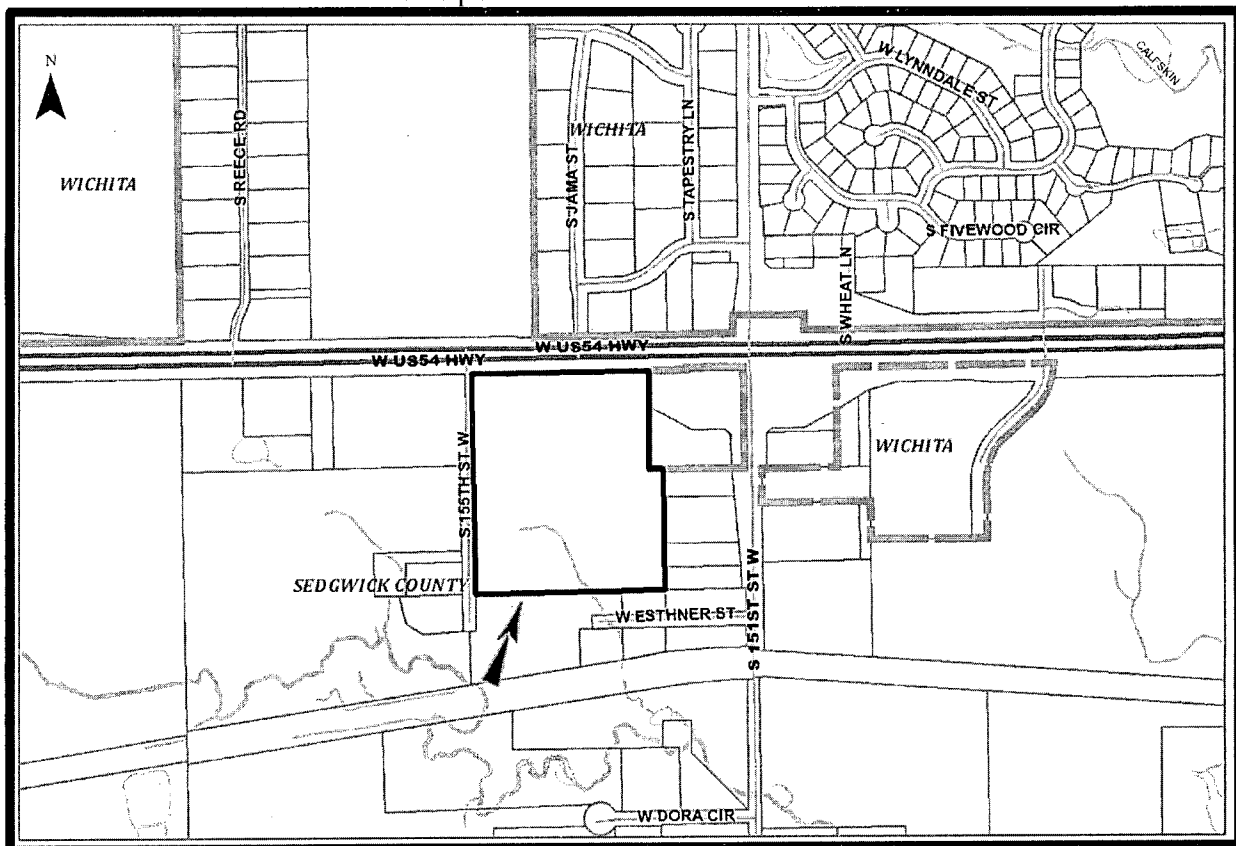
REQUEST: Recreational Vehicle Campground associated with an existing manufactured home park

CURRENT ZONING: SF-20 Single-Family Residential

SITE SIZE: 20.03 acres

LOCATION: 780 feet west of South 151st Street West, south of West U. S. Highway 54 (15301 West U. S. Highway 54)

PROPOSED USE: Allow recreational vehicles to locate within an existing manufactured home park



BACKGROUND: The applicants own approximately 20.03 unplatted acres located on the south side of U. S. Highway 54, 780 feet west of South 151st Street West. The property is zoned SF-20 Single-Family Residential (SF-20). Approximately 8.6 acres of the applicants' ownership are developed with a nonconforming "manufactured home park." (A "nonconforming use" is defined as the use of any land, building or structure that does not comply with the use regulations of the zoning district in which such use is located, but that complies with the use regulations in effect at the time the use was established.) Per the Wichita-Sedgwick County Unified Zoning Code (UZC), the existing "manufactured home park" is a nonconforming use" as the SF-20 zoning district does not permit a "manufactured home park" use. The nonconforming "manufactured home park" is located in the northeastern corner of the applicants' 20.03-acre ownership. The applicants are seeking approval of a "conditional use" to allow a "recreational vehicle campground" within the boundaries of the applicants' existing nonconforming "manufactured home park" so the applicant would be able to park "recreational vehicles" in their existing nonconforming manufactured home park. The manufactured home park has direct access to U. S. Highway 54. From the southern boundary of the existing "manufactured home park" there is approximately 430 feet of undeveloped land that is owned by the applicant. There is approximately 175 feet of undeveloped land located west of the park's western boundary that is also owned by the applicant.

Per the UZC, a "manufactured home park" is only allowed in the MH "manufactured home" (MH), and the AFB "Air Force Base" (AFB) districts. Since the applicants' property is not zoned MH or AFB, the existing "manufactured home park" is a nonconforming use. A "recreational vehicle campground" (RV) is permitted by the UZC with "conditional use" approval in the RR "Rural Residential" (RR), SF-20 "SF-20 Single-Family Residential" (SF-20) and LC "Limited Commercial" (LC) districts; and by-right in the GC "General Commercial" (GC), and the AFB districts. Approval of the request would allow the applicant to offer the existing manufactured home park's spaces to a "manufactured home" owner or a "recreational vehicle" owner.

Outside uses such a "manufactured home park" or a "wrecking and salvage" operation do not have any expansion rights. The expansion of outdoor nonconforming uses is permitted only when the use is in conformance with the code (UZC Article VII-Section VII-B.3). The owner could address the park's nonconforming status by applying for MH zoning. Approval of the present request would not be a violation of code limitation on the expansion of outdoor uses as one of the applicants has indicated to staff that he does not intend to expand beyond the current park's boundary.

U. S. Highway 54 is located immediately north of the application area and the existing "manufactured home park." North of Highway 54 is a SF-5 Single-Family Residential (SF-5) zoned platted large-lot residential subdivision that is located within the City of Wichita, and agricultural land located in Sedgwick County. East of the existing "manufactured home park" is vacant un-zoned right-of-way owned and annexed by the City of Wichita that is scheduled for future highway improvements. Also located to the east of the existing "manufactured home park" is a vacant unplatted tract that is zoned LI Limited Industrial (LI). The LI zoned tract has been annexed by the City of Wichita. Farther south of the LI zoned tract, and located east of the applicants' larger ownership are some vacant unplatted SF-20 zoned tracts that are located in the County. South of the applicants' 20 plus acres are some unplatted tracts, zoned SF-20 that are developed with single-family dwellings, and are located in the County. Immediately west of the existing "manufactured home park" is approximately 200 feet of property owned by the applicant that contains a drainage feature and some vacant land. West of the applicant's ownership is South 155th Street West. West of South 155th Street West are some unplatted tracts; some that developed with single-family homes and/or agriculture.

CASE HISTORY: Staff presumes the "manufactured home park" was established prior to the adoption of county-wide zoning in 1985, which would explain the park's current nonconforming use status.

ADJACENT ZONING AND LAND USE:

North: SF-20, SF-5; U.S. Highway 54, single-family residential and undeveloped farm ground

South: SF-20; single-family residential

East: Unzoned City of Wichita right-of-way, LI, SF-20; undeveloped

West: SF-20; single-family residential, and undeveloped agriculture

PUBLIC SERVICES: The property is served by public sanitary sewer and private water services.

CONFORMANCE TO PLANS/POLICIES: The 2035 Wichita Future Growth Concept Map depicts the application area as appropriate for “new employment.” The plan defines “new employment” areas as those that are likely to be developed or redeveloped by 2035, and where commercial or higher intensity residential uses are appropriate. The property is located within Wichita’s 2035 Growth Area, which is defined as land that can be expected to be developed or redeveloped within the plan’s time frame.

RECOMMENDATION: Based upon the information available at the time the staff report was prepared it is recommended that the request be APPROVED, subject to the following conditions:

1. The Conditional Use permitting the parking of recreational vehicles is limited to the boundaries of the existing developed manufactured home park as show on aerial/site plan submitted with the application. Recreational vehicles may be parked within the existing approximately 8.6-acre boundaries of the existing manufactured home park (approximately 590 feet north to south by 635 feet east to west).
2. The applicant shall register the manufactured home park as a nonconforming use with the Metropolitan Area Building and Construction Department.
3. No tents or houseboats shall be permitted to be occupied as a place of residence, even on a temporary basis.
4. The placement of all recreational vehicles within the manufactured home park allowed by this Conditional Use shall be permitted and placed in conformance will all applicable codes and ancillary applicable regulations, including but not limited to: building, fire, sanitation, etc.
5. If the Zoning Administrator finds there is a violation of any provision or condition of the Conditional Use, or any other provision of the Unified Zoning Code (UZC), the Zoning Administrator shall enforce all remedies of Section VIII of the UZC, and 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 manufactured home park has approximately 635 feet of frontage along U.S. Highway 54. All of the land surrounding the property is zoned SF-20, SF-5 or LI, and is used for agriculture or single-family residential uses.
2. The suitability of the subject property for the uses to which it has been restricted: The property is currently zoned SF-20 which primarily permits single-family residences on lots with a minimum lot area of 20,000 square feet. The site has nonconforming use rights for a manufactured home park. The site could continue to operate as a nonconforming manufactured home park. Approval

of the request would allow the existing park to offer spaces for recreational vehicle parking; thereby, improving the economic viability of the existing park.

3. Extent to which removal of the restrictions will detrimentally affect nearby property: Approval of the request should not detrimentally impact nearby properties to any greater extent than the existing park as the recommendation is to allow RV parking within the confines of the existing manufactured home park.
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 would increase the public's choice in parking RV's. Denial would limit the economic opportunity of the applicant.
5. Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies: The 2035 Wichita Future Growth Concept Map depicts the application area as appropriate for "new employment." The plan defines "new employment" areas as those that are likely to be developed or redeveloped by 2035, and where commercial or higher intensity residential uses are appropriate. The property is located within Wichita's 2035 Growth Area, which is defined as land that can be expected to be developed or redeveloped within the plan's time frame. RV parking can be considered to be higher intensity residential use.
6. Impact of the proposed development on community facilities: None identified.

Mile
205.6

205.6

Due West 816.7' N89-13-48E

155TH ST

1,031.4' N0-52-14W

155TH ST

15301
LOT 9

15301
LOT 7

15301
LOT 6

15301
LOT 5

15301
LOT 3

15301
LOT 2

15301
LOT 1

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15301
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15301
LOT 43

15301
LOT 40

61.3' 15301
LOT 37

20.1ac

15301
LOT 46

15301
LOT 48

15301
LOT 51

15301
LOT 53

3,817.0'

459.3' S0-58-39E
S85-36-4E

15201

559.7' S1-7-23E

879.5' S88-46-28W

15300

SITE PLAN

1754

ESTHNER ST

APPROVED

BY

12/6/18

[Signature]

---A---
NW COR
NE 1/4

M...2.2.2JJ±...Srrr.39W---1()
US HIGHWAY 54

NE COR NE 1/4
SEC 14-1275-R2W

---O 467r---

M 703.73 N89°03'01" E

AREA=9.138± acres

M 601.68 N09°33'30" W

00 S00°00'00" W

M 460

D 63.77

M 63.77
N88°39'29"E

M 130.72
S00°40'06"E

M 674.55 S88°39'29" W

.55 S00°40'06"E

LEGAL APPD
BY MAPC 12/6/18 *dy*

II

SEC COR
NE 1/4

- S - "IS-780" capped rebar set
- - #5 rebar found
- O - "???" capped rebar found
- M - measured distance
- D - deed distance

61°SIS OF BEARING NAD'83 KS SOUTH

SCALE 1"=100'





Armstrong Land Survey, P.A.

1601 E. Harry
WICHITA, KS 67211

Ph. (316) 263-0082
surveys@armstrong.kscoxmail.com

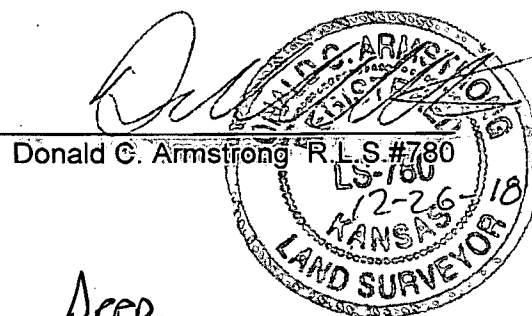
State of Kansas)
County of Sedgwick) SS

I, Donald C. Armstrong, registered and authorized to practice Land Surveying in said state and county do hereby certify that I caused to be surveyed the following:

That part of the Northeast corner of the Northeast Quarter (NE1/4) of Section 34, T27S, R1W of the 6th P.M., Sedgwick County, Kansas described as; BEGINNING at a point on the South Right of Way line of U.S. Highway 54, said point being 467 feet West and approximately 125 feet South of the Northeast corner of said NE1/4; THENCE S00°40'06"E parallel with the East line of said NE1/4, a distance of 460.00 feet; THENCE N88°39'29"E parallel with the North line of said NE1/4, a distance of 63.77 feet; THENCE S00°40'06"E, a distance of 130.72 feet; THENCE S88°39'29"W parallel with the North line of said NE1/4, a distance of 674.55 feet; THENCE N09°33'30"W, a distance of 601.68 feet more or less to said South Right of Way line; THENCE N89°03'01"E along said South Right of Way line, a distance of 703.73 feet to point of BEGINNING.

The accompanying sketch is a true and correct exhibit of said survey.

Date of survey: December 21, 2018



LEGAL APPD.
BY MAPL
12/6/18 DJ