Copy

CITY OF WICHITA

**Wichita-Sedgwick County Metropolitan Area Planning Department**

July 12, 2019

Gary Fulmer
6241 Apache Road
Westminster, CA 92683

Connie A. Reynolds
3538 South Valleyview Street
Wichita, KS 67215

**RE: ZON2019-00019 - County zone change from SF-20, Single-Family Residential to RR Rural Residential generally located on the west side of South Maize Road and south of West 31st Street South (3245 South Maize Road).**

Dear Applicants:

At its regular meeting on **July 11, 2019**, the Wichita - Sedgwick County Metropolitan Area Planning Commission considered the above captioned request. The action of the MAPC was to **APPROVE** the request as recommended by staff by a vote of 11 to 0.

Property owners opposed to the application may file with the County Clerk a signed, written protest of the MAPC's recommendation. (Unsigned e-mails are not considered to be legal protests.) To be effective, the protest must be filed by 5:00 p.m. on **July 25, 2019**. In order to be considered a "valid" petition, the signatures must reflect the correct and entire ownership of the property, the property must be at least partially located within 200 feet of the property for which the application was filed, and must be submitted to the County Clerk by **July 25, 2019 at 5:00 p.m.**

This application will be presented for final approval to the Board of County Commissioners on **Wednesday, August 21, 2019, beginning at 9:00 a.m.** The Board of County Commissioners meeting will be held in the Sedgwick County Court House, Third Floor, 525 N. Main, Wichita, Kansas.

This is a reminder that the zoning notification signs should now be removed from the property.

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 – Kelly Dixon
BCCC #2 Michael B. O'Donnell II
Justin Waggoner

(150006) Published in The Derby Reporter on _____

RESOLUTION NO. 197-2019

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. ZON2019-00019 and CON2019-00023**

Zone change request from "SF-20" Single-Family Residential to "RR" Rural Residential and conditional use for a vehicle storage yard on property described as:

> Lot 1, except the east 10 feet for street, Block A, W.C. Stephens Addition, Sedgwick County, Kansas; and Lot 2, except the east 10 feet for street, Block B, W.C. Stephens Addition, Sedgwick County, Kansas. Generally located on the west side of South Maize Road and south of West 31st Street South, (3245 South Maize Road), Sedgwick County.

**SECTION II.** That application ZON2019-0001 and CON2019-00023 is hereby approved and the Conditional Use is subject to the following Conditions:

1. The conditions outlined in the Supplementary Use Regulations of the Unified Zoning Code, Section IIId(6)(mm) shall apply, with modifications, as follows:

   **(1) Location.** The storage area shall be located behind the property's Principal Structure; and at no time shall any vehicles be driven or parked on or over any component of onsite wastewater treatment systems.

   **(2) Area.** The Vehicle Storage Yard shall remain confined to the area outlined on the Site Plan approved by the MAPC and Board of County Commissioners.

   **(3) Use.** The Vehicle Storage Yard shall be used for the storage of licensed operable Vehicles, recreational vehicles and boats only, and in no case shall it be used for sales, repair work, dismantling, or mechanical servicing of any

Vehicles or equipment, or for storage of materials or supplies. Non-mechanical servicing such as replacing windshield washer fluid, light bulbs and interior cleaning shall be allowed.

(4) **Setbacks.** The minimum Setback for any stored Vehicles from existing residential structures shall be 20 feet.

(5) **Paving.** The storage area and all entrance/exit drives on private property shall be surfaced with an all-weather surface that meets the approval of the Director of County Code Enforcement and shall be maintained in good condition and free of weeds, trash and other debris.

(6) **Screening.** Visual screening of areas contiguous to residential zoning Districts shall be provided to protect adjacent properties from light, debris and noise, and to preserve adjacent property values. In no case shall screening be less than that required by Sec. IV-B.1-3, unless the applicant demonstrates adequate screening may be provided through alternative means, and the requirements imposed by Sec. IV-B.1-3 would be overly burdensome on the applicant. This shall apply along the north property line.

(7) **Lighting.** If lighting facilities are provided, lighting shall be in compliance with lighting standards of Sec. IV-B.4.

(8) **Noise.** No outdoor speakers and sound amplification systems shall not be permitted.

2. A revised, final Site Plan shall be submitted for approval by the Director of Planning prior to issuance of any permits for construction of any facilities on the subject property.

3. All permits and approvals shall be obtained, with copies placed on file with the Metropolitan Area Building and Codes Department.

4. 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.

**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 by the Governing Body.

Commissioners present and voting were:

| | |
|---|---|
| PETER F. MEITZNER | Aye |
| MICHAEL B. O'DONNELL, II | Aye |
| DAVID T. DENNIS | Aye |
| LACEY D. CRUSE | Aye |
| JAMES M. HOWELL | Aye |

Dated this 21 day of August, 2019.

BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS

ATTEST:

DAVID T. DENNIS, Chairman
Commissioner, Third District

for Karen S Bailey
KELLY B. ARNOLD, County Clerk

CLERK OF SEDGWICK COUNTY SEDGWICK COUNTY KANSAS KANSAS

PETER F. MEITZNER, Chair Pro Tem
Commissioner, First District

APPROVED AS TO FORM:

MICHAEL B. O'DONNELL, II
Commissioner, Second District

JUSTIN M. WAGGONER
Assistant County Counselor

LACEY D. CRUSE
Commissioner, Fourth District

JAMES M. HOWELL
Commissioner, Fifth District

# Affidavit of Legal Publication

**STATE OF KANSAS )**

**ss.**

**County of Sedgwick )**

Jennifer Perryman, being first duly sworn, deposes and says:
That he/she is Legal Manager of

***The Derby Informer***

a weekly newspaper printed in the State of Kansas, and published in and of general circulation in Sedgwick County, Kansas, with a general paid circulation on a weekly basis in Sedgwick County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a weekly published on Wednesdays, and has been so published continuously and uninterrupted in said county and state for a period of more than one year prior to the first publication of said notice, and has been admitted at the post office of Derby, Kansas, in said county as second class matter.

That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for **1 week** the first publication thereof being made as aforesaid on the **19th** day of **June** 2019, with subsequent publications being made on the following dates:

N/A

Jennifer Perryman
Legal Manager

Subscribed and sworn to before me this 19th day of June, 2019.

Notary Public

MARY JOYCE
Notary Public - State of Kansas
My Appt. Expires 8-28-22

Official Hearing Notice – MAPC July 11, 2019

Printer's Fee: $25.20
Additional copies: $ _____

**Legal Publication**

(Published in The Derby Informer on June 19, 2019)

**MAPC July 11th, 2019**
**OFFICIAL HEARING NOTICE**

NOTICE IS HEREBY GIVEN that on **Thursday, July 11, 2019 no earlier than 1:30 p.m.**, the WichitaSedgwick County Metropolitan Area Planning Commission will consider the following applications in the Planning Commission Conference Room, 271 West Third Street, 2nd Floor, Ste #203, Wichita, Kansas. **If you have any questions regarding the meeting or items on this notice, please call the WichitaSedgwick County Metropolitan Area Planning Commission at (316) 2684421.**

| | |
|---|---|
| **CON201900023** | County conditional use for Vehicle Storage Yard (RV storage) in RR Rural Residential zoning on property located on the west side of South Maize Road, South of West 31st Street South (3245 South Maize Road) and associated with a Zone Change from SF20 SingleFamily Residential to RR (ZON 201900019). |
| **CON2019-00024** | County Conditional Use for Accessory Apartment in Rural Residential, generally located on the west side of South 135th St West and within one quarter-mile of West 31st Street South. (3301 S 135th Street West). |
| **DER201700003** | Pursuant to K.S.A. 12-747 et seq., adoption of the Delano Neighborhood Plan including the Ballpark Village Master Plan as an element of the Community Investments Plan 2015-2035, the Wichita-Sedgwick County Comprehensive Plan, will be considered. |
| **ZON2019-00019** | County Zone Change from SF20 SingleFamily Residential to RR Rural Residential on property located on the west side of South Maize Road, south of West 31st Street South (3245 South Maize Road) associated with Conditional Use (CON 201923) for Vehicle Storage Yard (RV storage). |

Complete legal descriptions are available for public inspection at the Metropolitan Area Planning Department, 271 W. Third St., 2nd Floor. As provided in Section V of the WichitaSedgwick County Unified Zoning Code, the same will then and there be discussed and considered by the said MAPC, and all persons interested in said matters will be heard at this time concerning their views and wishes in the premises, and any protest against any of the provisions of the proposed changes to the zoning regulations will be considered by the MAPC as by law provided.

WITNESS MY HAND on June 17, 2019
**Dale Miller, Secretary**
**WichitaSedgwick County**
**Metropolitan Area Planning Commission**

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Said newspaper is a weekly published on Wednesdays, and has been so published continuously and uninterrupted in said county and state for a period of more than one year prior to the first publication of said notice, and has been admitted at the post office of Derby, Kansas, in said county as second class matter.

That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for **1 week** the first publication thereof being made as aforesaid on the **4th** day of **September** 2019, with subsequent publications being made on the following dates:

N/A

Jennifer Perryman
Legal Manager

Subscribed and sworn to before me this 4th day of September, 2019.

Notary Public

MARY JOYCE
Notary Public - State of Kansas
My Appt. Expires 8-28-22

Resolution 197-2019

Printer's Fee: $50.40
Additional copies: $ _____

**Legal Publication**

(Published in The Derby Informer on September 4, 2019)

(150006) Published in The Derby Reporter on

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|---|---|
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| MICHAEL B. O'DONNELL, II | AYE |
| DAVID T. DENNIS | AYE |
| LACEY D. CRUSE | AYE |
| JAMES M. HOWELL | AYE |

Dated this **21st** day of **August**, 2019.

BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS

DAVID T. DENNIS, Chairman
Commissioner, Third District

PETER F. MEITZNER, Chair Pro Tem
Commissioner, First District

MICHAEL B. O'DONNELL, II
Commissioner, Second District

LACEY D. CRUSE
Commissioner, Fourth District

JAMES M. HOWELL
Commissioner, Fifth District

ATTEST:

KELLY B. ARNOLD, County Clerk

APPROVED AS TO FORM:

JUSTIN M. WAGGONER
Assistant County Counselor

Interior of green lines is designated driveway. Interior of red boxes is unpaved area and includes: houses, garage, barns, and front yard. Inside of blue area is designated storage and parking area.



# 3245 South Maize - Current Aerial




This information is not an official record, and cannot be used as such. The user should rely only upon official records available from the custodian of records in the appropriate City and/or County department. Some data provided here and used for the preparation of these maps has been obtained from public records not created or maintained by the City of Wichita.

1: 1,321