

AGENDA ITEM REQUEST FILE COPY

Proposed Agenda Item: ZON2003-00063 Sedgwick County Zone change from "SF-20" Single-family Residential to "SF-5" Single-family Residential. Generally located 1/4 miles east of 143rd Street East, 200 feet north of 9th Street. (District I)

Presented By: John L. Schlegel, Planning Director *JLS*

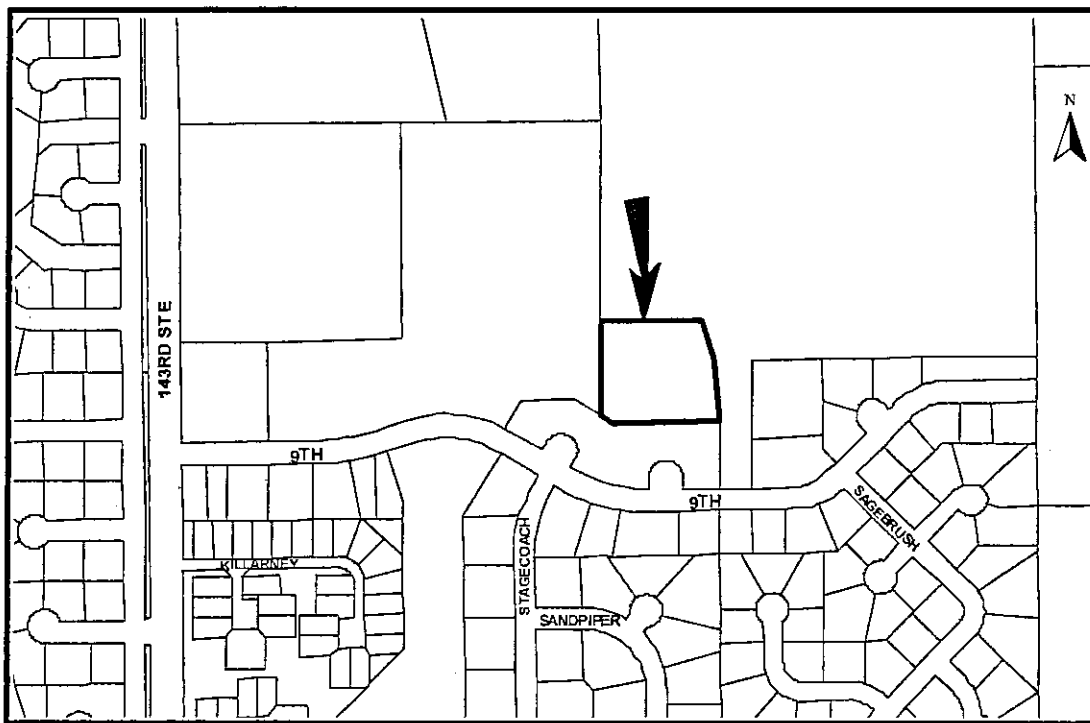
Recommended Action: Adopt the recommendation and findings of the MAPC, subject to platting within one year, direct staff to prepare an appropriate resolution after the plat is approved, and authorize the Chair to sign

Proposed Agenda Date: January 7, 2004

Outside Attendees: Jeff Cartwright, MKEC, 411 N. Webb Rd., Wichita, KS 67206

Multimedia Presentation: Powerpoint

Donations: N/A



Background: The application area is located 220 feet north of East 9th Street, 1/4 mile east of 143rd Street East, and is undeveloped. The 2.3-acre tract is part of the proposed Crestview Country Club Estates, Overbrook Fifth Addition. The plat containing the area covered by the rezoning application depicts four residential lots in the 15,000 square foot range served by a cul-de-sac running northward from 9th Street.

Property to the west is developed as large lot residential use with horse facilities. The property to the north and east is mostly undeveloped except for a large barn and three smaller barns. These properties to the north, east and west are zoned "SF-20" Single-family Residential. Property further to the east is zoned "SF-5" and developed with single-family uses. Property immediately to the south is zoned "SF-5" Single-family Residential, and is part of the proposed plat containing the application area. Property further south, across 9th Street is platted and developed with single-family residential uses.

Analysis: The Metropolitan Area Planning Commission heard this request on December 11, 2003, and voted 10-0 to recommend approval, subject to platting within one year. No one spoke in opposition, and no protest petitions have been received.

Alternatives:

1. Adopt the MAPC recommendation;
2. Override the MAPC recommendation by a 2/3 majority vote of the membership of the governing body; or
3. Return such recommendation to the MAPC with a statement specifying the basis for the failure to approve or disapprove.

Financial Considerations: N/A

Policy Considerations: The MAPC recommendations are based on the findings of fact stated in the MAPC minutes.

Legal Considerations:  *Approved as to form and signed by County Counselor's Office*

(150004) Corrected and Republished in The Derby Reporter on July, 6, 2004.

CORRECTED RESOLUTION NO. 70-04

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. ZON2003-00063

Zone change from "SF-20" Single-Family Residential to "SF-5" Single-Family Residential on property described as:

Lots 6-9, Block 1, Crestview Country Club Estates, Overbrook Fifth Addition, Sedgwick County, Kansas.

A tract of land lying in a portion of Lot 5, Block 1, Crestview Country Club Estates Fifth Addition, an addition to Wichita, Sedgwick County, Kansas; said tract being more particularly described as follows: **BEGINNING** at the Northeast corner of said Lot 5, thence along the East line said Lot 5 on a platted bearing of S00°55'43"E, 19.84 feet; thence S89°05'59"W, 132.47 feet; thence N60°04'14"W, 7.09 feet to the Northwest corner of said Lot 5; thence along the North line of said Lot 5, N82°25'37"E, 139.490 feet to the **POINT OF BEGINNING**.

A tract of land lying in a portion of Lot 10, Block 1, Crestview Country Club Estates Fifth Addition, an addition to Wichita, Sedgwick County, Kansas; said tract being more particularly described as follows: **BEGINNING** at the Northwest corner of said Lot 10, thence along the North line said Lot 10 on a platted bearing of; thence N89°04'17"E, 129.21 feet to the Northeast corner of said Lot 10; thence along the East line of said Lot 10, S03°28'21"E, 19.95 feet; thence S89°05'59"W, 130.09 feet to the East line of said Lot 10; thence along the East line of said Lot 10, N00°55'43"W, 19.87 feet to the **POINT OF BEGINNING**. Generally located south of 13th Street North and east of 143rd Street East.

SECTION II. 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 III. That this Resolution shall take effect and be in force from and after its publication in the official county newspaper.

Commissioners present and voting were:

DAVE UNRUH	<u>Aye</u>
TIM R. NORTON	<u>Aye</u>
THOMAS G. WINTERS	<u>Aye</u>
CAROLYN MCGINN	<u>Absent</u>
BEN SCIORTINO	<u>Aye</u>

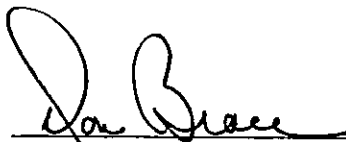
DATED this 7th day of January, 2004.

BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS

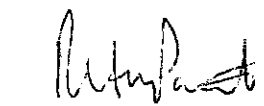


THOMAS G. WINTERS, Chairman
Third District

ATTEST:


DON BRACE, County Clerk

APPROVED AS TO FORM:


ROBERT W. PARNACOTT,
Assistant County Counselor