

City of Wichita
City Commission Meeting
August 19, 1986

Agenda Report # _____

TO: Mayor and City Commissioners

SUBJECT: Z-2756 - REQUEST FOR ZONE CHANGE FROM "AA" ONE-FAMILY DWELLING DISTRICT TO THE "A" TWO-FAMILY DWELLING DISTRICT ON THE WEST SIDE OF SHERIDAN IN AN AREA BETWEEN 13TH STREET NORTH AND 15TH STREET NORTH. (Henry L. Johnson)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Zoning

MAPC Recommendation: Deny (10-0)

Staff Recommendation: Deny

Background: On May 15, 1986, the MAPC held a public hearing to consider a zone change from "AA" One-family dwelling to "A" Two-family for a platted lot containing 7800 square feet located on the west side of Sheridan, 5 lots south of 15th Street North. The property is presently developed with a single family home and is a home occupation insurance office. The stated reason for the request is so that a full time employee may be hired. One neighbor spoke in opposition to the application. The MAPC voted 6-0 to recommend approval of the zone change. Protest petitions were subsequently filed by owners of 68.6% of the land within 200 feet of the application area.

The City Commission reviewed the request on June 10, 1986, and returned the case to the MAPC for rehearing. Upon rehearing on July 24, 1986, (on July 10th the applicant had requested a deferral) opposition was again expressed by residents. The Planning Commission unanimously recommended denial of the zone change.

On May 14, 1986, CPO Council "M" voted 4-2 to recommend approval of the request exclusively for the area of the existing structure. On June 25, 1986, the CPO Council voted 4-3 to recommend denial of the requested zone change.

Analysis: Subject property is located in an area of predominantly single family homes. There are, however, two duplexes on lots to the northeast. Sheridan and 15th Streets are both designated collectors on the transportation plan so the property has good access out to major street systems. However, the amount of traffic generated by this home occupation and the long hours during which business is conducted indicates that the business has outgrown its compatibility with the neighborhood and should seek an office or commercial location.

The Planning Commission found that the character of the neighborhood, the zoning and uses of properties nearby, the unsuitability of subject property for the uses proposed, and the recommendation of staff and CPO justified the denial of the request.

Legal Considerations: The 68.6% protest petitions will require a 4/5ths vote of the Commission in order to grant the zone change.

Actions: 1. Concur with the findings of the MAPC and deny the application; or
2. Take appropriate action stating reasons.

Attachments: Area map
5-15-86; 7-10-86; 7-24-86 MAPC Minutes
CPO Memorandum

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING DEPARTMENT

DATE: August 21, 1986

TO: Monty Robson, Superintendent of Central Inspection

FROM: Jack H. Galbraith, Chief Planner, Current Plans

SUBJECT: Home Occupation Insurance Office at 1531 North Sheridan

On August 19, 1986, the City Commission denied a request for zone change from "AA" to "A" for the property at 1531 North Sheridan. Henry Johnson, property owner and owner of the Hank Johnson Insurance Agency, had filed the application after being advised that his hired employee was in violation of the home occupation provisions of the "AA" district.

During the various public hearings, it was stated that Mr. Johnson had a full-time employee who had been there a number of years plus a new part-time employee. Questions were raised as to whether or not his business sign was legal. Since the rezoning request has been denied and any home occupation must comply with the "AA" district regulations, would you please make sure that any and all violations on this property are cleared up within a reasonable period of time.

Judging from the number of phone calls we have had from this neighborhood, I imagine they will be monitoring the situation very carefully and will want full and rapid compliance with the regulations.

JHG/LO:blw

cc: Joe Donnelly, Zoning Administrator