Wichita-Sedgwick County Metropolitan Area Planning Department

B3 Investments
Michelle Briggs
22001 W. 24th Circle N.
Andale, KS, 67001

July 30, 2024

Garber Surveying Service, PA
Dan Garber
2908 N Plum
Hutchinson, KS 67502

RE: ZON2024-000024 – Zone Change request in the County from RR Rural Residential to SF-20 Single-Family Residential, generally located on the east side of North 215th Street West and one-half mile south of West 37th Street North

Dear Applicant;

At its regular meeting on **July 24, 2024**, the Sedgwick County Board of County Commissioners considered the above captioned request. The action of the BOCC was to **APPROVE** the request.

If you have any questions concerning this application, please contact our office at 316-268-4421.

Sincerely,

Brad Eatherly
Current Plans
Senior Planner

CC: Sarah Lopez, Commissioner, District II
MABCD

Wichita-Sedgwick County Metropolitan Area Planning Department

B3 Investments
Michelle Briggs
22001 W. 24th Circle N.
Andale, KS, 67001

June 14, 2024

Garber Surveying Service, PA
Dan Garber
2908 N Plum
Hutchinson, KS 67502

RE: ZON2024-000024 – Zone Change request in the County from RR Rural Residential to SF-20 Single-Family Residential, generally located on the east side of North 215th Street West and one-half mile south of West 37th Street North

Dear Applicant,

At its regular meeting on **June 13, 2024**, the Wichita-Sedgwick County Metropolitan Area Planning Commission considered the above captioned request. The action of the MAPC was to recommend **APPROVAL** the request to change zoning from RR Rural Residential District to SF-20 Single-Family Residential.

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 **June 27, 2024**. 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 1,000 feet of the property for which the application was filed, and must be submitted to the County Clerk by **June 27, 2024, at 5:00 p.m.**

This application will be presented to the Board of County Commissioners on **Tuesday, July 24, 2024,** beginning at 9:00 a.m. The Board of County Commissioners meeting will be held 100 North Broadway, Lower Level, 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 316-268-4421.

Sincerely,

Brad Eatherly
Current Plans
Senior Planner

CC: Sarah Lopez, Commissioner, District II
MABCD

(150004) Published in The Ark Valley News on August 1, 2024

RESOLUTION NO. 155-2024

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 on June 13, 2024, 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. ZON2024-00024

Zone change request from RR Rural Residential to SF-20 Single-Family Residential.

Legally described as:

> Beginning at the Northwest corner of the Southwest Quarter of Section 31, Township 26 South, Range 2 West of the 6th Principal Meridian; Thence with a bearing of North 89°09'54" East (basis of bearings is NAD 83 Kansas South Zone) along the North line of said Southwest Quarter a distance of 2,467.72 feet to the East line of said Southwest Quarter; Thence South 04°36'37" East along the East line of said Southwest Quarter a distance of 265.26 feet; Thence South 04°36'37" East parallel with the East line of said Southwest Quarter a distance of 231.64 feet; Thence South 89°09'54" West parallel with the North line of said Southwest Quarter; Thence North 00°33'04" West along the West line of said Southwest Quarter a distance of 519.40 feet to the point of beginning, containing 27.643 acres, and subject to any easements or restrictions of record.

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.

[balance of this page intentionally left blank, signature page follows]

Commissioners present and voting were:

PETER F. MEITZNER	Absent
SARAH LOPEZ	Aye
DAVID T. DENNIS	Aye
RYAN K. BATY	Aye
JAMES M. HOWELL	Aye

Dated this 24 day of July, 2024.

BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS

ATTEST:

CLERK OF SEDGWICK COUNTY SEDGWICK COUNTY KANSAS KANSAS

KELLY B. ARNOLD, County Clerk

RYAN K. BATY, Chairman
Commissioner, Fourth District

SARA LOPEZ, Chair Pro Tem
Commissioner, Second District

Absent
PETER F. MEITZNER
Commissioner, First District

DAVID T. DENNIS
Commissioner, Third District

JAMES M. HOWELL
Commissioner, Fifth District

APPROVED AS TO FORM:

Samantha Seang 7/15/24
SAMANTHA SEANG
Assistant County Counselor

Sedgwick Co. public notice

(Published in The Ark Valley News Aug. 1, 2024.)

RESOLUTION NO. 155-2024

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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:

PETER F. MEITZNER — Absent
SARAH LOPEZ — Aye
DAVID T. DENNIS — Aye
RYAN K. BATY — Aye
JAMES M. HOWELL — Aye

Dated this 24 day of July, 2024

BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS

ATTEST:

KELLY B. ARNOLD, County Clerk

RYAN K. BATY, Chairman
Commissioner, Fourth District

SARA LOPEZ, Chair Pro Tem
Commissioner, Second District

Absent
PETER F. MEITZNER
Commissioner, First District

DAVID T. DENNIS
Commissioner, Third District

JAMES M. HOWELL
Commissioner, Fifth District

APPROVED AS TO FORM

SAMANTHA SEANG 7/15/24
Assistant County Counselor

Affidavit of Publication

STATE OF KANSAS,
SEDGWICK COUNTY, ss.

Chris Strunk, being first duly sworn, deposes and says: That he is Publisher of The Ark Valley News, formerly The Valley Center Index, 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 yearly basis in Sedgwick County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a weekly published at least weekly 50 times a year; has been so published continuously and uninterruptedly in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at the post office of Valley Center 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 consecutive weeks, the first publication thereof being made as aforesaid on the 1st day of August, 2024. with subsequent publications being made on the following dates:

_____, 2024 _____, 2024

_____, 2024 _____, 2024

_____, 2024 _____, 2024

Subscribed and sworn to before me this 6th day of Sept., 2024.

LISA K. STRUNK
Notary Public

My commission expires NOTARY PUBLIC 4-24-25 STATE OF KANSAS

Additional copies

Printer's fee $ _____

Sedgwick Co. public notice

(Published in The Ark Valley News May 23, 2024.)

MAPC June 13, 2024
OFFICIAL HEARING NOTICE

NOTICE IS HEREBY GIVEN that on Thursday, June 13, 2024, no earlier than 1:30 p.m., the Wichita Sedgwick County Metropolitan Area Planning Commission/Board Zoning Appeals will consider the following applications. The meeting will be held in person at the Ronald Reagan Building, 271 West Third Street, 2nd Floor, Wichita, KS 67202. Public participation is encouraged (see instructions below). Virtual participation is not available. If you have any questions regarding the meeting or items on this notice, please call the Wichita Sedgwick County Metropolitan Area Planning Department at (316) 268 4421.

PUD2024-00010: Zone Change in the County from RR Rural Residential to PUD Planned Unit Development to permit a mix of residential and commercial uses including Construction Sales and Service, Bed and Breakfast, and Event Center; located on the west side of North Woodlawn and one-quarter mile south of East 69th Street.

VAC2024-00030: Vacation request in the County of a portion of complete access control for a driveway for new residence on property zoned SF-20 Single-Family Residential; located on the east side of South 151st Street West and within one-half mile north of West Maple Street (212 South 151st Street West).

ZON2024-00023: Zone Change request in the County from SF-20 Single-Family Residential to LC Limited Commercial to eliminate landscape and screening requirements on adjacent property; located on the southeast corner of West Kellogg and South 135th Street West.

ZON2024-00024: Zone Change request in the County from RR Rural Residential to SF-20 Single-Family Residential for residential development on one- to two-acre lots; located on the east side of North 215th Street West and north of West 29th Street North.

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 Wichita Sedgwick 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.

Options to participate:

1) Attend In-Person at the Ronald Reagan Building, 271 West Third Street, 2nd Floor, Wichita, Kansas 67202. Self-paid parking is available nearby. If you have any written or visual materials you wish to present, please contact Planning Department Graphics staff (316-268 4464) by 5:00 PM, 3 days prior to the meeting.

2) Submit Comments Ahead of Time regarding items on the Planning Commission agenda to the Wichita-Sedgwick County Metropolitan Area Planning Department (Planning Department) – using the contact information below. The comments received ahead of the submission deadline will be shared with the MAPC, prior to or during the meeting. Planning Departments staff make efforts to share all comments but may not be able to share those received after the deadlines below. Please be sure to provide ample time for delivery. Written Comments should be submitted by 5:00 PM the day before the meeting. Video and Audio Comments (mp3, etc.) formats be submitted at least 3 days prior to the MAPC meeting. The comments should indicate which item they pertain to and be less than three (3) minutes in duration.

Email Planning@wichita.gov
Mailing Address Wichita-Sedgwick County Metropolitan Area Planning Department
Attn: Scott Wadle
271 W. 3rd Street – Suite 201
Wichita, KS 67202
Phone 316.268.4421
Fax 316.858.7764

3) If you need accommodations pursuant to the ADA, please contact Planning Staff within one week prior to the scheduled meeting.

Option to View Remotely (Not Participate)

The meeting will be streamed live and recorded. Virtual comment is not available. To view the live stream or recording, follow the link: https://www.wichita.gov/Planning.

WITNESS MY HAND on May 23, 2024
Scott Wadle, Secretary
Wichita Sedgwick County Metropolitan Area Planning Commission

Affidavit of Publication

STATE OF KANSAS,
SEDGWICK COUNTY, ss.

Chris Strunk, being first duly sworn, deposes and says: That he is Publisher of The Ark Valley News, formerly The Valley Center Index, 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 yearly basis in Sedgwick County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a weekly published at least weekly 50 times a year; has been so published continuously and uninterruptedly in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at the post office of Valley Center 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 consecutive weeks, the first publication thereof being made as aforesaid on the 23rd day of May, 2024, with subsequent publications being made on the following dates:

_____, 2024 _____, 2024

_____, 2024 _____, 2024

_____, 2024 _____, 2024

Chris Strunk

Subscribed and sworn to before me this 23rd day of May, 2024.

Notary Public

My commission expires

Additional copies $

Printer's fee

LISA K. STRUNK
NOTARY PUBLIC
4/24/28
STATE OF KANSAS

AGENDA ITEM NO. 4.5

WICHITA–SEDGWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION

STAFF REPORT
MAPC: June 13, 2024
CAB 3: June 10, 2024

CASE NUMBER: ZON2024-00024 (County)

APPLICANT/AGENT: B3 Investments (Applicant)/Garber Surveying Service, P.A. (Agent)

REQUEST: SF-20 Single-Family Residential District

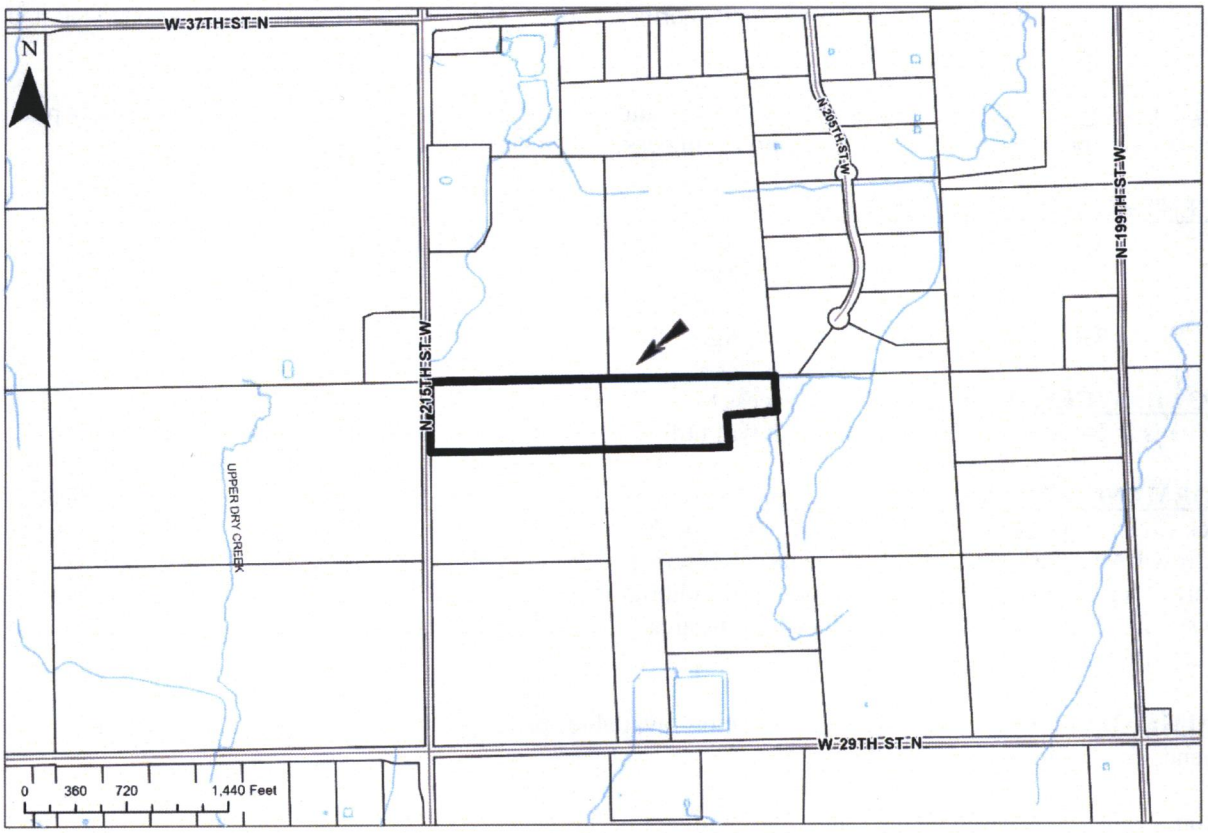
CURRENT ZONING: RR Rural Residential District

SITE SIZE: 27.643 acres

LOCATION: Generally located on the east side of North 215th Street West and one-half mile south of West 37th Street North

PROPOSED USE: Single-family dwellings

RECOMMENDATION: Approve.



BACKGROUND: The applicant is requesting a zone change from RR Rural Residential District (RR) to SF-20 Single-Family Residential District (SF-20). The 27.643-acre property is generally located east of North 215th Street West and one-half mile south of West 37th Street North. It is currently in use as agricultural land. The applicant is proposing to develop the property as a low-density residential neighborhood.

The requested zone change will allow the applicant to create a subdivision from portions of two separate parcels. The applicant has submitted an application for the subdivision concurrently with this zoning change request. The applicant is proposing 19 one-to-two acre lots. The minimum lot size for the RR district is two acres (87,120 square feet), and the minimum lot size for SF-20 is 20,000 square feet. Should the zone change be approved, multiple property development standards will change, as seen in the table below:

Property Development Standards	RR Rural Residential	SF-20 Single-Family Residential
Minimum lot area	2 acres	20,000 square feet
Front setback	30 feet	25 feet
Rear setback	25 feet	25 feet
Interior Side Setback	20 feet	10 feet
Street Side Setback	20 feet	20 feet
Maximum height	35 feet or 45 feet	35 feet or 45 feet
Minimum lot width	200 feet	100 feet

The character of the area is rural and low-density residential. The subject site is surrounded on all sides by the RR District with all properties used for Agricultural uses. One parcel to the north is also developed as a single-family dwelling. A large lot subdivision is contiguous to the northeast corner of the subject site, with all lots zoned RR and developed with single-family dwellings.

CASE HISTORY: The property is currently unplatted, and the final plat will need to be approved separately prior to the issuance of building permits. There are no zoning cases associated with this property.

ADJACENT ZONING AND LAND USE:

NORTH:	RR	Agricultural/Single-Family dwelling
SOUTH:	RR	Agricultural
EAST:	RR	Agricultural
WEST:	RR	Agricultural

PUBLIC SERVICES: The subject site has access to North 215th Street West, a paved, two-lane arterial street. The subject site is in Rural Water District #4, and it will utilize on-site sewer systems. .

CONFORMANCE TO PLANS/POLICIES: The requested zone change is in conformance with the Wichita-Sedgwick County Comprehensive Plan, the *Community Investments Plan*, identifies the site as "Rural Area" on the Future Growth Map Concept Map. This category is described as follows: "Encompasses land outside the 2035 urban growth areas for Wichita and the small cities. Agricultural uses, rural-based businesses, and larger lot residential exurban subdivisions likely will be developed in this area." The proposed large-lot single-family residences are an appropriate use for the subject site.

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 character of the area is rural and low-density residential. The subject site is surrounded on all sides by the RR District with all properties used for Agricultural uses. One parcel to the north is also developed as a single-family dwelling. A large lot subdivision is contiguous to the northeast corner of the subject site, with all lots zoned RR and developed with single-family dwellings.

2. **The suitability of the subject property for the uses to which it has been restricted:** The property is presently zoned RR, which is suitable for a limited number of residential, public, and civic uses, including single-family residences.

3. **Extent to which removal of the restrictions will detrimentally affect nearby property:** The requested Zone Change and proposed development will bring additional traffic to the area. However, it is not expected to be detrimental to the nearby properties.

4. **Length of time subject property has remained vacant as zoned:** The subject site has never been developed.

5. **Relative gain to public health, safety, and welfare as compared to the loss in value or the hardship imposed upon the applicant:** Approval would permit new development in an area on an undeveloped parcel that is also appropriate for such development. Denial may represent a loss of economic opportunity for the applicant.

6. **Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies:** The requested zoning would continue to allow the property to be in conformance with the *Community Investments Plan*, as discussed in the staff report.

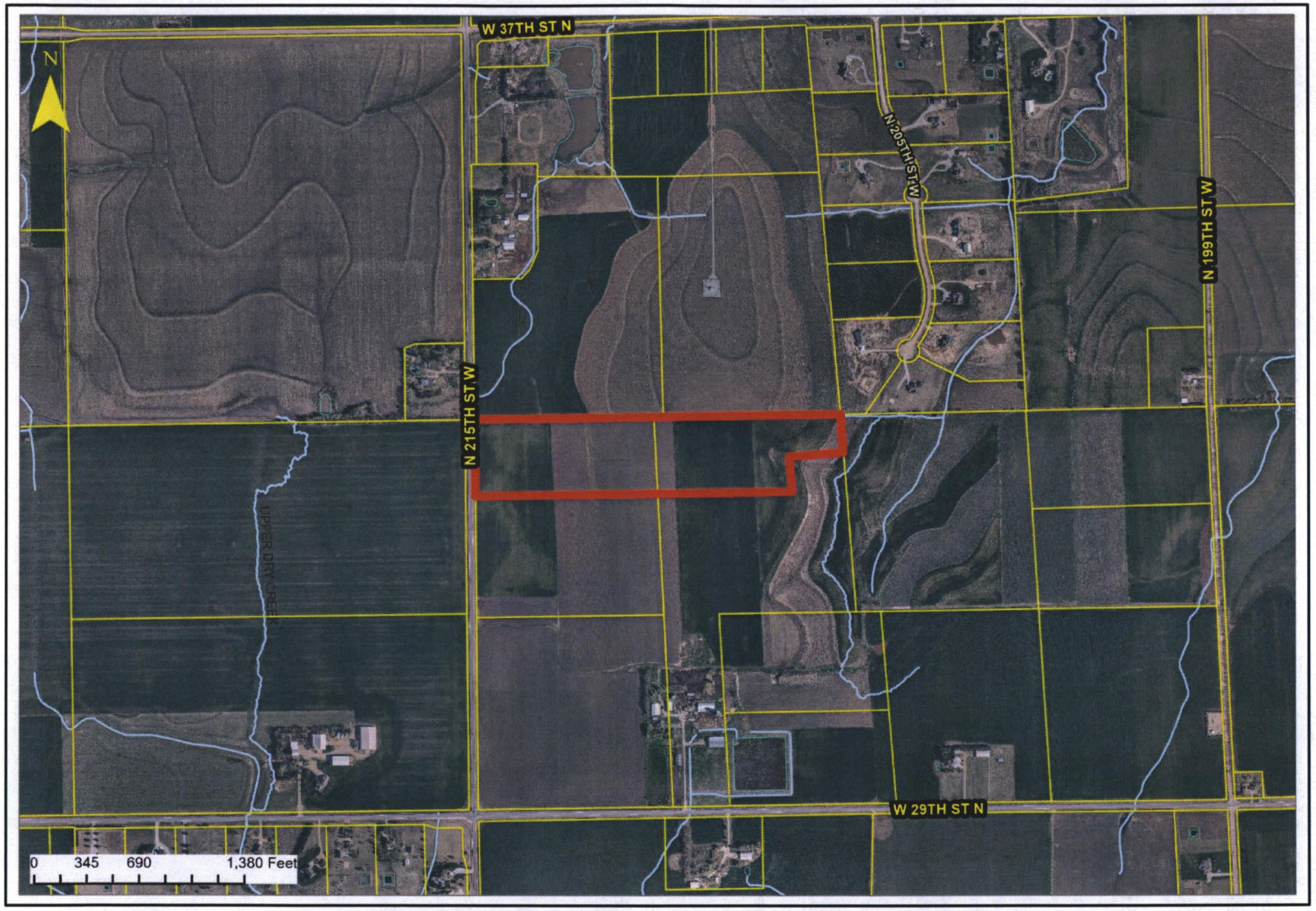
7. **Impact of the proposed development on community facilities:** The subject site is in Rural Water District #4. If the lots are to have septic systems, they must be at least one acre in size.

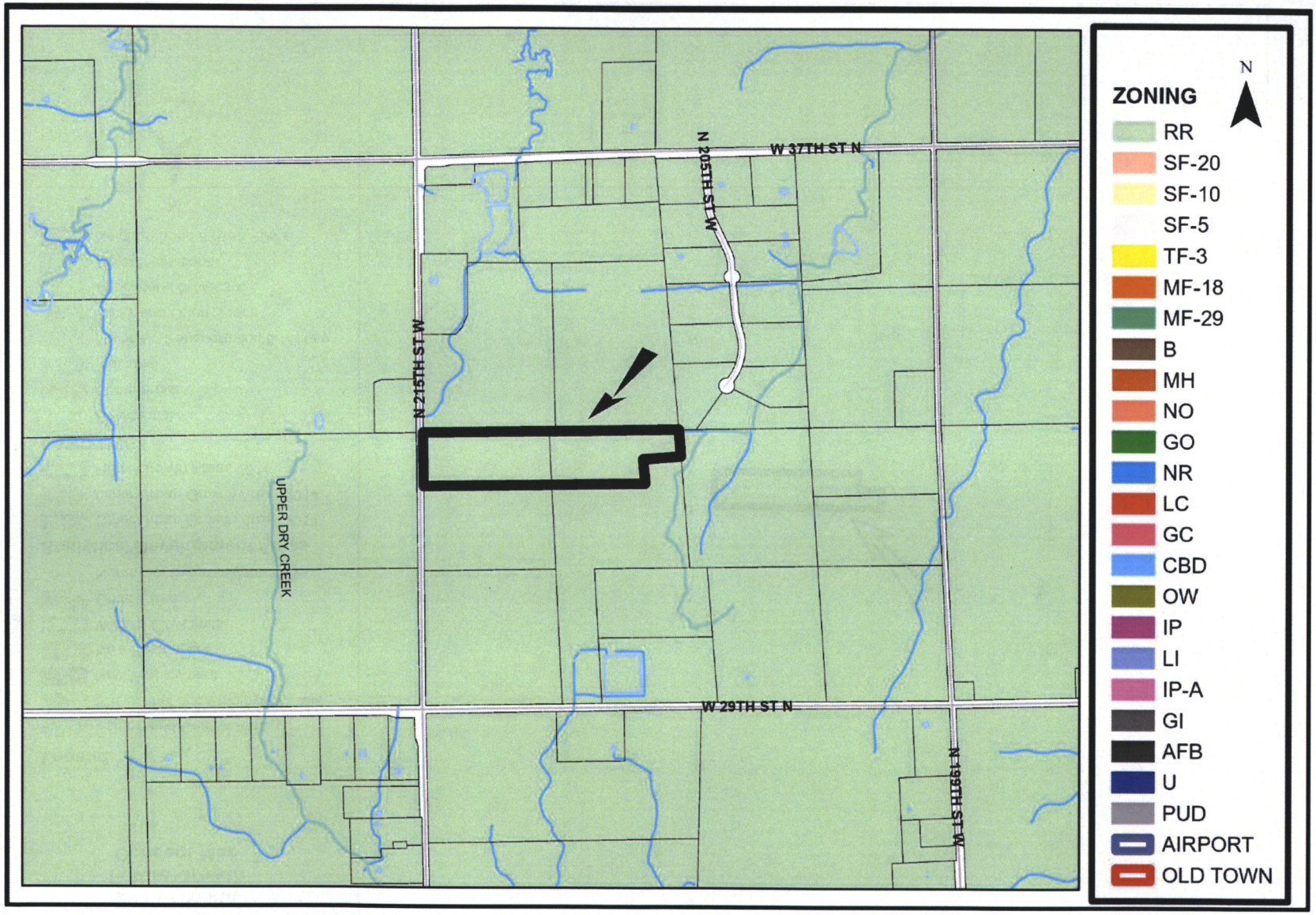
8. **Opposition or support of neighborhood residents:** At the time the staff report was prepared, staff has received no comments from the public regarding the application.

Staff Report Attachments:

1. Aerial Map
2. Zoning Map
3. 2035 Future Land Use Map
4. Site Plan
5. Site Photos

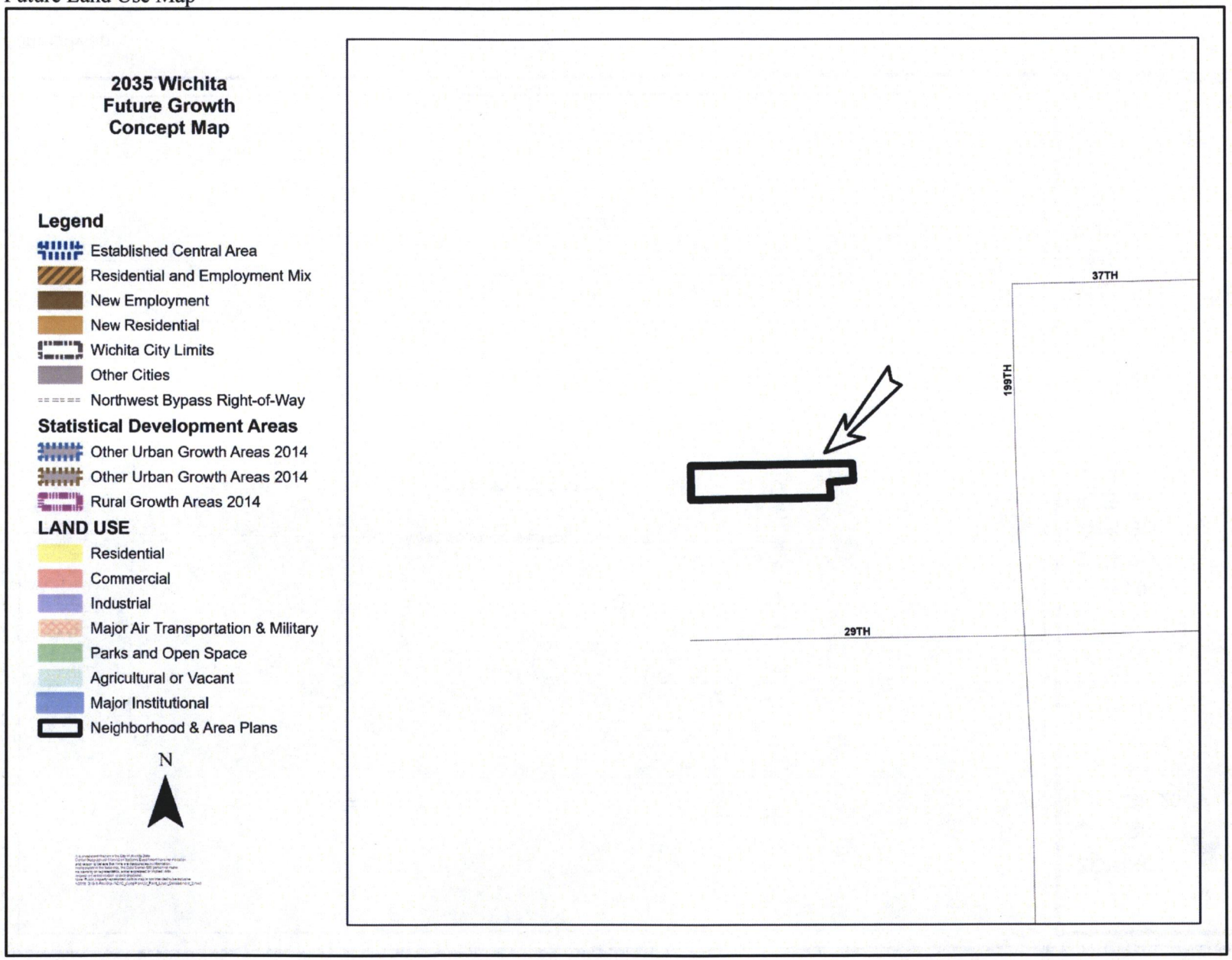
Aerial Map


W 37TH ST N
N
N 205TH ST W
N 199TH ST W
N 215TH ST W
UPPER DRY CREEK
W 29TH ST N
0 345 690 1,380 Feet


N
ZONING
RR
SF-20
SF-10
SF-5
TF-3
MF-18
MF-29
B
MH
NO
GO
NR
LC
GC
CBD
OW
IP
LI
IP-A
GI
AFB
U
PUD
AIRPORT
OLD TOWN
W 37TH ST N
N 205TH ST W
N 215TH ST W
UPPER DRY CREEK
W 29TH ST N
N 199TH ST W

Zoning Map

Future Land Use Map



Looking east into site



Looking north away from site



Looking south away from site



Looking south away from site

