

City of Wichita
City Council Meeting
April 25, 1989

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: Z-2946 - ZONE CHANGE FROM THE "AA" ONE-FAMILY DWELLING DISTRICT TO THE "A" TWO-FAMILY DWELLING DISTRICT, LOCATED ON THE EAST SIDE OF YOUNG STREET BETWEEN THIRD AVENUE AND ST. LOUIS STREET (District #5).

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

MAPC Recommendation: Approve subject to replatting (7-0).

Staff Recommendation: Approve subject to replatting.

CPO Recommendation: CPO Council 5B recommended approval by a vote of 8-0.

Background: On March 30, 1989, the MAPC held a public hearing to consider a zone change request from the "AA" One-Family Dwelling District to the "A" Two-Family Dwelling District for a .4-acre portion of a platted lot. The application area is located on the east side of Young Street between Third Avenue and St. Louis Street.

At this time, the subject lot is broken into three different ownerships and requires replatting. The applicant has advised that if the City Council approves this zone change request, he will "buy out" one of the two other owners and thereby make the property eligible for a lot split. A residential lot split cannot be approved if the original lot has more than two ownerships.

Since the applicant's ownership contains 18,000 sq. ft. of area, it is of sufficient size to construct a duplex. The site is presently developed with a single-family dwelling in which the applicant resides. The applicant's purpose for requesting this zone change is not to permit construction of a duplex, but rather to be permitted a home occupation under the provisions of the "A" zoning district. In the "AA" District, home occupations are not permitted in a garage or accessory structure and the District does not permit an employee. In the "A" District, one employee is permitted and the home occupation may be conducted in an accessory structure or garage.

- Recommendations/Actions:
1. Concur with the findings of the MAPC and approve the zone change, subject to the condition of platting; instruct the Planning Department to forward the ordinance for first reading when the plat is forwarded to the City Council. If the applicant succeeds in returning the original lot back to being divided into two property ownerships, the applicant may lot split rather than replat.
 2. Return the application to the MAPC for reconsideration, stating reasons.

(_____) Published in The Daily Reporter on June 7, 1989

ORDINANCE NO. OC-627

AN ORDINANCE CHANGING THE ZONING CLASSIFICATIONS OR DISTRICTS OF CERTAIN LANDS LOCATED IN THE CITY OF WICHITA, KANSAS, UNDER THE AUTHORITY GRANTED BY SECTION 28.04.210, THE CODE OF THE CITY OF WICHITA, KANSAS.

BE IT ORDAINED BY THE GOVERNING BODY
OF THE CITY OF WICHITA, KANSAS.

SECTION 1. That having received a recommendation from the Planning Commission, and proper notice having been given and hearing held as provided by law and under authority and subject to the provisions of Section 28.04.210, The Code of the City of Wichita, Kansas, the zoning classification or districts of the lands legally described hereby are changed as follows:

Case No. Z-2946

Zone change from the "AA" One-Family Dwelling District to the "A" Two-Family Dwelling District.

The north half of Lot 10, Block 11, Parkwilde Addition, Wichita, Sedgwick County, Kansas.

Generally located on the east side of Young between 3rd Street and St. Louis.

SECTION 2. That upon the taking effect of the Ordinance, the above zoning change shall be entered and shown on the "Official Zoning Map" previously adopted by reference, and said official zoning map is hereby reincorporated as a part of the Zoning Ordinance as amended.

SECTION 3. That this Ordinance shall take effect and be in force from and after its adoption and publication in the official City paper.

ADOPTED AT WICHITA, KANSAS, June 2, 1989

ATTEST:

(SEAL) _____ City Clerk

Mayor

Approved as to form:

City Attorney