

R# 220-1988

R E S O L U T I O N N O .

A RESOLUTION TO PERMIT AN IRRIGATION CONTRACTING BUSINESS ON PROPERTY TO BE ZONED THE "C" GENERAL COMMERCIAL DISTRICT ON CERTAIN LANDS LOCATED WITHIN THE UNINCORPORATED AREA OF SEDGWICK COUNTY, KANSAS, UNDER THE AUTHORITY GRANTED IN SECTION 17.C OF THE ZONING REGULATIONS ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS, DECEMBER 12, 1984.

BE IT RESOLVED BY THE GOVERNING BODY OF SEDGWICK COUNTY, KANSAS.

SECTION I. That after receiving arecommendation 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 17.C of the Zoning Regulations, a Conditional Use Permit for an irrigation contracting business on property to be zoned the "C" General Commercial District is hereby approved on the lands legally described as follows:

CASE NO. CU-317

The south 5 acres of the north 20 acres of the W 1/2 of the SW 1/4 of Section 6, Township 26 South, Range 1 East of the 6th P.M., Sedgwick County, Kansas. Generally located on the east side of Meridian, 1/2-mile north of 69th Street North.

SUBJECT TO THE FOLLOWING:

1. The applicant shall plat the property prior to May 11, 1989, as required by the associated zone change request to the "C" Commercial District.
2. Outdoor storage of material and equipment shall not be located in front of the required building setback line and shall be screened from view along Meridian and when adjacent to residentially zoned properties. The screening shall be a solid fence or wall not less than six feet in height nor less than the height of the merchandise being stored outdoors, or a dense evergreen landscape buffer if a landscape plan has first been submitted to and approved by the Director of Planning of the Wichita-Sedgwick County Metropolitan Area Planning Department.
3. Off-street parking shall be provided as required by Section 13.B of the Sedgwick County Zoning Regulations, including number of spaces, parking lot surfacing material, and screening.
4. A minimum 10-foot-wide landscaped area consisting of grass, shrubs and trees shall be provided along Meridian, except at the driveways. Three copies of a landscape plan, prepared by a landscape architect, shall be submitted to the Director of Planning of the Wichita-Sedgwick County Metropolitan Area Planning Department for review and approval prior to issuance of a building permit. The approved plant materials shall be installed prior to occupancy of the building or, if weather prohibits planting at that time, a financial guarantee shall be submitted to the County Building Permit Office assuring planting within the next planting season.

SECTION II. That upon the taking effect of this Resolution, the notation of such conditional use approval 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 Commission.

*sent to be published
file*

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

PASSED AND ADOPTED by the Board of County Commissioners at Wichita, Kansas, this 28th day of September, 1988.

Mark F. Schroeder, Chairman
Mark F. Schroeder

Billy Q. McCray Chairman pro tem
Billy Q. McCray

David Bayouth Commissioner
David Bayouth

Tom Scott Commissioner
Tom Scott

Bernard A. Hentzen Commissioner
Bernard A. Hentzen

ATTEST:

Don Wright County Clerk

(SEAL)

APPROVED AS TO FORM:

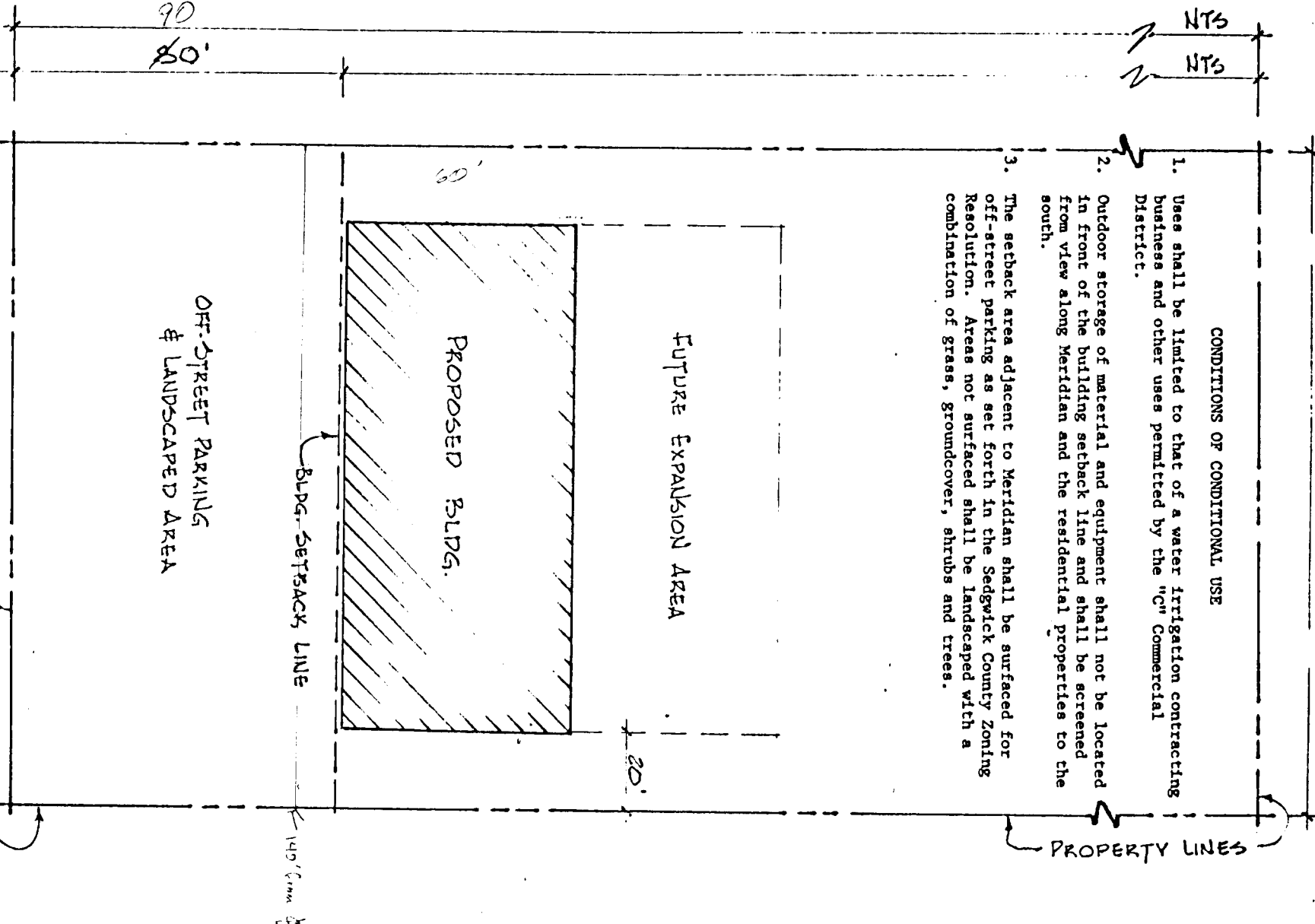
Robert R. Arnold
Robert R. Arnold, County Counselor

NTS
NTS

CONDITIONS OF CONDITIONAL USE

1. Uses shall be limited to that of a water irrigation contracting business and other uses permitted by the "C" Commercial District.
2. Outdoor storage of material and equipment shall not be located in front of the building setback line and shall be screened from view along Meridian and the residential properties to the south.
3. The setback area adjacent to Meridian shall be surfaced for off-street parking as set forth in the Sedgewick County Zoning Resolution. Areas not surfaced shall be landscaped with a combination of grass, groundcover, shrubs and trees.

PROPERTY LINES



90'
80'

60'

60'

20'

140' from E



1" = 30'

MERIDIAN AVENUE

LEGAL DESCRIPTION: The S. 5 ac. of the No. 20 sec. of the W 1/2 of the SW 1/4, 5th Sec. 6, Township 26, Range 1 E, Sedgewick Co, Ks.

CONDITIONAL USE - 317

G.E. LITTLE, P.E.
WICHITA, K.S.
8-8-88

PROPERTY LINES

STAFF REPORT

CASE NUMBER: CU-317

OWNER/APPLICANT/AGENT: Richard J. & Lois M. Burns (owners)
Terry Ellis (contract purchaser)
Glen E. Lytle (agent)

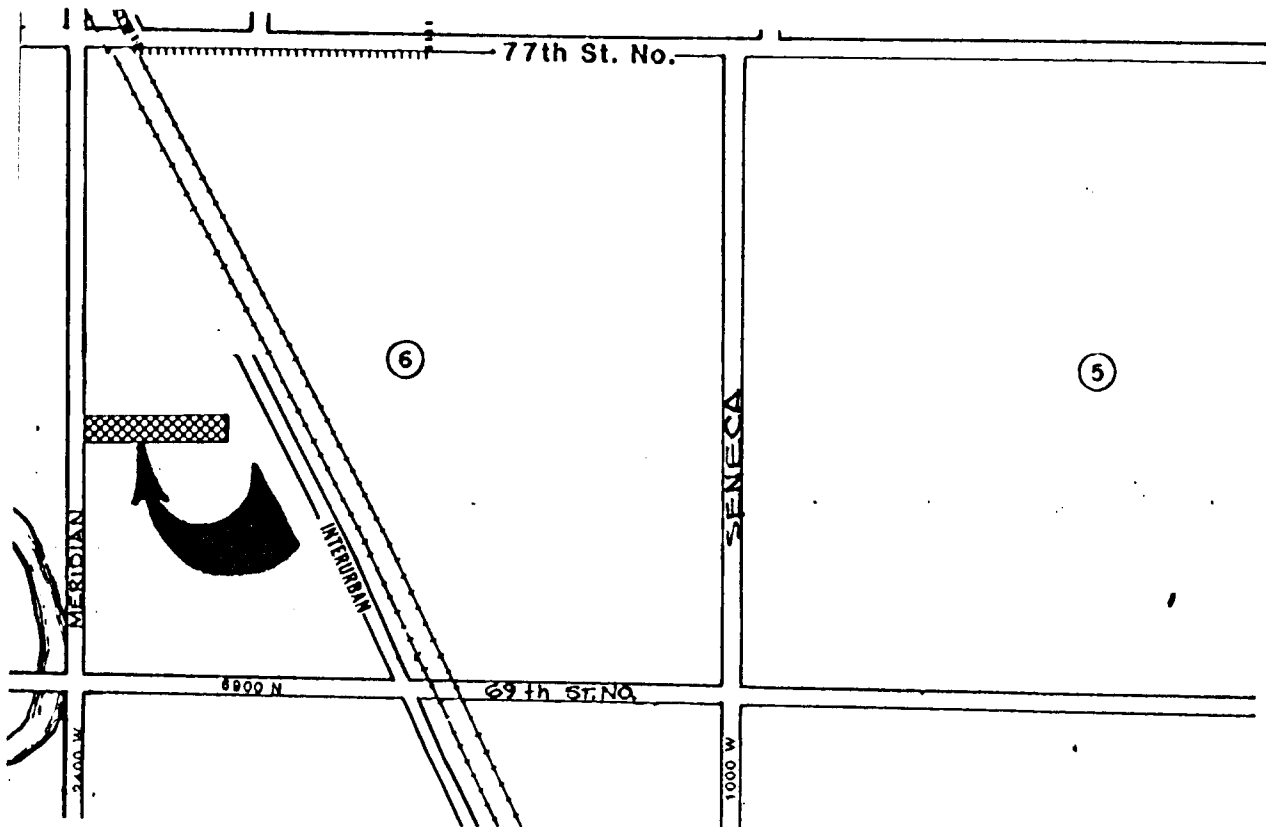
REQUEST: Conditional Use Permit for an irrigation contracting business

CURRENT ZONING: "R" Rural Residential, but approved for "C" Commercial, subject to platting

SITE SIZE: 5 acres (approximately 165 ft. x 1,320 ft.)

LOCATION: East side of Meridian, 1/2-mile north of 69th Street North.

PROPOSED USE: Irrigation contracting business



BACKGROUND: The applicant is requesting a conditional use permit to establish an irrigation contracting business on a 5-acre tract which has been approved for "C" zoning, subject to platting. Because there will be outdoor storage of supplies, as well as vehicles used in the business, this use is not an outright permitted use in the "C" district, but requires a conditional use permit. A plan submitted with the application shows the proposed building at least 140 feet east of the centerline of Meridian. When the Valley Center Planning Commission reviewed the associated zone change request last March, a 200-foot setback was recommended. The MAPC recommended a 140-foot setback and the Board of County Commissioners subsequently approved "C" zoning with only a 140-foot building setback requirement from the centerline of Meridian. Outdoor storage of material and equipment will not be permitted in front of the building setback line and shall be screened from view along Meridian and when adjacent to residentially zoned properties. Off-street parking shall be provided, as required by Section 13.B of the Sedgwick County Zoning Regulations, including number of spaces, parking lot surfacing material, and screening. It is recommended that a minimum 10-foot-wide landscaped area consisting of grass, shrubs and trees be provided along Meridian, except at the driveways. This would provide some visual protection for the single-family homes fronting onto Meridian to the west.

CASE HISTORY: SCZ-0240 - "R" to "E" requested for 20 acres in 1970. "E" approved, except for west 250 feet, which was approved for "LC", all subject to platting. Case denied and closed in 1973, due to failure to plat. SCZ-0590 - "R" to "E" requested for 20 acres in March 1988. "E" denied, "C" approved, subject to platting.

ADJACENT ZONING AND LAND USE:

NORTH	"R"*	Undeveloped
SOUTH	"R"	Undeveloped and residential
EAST	"E"	Oil storage tanks
WEST	"R"	One-family dwellings

*Approved for "C"

PUBLIC SERVICES: Meridian is a paved four-lane arterial. Municipal sewer and water are not available to serve the site.

RECOMMENDATION: It is recommended that a conditional use permit for an irrigation contracting business be approved at this location, subject to the following conditions:

1. The applicant shall plat the property prior to May 11, 1989, as required by the associated zone change request to the "C" Commercial District.
2. Outdoor storage of material and equipment shall not be located in front of the required building setback line and shall be screened from view along Meridian and when adjacent to residentially zoned

properties. The screening shall be a solid fence or wall not less than six feet in height nor less than the height of the merchandise being stored outdoors, or a dense evergreen landscape buffer if a landscape plan has first been submitted to and approved by the Director of Planning of the Wichita-Sedgwick County Metropolitan Area Planning Department.

3. Off-street parking shall be provided as required by Section 13.B of the Sedgwick County Zoning Regulations, including number of spaces, parking lot surfacing material, and screening.
4. A minimum 10-foot-wide landscaped area consisting of grass, shrubs and trees shall be provided along Meridian, except at the driveways. Three copies of a landscape plan, prepared by a landscape architect, shall be submitted to the Director of Planning of the Wichita-Sedgwick County Metropolitan Area Planning Department for review and approval prior to issuance of a building permit. The approved plant materials shall be installed prior to occupancy of the building or, if weather prohibits planting at that time, a financial guarantee shall be submitted to the County Building Permit Office assuring planting within the next planting season.