

Published in The Daily Reporter on 7/20, 1990

RESOLUTION NO. 151-1990

A RESOLUTION AUTHORIZING A CONDITIONAL USE PERMIT TO ALLOW USE OF FARM BUILDING FOR NONAGRICULTURAL STORAGE IN THE "R-1" SUBURBAN RESIDENTIAL 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, AND SUBSEQUENTLY AMENDED.

BE IT RESOLVED BY THE GOVERNING BODY 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 17.C of the Zoning Regulations, a conditional use permit to allow use of farm building for nonagricultural storage on property zoned "R-1" Suburban Residential District is hereby approved on lands legally described below:

Case No. CU-335
Conditional Use Permit request for
utilization of farm buildings for
nonagricultural storage of RV's, boats, etc.

Lots 1, 2, 3, 4, 5, and the west 20 feet of Lot 15 and all of Lot 16, Block A of Merlene Addition to Sedgwick County, Kansas. Generally located on the east side of Greenwich Road, south of Creed Street (1/4-mile north of 31st Street South) (11229 Creed Street).

SUBJECT TO THE FOLLOWING CONDITIONS:

- A. At such time as there are 5 residential dwellings within 500 feet of any part of the farm building that is subject to this resolution, the applicant shall discontinue the use of the farm building for storage of nonagricultural items.
- B. The only structures on the application area that are approved for storage of nonagricultural items are the existing 122-foot by 30-foot enclosed building and associated 12-bay lean-to located on Lot 16 and part of Lot 15.
- C. One double-faced sign no larger than 32 square feet in surface area is authorized for installation on the site near Greenwich Road. The sign may not be lighted. A sign permit shall be obtained from Sedgwick County's Department of Code Enforcement prior to installation of the sign.
- D. All nonagricultural storage allowed by this conditional use permit shall be within the enclosed farm building or under the lean-to structure attached thereto. Nothing in the approval of this request shall be construed to permit the outdoor storage of nonagricultural items.
- E. Any violation of these conditions shall declare the conditional use permit null and void.

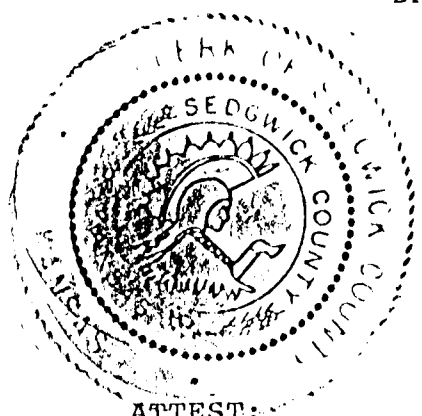
SECTION II. That upon the taking effect of this Resolution, the notation of such conditional use permit shall be entered in the official zoning atlas on file in the Office of the County Zoning Administrator and in the Office of the Wichita-Sedgwick County Metropolitan Area Planning Department.

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

Commissioners present and voting were:

DAVID BAYOUTH	<u>aye</u>
PAUL W. HANCOCK	<u>aye</u>
BERNARD A. HENTZEN	<u>aye</u>
BILLY Q. McCRAY	<u>aye</u>
MARK F. SCHROEDER	<u>aye</u>

DATED this 14th day of July, 1990.



BOARD OF COUNTY COMMISSIONERS OF
SEDGWICK COUNTY, KANSAS

Mark F. Schroeder
MARK F. SCHROEDER, Chairman

David Bayouth
DAVID BAYOUTH, Chairman Pro Tem

ATTEST:

Don Wright
DON WRIGHT, County Clerk

Paul W. Hancock
PAUL W. HANCOCK, Commissioner

APPROVED AS TO FORM ONLY:

Bernard A. Hentzen
BERNARD A. HENTZEN, Commissioner

Henry H. Spase
County Counselor/Assistant

Billy Q. McCray
BILLY Q. McCRAY, Commissioner

GREENWICH ROAD

CREED STREET 30'

LOTS 1-2

LOTS 3-4

LOT 5

LOT 6

LOTS 7-8

LOTS 9-10

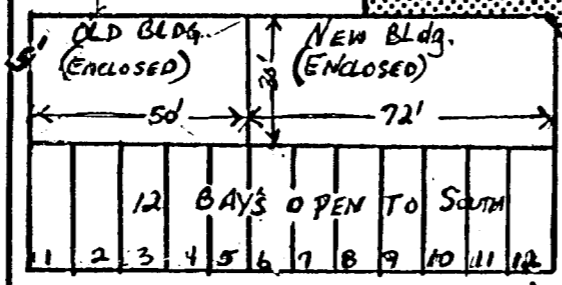
Applicant's House ON LOT 4
X

138'

30'

DRIVEWAY

BRISTOL STREET



LOT 15

LOTS 14-13

LOTS 12-11

LOTS 20-19

LOTS 18-17

LOT 16

493' TO Greenwich Road

138'

1224'

113.4'

HURST STREET 30'

X HOUSE ON THIS ACRE

X HOUSE ON THIS ACRE

FARM GROUND THIS 38 ACRES



CU-335

June 7, 1990

STAFF REPORT

CASE NUMBER: CU-335

OWNER/APPLICANT/AGENT: Rhonda Keely (owner/applicant)
Mary & Wilfred Govert (contract purchaser)

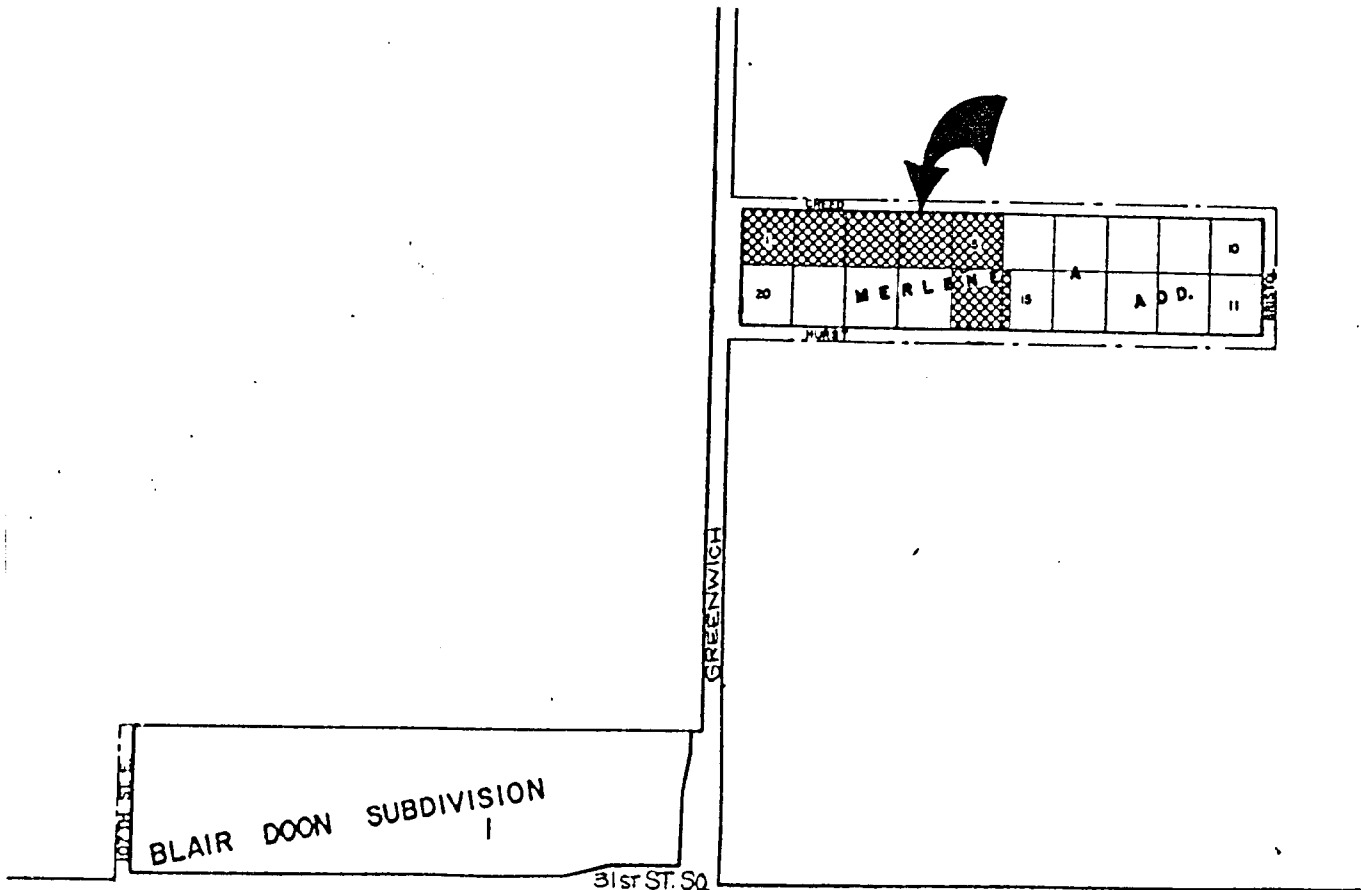
REQUEST: Conditional Use Permit to allow use of farm building for nonagricultural storage.

CURRENT ZONING: "R-1" Suburban Residential District

SITE SIZE: 2.4 acres (irregular shape)

LOCATION: On the east side of Greenwich Road, approx. 1/4-mile north of 31st Street South.

PROPOSED USE: Use of existing farm buildings for storage of recreational vehicles, boats, etc.



BACKGROUND: The applicant is requesting a conditional use permit for use of an existing farm building for non-agricultural storage (e.g., recreational vehicles, boats, etc.). The farm building is located approximately 500 feet east of Greenwich Road in an area south of Creed Street (1/4-mile north of 31st Street South). The application area for this case involves 7 platted lots and measures 2.4 acres.

Although the subject farm building is located approximately 500 feet off of Greenwich Road, the land between the building and that section line road has been included in the application area in order to obtain a sign on Greenwich Road which will advertise the storage facility. The applicant resides in the dwelling unit that is located northwest of the farm building. The applicant owns all the lots that were platted in 1966 as Merlene Addition. The subject subdivision is undeveloped, except for the applicant's residence on Lot 4. The farm building that is subject to this conditional use permit request is located on Lot 16. Access to the farm building is by way of a driveway to Creed Street that is located on part of Lots 5 and 15.

The farm building measures approximately 30 feet by 122 feet and has a lean-to structure attached to its south wall. The applicant's site plan depicts a maximum of 12 parking stalls under the lean-to. The applicant has advised that the west 50 feet of the enclosed farm building is currently being used for his own storage purposes. A copy of the applicant's site plan is attached to this report.

CASE HISTORY: None.

ADJACENT ZONING AND LAND USE:

NORTH	"R-1"	Undeveloped (agricultural use)
SOUTH	"R-1"	Undeveloped (agricultural use)
EAST	"R-1"	Undeveloped
WEST	"R-1"	Undeveloped lots

PUBLIC SERVICES: This property is not served with either municipal water or sanitary sewer. Adjacent Creed is an unpaved residential street existing within only 30 feet of half-street right-of-way. Only 30 feet of half-street right-of-way exists for adjacent Hurst Street, which is unopened. Adjacent Greenwich Road is a two-lane paved arterial street. Fifty feet of half-street right-of-way exists for Greenwich adjacent to this property. Complete access control was dedicated to Greenwich Road across the west line of this site when the property was platted in 1966.

CONFORMANCE TO PLANS/POLICIES: Section 5(A)(10)(h) of the County Zoning Resolution provides for farm buildings to be used for nonagricultural storage until such time as there are 5 residential dwellings within 500 feet of the use and provided the Metropolitan Area Planning Commission reviews the request and the Board of County Commissioners approves the use by issuing a conditional use permit. The Land Use Element of Sedgwick County's Comprehensive Plan depicts development of this property with residential land uses.

RECOMMENDATION: It is recommended that this conditional use permit be approved, subject to the following conditions:

- A. At such time as there are 5 residential dwellings within 500 feet of any part of the farm building that is subject to this resolution, the applicant shall discontinue the use of the farm building for storage of nonagricultural items.
- B. The only structures on the application area that are approved for storage of nonagricultural items are the existing 122-foot by 30-foot enclosed building and associated 12-bay lean-to located on Lot 16 and part of Lot 15.
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