



FILE COPY

**Wichita-Sedgwick County Metropolitan Area Planning Department**

June 19, 2003

Larry Don Coleman  
Patricia L. Coleman  
3333 W. Harry Ste. #105  
Wichita KS 67213

**RE: ZON2003-00019 – Sedgwick County Zone change from “RR” Rural Residential to “SF-20” Single-family Residential. Generally located north of 47<sup>th</sup> Street South and east of 231<sup>st</sup> Street West. (District III)**

Dear Ladies and Gentlemen:

At its regular meeting on **June 18, 2003**, the Board of County Commissioners considered the above-captioned request. The action of the County Commission was to **DENY** the request.

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

Sincerely,

A handwritten signature in black ink, appearing to read 'Scott Knebel'.

Scott Knebel  
Senior Planner

SK/rms

Cc: Mark Savoy, Savoy Company, 535 S. Emporia, Ste. 104, Wichita, KS 67208  
Karen Bailey, Goddard City Hall, 118 N. Main, Box 667 Goddard KS 67052  
Barbara Craig Queen, 56 Stratford Road, Wichita, KS 67207  
Donald D. and Marcia L. Menzer, 23001 W. 47<sup>th</sup> S. Goddard KS 67052-8206  
William F. Hurst, III, and Beth Eileen Hurst, 23510 W. 47<sup>th</sup> St. S., Goddard KS 67052  
Mark A. and Mary Suzanne Foster, 4430 S. 231<sup>st</sup> W., Goddard KS 67052  
Donald R. and, Catherine L. Maben, P O Box 724, Goddard KS 67052  
David R. and Della Branine, 23013 W. 47<sup>th</sup> S., Goddard KS 67052  
Tom Winters, County Commissioner, District III, Mail Stop, County Room 320  
Bob Parnacott, County Law, Mail Stop, County Room 359  
Glen Wiltse, County Code Enforcement, 1144 S. Seneca, Wichita, KS 67213

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AGENDA ITEM NO. 6

## STAFF REPORT

Goddard May 8, 2003

MAPC May 22, 2003

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**CASE NUMBER:** ZON2003-00019

**APPLICANT/AGENT:** Larry Don Coleman (Owner/Applicant); Savoy Company c/o Mark Savoy (Agent)

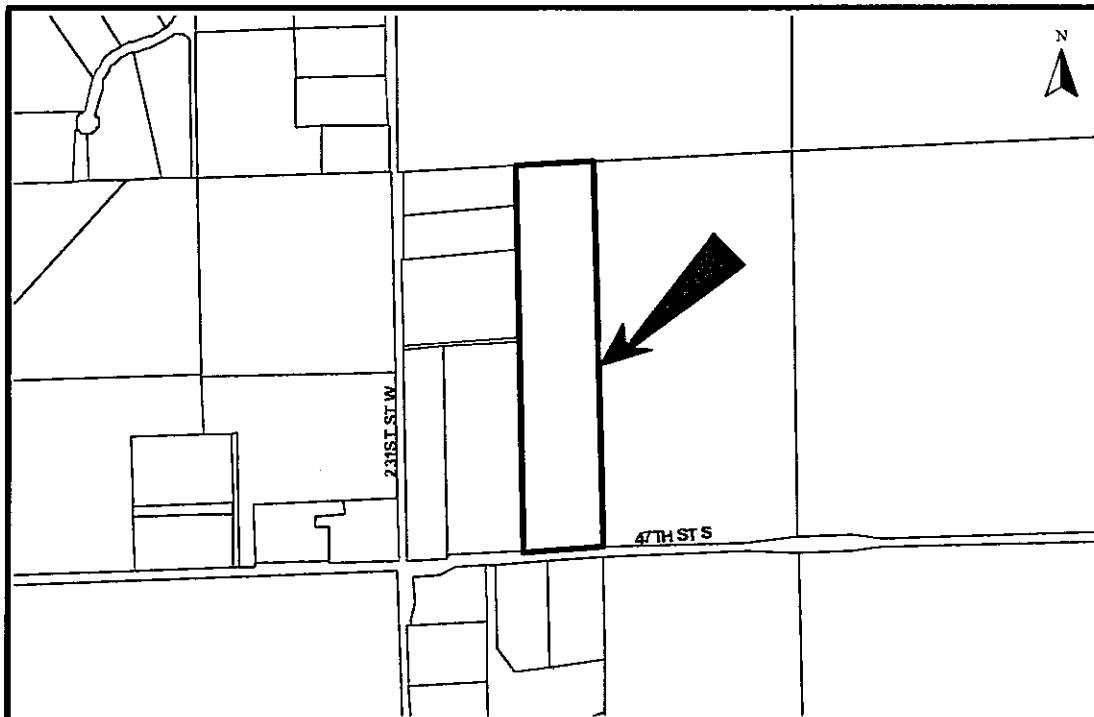
**REQUEST:** "SF-20" Single-Family Residential

**CURRENT ZONING:** "RR" Rural Residential

**SITE SIZE:** 31.8 acres

**LOCATION:** North of the 47<sup>th</sup> Street South and east of 231<sup>st</sup> Street West

**PROPOSED USE:** Single-Family Residences



**BACKGROUND:** The applicant requests a zone change from "RR" Rural Residential to "SF-20" Single-Family Residential on a 31.8-acre unplatted tract located north of 47<sup>th</sup> Street South and east of 231<sup>st</sup> Street West. The subject property is located within the zoning area of influence for the City of Goddard, and the Goddard Planning Commission is scheduled to consider the zone change request on May 8, 2003.

The applicant submitted a one-step plat (SUB2003-00045 Ricken Acres Addition) for the subject property. The plat (see attached) is scheduled to be heard by the Subdivision Committee on May 15, 2003 and by the MAPC at the same time as the requested zone change. The applicant proposes to develop the subject property with 27 lots, approximately one acre each in area, served by an extension of rural water and an on-site alternative sanitary sewer system on each lot. The applicant has requested "SF-20" Single-Family Residential zoning because the minimum lot size permitted by the subject property's "RR" Rural Residential zoning is two acres.

The character of the surrounding area is agricultural, although non-conforming suburban-scale residential development is located one-half mile south of the subject property in the Lake Waltanna area. All of the property surrounding the subject property is zoned "RR" Rural Residential. With the exception of several 5-15 acre residential lots south and west of the subject property, all adjacent properties are used for agriculture.

**CASE HISTORY:** The subject property is unplatted.

**ADJACENT ZONING AND LAND USE:**

NORTH:	"RR"	Agriculture, 5-15 acre residential lots
SOUTH:	"RR"	Agriculture
EAST:	"RR"	Agriculture
WEST:	"RR"	Agriculture, 5-15 acre residential lots

**PUBLIC SERVICES:** The subject property has access to 47<sup>th</sup> Street South, an unpaved section line road. The nearest paved road is 231<sup>st</sup> Street West, which intersects with 47<sup>th</sup> Street South approximately 1,000 feet west of 227<sup>th</sup> Street West Circle, which is proposed by the Ricken Acres Addition as an unpaved local residential street to serve the subject property. The subject property is proposed to be served by an extension of rural water and an on-site alternative sanitary sewer system on each lot.

**CONFORMANCE TO PLANS/POLICIES:** The Land Use Guide of the Comprehensive Plan identifies this area as appropriate for "Rural" development. The Rural category is intended to accommodate agricultural uses, rural based uses that are no more offensive than agricultural uses, and large lot subdivisions with provisions for future water and sewer service.

The Comprehensive Plan has the stated objective of encouraging agricultural activity in the county. A zone change allowing increased density in the middle of agricultural production areas does not meet this objective. The Comprehensive Plan has the stated objective of encouraging growth and development to areas that are served by existing public facilities and services, or which can be served economically and promote compact and contiguous development. The Comprehensive Plan also promotes a strategy of preserving open space. The requested zone change and resulting increase in residential density does not provide for preserved open space.

**RECOMMENDATION:** Based upon information available prior to the public hearings, planning staff recommends that the request be DENIED.

This recommendation is based on the following findings:

1. The zoning, uses and character of the neighborhood: The character of the surrounding area is agricultural, with all residential uses in the immediate vicinity on 5-15 acre lots. All properties in the surrounding area are zoned "RR" Rural Residential, including suburban-scale residential development located approximately one-half mile south of the subject property that does not conform to current zoning regulations in terms of minimum lot size as it was developed prior to Sedgwick County adopting zoning for the area. The requested zone change is out of character with the surrounding large lot residential and agricultural uses and would result in "spot zoning" since all of the surrounding properties for several miles are zoned "RR" Rural Residential.
2. The suitability of the subject property for the uses to which it has been restricted: The subject property is zoned "RR" Rural Residential, which accommodates 2-5 acre lot, single-family residential development. The subject property is suitable for development as zoned with 2-5 acre residential lots.
3. Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies: The Land Use Guide of the Comprehensive Plan identifies this area as appropriate for "Rural" development. The request does not meet the Zoning Code or Comprehensive Plan intent for an increase in residential density (from "RR" to "SF-20") based on a location where future public services are planned. The request also does not work towards meeting Comprehensive Plan objectives of preserving open space or encouraging agricultural activity, by using higher densities in a "cluster" with the difference in land area set aside and prohibited from future development.
4. Impact of the proposed development on community facilities: The proposed zone change to "SF-20" for 27 one-acre lots instead of 13-14 two-acre lots

should not have a significant negative affect on community facilities. However, the cumulative effect of doubling the permitted densities in rural areas that have minimal public services today will be to force the eventual paving of unpaved roads, increase in emergency service costs, and greater likelihood of needing to someday extend public sewer facilities to replace failing on-site systems.