

(150004) Published in The Derby Reporter on July 6, 2004

RESOLUTION NO. 110-2004

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, 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. ZON2003-00045

Zone change from "RR" Rural Residential to "SF-20" Single-family Residential on property described as:

Lots 1-12, Block A; and Lots 1-14, Block B, Hilltop Acres Addition, Sedgwick County, Kansas. Generally located at the northeast corner of 29th Street North and east of 151st Street.

Subject to the conditions that the applicant pay \$60,000 to the County for supplying a cold mix surface to 151st Street and also that the applicant obtain and submit water testing of the quantity and quality of water in the area.

SECTION II. That upon the taking effect of this Resolution, the notation of such zone change 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.

Commissioners present and voting were:

DAVE UNRUH	Aye
TIM R. NORTON	Aye
THOMAS G. WINTERS	Aye
CAROLYN McGINN	Aye
BEN SCIORTINO	Aye

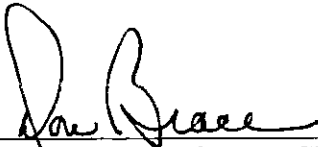
DATED this 21st day of January, 2009.

BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS



THOMAS G. WINTERS, Chairman
Third District

ATTEST:

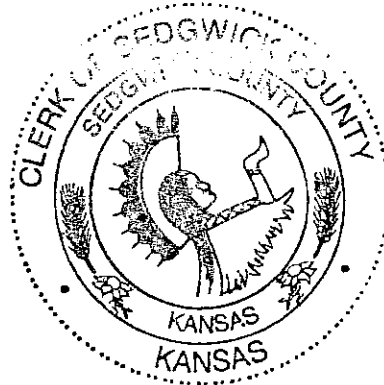


DON BRACE, County Clerk

APPROVED AS TO FORM:



ROBERT W. PARNACOTT,
Assistant County Counselor





AGENDA ITEM NO. 7

STAFF REPORT

MAPC 10 - 9 - 03

MAPC 12-11-03

CASE NUMBER: ZON2003-45

APPLICANT/AGENT: Fredrick L. & Dianna L. Simmon (applicant); Baughman Company P. A. (Russ Ewy)

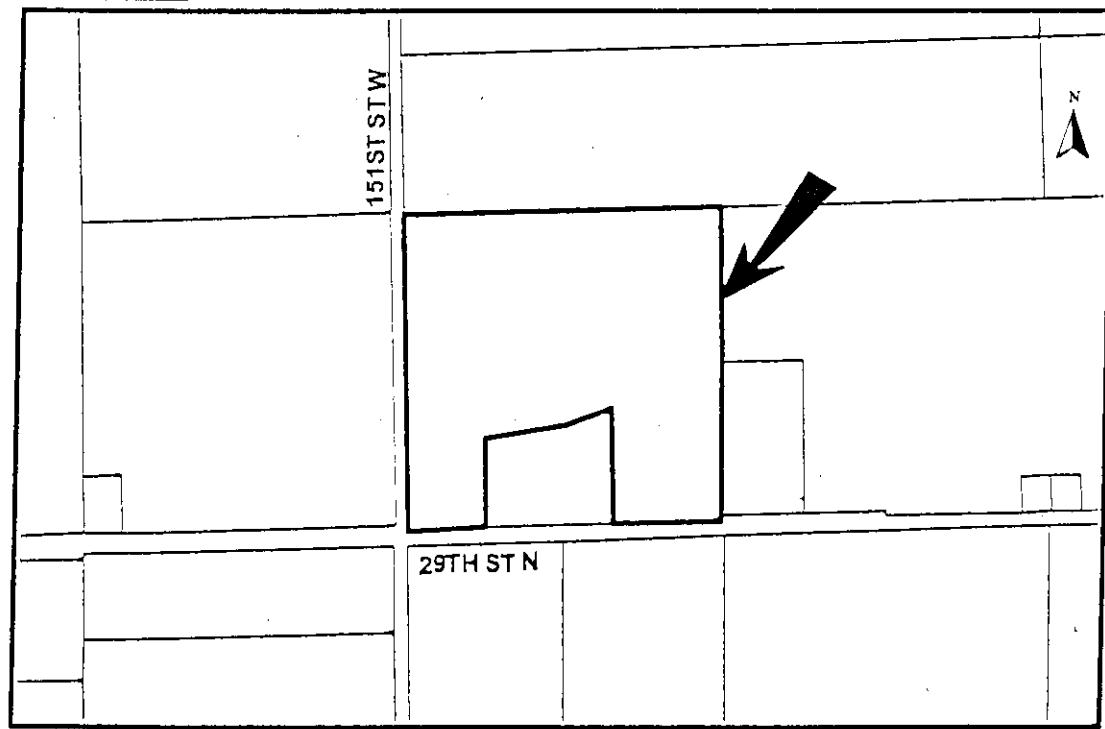
REQUEST: SF-20 Single-family Residential

CURRENT ZONING: "RR" Rural Residential

SITE SIZE: 33.06

LOCATION: Northeast corner of 29th Street North and east of 151st Street

PROPOSED USE: Residences



BACKGROUND: The applicant is seeking "SF-20" Single-family Residential zoning on 33.06 acres located northeast of 29th Street North and 151 Street West. The property is currently used for cropland, and is an upside down "U" shape with a single-family residence located on the left out tract. Both 29th and 151st Streets are sand and gravel roads. It is one mile to the closest paved roads, 21st Street and 135th Street.

Surrounding property is used primarily for farm ground. There are five homes located within 1/4 mile of the application area. Within a 1/2 mile there are 22 lots of approximately 5-acres in size (Reece Farms Addition). Lot sizes in the area vary from 20 acres and larger, down to 2 acres or so. Water and wastewater services would have to be provided on-site.

CASE HISTORY: This property was zoned "RR" with the adoption of 1985 countywide zoning resolution. The applicant has filed a plat for this property that shows 26 lots that are approximately one acre in size.

ADJACENT ZONING AND LAND USE:

NORTH: "RR" Rural Residential; farm ground
SOUTH: "RR" Rural Residential; residences, farm ground
EAST: "RR" Rural Residential; farm ground
WEST: "RR" Rural Residential; residences, farm ground

PUBLIC SERVICES: 151st Street and 29th Street are sand and gravel roads. Public sewer and water services are not available at this location.

CONFORMANCE TO PLANS/POLICIES: The "Wichita Land Use Guide" map depicts this site as appropriate for low-density residential usage, which is defined as 1-6 units per acre. The density of the proposed project is 1.2 dwelling units per acre. The map also indicates this site is located within the proposed northwest bypass corridor, and is also located within the 2030 Urban Service Area for City of Wichita utilities.

RECOMMENDATION: Based upon information available prior to the public hearings, planning staff recommends that the request be APPROVED, subject to platting within 1-year.

This recommendation is based on the following findings:

1. The zoning, uses and character of the neighborhood: All nearby property is zoned "RR" Rural Residential, and is used for agricultural or large-lot residential uses. The character of this area is predominately rural, but will probably experience increasing development pressures.

2. The suitability of the subject property for the uses to which it has been restricted: The property is zoned "RR" Rural Residential that primarily permits large lot residential uses with a minimum lot size of two acres. The site could be developed as currently zoned. If developed as currently zoned, the site would yield a fewer number of lots.
3. Extent to which removal of the restrictions will detrimentally affect nearby property: "SF-20" Single-family Residential zoning and "RR" Rural Residential are very similar districts whose primary difference is minimum lot size. "SF-20" permits lot sizes of 20,000 square feet and larger, whereas the "RR" district has a minimum lot size of 2 acres. If approved, the increased density should not detrimentally affect nearby residents. There may be a concern by existing neighbors if the request is approved, there could be twice as many individual water wells on the application area than if it remains zoned as it is today. If this request is approved, the applicant can be required as part of platting to demonstrate that sufficient water quantity is available to serve the proposed development, and potentially evaluate the impact on nearby properties.
4. Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies: The "Wichita Land Use Guide" map depicts this site as appropriate for low-density residential usage, which is defined as 1-6 units per acre. The density of the proposed project is 1.2 dwelling units per acre. The map also indicates this site is located within the proposed northwest bypass corridor, and is also located within the 2030 Urban Service Area for City of Wichita utilities. No specific route for the bypass has been determined to-date for the proposed roadway.
6. Impact of the proposed development on community facilities: If the request is approved, there will be an increase in all publicly provided services generally provided to a residential development since the ground is vacant today. Traffic generated by the developed lots will result in a need for higher road maintenance on the adjoining sand and gravel roads.