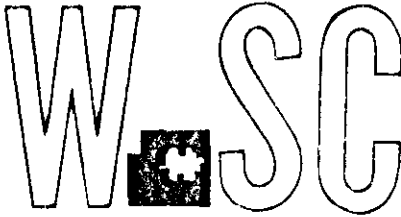


WICHITA - SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

CITY HALL - TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202-1668
(316) 268-4561

October 28, 1988

Shirley Ann Coleman,
9445 S. Meridian
Peck, KS 67120

Re: SCZ-0594 - Zone change from the "R-1" Suburban Residential District to the "LC" Light Commercial District, located at the northeast corner of Hydraulic & 61st Street South.

Dear Ms. Coleman:

At its regular meeting on October 27, 1988, the Metropolitan Area Planning Commission considered the above-captioned zoning change request. The action of the Planning Commission was to indefinitely defer this case so that you and your contractor could review the possibility of filing for an exception to increase the floor area of your business, which could be granted by the Board of Zoning Appeals, not to exceed 100% of the existing floor area.

I am available to meet with you almost any time at your convenience. Please call me at 268-4421 for an appointment.

Sincerely,

Jack H. Galbraith
Chief Planner

JHG:jcm

cc: Kerry M. Gasper, Stinson, Lasswell & Wilson, 430 R. H.
Garvey Building, Wichita, KS, 67202
Ron Worley, County Zoning Administrator
Bob Wethington, Chairman, Haysville Planning Commission, 309
W. 6th, Haysville, KS, 67060

FILE COPY

STAFF REPORT

CASE NUMBER: SCZ-0594

OWNER/APPLICANT/AGENT: Shirley Ann Coleman (owner/applicant)
Kerry Gasper of Stinson, Laswell & Wilson (agent)

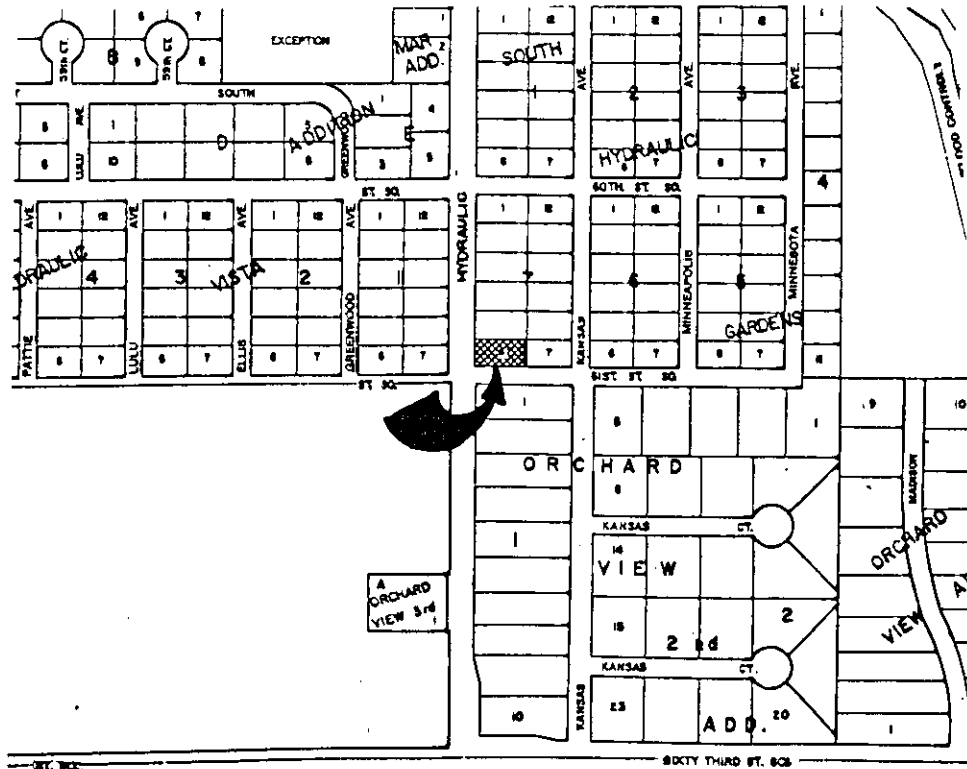
REQUEST: Zone change to the "LC" Light Commercial District

CURRENT ZONING: "R-1" Suburban Residential District

SITE SIZE: .5 acre (180 ft. x 97 ft.)

LOCATION: Northeast corner of Hydraulic and 61st St. S.

PROPOSED USE: The expansion of an existing tavern beyond the square footage permitted for a non-conforming use in the "R-1" zoning district. The site is presently developed with a tavern that is a non-conforming use in the "R-1" zoning district.



BACKGROUND: The applicant is requesting a zone change from the "R-1" Suburban Residential District to the "LC" Light Commercial District for a .5-acre platted lot at the northeast corner of 61st Street South and Hydraulic. The site is presently developed with a tavern that is a non-conforming use in the "R-1" zoning district. The tavern existed prior to the enactment of County Zoning in 1958. Under the provisions of Section 15(F)(2)(b) of the County Zoning Resolution, nonconforming uses in residential districts are permitted 50% floor area expansion. Under this same section, the Board of Zoning Appeals may allow an expansion of not more than 100%, providing a finding is made that such expansion does not endanger the continued well-being and quality of life of the residential area in which it is located. The applicant desires to expand the existing tavern more than 100%.

CASE HISTORY: None.

ADJACENT ZONING AND LAND USE:

NORTH	R-1	Single-family dwelling
SOUTH	R-1	Single-family dwelling
EAST	R-1	Single-family dwelling
WEST	R-1	Single-family dwelling

PUBLIC SERVICES: This property is not served with either municipal water or sanitary sewer. Hydraulic Avenue to the west is a paved two-lane arterial for which 50 feet of half-street right-of-way exists. Access control from this property to Hydraulic does not appear to exist. Sixty-first Street South is an unpaved residential street for which 60 feet of right-of-way exists.

CONFORMANCE TO PLANS/POLICIES: An MAPC zoning policy does not exist for this portion of Hydraulic Avenue. The Land Use Element of the Comprehensive Plan depicts residential land use for this general area.

RECOMMENDATION: Because the introduction of the light commercial district at this location would be "spot zoning" and would permit a wide range of uses which are not in character with adjacent zoning districts and uses would likely have a detrimental effect on adjacent residential properties, it is recommended that this zone change request be denied. It is recommended that the applicant limit her expansion of the non-conforming use to the square footage allowed in Section 15(F)(2)(b) of the County Zoning Regulations.