

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION
TO BOARD OF COUNTY COMMISSIONERS

PROPOSED AGENDA ITEMS : SCZ- 0716 - Zone change from 'SF-20' Single Family Residential to 'LC' Limited Commercial, located on the southeast corner of Harry & Webb Road.

PRESENTED BY: Marvin S. Krout, Director of Planning

PROPOSED AGENDA DATE: June 26, 1996

COMMISSION DISTRICT #5

MAPC Recommendation: Approve (11-0).

Staff Recommendation: Approve.

Background/Discussion: The applicant requests a zone change from 'SF-20' Single-Family Residential to 'LC' Limited Commercial on a 0.4 acre strip located on a platted lot in an area 1/8 mile east of Webb Road, south of Harry. The application area varies in size from 25 to 65 feet in width.

The applicant requests the zone change in order to remove the split zoning on the property. The majority of the lot has 'LC' zoning obtained through the four-corner zoning established in the late 1950's, while this strip of 'SF-20' lay just outside of the 600 foot zoning boundary. Through a lot split, a portion of this lot's northwestern corner has been developed as a car wash.

The applicant's proposed use is auto parts sales, although if approved, any allowed 'LC' use could develop here. Allowing the 'SF-20' to remain could restrict site design, as only permitted 'SF-20' uses could be located on the 'SF-20' zoned portion (There are no commercial uses permitted in 'SF-20', and accessory parking is permitted only as a conditional use).

The application area has a mix of commercial uses to the west and north at the intersection of Webb Road and Harry. The area to the south is undeveloped and there is a residence to the east that is screened by trees from the application area. The surrounding property is a mix of Limited Commercial, Two-Family, and Single-Family zoning.

During the Planning Commission's discussion of this matter, the agent for the applicant addressed the split zoning situation that exists at this site, and the desire to rezone to

have 'LC' zoning on the entire lot. After discussion, the MAPC voted (11-0) to approve the request as recommended by staff.

- Recommended Action:
1. Adopt the findings of fact of the Metropolitan Area Planning Commission and approve the zone change; adopt a resolution and authorize the chairman to sign; or
 2. Return to the Planning Commission for reconsideration.

(An override of the Planning Commission's recommendation requires a 2/3rd majority vote of the membership of the governing body on first hearing).

Applicants:

Joe Mobley 2221 View Point Drive Naples FL 33963

Homer Hardy LORAN LIMITED PARTNERSHIP 2103 E 37 St Tulsa OK 74105

Buford Graddy Auto Zone 2053 E Richmond Springfield MO 65804

Phil Meyer Baughman Co 315 Ellis Wichita KS 67211

Protestors:

None

RESOLUTION NO. #143-1996

FILE COPY

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 RESOLUTION NO. 46-1996.

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 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. SCZ-0716

Zone change request from 'SF-20' Single Family Dwelling District to 'LC' Limited Commercial District on property described as:

Lot 3, Block 1, Webb Road Addition, Except the West 324.66 feet of said lot, (Wichita) Sedgwick County, Kansas. Generally located in an area 1/8 mile east of Webb Road, south of Harry Street.

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 in the official county paper.

Commissioners present and voting were:

BETSY GWIN	<u>Absent</u>
PAUL W. HANCOCK	<u>Aye</u>
THOMAS G. WINTERS	<u>Aye</u>
MELODY C. MILLER	<u>Aye</u>
MARK F. SCHROEDER	<u>Aye</u>

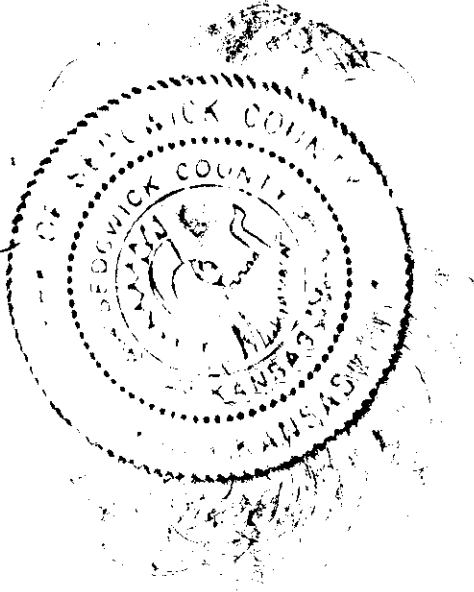
DATED this 2 nd day of June, 1996.

BOARD OF COUNTY COMMISSIONERS OF
SEDGWICK COUNTY, KANSAS

Thomas G. Winters
THOMAS G. WINTERS, Chairman

ATTEST:

Susan E. Crockett-Spoon
SUSAN E. CROCKETT-SPOON
County Clerk



APPROVED AS TO FORM ONLY:

Lucian E. Brown
Assistant County Counselor