


RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION
TO BOARD OF COUNTY COMMISSIONERS

PROPOSED AGENDA ITEMS : SCZ-0744 - Zone change from "SF-20" Single-Family Residential to "SF-6" Single-Family Residential, located north of US-54 and east of 151st Street West.

PRESENTED BY: Marvin S. Krout, Director of Planning 

PROPOSED AGENDA DATE: July 23, 1997

COMMISSION DISTRICT #3

MAPC Recommendation: Approve, subject to platting within 1 year (7-2-1).

Staff Recommendation: Approve, subject to platting within 1 year.

Background/Discussion: The applicant requests a zone change from "SF-20" Single-Family Residential to "SF-6" Single-Family Residential for a 0.56 acre unplatted tract located north of U.S. Highway 54, approximately 1/8 mile east of 151st Street West.

The applicant received approval of a request for "GO" General Office on a 1 acre tract, part of which is included in this application, by the Board of County Commissioners on June 12, 1996. That zone change was to enable the applicant to use both of the existing structures as his personal business office and storage facility. The zoning was subject to platting the property within one year (June 12, 1997), which did not occur thereby nullifying the zoning change.

The surveyor of this property has indicated that the property is to be platted into two lots. The survey of the subject property (attached) does not show a proposed lot configuration, but does locate an existing 2,200 square foot structure on the southern half of the application area in what would likely be one of the platted lots. The applicant's property, as well as the other two residences in the area, share access to Highway 54 from Wheat Lane, an unpaved right-turn in and out road dedicated by separate instrument, with no median break to allow left-turns. Sewer service is available to this site. As part of the platting process, the applicant will also be asked to attempt a paving petition for Wheat Lane.

The property to the west of the application area is used for a night club and zoned "LC", there are two single-family residences and a large shed to the north on property zoned "SF-20", there is one single-family residence and some undeveloped land zoned "SF-20" to the east, and across Highway 54 to the south is an industrial building on land zoned "LI", an adult night club and Recreational Vehicle sales lot zoned "LC".

During the Planning Commission's discussion of this matter on June 26, 1997, the MAPC questioned staff on the character of this corner and the impact the request may have on Kellogg traffic. Staff stated that the property would have right-turn in and out access to Kellogg. An attorney representing an adjacent property owner spoke in opposition, stating the zone change would be incompatible with his client's future development plans in the immediate area. Neither the applicant or agent were present to address the request. After the discussion, the MAPC voted (7-2-1) to approve the requested zone change, as recommended by staff.

- Recommended Action:
1. Adopt the findings of fact of the Metropolitan Area Planning Commission and approve the zone change subject to the condition of platting; adopt the resolution and authorize the chairman to sign; and instruct the Planning Department to withhold publication until the plat has been recorded with the Register of Deeds; 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:

Redmon Housing LLC 638 Wetmore Wichita KS 67209

Protestors:

Jeff Willis 727 North Waco #585 Wichita KS 67203

RESOLUTION NO. 163-1997

10/1/97

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. 57-1997.

BE IT RESOLVED BY THE GOVERNING BODY OF SEDGWICK COUNTY, KANSAS.

10/1/97

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-0744

Zone change request from "SF-20" Single-Family Residential to "SF-6" Single Family Residential District on property described as:

A tract in the Southwest Quarter of Section 26, Township 27 south, Range 2 west of the 6th P.M., Sedgwick County, Kansas described as commencing at a point 294 feet east of the west line of said southwest Quarter, at a point on the north line of US Highway 54; thence east 132 feet; thence north 141.8 feet to the POINT OF BEGINNING; thence continuing north 188.2 feet; thence west 132 feet; thence south 184.8 feet; thence east 132 feet, more or less, to the POINT OF BEGINNING. Generally located north of US Highway 54, approximately 1/8 mile east of 151st Street West.

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.

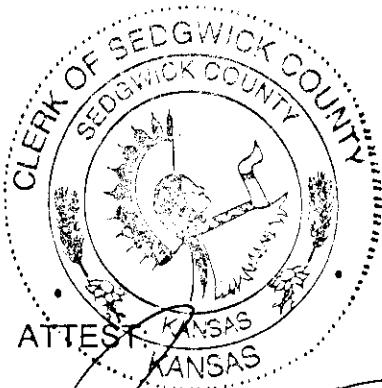
SECTION III. That this Resolution shall take effect and be in force from and after its adoption and publication in the official county paper.

Commissioners present and voting were:

BETSY GWIN	<u>Aye</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 23rd day of July, 1997.

BOARD OF COUNTY COMMISSIONERS OF
SEDGWICK COUNTY, KANSAS



James Alford
JAMES ALFORD
County Clerk

Thomas G. Winters
THOMAS G. WINTERS, Chairman

APPROVED AS TO FORM ONLY:

Susan McCann
Assistant County Counselor