

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION
TO BOARD OF COUNTY COMMISSIONERS

PROPOSED AGENDA ITEMS : SCZ- 0778 - Request for Zone Change from "RR" Rural Residential and "SF-20" Single-Family Residential to "MH" Manufactured Housing, located on the west side of Grove, south of 63rd Street South and immediately north of the Wichita-Valley Center Flood Control Ditch.

PRESENTED BY: Marvin S. Krout, Director of Planning *MKS*

PROPOSED AGENDA DATE: January 20, 1999

COMMISSION DISTRICT #2

MAPC Recommendation: Approve, subject to platting (8-0).

Staff Recommendation: Approve, subject to conditions.

Background/Discussion: This is the same property that was the subject of a rezoning request heard in August of 1998 for "LI" Limited Industrial with the Conditional Use to permit the expansion of an existing salvage yard from property that adjoins this land on the west; and rezoning of the majority of the land adjacent to Grove from "RR" Rural Residential to "SF-20" Single-Family to permit the development of lots approximately 1 acre in size. The Board of County Commissioners denied the "LI" zoning and the Conditional Use for the salvage yard expansion, but rezoned all the property "SF-20" for the proposed residential use. That action was subject to platting within one year and the rezoning has not taken effect yet because no plat has been filed.

This proposal is to accept the "SF-20" zoning on the proposed lots adjacent to Grove and request the balance of the land be zoned "MH" in order to permit the lots to be sold to individuals who could place manufactured homes on the lots. If granted, this zoning would permit both single-wide and double-wide manufactured homes to be placed on the individual lots, without the requirement for permanent foundations and masonry perimeter walls.

The Haysville Planning Commission unanimously voted to recommend approval of the request. One neighboring property owner was concerned with the "MH" zoning designation and the fear that the manufactured homes would not be compatible with the homes in the area.

The MAPC also unanimously recommended approval of the rezoning as requested, subject to platting within one year, with no one at this hearing in opposition. In effect, the platting needs to occur sooner since approximately four months have already run on the platting requirement of that portion of the property approved for "SF-20" last August.

No protests were filed.

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 within one; adopt the resolution and authorize the Chairman to sign; and instruct the Planning Department to withhold publication of the resolution 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:

A to Z Recycling, LLC % Vince Wilson 6930 S Minnesota Wichita KS 67233
J.P. Development, LLC, % Paul Mahoney, 3010 E. 79th St. South, Haysville, KS 67060
PEC, PA % Gary Wiley 303 S Topeka Wichita KS 67202

RESOLUTION NO. 9-99

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. 178-1997.

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- 0778

Zone change request from "RR" Rural Residential to "MH" Manufactured Housing on property described as:

The NE 1/4 of the SW 1/4 of Section 34, Township 28 South, Range 1 East of the 6th P.M., Sedgwick County, Kansas, except the East 200 feet and except that part taken in Floodway condemnation case # A-29459.

Generally located on west of Grove and approximately 1/2 mile south of 63rd Street South.

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.

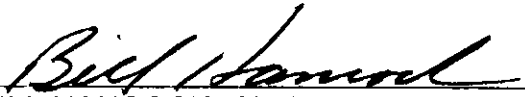
SECTION III. That this Resolution shall take effect and be in force from and after its adoption and publication in the official county paper.

Commissioners present and voting were:

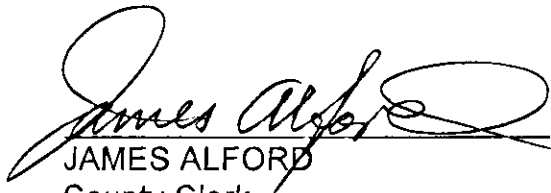
BETSY GWIN	<u>aye</u>
BILL HANCOCK	<u>abstain</u>
THOMAS G. WINTERS	<u>aye</u>
CAROYLN MCGINN	<u>aye</u>
BEN SCIORTINO	<u>aye</u>

DATED this 20th day of January, 1999.

BOARD OF COUNTY COMMISSIONERS OF
SEDGWICK COUNTY, KANSAS


BILL HANCOCK, Chairman

ATTEST:


JAMES ALFORD
County Clerk



APPROVED AS TO FORM ONLY:


RICH EUSON
County Counselor