

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION
TO BOARD OF COUNTY COMMISSIONERS

PROPOSED AGENDA ITEMS : SCZ-0754 - CG Investments, Inc., C.R. McBratney, and James R. Hotchkiss (property owners/applicants); Larry Williams (agent) request zone change from "RR" Rural Residential to "MH" Manufactured Housing located approximately ¼ mile south of 87th Street South, east of I-35.

PRESENTED BY: Marvin S. Krout, Director of Planning *RE (me)*

PROPOSED AGENDA DATE: November 26, 1997

COMMISSION DISTRICT #2

MAPC Recommendation: Approve, subject to conditions (10-2).

Haysville PC Recommendation: Approve, subject to conditions (7-0).

Staff Recommendation: Approve.

Background/Discussion: The applicants request a zone change from "RR" Rural Residential to "MH" Manufactured Housing on an unplatted 10.2 acre site located approximately ¼ mile south of 87th Street South, east of I-35 for the placement of two mobile homes.

The properties to the south and east (Arnett's 1st Addition platted on July 28, 1967) are currently zoned "SF-20" (SCZ-0378) and developed with a mix of mobile homes and single-family homes, while properties to the north and west remain zoned "RR" Rural Residential. The Kansas Turnpike is located to the west of the subject property, while property to the north is used for agricultural purposes.

The applicants received approval of a platting exemption from the Haysville Planning Commission on August 28, 1997 for the subject property. The site plan (copy attached) submitted with the application shows two 5 acre tracts served by a 25 foot wide driveway connected to Lulu Street and ends in a 70 foot diameter cul-du-sac. The plan shows the two properties served by an on-site water well and two septic tanks.

The Haysville Planning Commission discussed the case during their October 23, 1997 meeting, and recommended approval of the request (7-0), subject to dedicating contingent street right-of-way for the future extension of Lulu Street.

During the October 30, 1997 MAPC meeting, the applicant discussed the proposed placement of two mobile homes on the site. One area resident expressed some concern over potential drainage problems. After limited discussion, the MAPC voted (10-2) to approve the request subject to the applicant dedicating by separate instrument contingent street right-of-way along the eastern property line for the future extension of Lulu. There have been no protest petitions filed for this case.

- Recommended Action:
1. Adopt the findings of fact of the Metropolitan Area Planning Commission and approve the zone change subject to the recommended conditions; adopt the resolution and authorize the chairman to sign; and instruct the Planning Department to withhold publication until all conditions have been complied with; 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:

CG Investments, Inc 120 S Market Ste 600 Wichita KS 67202
CR McBratney 5736 S Broadway Lot #22 Wichita KS 67216
James R Hotchkiss 5736 S Broadway Lot #3 Wichita KS 67216
Larry Williams Network Inc 3610 W Centra Wichita KS 67203

Protestors:

Vernon Haws 1316 East 89th Street South Wichita KS 67233

RESOLUTION NO. R236-1997

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.

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 - 0754

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

A tract in the Northeast Quarter of Section 16, Township 29 south, Range 1 East of the 6th P.M., Sedgwick County, Kansas, described as follows: Beginning at the northwest corner of Lot 5, Arnett's First Addition; thence south 241.26 feet; thence west 590.63 feet; thence north 560.11 feet; thence east 943.48 feet; thence south 318.97 feet; thence west 353.23 feet to beginning. Generally located 1/4 mile south of 87th street South, east of KTA (I-135).

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.

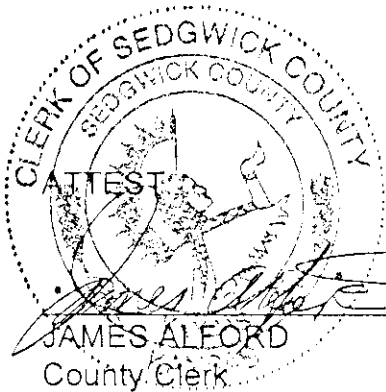
Commissioners present and voting were:

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 26th day of November, 1997.

BOARD OF COUNTY COMMISSIONERS OF
SEDGWICK COUNTY, KANSAS

Thomas G. Winters
THOMAS G. WINTERS, Chairman


ATTEST
James Alford
JAMES ALFORD
County Clerk

APPROVED AS TO FORM ONLY:

David Keason
Assistant County Counselor