

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION
TO BOARD OF COUNTY COMMISSIONERS

PROPOSED AGENDA ITEMS : SCZ-0753 - Zone change from "RR" Rural Residential to "MH" Manufactured Housing, located north of 119th Street South, east of 143rd Street East.

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

PROPOSED AGENDA DATE: November 26, 1997

COMMISSION DISTRICT #2

MAPC Recommendation: Approve, subject to conditions (13-0).

Staff Recommendation: Approve.

Background/Discussion: The applicant requests a zone change from "RR" Rural Residential to "MH" Manufactured Housing on an unplatted 15 acre site (three 5 acre lots) located north of 119th Street South, east of 143rd Street East in order to place three mobile homes within this development.

The recorded parcel description (copy attached) shows the three lots (Lots 10, 11, and 14) located on the east side of a 70 foot wide road easement (145th Street East), and part of the larger 80 acre development. Currently, there are mobile homes placed on 9 of the 16 lots. Water and sewer service is provided by on-site systems.

The area is zoned "RR" Rural Residential and is rural in character, except for this 80 acre mobile home development and other large lot homes to the north. Adjacent to the east and west across 143rd Street is undeveloped land used for agricultural purposes. There are three single-family homes across 119th Street to the south.

During the October 30, 1997 MAPC meeting, the applicant discussed the proposed residential development. Staff stated their intention to recommend that a contingent street easement dedication be required between Lots 10 and 11. After the discussion, the MAPC voted (13-0) to approve the request subject to the applicant dedicating by separate instrument contingent street easement between Lots 10 and 11, in order to provide future access from the existing street to property adjacent to the east when that tract develops. The owners of these two lots have agreed to the dedication. 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; adopt the resolution and authorize the chairman to sign; and instruct the Planning Department to withhold publication until the dedication instrument has been signed and recorded.
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:

Raymond Dings 3333 S Rutan Wichita KS 67216

Protestors:

None

RESOLUTION NO. 237-1997

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- 0753

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

The north half of the Southeast Quarter of the Northwest Quarter of the Southwest Quarter; the south half of the Northeast Quarter of the Northwest Quarter of the Southwest Quarter; AND the south half of the Northeast Quarter of the Southwest Quarter of the Southwest Quarter of Section 36, Township 29 South, Range 2 East, Sedgwick County, Kansas. Generally located north of 119th street South, east of 143rd Street East.

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:

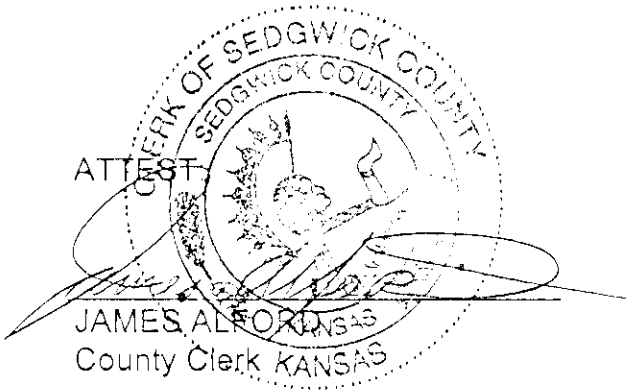
BETSY GWIN	<u>Aye</u>
PAUL W. HANCOCK	<u>Aye</u>
THOMAS G. WINTERS	<u>Aye</u>
MELODY C. MILLER	<u>Aye</u>
MARK F. SCHROEDER	<u>Aye</u>

DATED this 26th day of November, 1997.

BOARD OF COUNTY COMMISSIONERS OF
SEDGWICK COUNTY, KANSAS

Thomas G. Winters

THOMAS G. WINTERS, Chairman



APPROVED AS TO FORM ONLY:

Richard Kelson

Assistant County Counselor