

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION
TO BOARD OF COUNTY COMMISSIONERS

PROPOSED AGENDA ITEMS : SCZ-0774 - Zone change from "SF-20" Single-Family Residential to "MH" Manufactured Housing, located south of 71st Street South on the west side of Chautauqua and immediately adjacent to the Wichita-Valley Center Flood Control Ditch.

PRESENTED BY: Marvin S. Krout, Director of Planning



PROPOSED AGENDA DATE: December 16, 1998

COMMISSION DISTRICT #2

MAPC Recommendation: Approve (12-0).

Staff Recommendation: Approve.

Background/Discussion: The applicant is currently attempting to sell the lot in question to an individual who plans to place a double-wide manufactured home on the property, but not put it on a permanent foundation. The applicant lived on the property in a single-wide manufactured home for a number of years, but moved to Texas and the lot has been vacant for over 2 years.

Had a manufactured home been maintained on the property throughout this time period, the buyer could have placed the double-wide manufactured home on the property without the necessity of a rezoning. Also, if the buyer was to construct a permanent foundation for the new double-wide manufactured home, it would be classified as a "residentially-designed" manufactured home and this rezoning would not be necessary. However, neither of these are occurring.

At the November 12th Haysville Planning Commission, several neighbors spoke in opposition to this request. Their concerns included the allegation that this request could depreciate the surrounding property values, there could be a possibility of eight mobile homes placed on this property, and the setbacks of the "MH" district do not correspond with the surrounding lots which are all zoned "SF-20." The Haysville Planning Commission voted 5-4 to deny this request.

At the November 19th MAPC, hearing the applicant spoke about the request. One neighbor spoke in opposition to the request and voiced the same concerns as discussed at the Haysville Planning Commission meeting. After discussion the MAPC voted to

approve the request subject to a Protective Overlay which would limit this site to one mobile home and the setbacks of the "SF-20" district.

Recommended Action: 1. Adopt the findings of fact of the Metropolitan Area Planning Commission and approve the zone change subject to the additional provisions of a Protective Overlay (P-O) district; adopt the resolution and authorize the chairman to sign; or

2. Deny the request, or

3. Return to the Planning Commission for reconsideration.

(An override of the Haysville Planning Commission's recommendation requires a unanimous vote of the membership of the governing body on first hearing).

Applicants:

Thomas R. & Estella E. Garnatz 425 West Grenoble, Grand Prairie TX 75052

Protestors:

Ernestine Ruhl 7229 S. Chautauqua Wichita KS 67216

RESOLUTION NO. #227-98

A RESOLUTION DENYING THE REQUEST FOR A ZONING CLASSIFICATION CHANGE 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 request for a change in the zoning classification or district of the lands legally described hereby are denied as follows:

Case No. SCZ- 0774

Zone change request from "SF-20" District to "MH" Manufactured Housing District:

Lot 7, Block 7, Applewood Farms, Sedgwick County, Kansas.

Said property is generally located south of 71st Street South and west of Hillside.

SECTION II. 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:

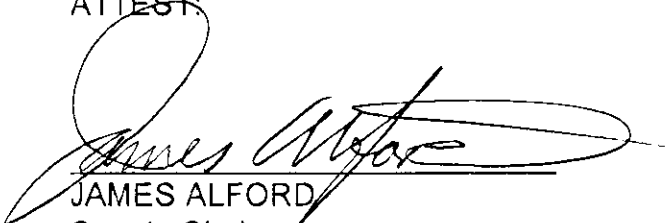
BETSY GWIN	<u>aye</u>
PAUL W. HANCOCK	<u>aye</u>
THOMAS G. WINTERS	<u>aye</u>
MELODY C. MILLER	<u>aye</u>
MARK F. SCHROEDER	<u>aye</u>

DATED this 16th day of December, 1998.

BOARD OF COUNTY COMMISSIONERS OF
SEDGWICK COUNTY, KANSAS


MARK F. SCHROEDER, Chairman

ATTEST:


JAMES ALFORD
County Clerk

APPROVED AS TO FORM ONLY:


RICH EUSON
County Counselor

