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Sedgwick County

525 North Main Street 3rd
Floor
Wichita, KS 67203

Legislation Details (With Text)

File #: 18-694 **Version:** 1 **Name:**
Type: Consent **Status:** Consent Agenda
File created: 8/27/2018 **In control:** Board of Sedgwick County Commissioners
On agenda: 9/19/2018 **Final action:**
Title: ZON2018-00030 - A County zoning case to rezone property from RR Rural Residential to SF-20 Single-Family Residential located on the east side of North 167th Street West south of 45th Street North.

Sponsors:

Indexes:

Code sections:

Attachments: 1. EXCERPT MINUTES OF ZON2018-00030, 2. CAB Minutes 8.6.pdf, 3. ZON2018-00030 Resolution, 4. ZON2018-00030 Preliminary Plat

Date	Ver.	Action By	Action	Result
9/19/2018	1	Board of Sedgwick County Commissioners	Approved on the Consent Agenda	Pass

ZON2018-00030 - A County zoning case to rezone property from RR Rural Residential to SF-20 Single-Family Residential located on the east side of North 167th Street West south of 45th Street North.

Recommended Action: Approve the rezoning as recommended by the Metropolitan Area Planning Commission (MAPC), adopt the findings of the MAPC and authorize the Chairman to sign the prepared resolution.

The applicant is requesting the rezoning of this 6.6-acre property to allow the platting of the property into 3 lots of approximately 1-acre each, with the remaining property being platted as reserves for drainage and private road access. The preliminary plat was approved on July 19, 2018, and awaiting final platting subject to this rezoning. A copy of the preliminary plat is attached for information purposes.

The property is identified as partially subject to potential flooding from the Cowskin Creek floodplain. The platting process has addressed the flooding issues and the final platting and subsequent development requirements will mandate compliance with the flood plain development requirements of Sedgwick County, including appropriate flood proofing of the building sites and appropriate mitigation measures for all onsite improvements.

This location is within the City of Colwich Area of Influence. The City of Colwich was notified regarding the rezoning. Staff was advised the City did not want to review or comment on this case because it had already been made aware of the pending platting and there were no objections to that request.

The surrounding property is primarily rural in nature. All the land is zoned RR Rural Residential. There are a couple of properties to the west and south that have homes on them, but the majority of

the surrounding land is devoted to agricultural uses and in crop use.

Analysis: The request was heard by the Metropolitan Area Planning Commission (MAPC) on August 9, 2018. MAPC recommended approval of the request by a 13-0 vote as recommended by staff.

There were no neighbors that spoke at the MAPC hearing. No protest petitions were filed; therefore this may be approved by a simple majority, or at least 3 of the 5 Commissioners.

The Citizen's Advisory Board for District 3 heard this matter at its meeting of August 6, 2018, and recommended approval unanimously. Minutes of the CAB 3 meeting are attached.

Alternatives:

1. Approve the rezoning to SF-20 as recommended by the Metropolitan Area Planning Commission (MAPC), adopt the findings of the MAPC and authorize the Chairman to sign the prepared resolution. (Requires a simple majority vote, or 3 of the 5 County Commissioners); or
2. Deny the application, by making alternative findings, and override the MAPC recommendation. (Requires a two-thirds majority, or 4 of the 5 County Commissioners); or
3. Return the case to the MAPC for further consideration with a statement specifying the basis for the BoCC's failure to approve or deny the application. (Requires a simple majority vote)

Financial Considerations: There are no additional financial considerations to the County associated with this application.

Legal Considerations: The authority for the BoCC to approve this item is per K.S.A. 12-741, et seq. The options and vote requirements established by K.S.A. 12-757(d) are included above within the "Alternatives" section of this item.

Policy Considerations: The MAPC recommendations are based upon the findings of fact stated in the MAPC minutes.