

**WHEREAS**, Nic Hillman, (Applicant) pursuant to Section V-D of the Wichita-Sedgwick County Unified Zoning Code (herein referred to as Unified Zoning Code), request a Conditional Use for an Accessory Apartment in the County on property zoned Rural Residential at 37680 West 15<sup>th</sup> Street South, and legally described as:

Lot 1, Block 1, Hillman Second Addition, a portion of the Southeast Quarter of Section 29, Township 27 South, Range 4 West of the 6th P.M., Sedgwick County, Kansas.

**WHEREAS**, proper notice as required by the Unified Zoning Code and by the policy of the Metropolitan Area Planning Commission (hereinafter referred to as MAPC) has been given; and

**WHEREAS**, the MAPC did, at the meeting of November 9, 2023, consider said application; and

**WHEREAS**, the Board of County Commissioners has authority to permit a Conditional Use, subject to any special conditions deemed appropriate in order to assure full compliance with the criteria of the Unified Zoning Code.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of County Commissioners that:

**SECTION I.** After having received a recommendation of the Metropolitan Area Planning Commission, and after said Planning Commission has given proper notice and held a public hearing as provided by law, and under the authority granted by Section V-D of the Unified Zoning Code, the Board of County Commissioners approves this application to allow a Conditional Use for an Accessory Apartment in the County on property zoned Rural Residential at 37680 West 15<sup>th</sup> Street South, and legally described as:

Lot 1, Block 1, Hillman Second Addition, a portion of the Southeast Quarter of Section 29, Township 27 South, Range 4 West of the 6th P.M., Sedgwick County, Kansas.

Approval of the application is subject to the following conditions:

1. The Accessory Apartment shall remain accessory to and under the same ownership as the principal building (located at 37680 West 15<sup>th</sup> Street South) and the ownership shall not be divided or sold as a condominium.
2. Development of the site shall be in conformance with the approved site plan.
3. The appearance of the accessory structure shall be compatible with the main dwelling unit and with the character of the neighborhood.
4. The applicant shall obtain all applicable permits including, but not limited to building, health, and zoning. This will include turning in plans for review and approval by the MABCD for the Accessory Apartment.
5. If the Zoning Administrator finds that there is a violation of any of the conditions of the Conditional Use, the Zoning Administrator, in addition to enforcing the other remedies set forth in Article VIII of the Unified Zoning Code, may, with the concurrence of the Planning Director, declare that the Conditional Use is null and void.

**SECTION II.** That upon the taking effect of this Resolution, the notation of such zoning change shall be shown on the "Official Zoning District Map" on file in the office of the Planning Director of the Wichita-Sedgwick County Metropolitan Area Planning Department.

**SECTION III.** That this Resolution shall be effective upon publication in the official county newspaper.

Commissioners present and voting were:

PETER F. MEITZNER  
SARAH LOPEZ  
DAVID T. DENNIS  
RYAN K. BATY  
JAMES M. HOWELL

Aye  
Aye  
Aye  
Aye  
Aye

Dated this 10<sup>th</sup> day of January, 2024

BOARD OF COUNTY COMMISSIONERS  
OF SEDGWICK COUNTY, KANSAS

ATTEST:

Kelly B. Arnold  
KELLY B. ARNOLD, County Clerk



Peter F. Meitzner  
PETER F. MEITZNER, Chairman  
Commissioner, First District

James M. Howell  
JAMES M. HOWELL, Chair Pro Tem  
Commissioner, Fifth District

APPROVED AS TO FORM:

Kirk W. Sponsel  
KIRK W. SPONSEL  
Deputy County Counselor

Sarah Lopez  
SARAH LOPEZ  
Commissioner, Second District

David T. Dennis  
DAVID T. DENNIS  
Commissioner, Third District

Ryan K. Baty  
RYAN K. BATY  
Commissioner, Fourth District