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RESOLUTION NO. 197-2019

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 THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS, DECEMBER 12, 1984 AND SUBSEQUENTLY AMENDED.

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS 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. ZON2019-00019 and CON2019-00023

Zone change request from "SF-20" Single-Family Residential to "RR" Rural Residential and conditional use for a vehicle storage yard on property described as:

Lot 1, except the east 10 feet for street, Block A, W.C. Stephens Addition, Sedgwick County, Kansas; and Lot 2, except the east 10 feet for street, Block B, W.C. Stephens Addition, Sedgwick County, Kansas. Generally located on the west side of South Maize Road and south of West 31st Street South, (3245 South Maize Road), Sedgwick County.

SECTION II. That application ZON2019-0001 and CON2019-00023 is hereby approved and the Conditional Use is subject to the following Conditions:

1. The conditions outlined in the Supplementary Use Regulations of the Unified Zoning Code, Section III(d)(6)(mm) shall apply, with modifications, as follows:
 - (1) **Location.** The storage area shall be located behind the property's Principal Structure; and at no time shall any vehicles be driven or parked on or over any component of onsite wastewater treatment systems.
 - (2) **Area.** The Vehicle Storage Yard shall remain confined to the area outlined on the Site Plan approved by the MAPC and Board of County Commissioners.
 - (3) **Use.** The Vehicle Storage Yard shall be used for the storage of licensed operable Vehicles, recreational vehicles and boats only, and in no case shall it be used for sales, repair work, dismantling, or mechanical servicing of any

Vehicles or equipment, or for storage of materials or supplies. Non-mechanical servicing such as replacing windshield washer fluid, light bulbs and interior cleaning shall be allowed.

- (4) **Setbacks.** The minimum Setback for any stored Vehicles from existing residential structures shall be 20 feet.
 - (5) **Paving.** The storage area and all entrance/exit drives on private property shall be surfaced with an all-weather surface that meets the approval of the Director of County Code Enforcement and shall be maintained in good condition and free of weeds, trash and other debris.
 - (6) **Screening.** Visual screening of areas contiguous to residential zoning Districts shall be provided to protect adjacent properties from light, debris and noise, and to preserve adjacent property values. In no case shall screening be less than that required by Sec. IV-B.1-3, unless the applicant demonstrates adequate screening may be provided through alternative means, and the requirements imposed by Sec. IV-B.1-3 would be overly burdensome on the applicant. This shall apply along the north property line.
 - (7) **Lighting.** If lighting facilities are provided, lighting shall be in compliance with lighting standards of Sec. IV-B.4.
 - (8) **Noise.** No outdoor speakers and sound amplification systems shall not be permitted.
2. A revised, final Site Plan shall be submitted for approval by the Director of Planning prior to issuance of any permits for construction of any facilities on the subject property.
 3. All permits and approvals shall be obtained, with copies placed on file with the Metropolitan Area Building and Codes Department.
 4. If the Zoning Administrator finds there is a violation of any provision or condition of the Conditional Use, or any other provision of the Unified Zoning Code (UZC), the Zoning Administrator shall enforce all remedies of Section VIII of the UZC, and with the concurrence of the Planning Director, declare the Conditional Use null and void.

SECTION III. 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 IV. That this Resolution shall take effect and be in force from and after its adoption by the Governing Body.

Commissioners present and voting were:

PETER F. MEITZNER
MICHAEL B. O'DONNELL, II
DAVID T. DENNIS
LACEY D. CRUSE
JAMES M. HOWELL

Aye
Aye
Aye
Aye
Aye

Dated this 21 day of August, 2019.

BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS

ATTEST:



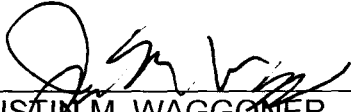
DAVID T. DENNIS, Chairman
Commissioner, Third District

Karen S. Bailey
KELLY B. ARNOLD, County Clerk

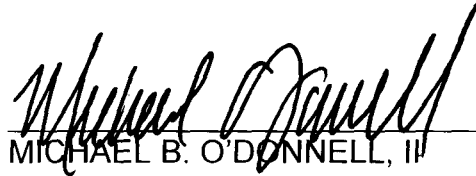


PETER F. MEITZNER, Chair Pro Tem
Commissioner, First District

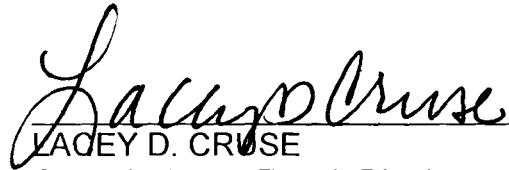
APPROVED AS TO FORM:



JUSTIN M. WAGGONER
Assistant County Counselor



MICHAEL B. O'DONNELL, II
Commissioner, Second District



LACEY D. CRUSE
Commissioner, Fourth District



JAMES M. HOWELL
Commissioner, Fifth District