

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION GRANTING THE CONDITIONAL USE 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-D of the Wichita Sedgwick County Unified Zoning Code, a Conditional Use for an Accessory Apartment, located on property zoned RR Rural Residential ("RR").

**Case No. CON 2020-00006**

Legally described below:

A tract of land in the North half of the Southeast Quarter of Section 23, Township 25 South, Range 1 East of the 6<sup>th</sup> P.M., Sedgwick County, Kansas, commencing at the Southeast corner of said No4<sup>th</sup> half of the Southeast Quarter; thence West long the South line 668.23 feet to the Point of Beginning; thence North parallel with the East line of said Southeast Quarter, 550 feet; thence West parallel with the South line of Said North half of the Southeast Quarter, 400 feet; thence South parallel with the East line of said Southeast Quarter, 550 feet; thence East 400 feet to the Point of Beginning. All in Sedgwick County, Kansas

**SUBJECT TO THE FOLLOWING CONDITIONS:**

- (1) The accessory apartment shall remain accessory to and under the same ownership as the principal single-family residence (located at 9603 N. Oliver Street) and the ownership shall not be divided or sold as a condominium.
- (2) The water provided to the accessory apartment shall not be provided as separate services from the main dwelling. Electric, gas, telephone and cable television utility service may be provided as separate utility services.
- (3) A waiver of Sec. III-D.6.a(4) to allow a new septic system to be installed north of the new shop/garage building as indicated on the attached site plan shall be granted.
- (4) A waiver of Sec. III-D.6.a(2) for the accessory apartment to be located in a metal shop/garage building shall be granted.
- (5) 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 construction of the accessory apartment.
- (6) Development and maintenance of the site shall be in conformance with the approved site plan.

(7) 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 Conditional Use 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 take effect and be in force from and after its adoption by the Governing Body and publication in the official county newspaper.

Commissioners present and voting were:

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

Dated this 22 day of April, 2020.

BOARD OF COUNTY COMMISSIONERS  
OF SEDGWICK COUNTY, KANSAS

ATTEST:

Karen B. Baugh  
KELLY B. ARNOLD, County Clerk



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

Lacey D. Cruse  
LACEY D. CRUSE, Chair Pro Tem  
Commissioner, Fourth District

APPROVED AS TO FORM:

Justin M. Waggoner  
JUSTIN M. WAGGONER  
Assistant County Counselor

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

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

James M. Howell  
JAMES M. HOWELL  
Commissioner, Fifth District