

CONDITIONAL USE RESOLUTION NO. CON2020-00004**Published on:** _____

WHEREAS, Rodney A. and Laura L Heaton (Applicants) 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 a Home Occupation on property less than two acres and an Accessory Apartment, on property zoned SF-20 Single Family Residential legally described as:

The South 1 acre of the South 5 acres of the West half of the West half of the Northwest Quarter of Northwest Quarter of Section 22, Township 26 South, Range 1 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 May 21st, 2020, hold a public hearing and consider said application; and

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Sedgwick County, Kansas as follows:

SECTION I. That after receiving a recommendation from the MAPC, and under authority granted by Section V-D of the Wichita-Sedgwick County Unified Zoning Code, the Board of County Commissioners approves a Conditional Use for a Home Occupation on property less than two acres and an Accessory Apartment on property zoned SF-20 Single Family Residential and legally described as:

The South 1 acre of the South 5 acres of the West half of the West half of the Northwest Quarter of Northwest Quarter of Section 22, Township 26 South, Range 1 West of the 6th P.M., Sedgwick County, Kansas.

This Conditional Use is granted subject to the following conditions:

1. The conditional use is contingent upon compliance with Section IV-E.7 of the UZC except for the 75 foot distance requirement between the Home Occupation and a neighboring residence. Approval of this waiver is granted by the Board of County Commissioners.
2. The conditional use is contingent upon compliance with Section III-D.6.a.
3. The owner of the property shall reside on the property before the home occupation may function on the site.
4. A revised site plan shall be submitted to Planning depicting the parking area for employees as well as on-site circulation for all structures.
5. Construction of the parking area shall be in place prior to operation of the home occupation.
6. Any grass clippings or other waste generated by the business shall be disposed of off-site.
7. The site shall be developed in substantial conformance to the approved site plan.
8. The site shall be developed and operated in compliance with all federal, state, and local rules and regulations.
9. 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 Board of County Commissioners 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 1 day of July, 2020.

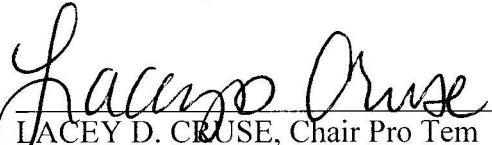
ATTEST:

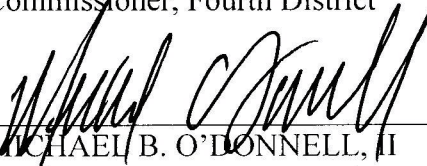

KELLY B. ARNOLD, County Clerk




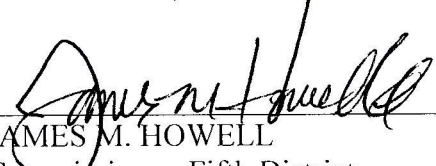
BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS


PETER F. MEITZNER, Chairman
Commissioner, First District



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


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


DAVID T. DENNIS
Commissioner, Third District


JAMES M. HOWELL
Commissioner, Fifth District

APPROVED AS TO FORM:


JUSTIN M. WAGGONER
Assistant County Counselor