

(150004) Published in The Ark Valley News on \_\_\_\_\_  
RESOLUTION NO.      074-2023

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 had given proper notice and held a public hearing as provided by law on March 9, 2023, 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. ZON2023-00005**

Zone change request from SF-20 Single-Family Residential to GC General Commercial with Protective Overlay #405

Legally described as:

Zone Change from SF-20 to GC with Protective Overlay #405 (7.40 Acres):

A portion of the Northwest Quarter of Section 22, Township 26 South, Range 1 West of the 6<sup>th</sup> P.M., Sedgwick County, Kansas, as prepared by Baughman Company, P.A., State of Kansas, County of Sedgwick, more particularly described as: Lots 2 and 3, Donald L. Sones Addition to Sedgwick County, Kansas; TOGETHER WITH the East half of the West half of the Northwest Quarter of the Northwest Quarter of Section 22, Township 26 South, Range 1 West of the 6<sup>th</sup> P.M., Sedgwick County, Kansas, EXCEPT the north 619.90 feet of the East half of the West half of the Northwest Quarter of said Northwest Quarter.

Protective Overlay #405 shall hereby read as follows:

1. The subject property shall be limited to all uses permitted by-right in the "OW" Office Warehouse zoning district, and Storage, Outdoor as allowed in the "GC" General Commercial zoning district. In addition, the following uses in OW are prohibited: Recycling, Reverse Vending Machine, Manufacturing (Limited), and Asphalt & Concrete Plant.
2. All permitted uses are those already permitted by-right and not Conditional Use.
3. Outdoor Storage and Vehicle Storage Yard shall be restricted to the 5.73 acres.
  - a. Outdoor Storage shall adhere to Section III-D.6.dd of the Unified Zoning Code specifically prohibiting the storage and/or baling of junk, scrap, paper, bottles, rags, or similar materials.
  - b. Vehicle Storage Yard shall be for the storage of operable vehicles only.

Wrecking/Salvage is prohibited.

4. Signs shall be in accordance with the OW Zoning District in the Sign Code of Sedgwick County, provided that off-site and billboard signs are prohibited.
5. The applicant shall submit a site plan indicating the required screening, the area of vehicle and outdoor storage, and required parking.
6. Amendments, adjustments, or interpretations to this Protective Overlay shall be done in accordance with the Unified Zoning Code.
7. The Transfer of title of all or any portion of land included within the Protective Overlay (PO) (or any amendments thereto) does not constitute a termination of the PO or any portion thereof, but said PO shall run with the land and be binding upon present owners, their successors and assigns.

**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 take effect and be in force from and after its adoption by the Governing Body and publication in the official county newspaper.

*[Remainder of page left intentionally blank]*

Commissioners present and voting were:

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

aye  
aye aye  
aye aye  
aye

Dated this 19 day of April, 2023.



BOARD OF COUNTY COMMISSIONERS  
SEDGWICK COUNTY, KANSAS

ATTEST:

[Signature]  
KELLY B. ARNOLD, County Clerk

[Signature]  
PETER F. MEITZNER, Chairman  
Commissioner, First District

[Signature]  
JAMES M. HOWELL, Chair Pro Tem  
Commissioner, Fifth District

APPROVED AS TO FORM:

[Signature]  
KIRK W. SPONSEL  
Assistant County Counselor

[Signature]  
SARAH LOPEZ  
Commissioner, Second District

[Signature]  
DAVID T. DENNIS  
Commissioner, Third District

[Signature]  
RYAN K. BATY  
Commissioner, Fourth District