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RESOLUTION NO. 031-2023

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.

WHEREAS, Donald and Micki Albert, Leslie and Venessa Albert, Barbara and Erice Phillips, and Bruce Family Revocable Trust (Applicants), pursuant to Section V-C of the Wichita-Sedgwick County Unified Zoning Code (herein referred to as Unified Zoning Code), requests a zoning classification change for the property generally located on the northeast corner of West Central Avenue and North 135th Street West; and

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 January 5, 2023, consider said application; and

WHEREAS, on January 18, 2023, Agent amended the application for the zoning classification of the entire application property to become TF-3 (a lesser change than originally requested) and include a protective overlay; and

WHEREAS, pursuant to K.S.A. 19-757, the Board of County Commissioners has authority to change zoning classifications.

NOW, THEREFORE, 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. ZON2022-00069

Zone change request from SF-20 Single-Family Residential to TF-3 Two-Family Residential on property legally described as follows:

All of the Southwest Quarter of Section 13, Township 27 South, Range 2 West, of the 6th Principal Meridian, Wichita, Sedgwick County, Kansas, EXCEPT the North 150.00 feet of said Southwest Quarter, also EXCEPT the East 150.00 feet of said Southwest Quarter, also EXCEPT the South 150.00 feet of said Southwest Quarter.

Subject to Protective Overlay #407 as follows:

1. A protective overlay on the approximately 133 acres rezoned to TF-3 units that limits the density of the TF-3 zoned property to 300 lots or 600 dwelling units. This overlay does not

apply to any part of the parcel if that part of the property is developed as single-family units. The underlying zoning of the single-family zoning will be used for the density of any area developed as single family.

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.

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Commissioners present and voting were:

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

 Aye
 Aye
 Recused
 Aye
 Aye

Dated this 6th day of July, 2023.

BOARD OF COUNTY COMMISSIONERS
OF 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

 Recused
 DAVID T. DENNIS
Commissioner, Third District

[Signature]
RYAN K. BATY
Commissioner, Fourth District