

WHEREAS, Kristin Webb, (Applicant) pursuant to Section V-D of the Wichita-Sedgwick County Unified Zoning Code (herein referred to as Unified Zoning Code), requests a Conditional Use for an Accessory Apartment in the County and waiver of Supplementary Use Regulation III.D.6.a.4, on property zoned Rural Residential at 18801 West 69th Street North, and legally described as:

Beginning at the Northwest corner of the East Half of the Northeast Quarter of Section 8, Township 26 South, Range 2 West of the 6th Principal Meridian, Sedgwick County, Kansas; thence on an assumed bearing of N88°03'20"E along the North line of said Northeast Quarter, 205 feet; thence S01°18'26"E parallel with the West line of said East Half of said Northeast Quarter, 462 feet; thence S88°03'20"W, 68 feet; thence S01°18'26"E, 53 feet; thence S88°03'20"W, 257 feet; thence N09°36'21"W, 519.60 feet; thence N88°03'20"E along the North line of said Northeast Quarter, 195 feet to the point of beginning.

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 July 13, 2023, consider said application; and

WHEREAS, the Board of County Commissioners has authority to permit a Conditional Use, subject to any special conditions deemed appropriate in order to assure full compliance with the criteria of the Unified Zoning Code.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners that:

SECTION I. After having received a recommendation of the Metropolitan Area Planning Commission, and after said Planning Commission has given proper notice and held a public hearing as provided by law, and under the authority granted by Section V-D of the Unified Zoning Code, the Board of County Commissioners approves this application to (1) allow a Conditional Use for an Accessory Apartment in the County, and (2) waive Supplementary Use Regulation III.D.6.a.4, on property zoned Rural Residential at 18801 West 69th Street North, and legally described as:

Beginning at the Northwest corner of the East Half of the Northeast Quarter of Section 8, Township 26 South, Range 2 West of the 6th Principal Meridian, Sedgwick County, Kansas; thence on an assumed bearing of N88°03'20"E along the North line of said Northeast Quarter, 205 feet; thence S01°18'26"E parallel with the West line of said East Half of said Northeast Quarter, 462 feet; thence S88°03'20"W, 68 feet; thence S01°18'26"E, 53 feet; thence S88°03'20"W, 257 feet; thence N09°36'21"W, 519.60 feet; thence N88°03'20"E along the North line of said Northeast Quarter, 195 feet to the point of beginning.

Approval of the application is subject to the following conditions:

1. The Accessory Apartment shall remain accessory to and under the same ownership as the principal single-family residence and the ownership shall not be divided or sold as a condominium. The exterior materials are to be complimentary to the main structure.
2. The applicant shall obtain all applicable permits including, but not limited to: building, health and zoning. This will include submitting plans for review and approval by the MABCD.

3. Development and maintenance of the site shall be in conformance with the approved site plan.
4. 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 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 be effective upon 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
aye
aye
aye

Dated this 23 day of August, 2023.



BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS

ATTEST:

Kelly B. Arnold
KELLY B. ARNOLD, County Clerk

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

James M. Howell
JAMES M. HOWELL, Chair Pro Tem
Commissioner, Fifth District

APPROVED AS TO FORM:

Kirk W. Sponsel
KIRK W. SPONSEL
Deputy County Counselor

Sarah Lopez
SARAH LOPEZ
Commissioner, Second District

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

Ryan K. Baty
RYAN K. BATY
Commissioner, Fourth District