

WHEREAS, Jeffrey and Josie Heiman ("Applicants"), pursuant to Section V-D of the Wichita-Sedgwick County Unified Zoning Code ("Unified Zoning Code"), request a Conditional Use for Accessory Apartment and waiver of Supplementary Use Regulations III-D.6.a (4) in the County in CON2025-00096, on property zoned RR Rural Residential District, legally described as:

A tract of land in the Northwest Quarter of Section 34, Township 27 South, Range 2 West of the 6th P.M., Sedgwick County, Kansas, described as: Commencing at the Southwest corner of said Northwest Quarter; thence N 89°07'01" E (assumed) along the South line of said Northwest Quarter, 996.96 feet for a Point of Beginning; thence N 00°00'00" E parallel with the West line of said Northwest Quarter, 280.04 feet; thence N 71°46'07" E, 573.08 feet; thence N 00°00'00" E parallel with the West line of said Northwest Quarter, 150.00 feet to a point on the South right of way line of the A.T. & S.F. Railroad; thence N 81°45'23" E along the South line of said railroad right of way, 1,109.14 feet to a point on the East line of said Northwest Quarter; thence S 00°09'55" E along the East line of said Northwest Quarter to the Southeast corner of said Northwest Quarter; thence S 89°07'01" W along the South line of said Northwest Quarter, 1,644.16 feet to the Point of Beginning, EXCEPT a tract beginning at a point 996.96 feet East of the Southwest corner of the Northwest Quarter of Section 34, Township 27 South, Range 2 West of the 6th P.M., Sedgwick County, Kansas; thence North a distance of 250 feet; thence East parallel to the South line of the said Northwest Quarter a distance of 175 feet; thence South a distance of 250 feet to the South line of said Northwest Quarter; thence West along the South line a distance of 175 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 ("Planning Commission") has been given.

WHEREAS, the Planning Commission did, at the meeting of August 14, 2025, consider said application.

WHEREAS, the Board of County Commissioners has authority to permit Conditional Uses, 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 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 allow Accessory Apartment and waiver of Supplementary Use Regulations III-D.6.a (4) in the County, on property zoned RR Rural Residential District, legally described as:

A tract of land in the Northwest Quarter of Section 34, Township 27 South, Range 2 West of the 6th P.M., Sedgwick County, Kansas, described as: Commencing at the Southwest corner of said Northwest Quarter; thence N 89°07'01" E (assumed) along the South line of said Northwest Quarter, 996.96 feet for a Point of Beginning; thence N 00°00'00" E parallel with the West line of said Northwest Quarter, 280.04 feet; thence N 71°46'07" E, 573.08 feet;

thence N 00°00'00" E parallel with the West line of said Northwest Quarter, 150.00 feet to a point on the South right of way line of the A.T. & S.F. Railroad; thence N 81°45'23" E along the South line of said railroad right of way, 1,109.14 feet to a point on the East line of said Northwest Quarter; thence S 00°09'55" E along the East line of said Northwest Quarter to the Southeast corner of said Northwest Quarter; thence S 89°07'01" W along the South line of said Northwest Quarter, 1,644.16 feet to the Point of Beginning, EXCEPT a tract beginning at a point 996.96 feet East of the Southwest corner of the Northwest Quarter of Section 34, Township 27 South, Range 2 West of the 6th P.M., Sedgwick County, Kansas; thence North a distance of 250 feet; thence East parallel to the South line of the said Northwest Quarter a distance of 175 feet; thence South a distance of 250 feet to the South line of said Northwest Quarter; thence West along the South line a distance of 175 feet to the Point of Beginning.

Approval of Accessory Apartment and waiver of Supplementary Use Regulations III-D.6.a (4) is subject to the following conditions:

1. The Accessory Apartment shall remain accessory to and under the same ownership as the principal building (1924 South 167th Street West), and the ownership shall not be divided or sold as a condominium.
2. Development of the site shall be in conformance with the approved site plan.
3. 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 for the Accessory Apartment, if necessary.
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.

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SECTION III. That this Resolution shall be effective upon publication in the official county newspaper.

Commissioners present and voting were:

PETER F. MEITZNER
JEFF BLUBAUGH
STEPHANIE WISE
RYAN K. BATY
JAMES M. HOWELL

aye
aye
aye
aye
aye

Dated this 1 day of October, 2025.

BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS

ATTEST:



KELLY B. ARNOLD, County Clerk





RYAN BATY, Chairman
Commissioner, Fourth District

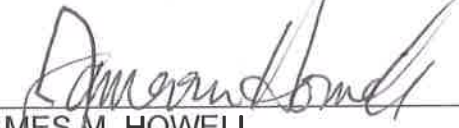

PETER F. MEITZNER
Commissioner, First District

APPROVED AS TO FORM:

 9/4/25
SAMANTHA SEANG
Assistant County Counselor


JEFF BLUBAUGH
Commissioner, Second District


STEPHANIE WISE
Commissioner, Third District


JAMES M. HOWELL
Commissioner, Fifth District