

RESOLUTION NO. 124-2017

Published on: _____

A RESOLUTION GRANTING A CONDITIONAL USE 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-D 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 has given proper notice and held a public hearing as provided by law, and under authority granted by Section V-D of the Wichita Sedgwick County Unified Zoning Code, a Conditional Use for the lands legally described hereby is approved as follows:

Case No. CON 2017-00012

A Conditional Use request to allow a Cemetery in a SF-20 Single-Family Residential District and legally described as follows:

A tract of land located in the Northeast corner of the Northwest Quarter (NW/4) of Section 7, Township 26 South, Range 1 East of the 6th P.M., Sedgwick County, Kansas, described as beginning at the Northeast corner of said NW/4; thence South a distance of 1244.58 feet along the West line of said NW/4; thence West a distance of 700 feet; thence North a distance of 1244.58 feet to the North line of said NW/4; thence East a distance of 700 feet along the North line of said NW/4 to the point of beginning.

SECTION II. That application CON2017-0012 is hereby approved and the Conditional Use is subject to the following Conditions:

1. The cemetery shall be operated as described in the applicant's narrative.
2. The cemetery shall be developed as shown on proposed cemetery site plan, dated 5/30/17. Each phase shall have fencing and landscaping as shown for phase 1. A parking study shall be submitted as required by the Unified Zoning Code to justify the number of parking spaces for the proposed cemetery.
3. The applicant shall dedicate by separate instrument 60 feet of right-of-way for the future widening of West 69th Street North.
4. The applicant shall comply with all applicable provisions of Kansas State Statutes and Administrative Regulations.
5. The applicant shall obtain all applicable state and local inspections, permits and licenses.
6. The Conditional Use approval shall include a non-illuminated monument sign not to exceed 32 square feet.

7. 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 III. 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 IV. 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.

Commissioners present and voting were:

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|--------------------------|------------|
| DAVID M. UNRUH | <u>aye</u> |
| MICHAEL B. O'DONNELL, II | <u>aye</u> |
| DAVID T. DENNIS | <u>aye</u> |
| RICHARD RANZAU | <u>no</u> |
| JAMES M. HOWELL | <u>aye</u> |

Dated this 12th day of July, 2017.

BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS

ATTEST:

[Signature]
KELLY B. ARNOLD, Clerk



[Signature]
DAVID M. UNRUH, Chairman
Commissioner, First District

[Signature]
MICHAEL B. O'DONNELL, II, Chair Pro Tem
Commissioner, Second District

APPROVED AS TO FORM:

[Signature]
JUSTIN M. WAGGONER,
Assistant County Counselor

[Signature]
DAVID T. DENNIS
Commissioner, Third District

[Signature]
RICHARD RANZAU
Commissioner, Fourth District

[Signature]
JAMES M. HOWELL
Commissioner, Fifth District