

WHEREAS, Matt and Christy Freeman ("Applicants"), pursuant to Section V-D of the Wichita-Sedgwick County Unified Zoning Code (herein referred to as "Unified Zoning Code"), request a Conditional Use for an Accessory Apartment in the County, on property zoned Rural Residential at 15911 West 95th Street South, and legally described as:

A portion of the Northeast Quarter of Section 22, Township 29 South, Range 2 West of the 6th P.M., Sedgwick County, Kansas, described as: Beginning at the Northwest corner of said Northeast Quarter; thence East 330 feet; thence South 660.62 feet; thence West 330 feet to a point on the West line of said Northeast Quarter; thence North 660.62 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 25, 2024, 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 allow a Conditional Use for an Accessory Apartment in the County, on property zoned Rural Residential at 15911 West 95th Street South, and legally described as:

A portion of the Northeast Quarter of Section 22, Township 29 South, Range 2 West of the 6th P.M., Sedgwick County, Kansas, described as: Beginning at the Northwest corner of said Northeast Quarter; thence East 330 feet; thence South 660.62 feet; thence West 330 feet to a point on the West line of said Northeast Quarter; thence North 660.62 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 building (15911 West 95th Street South) 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. Applicants shall obtain all applicable permits including, but not limited to building, health, and zoning. This will include turning in 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.

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 4 day of September, 2024.

BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS

ATTEST:



[Handwritten signature]

KELLY B. ARNOLD, County Clerk

[Handwritten signature]

RYAN K. BATY, Chairman
Commissioner, Fourth District

[Handwritten signature]

SARAH LOPEZ, Chair Pro Tem
Commissioner, Second District

[Handwritten signature]

PETER F. MEITZNER
Commissioner, First District

[Handwritten signature]

DAVID T. DENNIS
Commissioner, Third District

[Handwritten signature]

JAMES M. HOWELL
Commissioner, Fifth District

APPROVED AS TO FORM:

[Handwritten signature] 8/12/24
SAMANTHA SEANG
Assistant County Counselor