

WHEREAS, Ryan ad Christine Dejmal ("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 1949 North Hillcrest Drive, and legally described as:

Lot 1, Block C, Lake Vista Addition, Sedgwick County, Kansas.

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.

WHEREAS, the MAPC did, at the meeting of August 8, 2024, consider said application.

WHEREAS, the Board of County Commissioners has authority to permit a Conditional Use, subject to any special conditions deemed appropriate 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 MAPC, 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 1949 North Hillcrest Drive, and legally described as:

Lot 1, Block C, Lake Vista Addition, Sedgwick County, Kansas.

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) Water and sewer services shall be shared with the main structure and provided in compliance with the Sedgwick County Sanitation Code before a building permit will be issued. Electric, gas, telephone and cable television utility service may be provided as separate utility services.
- (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.
- (4) Development and maintenance of the site shall be in conformance with the approved site plan.
- (5) 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.

Commissioners present and voting were:

PETER F. MEITZNER	<u>AYE</u>
SARAH LOPEZ	<u>AYE</u>
DAVID T. DENNIS	<u>AYE</u>
RYAN K. BATY	<u>AYE</u>
JAMES M. HOWELL	<u>AYE</u>

Dated this 18 day of September, 2024.



BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS

ATTEST:

Kelly B. Arnold
KELLY B. ARNOLD, County Clerk

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

Sarah Lopez
SARAH LOPEZ, Chair Pro-Tem
Commissioner, Second District

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

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

James M. Howell
JAMES M. HOWELL
Commissioner, Fifth District

APPROVED AS TO FORM:

Samantha Seang 8/26/24
SAMANTHA SEANG
Assistant County Counselor