

**WHEREAS**, Patrick and Caley Bowen (collectively, "Applicant") pursuant to Section V-D of the Wichita-Sedgwick County Unified Zoning Code ("Unified Zoning Code), request a Conditional Use for an Accessory Apartment in the County with the waiver of Supplementary Use Regulation III-D.6.a.(4), on property zoned RR Rural Residential District, legally described as:

The South 1,320 feet of the East 660 feet of the Southeast Quarter of Section 23, Township 26 South, Range 2 East of the 6<sup>th</sup> P.M., Sedgwick County, Kansas.

**WHEREAS**, proper notice as required by the Unified Zoning Code and by the policy of the Metropolitan Area Planning Commission ("MAPC") has been given.

**WHEREAS**, the MAPC did, at the meeting of November 21, 2024, 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 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, with a waiver of Supplementary Use Regulation III-D.6.a.(4), on property zoned RR Rural Residential District, legally described as:

The South 1,320 feet of the East 660 feet of the Southeast Quarter of Section 23, Township 26 South, Range 2 East of the 6<sup>th</sup> P.M., Sedgwick County, Kansas.

Approval is subject to the following conditions:

1. The Accessory Apartment shall remain accessory to and under the same ownership as the principal building (located at 4601 North 143<sup>rd</sup> Street East) 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 appearance of the accessory structure shall be compatible with the main dwelling unit and with the character of the neighborhood.
4. Applicant 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.
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	Aye
SARAH LOPEZ	Aye
DAVID T. DENNIS	Aye
RYAN K. BATY	Aye
JAMES M. HOWELL	Aye

Dated this 8<sup>th</sup> day of January, 2025.

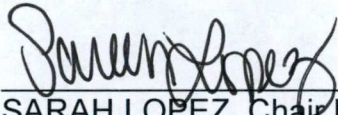
BOARD OF COUNTY COMMISSIONERS  
OF SEDGWICK COUNTY, KANSAS

ATTEST:

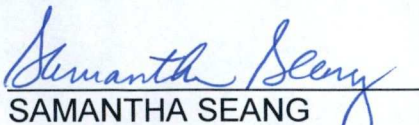
  
KELLY B. ARNOLD, County Clerk



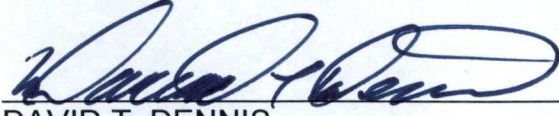
  
RYAN BATY, Chairman  
Commissioner, Fourth District

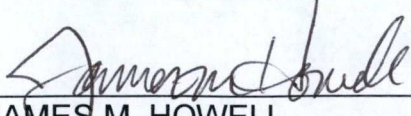
  
SARAH LOPEZ, Chair Pro Tem  
Commissioner, Second District

APPROVED AS TO FORM:

 12/23/24  
SAMANTHA SEANG  
Assistant County Counselor

  
PETER F. MEITZNER  
Commissioner, First District

  
DAVID T. DENNIS  
Commissioner, Third District

  
JAMES M. HOWELL  
Commissioner, Fifth District