Wichita-Sedgwick County Metropolitan Area Planning Department

April 23, 2021

Betty L. Elder
PO Box 3801
Topeka KS 66604

RE: ZON2020-00044 - County zone change from Rural Residential (RR) to Single-Family Residential (SF-20) associated with subdivision case (SUB2020-00046); generally located on the west side of South 311th Street West, and within one-quarter mile south of West 15th Street South.

Dear Applicant:

At its regular meeting on **February 3, 2021** the Board of County Commissioners considered the above captioned request. The action of the Board was to **APPROVE** the request in accordance with the attached resolution.

If you have any questions concerning this application, please contact our office at 268-4421.

Sincerely,

Matthew Williams, AICP
Associate Planner

Copies to:
Raymond Bretton, Alpha Land Surveys, 102 E 4th Avenue, Hutchinson, KS 67501
Beth Ann Kingley, 227 Main Street, Halstead, KS 67056
MABCD
David Dennis, BOCC District III

(150004) Published in The Derby Informer on 2/24/21

RESOLUTION NO. 029-2021

A RESOLUTION CHANGING THE ZONING CLASSIFICATION 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-C 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-C of the Wichita Sedgwick County Unified Zoning Code, the zoning classification or district of the lands legally described hereby are changed as follows:

Case No. ZON2020-00044

Zone change request from RR Rural Residential to SF-20 Single Family Residential on property described as:

The South 205.7 feet of the North 874.7 feet of the East 325 feet of the Northeast Quarter of Section 36, Township 27 South, Range 4 West of the 6th P.M., Sedgwick County, Kansas.

Subject to the following Protective Overlay #364 as follows:

1. Residential-Design Manufactured Homes: Any residential-design manufactured home on this parcel is required to meet the site development standards for residential-design manufactured homes included within Article IV, Section D.1. through 9. of the Wichita-Sedgwick County Unified Zoning Code, as stated within such zoning code as of, February 3, 2021, and included below. In the event that such site development standards become more restrictive than the standards in place on February 3, 2021, such more restrictive standards would apply to any newly-located residential-design manufactured homes located on this parcel. In the event that the aforementioned site development standards become less restrictive than the standards in place on February 3, 2021, the terms of this Protective Overlay shall apply to any newly-located residential-design manufactured homes located on this parcel.
    a. RESIDENTIAL-DESIGN MANUFACTURED HOMES

    Residential-Design Manufactured Homes shall be subject to the following standards.

        i. Roof. The roof must be predominantly double-pitched and have a minimum vertical rise of 2.2 inches for every twelve inches of horizontal run, and must be covered with material that is customarily used on site-built dwellings, including approved wood, asphalt composition shingles, or fiberglass, but excluding aluminum, corrugated fiberglass, or metal roof. The roof shall have a minimum eave projection and roof overhang of ten inches, which may include a gutter.

ii. Siding. Exterior siding shall be of a material customarily used on site-built dwellings, which does not have a high gloss finish, such as wood, composition, simulated wood, clapboards, conventional vinyl or metal siding, brick, stucco or similar materials, but excluding smooth, ribbed or corrugated metal or plastic panels. Siding material shall extend below the top of the exterior of the foundation or curtain wall or the joint between siding and enclosure wall shall be flashed in accordance with building codes adopted by the Governing Body.

iii. Installation. The home shall be installed in accordance with the recommended installation procedures of the manufacturer and the standards set by the Building Codes of the Governing Body in Chapter 6, Article VII of Sedgwick County Code or Chapter 26.04 of the Code of the City of Wichita. A continuous, permanent concrete or masonry foundation or masonry curtain wall, unpierced except for required ventilation and access, which may include walk-out basements and garages, shall be installed under the perimeter of the home, also in accordance with the above-referenced codes.

iv. Entrance landing area. At the main entrance door there shall be a landing that is a minimum of three feet by three feet that is constructed to meet the requirements of the Building Codes adopted by the Governing Body.

v. Transport equipment. All Manufactured Home running gear, tongues, axles, and wheels must be removed at the time of installation of the home on the lot.

vi. Finished floor elevation. The finished floor of the Residential-Design Manufactured Home shall be a maximum of 24 inches above the exterior finish grade of the Lot on which it is located, as measured at the main entrance into the Dwelling Unit.

vii. Attached additions. Any attached addition shall comply with the Building Codes adopted by the Governing Body. Architectural and aesthetic standards, as specified above, shall be applicable to all additions.

viii. Garages. Detached Garages that may be constructed on the same lot a Residential-Design Manufactured Home shall comply with all requirements of the Building Codes adopted by the Governing Body and with all architectural and aesthetic standards, as specified above.

ix. Installation in Historic District. If the Residential-Design Manufactured Home is to be installed in a Historic District, a Certificate of Appropriateness shall be required to be obtained before a permit to install the home may be issued by the Zoning Administrator.

SECTION II. That upon the taking effect of this Resolution, the notation of such zone change shall be entered in the official zoning atlas on file in the Office of the County Zoning Administrator and in the Office of the Wichita-Sedgwick County Metropolitan Area Planning Department.

SECTION III. 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.

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Commissioners present and voting were:

PETER F. MEITZNER	Aye
SARAH LOPEZ	Aye
DAVID T. DENNIS	Aye
LACEY D. CRUSE	Aye
JAMES M. HOWELL	Aye

Dated this 3 day of February, 2021.

BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS

ATTEST:

CLERK OF SEDGWICK COUNTY SEDGWICK COUNTY KANSAS KANSAS

KELLY B. ARNOLD, County Clerk

PETER F. MEITZNER, Chairman
Commissioner, First District

LACEY D. CRUSE, Chair Pro Tem
Commissioner, Fourth District

APPROVED AS TO FORM:

SARAH LOPEZ
Commissioner, Second District

JUSTIN M. WAGGONER
Assistant County Counselor

DAVID T. DENNIS
Commissioner, Third District

JAMES M. HOWELL
Commissioner, Fifth District

Affidavit of Legal Publication

STATE OF KANSAS)

ss.

County of Sedgwick)

Mary Joyce, being first duly sworn, deposes and says:
That he/she is Legal Manager of

The Derby Informer

a weekly newspaper printed in the State of Kansas, and published in and of general circulation in Sedgwick County, Kansas, with a general paid circulation on a weekly basis in Sedgwick County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a weekly published on Wednesdays, and has been so published continuously and uninterrupted in said county and state for a period of more than one year prior to the first publication of said notice, and has been admitted at the post office of Derby, Kansas, in said county as second class matter.

That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for **1 week** the first publication thereof being made as aforesaid on the **24th** day of **February** 2021, with subsequent publications being made on the following dates:

N/A

Legal Manager

Subscribed and sworn to before me this 24th day of February, 2021.

Notary Public

Rhonda Cott
NOTARY PUBLIC
STATE OF KANSAS
My Appt. Exp. 2-20-23

Resolution No. 029-2021

Printer's Fee: $58.80
Additional copies: $_____

Legal Publication

(Published in The Derby Informer on February 24, 2021)

RESOLUTION NO. **029-2021**

Published on _____

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BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS

SECTION I. That after receiving a recommendation from the WichitaSedgwick 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-C of the Wichita Sedgwick County Unified Zoning Code, the zoning classification or district of the lands legally described hereby are changed as follows:

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SECTION III. 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:

PETER F. MEITZNER	**AYE**
SARAH LOPEZ	**AYE**
DAVID T. DENNIS	**AYE**
LACEY D. CRUSE	**AYE**
JAMES M. HOWELL	**AYE**

Dated this **3rd** day of **February**, 2021.

BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS

PETER F. MEITZNER, Chairman
Commissioner, First District

LACEY D. CRUSE, Chair Pro Tem
Commissioner, Fourth District

SARAH LOPEZ
Commissioner, Second District

DAVID T. DENNIS
Commissioner, Third District

JAMES M. HOWELL
Commissioner, Fifth District

ATTEST:

KELLY B. ARNOLD, County Clerk

APPROVED AS TO FORM:

JUSTIN M. WAGGONER
Assistant County Counselor