

RESOLUTION NO. _____

Published on: _____

A RESOLUTION CHANGING THE ZONING CLASSIFICATION AND 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.

WHEREAS, THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS APPROVED ZON2010-0040 AND CON2010-00038 BY A UNANIMOUS (5-0) VOTE ON DECEMBER 8, 2010, SUBJECT TO PLATTING THE PROPERTY.

WHEREAS, THE PROPERTY SUBSEQUENTLY HAS BEEN PLATTED AS DOWNWIND ESTATES 2ND ADDITION.

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. ZON2010-00040 and CON2010-00038

A Zone Change from RR Rural Residential to SF-20 Single-Family Residential on property generally located south of 71st Street South and west of 143rd Street East legally described as follows:

Downwind Estates 2nd Addition, Sedgwick County, Kansas

A Conditional Use to allow expansion of an existing airport on property generally located south of 71st Street South and west of 143rd Street East legally described as follows:

Downwind Estates 2nd Addition, Sedgwick County, Kansas

SECTION II. That application ZON2010-00040 and CON2010-00038 is hereby approved and the Conditional Use is subject to the following conditions:

- (1) The subject property shall be developed in general conformance with the approved site plan. The site plan must be approved within 60 days of approval of the Conditional Use. A 35-foot building setback shall be established around the entire parameter of the site. Provide both a 24" (x) 36" copy and an 11" (x) 17" copy of the approved site plan.
- (2) Operation of a heliport, manufacturing and/or assembly, vocational training, retail, office uses and any other use not permitted by right or by Conditional Use in the SF-20 zoning

district is not permitted until there is a change to the appropriate zoning or approval of a Conditional Use.

- (3) The airport may be used for sky diving and hot air balloon activities, as outdoor recreation and entertainment.
- (4) Development and use of the subject site shall be in accordance with all applicable federal, state, and local rules and regulations, including building and health codes, and operational standards.
- (5) Any on-site sewer system used on the application area shall meet Sedgwick County standards. No building permits shall be issued until the on-site sewer system is improved.
- (6) No building permits shall be issued until all private roads are constructed to Sedgwick County standards.
- (7) The applicant shall obtain any required rural water district taps prior to the issuance of building permits.
- (8) As applicable, all utilities will be located underground.
- (9) If VAC2010-00012 is approved, all conditions attached to this case (VAC2010-00012) will apply to both CON2010-00004/CON2010-00038 and ZON2010-00003/ZON2010-00040.
- (10) 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 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.

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Commissioners present and voting were:

DAVID M. UNRUH
MICHAEL B. O'DONNELL, II
DAVID T. DENNIS
RICHARD RANZAU
JAMES M. HOWELL

Dated this _____ day of _____, 2017.

BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS

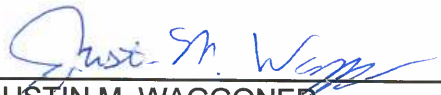
ATTEST:

KELLY B. ARNOLD, County Clerk

DAVID M. UNRUH, Chairman
Commissioner, First District

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

APPROVED AS TO FORM:



JUSTIN M. WAGGONER,
Assistant County Counselor

DAVID T. DENNIS
Commissioner, Third District

RICHARD RANZAU
Commissioner, Fourth District

JAMES M. HOWELL
Commissioner, Fifth District