

RESOLUTION NO. 2015-07

A RESOLUTION PROVIDING FOR THE AMENDMENT OF CERTAIN PROVISIONS OF THE SEWARD COUNTY / CITY OF KISMET ZONING REGULATIONS

BEFORE the Board of County Commissioners, Seward County, Kansas:

WHEREAS, on the 18th day of February 2008, the Board of County Commissioners adopted Resolution No. 2008-03, which resolution adopted the Seward County Zoning Regulations; and

WHEREAS, the Board of County Commissioners of Seward County, Kansas desires to maintain effective and efficient regulations governing the use of land throughout the unincorporated area; and

WHEREAS, to provide for the effective administration of the zoning regulations in the unincorporated area, said regulations need to be amended from time to time; and

WHEREAS, the amendments proposed will further clarify, correct or create consistency with other currently adopted codes and regulations; and

WHEREAS, the Seward County / City of Kismet Planning Commission held a Public Hearing on May 11, 2015 and recommends approval of these proposed changes;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SEWARD COUNTY, KANSAS, that:

The following sections of the 2008 Seward County Zoning Regulations are amended to read as follows:

1-104 Definitions:

4. ACCESSORY BUILDING: A subordinate building, smaller in both size and scale than the main building, or portion of the main building, located on the same lot, the use of which is clearly incidental to that of the main building or to the use of the land on which it is located. Customary accessory buildings include, but are not limited to, garages, carports, garden houses, small storage sheds and children's playhouses. On properties zoned other than Agricultural, and especially on properties zoned Rural Residential and Suburban Residential, agricultural buildings shall be considered an accessory building.

27-104 Conditional Uses Enumerated:

8. Commercial Wind Energy Conversion System when located in the unincorporated portion of Seward County, subject to the following:

G. Provide a certificate of insurance indicating coverage of General Liability of not less than \$1,000,000.00 per occurrence for contractors working within public right-of-way.

27-108 Accessory Uses Allowed:

2. In District "AR" Agricultural Residential, "RR" Rural Residential, "SR" Suburban Residential, "R-1" Single-Family Residential, and "V-1" Village District only the following accessory uses are allowed:

a. Accessory buildings and uses commonly associated with residential activity, including, but not limited to, the following:

- Accessory off-street parking and loading spaces
- Fences or walls
- Flag poles
- Gates or guard houses for subdivisions
- Guest houses
- Home barbecue grills
- Parabolic and satellite dish-type antennas
- Play equipment
- Private garages and carports
- Servant's quarters
- Small storage sheds
- Solar collectors
- Swimming pools
- Television and radio receiving antennas less than 50 feet in height

No accessory building or use shall occupy a required front yard (except basketball goals, flag poles and fences as permitted.) Except in the "AR" Agricultural Residential and "RR" Rural Residential Districts, the total floor area of all accessory buildings shall not exceed 900 square feet.

29-104 Special Exceptions:

5. In the "AR" Agricultural Residential and "RR" Rural Residential Districts, the erection and use of an accessory building or structure prior to the erection and use of a principal or main building or structure.

This Resolution shall be in full force and effect from and after its publication once in the official county newspaper.

ADOPTED BY THE BOARD OF COUNTY COMMISISONERS OF SEWARD COUNTY, KANSAS this 1st day of June, 2015.

Jim Rice, Chair

Randy Malin, Vice-Chair

Ada Linenbroker

Nathan McCaffrey

C.J. Wettstein

(seal)

ATTEST:

Stacia Long, County Clerk