CITY OF WICHITA

Wichita-Sedgwick County Metropolitan Area Planning Department

November 3, 2017

F 4, LLC
Attn: Nathan Farha
6119 Oneida
Wichita, ks 67208

RE: **CON2017-00035** - City Conditional Use for an accessory apartment in an existing house on property zoned SF-5 Single Family Residential; generally located on the north side of East 2nd Street and east of North Hillside Avenue (3612 E 2nd)

Dear Applicant:

At its regular meeting on **October 19, 2017**, the Wichita - Sedgwick County Metropolitan Area Planning Commission considered the above captioned request. The action of the MAPC 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,

Kathy L. Morgan,
Senior Planner
Current Plans Division

KLM: al
Attachment

Copies to: MABCD
Lavonta Williams, Council Member District I
Kameelah Alexander, CSR District I

CONDITIONAL USE RESOLUTION NO. CON2017-00035

WHEREAS, Kenneth Piper, (Owners/Applicants), pursuant to Section V-D of the Wichita-Sedgwick County Unified Zoning Code (herein referred to as Unified Zoning Code), requests a Conditional Use for an Accessory Apartment on 0.11 acre zoned SF-5 Single-Family Residential described as:

Lot 7, Herbert C. Jones Subdivision in Brooklyn Heights Addition to Wichita, Sedgwick County, Kansas, (3612 East 2nd Street).

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; and

WHEREAS, the MAPC did, at the meeting of October 19, 2017, consider said application; and

WHEREAS, the MAPC has authority to permit a Conditional Use, 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 Metropolitan Area Planning Commission that this application be approved to allow a Conditional Use for an Accessory Apartment on 0.11 acres zoned SF-5 Single-Family Residential described as:

Lot 7, Herbert C. Jones Subdivision in Brooklyn Heights Addition to Wichita, Sedgwick County, Kansas, (3612 East 2nd Street).

Approved subject to the following conditions:

(1) The accessory apartment shall remain accessory to and under the same ownership as the principal single-family residence (located at 3612 East 2nd Street) and the ownership shall not be divided or sold as a condominium.

(2) The water provided to the accessory apartment shall not be provided as separate services from the main dwelling. Sewer will be provided by a new on-site septic system. 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 turning in plans for review and approval by the MABCD for the construction of the accessory apartment.

(4) Development and maintenance of the site shall be in conformance with the approved site plan.

(5) If the accessory apartment is not in place within 12 months after final approval, or 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.

Adopted this 19 Day of October 2017

METROPOLITAN AREA PLANNING COMMISSION

Joseph A. Johnson, Chairman MAPC

ATTEST:

Dale Miller, Secretary

WICHITA—SEDGWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION

AGENDA ITEM NO. 4

STAFF REPORT
MAPC October 19, 2017
DAB I November 6, 2017

CASE NUMBER: CON2017-00035

APPLICANT/AGENT: F 4, LLC (owner), Nathan Farha (Agent)

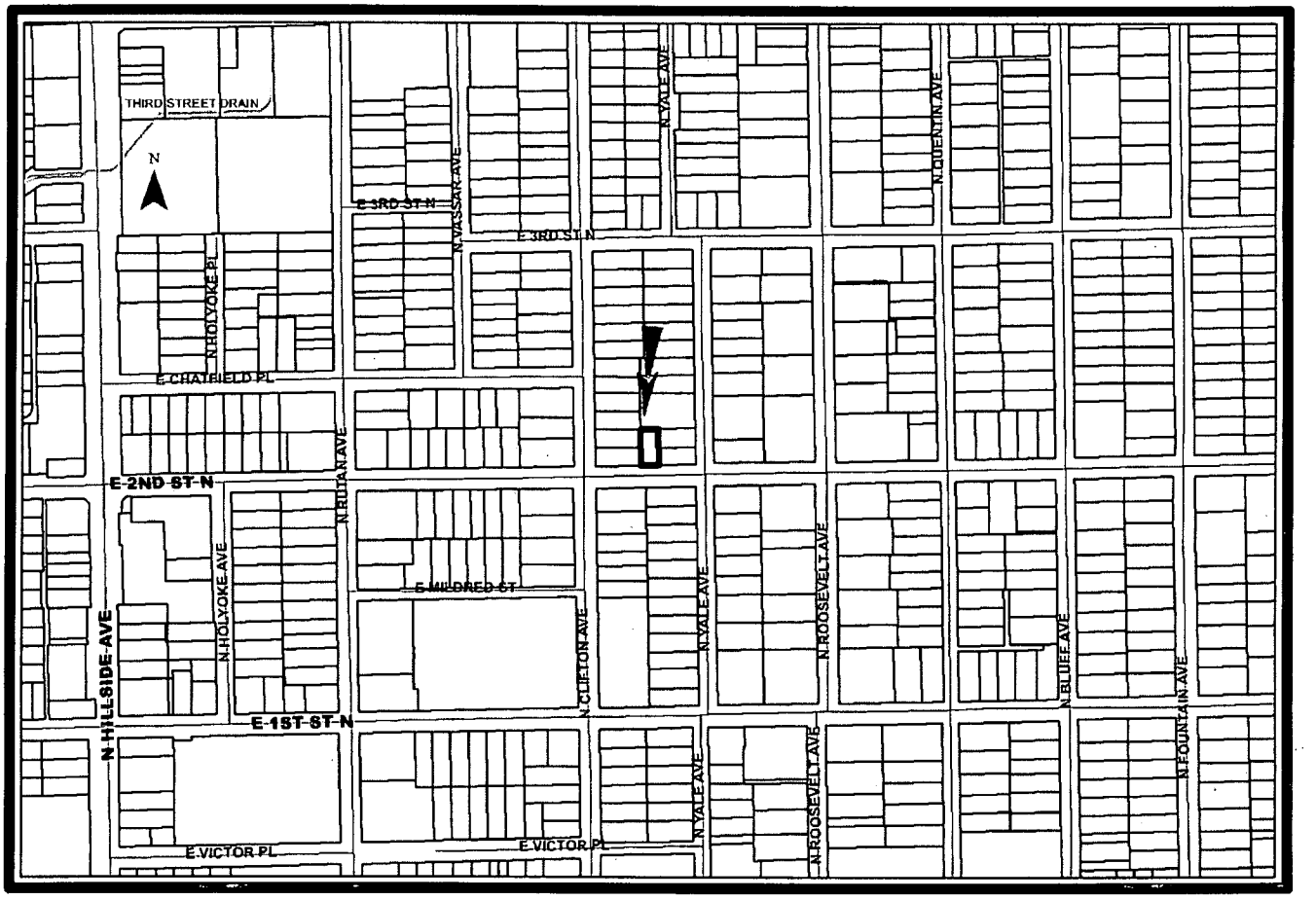
REQUEST: Conditional Use for an accessory apartment

CURRENT ZONING: SF-5 Single-Family Residential (SF-5)

SITE SIZE: 0.11 acres

LOCATION: Generally located mid-block between Clifton Avenue and Yale Avenue on the north side of East Second Street (3612 East 2nd)

PROPOSED USE: Accessory Apartment



BACKGROUND: The applicant requests a Conditional Use for an accessory apartment on property zoned SF-5 Single-Family Residential (SF-5). The property is developed with a one-and-one-half-story bungalow residence built in 1922 with parking in the rear of the lot. The accessory apartment will be located in the main structure and have a separate entrance.

The Wichita-Sedgwick County Unified Zoning Code ("UZC") defines an "accessory apartment" (Art. II. Sec. II-B.1.b) as a dwelling unit that may be wholly within, or may be detached from a principal single-family dwelling unit. Accessory apartments are also subject to supplementary use regulation Art. III.Sec.III-D.6.a (1) a maximum of one accessory apartment may be allowed on the same lot as a single-family dwelling unit that may be within the main building, within an accessory building or constructed as an accessory apartment; (2) the appearance of an accessory apartment shall be compatible with the main dwelling unit and with the character of the neighborhood; (3) the accessory apartment shall remain accessory to and under the same ownership as the principal single-family dwelling unit, and the ownership shall not be divided or sold as a condominium and (4) the water and sewer service provided to the accessory apartment shall not be provided as separate service from the main dwelling. Electric, gas, telephone and cable television utility service may be provided as separate utility services.

The surrounding neighborhood is primarily zoned SF-5 and developed with single-family residences. However, over a dozen lots of TF-3 Two-Family Residential (TF-3) zoning exist within this neighborhood. North, west and east of the site on East 2nd Street are single-family residences. South of the site are SF-5 and TF-3 zoned lots developed with single-family and two-family residences.

CASE HISTORY: The site was platted as Lot 7, of the Herbert C. Jones Addition in 1918.

ADJACENT ZONING AND LAND USE:

NORTH:	SF-5	Single-Family residences
SOUTH:	SF-5; TF-3	Single-Family and Two-family residences
EAST:	SF-5	Single-Family residences
WEST:	SF-5	Single-Family residences

PUBLIC SERVICES: East 2nd Street is a one-way arterial street at this location with a 60-foot right-of-way. All public services are available to the site.

CONFORMANCE TO PLANS/POLICIES: The adopted Wichita-Sedgwick County Comprehensive Plan, the *Community Investments Plan*, identifies the site as within the Established Central Area - the mature neighborhoods within an approximate three-mile radius of the downtown core. The Plan encourages infill development within the Established Central Area that maximizes public investment in existing and planned infrastructure and services. The Plan also encourages development of a variety of lot sizes and housing types within the Established Central Area. The Plan's *2035 Wichita Future Growth Concept Map* identifies this location as "residential," encompassing areas that reflect the full diversity of residential development densities and types typically found in large urban municipality.

RECOMMENDATION: Based upon information available prior to the public hearings, planning staff recommends that the request be **APPROVED**.

This recommendation is based on the following findings:

(1) **The zoning, uses and character of the neighborhood:** The surrounding neighborhood is primarily zoned SF-5 and developed with single-family residences. However, over a dozen lots of TF-3 zoning exist within this neighborhood. North, west and east of the site on East 2nd Street are zoned SF-5. South of the site are SF-5 and TF-3 zoned lots developed with single-family and two-family residences.

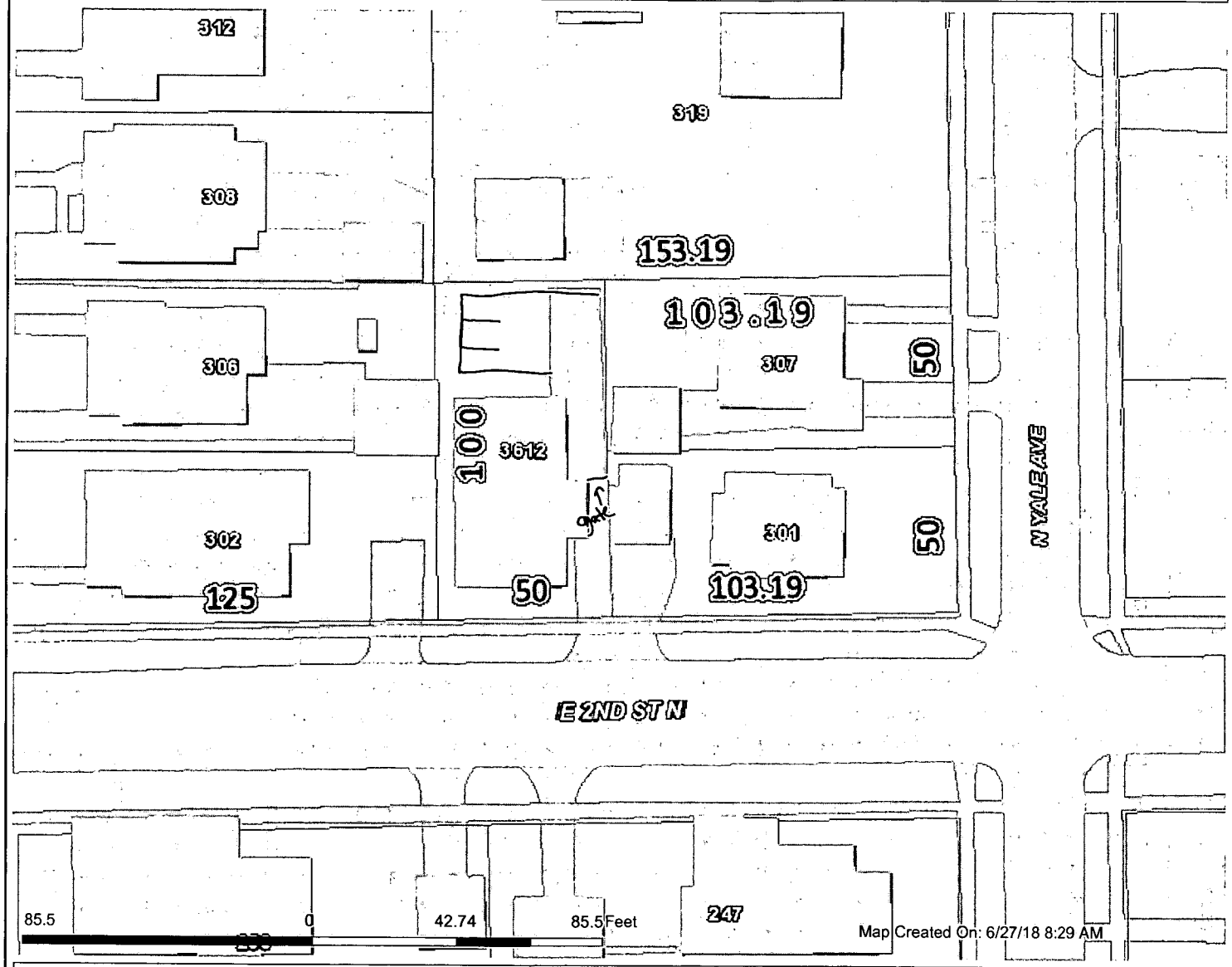
(2) **The suitability of the subject property for the uses to which it has been restricted:** The site is currently zoned SF-5developed with a single-family residence and could be developed with a single-family residence.

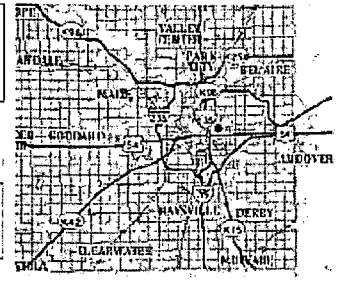
(3) **Extent to which removal of the restrictions will detrimentally affect nearby property:** Impact on surrounding property due to the requested conditional use should be minimal. The site has adequate parking for the main structure and an accessory apartment on site.

(4) **Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies:** The adopted Wichita-Sedgwick County Comprehensive Plan, the *Community Investments Plan*, identifies the site as within the Established Central Area - the mature neighborhoods within an approximate three-mile radius of the downtown core. The Plan encourages infill development within the Established Central Area that maximizes public investment in existing and planned infrastructure and services. The Plan also encourages development of a variety of lot sizes and housing types within the Established Central Area. The Plan's *2035 Wichita Future Growth Concept Map* identifies this location as "residential," encompassing areas that reflect the full diversity of residential development densities and types, typically found in large urban municipality.

(5) **Impact of the proposed development on community facilities:** All services are in place. Any increased demand on community facilities can be handled by existing infrastructure.

City of Wichita Map Print





Legend

Wichita City Limits

SITE PLAN

APPROVED 12/19/2017

This information is not an official record, and cannot be used as such. The user should rely only upon official records available from the custodian of records in the appropriate City and/or County department. Some data provided here and used for the preparation of these maps has been obtained from public records not created or maintained by the City of Wichita.

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