



**FILE COPY**

**Wichita-Sedgwick County Metropolitan Area Planning Department**

June 19, 2020

Michael and Rhonda Gooding  
11501 E. 75<sup>th</sup> Street South  
Derby, KS 67037

**RE: CON2020-00016** - County Conditional Use for Accessory Apartment in Rural Residential (RR) zoning; Generally located on the Southeast corner of East 75<sup>th</sup> Street South and South Greenwich Road (11501 E. 75<sup>th</sup> St S).

Dear Applicant:

At its regular meeting on **June 18, 2020**, the Wichita - Sedgwick County Metropolitan Area Planning Commission considered the above captioned request. The action of the MAPC was to **APPROVE** the request subject to the following conditions:

- (1) Compliance with the provisions of the Wichita-Sedgwick County Unified Zoning Code, (Article III-D-6-1 (3) is required.
- (2) The accessory single-wide manufactured home shall remain accessory to and under the same ownership as the principal single-family residence (located at 11501 East 75<sup>th</sup> Street South) and the ownership shall not be divided or sold as a separate dwelling unit.
- (3) The water provided to the accessory single-wide manufactured home shall not be provided as separate services from the main dwelling. Electric, gas, telephone and cable television utility service may be provided as separate utility services. Compliance with the requirements of the Sedgwick County Sanitation Code shall be met regarding use of the onsite wastewater system.
- (4) The accessory single-wide manufactured home is allowed for a period of (3) years from date of approval with an option to extend one time for a two (2) year period by the Metropolitan Area Planning Commission if the need still exists.
- (5) The applicant shall obtain all applicable permits including, but not limited to: building, health and zoning.
- (6) Development and maintenance of the site shall be in conformance with the approved site plan.
- (7) 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.

Property owners opposed to the application may file with the County Clerk a signed, written protest of the MAPC's recommendation. (Unsigned e-mails are not considered to be legal protests.) To be effective, the protest must be filed by 5:00 p.m. on July 2, 2020. In order to be considered a "valid" petition, the signatures must reflect the correct and entire ownership of the property, the property must be at least

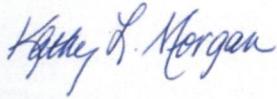
partially located within 200 feet of the property for which the application was filed, and must be submitted to the County Clerk by **July 2, 2019 at 5:00 p.m.**

If no valid protests or appeals opposing the action of the MAPC are filed with the County Clerk by **5:00 p.m. on Thursday, July 2, 2020**, the action of the MAPC will be considered final.

If a protest or an appeal of the decision of the MAPC is filed, the application will be forwarded to the Board of County Commissioners for consideration on August 5, 2020.

This is a reminder that the zoning notification signs should now be removed from the property. If you have any questions concerning this application, please contact our office at 268-4421.

Sincerely,



Kathy L. Morgan, Senior Planner  
Current Plans Division

Copies to:       MABCD  
                    Jim Howell, BoCC District 5  
                    Kate Flavin, Public Information Officer Sedgwick County

**CONDITIONAL USE RESOLUTION NO. CON2020-00016**

**WHEREAS**, Michael and Rhonda Gooding, Owners; pursuant to Section V-D of the Wichita-Sedgwick County Unified Zoning Code (herein referred to as Unified Zoning Code), requests County Conditional Use to allow an Accessory Dwelling Unit on property zoned RR Rural Residential ("RR") described as:

The North Half of the North Half of the West Half of the Southwest Quarter of Section 3, Township 29 South, Range 2 East of the 6<sup>th</sup> P.M., Sedgwick County, Kansas (11501 East 75<sup>th</sup> Street South).

**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 June 18, 2020, 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 an Accessory Dwelling Unit on property zoned RR Rural Residential ("RR") described as:

The North Half of the North Half of the West Half of the Southwest Quarter of Section 3, Township 29 South, Range 2 East of the 6<sup>th</sup> P.M., Sedgwick County, Kansas (11501 East 75<sup>th</sup> Street South).

Approved subject to the following conditions:

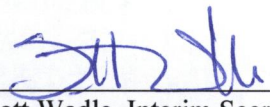
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- (2) The accessory single-wide manufactured home shall remain accessory to and under the same ownership as the principal single-family residence (located at 11501 East 75<sup>th</sup> Street South) and the ownership shall not be divided or sold as a separate dwelling unit.
- (3) The water provided to the accessory single-wide manufactured home shall not be provided as separate services from the main dwelling. Electric, gas, telephone and cable television utility service may be provided as separate utility services. Compliance with the requirements of the Sedgwick County Sanitation Code shall be met regarding use of the onsite wastewater system.
- (4) The accessory single-wide manufactured home is allowed for a period of (3) years from date of approval with an option to extend one time for a two (2) year period by the Metropolitan Area Planning Commission if the need still exists.
- (5) The applicant shall obtain all applicable permits including, but not limited to: building, health and zoning.
- (6) Development and maintenance of the site shall be in conformance with the approved site plan.
- (7) 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 18th Day of June 2020

METROPOLITAN AREA PLANNING COMMISSION

  
\_\_\_\_\_  
Charles A. Warren, Chair MAPC

ATTEST:

  
\_\_\_\_\_  
Scott Wadle, Interim Secretary

Affidavit of Legal Publication

STATE OF KANSAS )

ss.

County of Sedgwick )

Jennifer Perryman, 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.

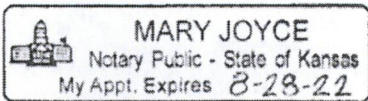
That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for 1 week the first publication thereof being made as aforesaid on the 27th day of May 2020, with subsequent publications being made on the following dates:

N/A

Signature of Jennifer Perryman, Legal Manager

Subscribed and sworn to before me this 27th day of May, 2020.

Signature of Notary Public



Official Hearing Notice – MAPC – June 18, 2020

Printer's Fee: \$46.20

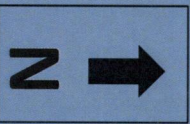
Additional copies: \$

Legal Publication (Published in The Derby Informer on May 27, 2020)
MAPC June 18, 2020 OFFICIAL HEARING NOTICE
NOTICE IS HEREBY GIVEN that on Thursday, June 18, 2020 no earlier than 1:30 p.m., the WichitaSedgwick County Metropolitan Area Planning Commission (Planning Commission) will consider the following applications.
CON2020-00010 County conditional use to expand existing Midwest Dog Center (CON2013-12) by adding a new indoor play and boarding area 80 ft X 55 ft.; generally located approximately 1/2 mile west of N 215th St West on the south side of West 29th N (22215 W 29th N)
CON2020-00016 County Conditional Use for Accessory Apartment in Rural Residential (RR) zoning. Generally located on the Southeast corner of East 75th Street South and South Greenwich Road (11501 E. 75th St S).
CON2020-00018 County Conditional Use to allow a minor utility (water supply booster pump station) for Butler R.D.W. #5; generally located on the north side of E. 29th Street N. and 1/2 mile east of N. Greenwich Rd.
ZON2020-00020 County zoning change to SF-20 Single-Family Residential to allow creation of lots less than 2 acres in size on land zoned RR Rural Residential generally located south of East MacArthur Road and west of South 135th Street East (13429 East MacArthur and 13439 East MacArthur).
Complete legal descriptions are available for public inspection at the Metropolitan Area Planning Department, 271 W. Third St., 2nd Floor. As provided in Section V of the WichitaSedgwick County Unified Zoning Code, the same will then and there be discussed and considered by the said MAPC, and all persons interested in said matters will be heard at this time concerning their views and wishes in the premises, and any protest against any of the provisions of the proposed changes to the zoning regulations will be considered by the MAPC as by law provided.
PLEASE NOTE THIS MEETING IS CONSIDERED AN EMERGENCY MEETING OF THE WICHITA-SEDGWICK COUNTY METROPOLITAN AREA PLANNING COMMISSION due to COVID-19, WHICH WILL IMPOSE SPECIAL PROCEDURES TO PARTICIPATE IN THE PUBLIC HEARING. THESE ARE AS FOLLOWS:
The meeting will be conducted "virtually" using Go-To-Meeting. You have multiple options to participate: 1) submit comments ahead of time, 2) participate remotely, or 3) attend a virtual connection site in-person (see below).
Submit Comments Ahead of Time
You can submit comments regarding items on the Planning Commission agenda to the Wichita-Sedgwick County Metropolitan Area Planning Department (Planning Department). Comments must be received by the Planning Department no later than 5pm 3 days prior to the meeting. Please be sure to provide ample time for delivery. The comments can be submitted in the following formats: email; letter; video; and audio message (mp3, etc.). The comment should indicate which item they pertain to and be less than three (3) minutes in duration. The comments should be submitted to Planning Department staff using the contact information below. The comments received ahead of the submission deadline will be shared with the MAPC, prior to or during the meeting.
Table with contact information: Email: BPagan@wichita.gov, Mailing Address: Wichita-Sedgwick County Metropolitan Area Planning Department, Attn: David Yearout, 271 W. 3rd Street - Suite 201, Wichita, KS 67202, Phone: 316.268.4421, Fax: 316.858.7764
Participate Remotely
You can participate remotely either by phone, mobile device, or computer by using the following link or phone number.
Please join the meeting from your computer, tablet or smartphone.
https://global.gotomeeting.com/join/856680853
You can also dial in using your phone.
• United States: +1 (872) 240-3212
• Access Code: 856-680-853
Attend a Virtual Connection Site In-Person
You may also participate in the hearing by going to meeting room 101B at Century II (225 West Douglas) to participate in the Planning Commission meeting by "virtual" connection. Planning Department staff members will be available to assist in your participation at this location. This option is intended for those without other technology options, and who have not previously submitted recorded audio or video comments. If you have any written or visual materials you wish to present, please contact Planning Department Graphics staff (2684464) by 5pm, 3 days prior to the meeting.
WITNESS MY HAND on May 22, 2020
Scott Wadle, Secretary
WichitaSedgwick County
Metropolitan Area Planning Commission

11501 E 75<sup>th</sup> St S, Derby Owners: Michael and Rhonda Goodin Conditional Use permit to place mobile home on property to be used as a temporary residence for an elderly relative

Scale: 1" = 200'

- Mobile Home 16X55 = 930 Sq Ft
- Placed 75' diagonally from corner of cement pad attached to north side of house.
- Use: Temporary residence for elderly relative.



*CON 2010-16*

# SITE PLAN

APPROVED

*[Signature]*