Wichita-Sedgwick County Metropolitan Area Planning Department

December 11, 2020

Robert Mercer
3315 S. Walnut St.
Wichita, KS 67217

RE: CON2020-00030: City Conditional Use for accessory apartment on property zoned SF-5 Single-Family Residential located 400 feet south of 31st Street South, 150 feet east of South Seneca Street (3315 S. Walnut).

Dear Applicant;

At its regular meeting on **November 19, 2020**, the Wichita - Sedgwick County Metropolitan Area Planning Commission considered the above captioned request. The action of the MAPC was to **APPROVE** the request.

No protests were received; therefore, the MAPC's approval is final.

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

Sincerely,

Matt Williams, AICP
Associate Planner

Copies to: MABCD
Seth Gotchey, City Engineering
James Clendenin, District III
Maddy Campbell, CSR, District III

CONDITIONAL USE RESOLUTION NO. CON2020-00030

WHEREAS, Robert, Patricia and Ralph Mercer, Owners; pursuant to Section V-D of the Wichita-Sedgwick County Unified Zoning Code (herein referred to as Unified Zoning Code), request a Conditional Use to allow an accessory apartment on property zoned SF-5 Single-Family Residential described as:

Lot 13, Cumley's Addition, Wichita, Sedgwick County, Kansas.

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 November 19, 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 apartment on property zoned SF-5 Single-Family Residential described as:

Lot 13, Cumley's Addition, Wichita, Sedgwick County, Kansas.

Approved subject to the following conditions:

1. The applicant shall provide a new site plan with dimensions that better depicts the size and location of the accessory apartment.
2. The accessory apartment shall comply with The Wichita-Sedgwick County Unified Zoning Code, specifically Art. III.Sec.III-D.6.a.
3. The applicant shall provide proof of proper building permits and an inspection. Modifications must comply with all State, County, and any other applicable standards.
4. Development and maintenance of the site shall be in general conformance with the approved site plan.
5. 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 17 Day of December 2020.

METROPOLITAN AREA PLANNING COMMISSION

Michael C. Greene, Chair MAPC

ATTEST:

Scott Wadle, Secretary

LEGAL PUBLICATION

OCA 150004
PUBLISHED IN THE WICHITA EAGLE
ON OCTOBER 29, 2020 (4792242)
(One Time Only)

MAPC/BZA November 19, 2020
OFFICIAL HEARING NOTICE

NOTICE IS HEREBY GIVEN that on **Thursday, November 19, 2020 no earlier than 1:30 p.m.**, the Wichita-Sedgwick County Metropolitan Area Planning Commission/Board Zoning Appeals will consider the following applications. The meeting will be held virtually, public participation is available in multiple ways, those without technology options can participate by going to Century II - Room 101B - 225 West Douglas Avenue, Wichita, Kansas 67202 (specified at the bottom of this notice). **If you have any questions regarding the meeting or items on this notice, please call the Wichita-Sedgwick County Metropolitan Area Planning Department at (316) 268-4421.**

BZA2020-00051 City Variance to increase the height and size of a sign on property zoned U University and DO Delano Overlay; generally located on the north side of Kellogg Drive and one third mile east of South Meridian Avenue (south of property addressed 2033 West University Avenue).

CON2020-00030 City Conditional Use for accessory apartment on property zoned SF-5 Single-Family Residential located 400 feet south of 31st Street South, 150 feet east of South Seneca Street (3315 S. Walnut)

CUP2020-00041 City CUP Amendment to permit additional uses on Parcel 9 of CUP DP-28 (Assoc. with ZON2020-00043 from LC to LI) on property generally located south of East 47th Street South and one block west of South Broadway Avenue (185 E 47th Street South)

VAC2020-00042 City Vacation of a portion of a platted front setback to permit a building addition on property zoned SF-5 Single Family Residential and generally located on the south side of East Douglas Avenue and two block west of South Oliver Avenue (103 S Pershing).

VAC2020-00043 City Vacation of a portion of a platted utility easement on property zoned GO General Office and generally located on the west side of North McLean Blvd and on the south side of West 13th Street.

VAC2020-00044 City Vacation of a portion of a side street setback to permit an accessory structure built into a masonry wall on property zoned SF-5 Single Family Residential (CUP DP-201); generally located within one quarter mile southwest of East 21st Street and North Webb Road (1900 N Red Brush Ct).

ZON2020-00039 City rezone from SF-5 to TF-3 to allow duplexes on property generally north of East Harry Street and east of South 127th Street East. (12855 East Timber Lake Road).

ZON2020-00041 City Zone Change from LC Limited Commercial and SF-5 Single Family Residential to TF-3 Two Family Residential on property generally located on the north side of West Kellogg Avenue and one block east of South 167th Street West.

ZON2020-00042 City Zone Change from SF-5 Single Family Residential to TF-3 Two Family Residential on property generally located on the north side of West 47th Street South and within one-quarter mile west of South Seneca Street (1316 W 47th Street South).

ZON2020-00043 City Zone Change from LC Limited Commercial to LI Limited Industrial (assoc. with CUP2020-00041) on property generally located south of East 47th Street South and one block west of South Broadway Avenue (185 E 47th Street South).

Complete legal descriptions are available for public inspection at the Metropolitan Area Planning Department, 271 W. Third St., 2nd Floor, Wichita, Kansas 67202. As provided in Section V of the Wichita-Sedgwick 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.

Email	BPagan@wichita.gov
Mailing Address	Wichita-Sedgwick County Metropolitan Area Planning Department Attn: Scott Wadle 271 W. 3rd Street - Suite 201 Wichita, KS 67202
Phone	316.268.4421
Fax	316-858-7764

Participate Remotely

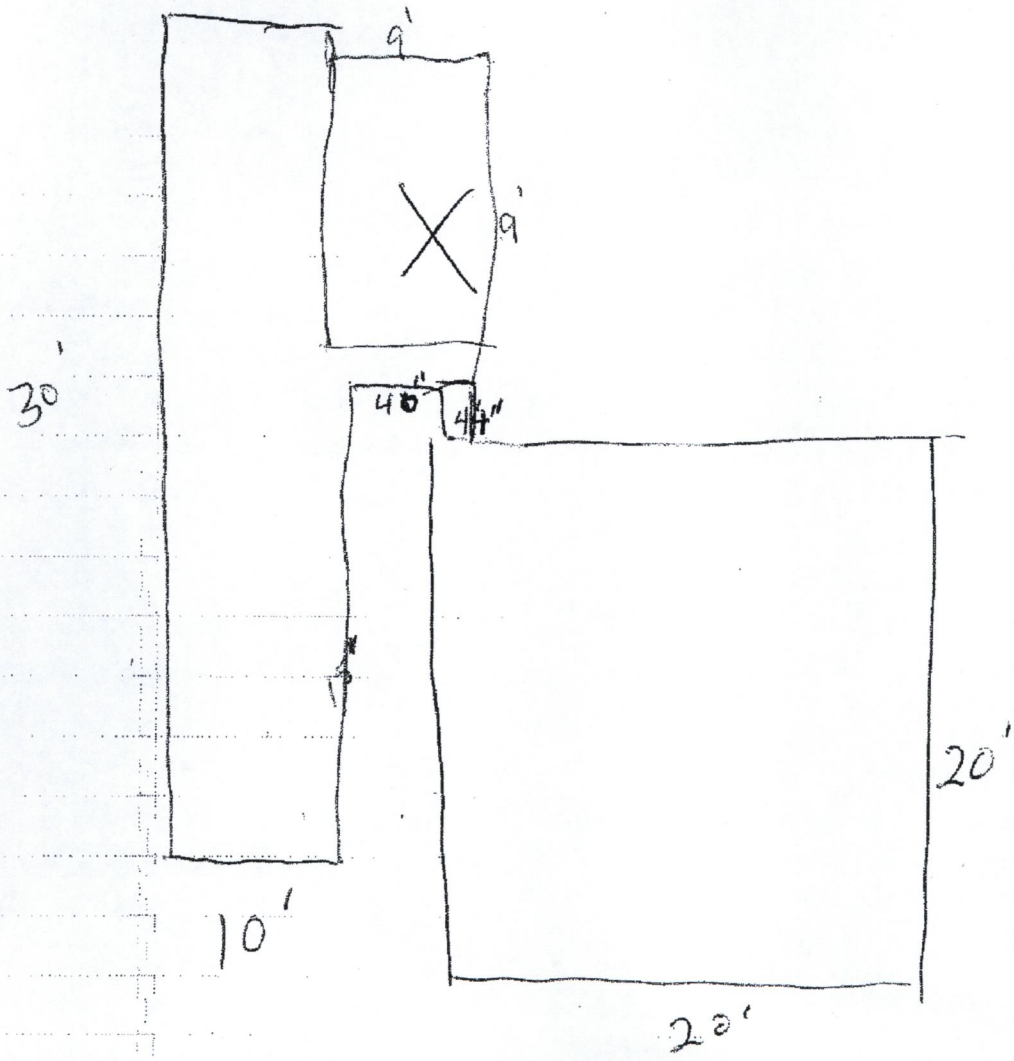
Please join my meeting from your computer, tablet or smartphone.
https://global.gotomeeting.com/join/751333133
You can also dial in using your phone.
United States: +1 (224) 501-3412
Access Code: 751-333-133

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 (268-4464) by 5pm, 3 days prior to the meeting.

WITNESS MY HAND on October 26, 2020
Scott Wadle, Secretary
Wichita-Sedgwick County
Metropolitan Area Planning Commission

Site Plan for 3315 S. Walnut



SITE PLAN
APPROVED 12/28/2020 BY MW