



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

November 6, 2020

Haley Heter  
2822 N Plumthicket Cir.  
Wichita, KS 67226

**RE: CON2020-00025** City Conditional Use to permit multi-family development (3 dwelling units) on property zoned TF-3; generally located one block south of East Douglas Avenue and one-half mile west of South Oliver (217 S. Fountain).

Dear Applicant:

At its regular meeting on **November 5, 2020**, the Wichita - Sedgwick County Metropolitan Area Planning Commission (MAPC) considered the above captioned request. The action of the MAPC was to **APPROVE** the request with the following conditions:

- 1) The Conditional Use shall be limited to three dwelling units on the site subject to the approved site plan on 6,312 square feet.
- 2) Should the garage with the third dwelling unit be damaged by more than 50%, a third dwelling unit will not be allowed to be rebuilt.
- 3) Any redevelopment of this lot will require minimum lot size standards be met.
- 4) 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.

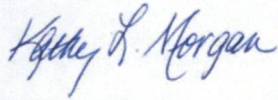
Property owners opposed to the application may file with the City Clerk a signed, written protest of the MAPC's recommendation. (Unsigned e-mails are not considered to be legal protests.) **To be effective, the protest must be filed by 5:00 p.m. on November 19, 2020.** In order to be considered a "valid" 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 City Clerk by **November 19, 2020 at 5:00 p.m.**

If there are no protests, the action of the MAPC is final. If protests are received, the application will be forwarded to the **December 8, 2020** City Council meeting. The meeting is held on the first floor Council Meeting Room, 455 N. Main and begins at 9 a.m. Please check with the City Clerk's office for the virtual meeting login information.

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.

The Ronald Reagan Building • 2<sup>nd</sup> Floor • 271 West Third Street • Wichita, Kansas 67202  
316.268.4421 • [www.wichita.gov](http://www.wichita.gov)

Sincerely,



Kathy L. Morgan, Senior Planner  
Current Plans Division

Copies to:     MABCD  
                  Brandon Johnson, District I  
                  Kameelah Alexander, CSR, District I  
                  James Smart, 233 S. Fountain, Wichita, KS 67218  
                  John and Marlene Belt, 240 S. Fountain, Wichita, KS 67218

**CONDITIONAL USE RESOLUTION NO. CON2020-00025**

**WHEREAS**, Haley Heter, Owner; 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 multiple-family development (3 Units) on property zoned Two-Family Residential (TF-3) described as:

Lot 7, Hammond Terrace, an Addition to 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 5, 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 three dwelling units on property described as:

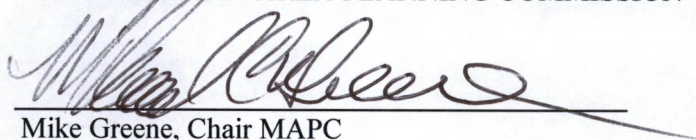
Lot 7, Hammond Terrace, an Addition to Wichita, Sedgwick County, Kansas.

Approved subject to the following conditions:

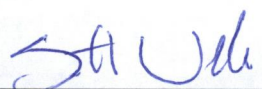
1. The Conditional Use shall be limited to three dwelling units on the site subject to the approved site plan on 6,312 square feet.
2. Should the garage with the third dwelling unit be damaged by more than 50%, a third dwelling unit will not be allowed to be rebuilt.
3. Any redevelopment of this lot will require minimum lot size standards be met.
4. 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.

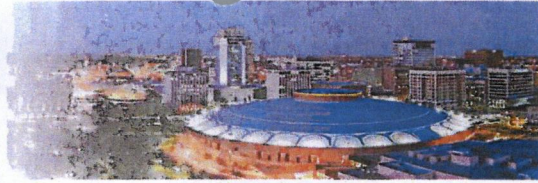
Adopted this 5th Day of November 2020

METROPOLITAN AREA PLANNING COMMISSION

  
Mike Greene, Chair MAPC

ATTEST:

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



## AFFIDAVIT OF PUBLICATION

| Account # | Ad Number  | Identification | PO | Amount | Cols | Depth    |
|-----------|------------|----------------|----|--------|------|----------|
| 453868    | 0004780586 |                |    | \$0.00 | 1    | 15.00 In |

**Attention:** Betsy Pagán

CITY OF WICHITA/PLANNING DEPT  
271 WEST THIRD ST., 2ND FL, SU 203  
WICHITA, KS 67202

In The STATE OF KANSAS  
In and for the County of Sedgwick  
AFFIDAVIT OF PUBLICATION

1 Insertions

Beginning issue of: 10/15/2020

Ending issue of: 10/15/2020

STATE OF KANSAS)

.SS

County of Sedgwick)

VICTORIA RODELA, of lawful age, being first duly sworn, depose and saith: That he is Record Clerk of The Wichita Eagle, a daily newspaper published in the City of Wichita, County of Sedgwick, State of Kansas, and having a general paid circulation on a daily basis in said County, which said newspaper has been continuously and uninterruptedly published in said County for more than one year prior to the first publication of the notice hereinafter mentioned, and which said newspaper has been entered as second class mail matter at the United States Post Office in Wichita, Kansas, and which said newspaper is not a trade, religious or fraternal publication and that a notice of a true copy is hereto attached was published in the regular and entire Morning issue of said The Wichita Eagle from 10/15/2020 to 10/15/2020.

I certify (or declare) under the penalty of perjury that the foregoing is true and correct.

*V Rodela*

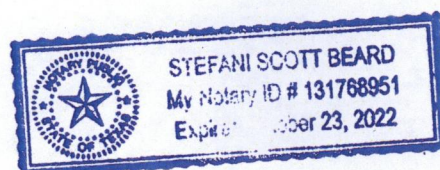
Signature of Principal Clerk

DATED: 10/16/2020

*[Signature]*

Notary Public Dallas County, Texas

Extra charge for lost or duplicate affidavits.  
Legal document please do not destroy!



# LEGAL PUBLICATION

OCA 15004

PUBLISHED IN THE WICHITA EAGLE  
ON OCTOBER 15, 2020 (470546)  
(One Time Only)

**MAFPCRA November 5, 2020  
OFFICIAL HEARING NOTICE**

NOTICE IS HEREBY GIVEN that on **Thursday, November 5, 2020** no earlier than **1:30 p.m.**, the **Wichita-Sedgewick 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 1010 - 225 West Douglas Avenue, Wichita, Kansas 67202 (located at the bottom of this notice). If you have any questions regarding the meeting or items on this notice, please call the **Wichita-Sedgewick County Metropolitan Area Planning Department** at (316) 248-4421.

**EZA3020-0009** City Variance to allow curbside in front setback and interior site setback; generally located south of E. Corral and west of E. Webb Road (2 Laurel Drive).

**EZA3020-0050** City Variance to reduce side setback to two feet to permit existing carport on property; zoned SF-5 Single Family Residential and generally located on the north side of East M6 Norman and one block west of South Washington Avenue (Rd E.M. Norman).

**EZA3020-0051** City BZA Variance to increase the height and size of a sign located in the parking lot south of 2521 W. University Ave. that is located south of University Ave. and east of 26th St. increase sign height from 30' to 35' and increase sign size from 144 sq. ft. to 200 sq. ft.

**CON3020-0023** City Conditional Use to permit multi-family development (3 dwelling units) on property zoned TF-2 generally located one block south of East Douglas Avenue and one-half mile west of South Oliver (217 S Fountain).

**CON3020-0029** City Conditional Use for accessory apartment on property zoned SF-5 Single-Family Residential located 400 feet north of 31st Street South, 150 feet east of South Seneca Street (3215 S. Walnut).

**CON3020-0031** City Conditional Use for site located south of E. 21st St. and south of Heaver Rd. to allow a minor utility and an adjustment to an existing and the removal of existing PO 39 (w. ZON3020-0029).

**ZON3020-0007** City Zoning Change from SF-5 Single Family Residential to TF-2 Two Family Residential to permit the development of duplexes on property generally located one block east of South Seneca and one-quarter mile south of West 47th Street South (east of the intersection of 50th St. S. and Osage).

**ZON3020-0025** City rezoning from SF-5 to LC for commercial development of property generally located south of East Pawnee Avenue and west of South Hillside Avenue (2438 South El Rancho Road).

**ZON3020-0004** City rezoning from GO General Office to NR Neighborhood Retail with a Protective Overlay to allow development of property generally located north of East Kellogg and east of South Edgemore Drive.

**ZON3020-0003** City rezoning from GC (General Commercial) to CBD (Central Business District) on parcel located on the northwest corner of W. Texas Ave. and S. Shawnee St. also known as 604 W. Texas Ave.

**ZON3020-0008** City rezoning from SF-5 (Single Family) to IP (Industrial Park) for parcel located south of W. 21st St. and E. of Heaver Road at approximately the 500 block of W. 21st St. due to modification of the water treatment plant. (w. CON3020-0031).

**VAC3020-0022** City vacation of stated utility easements for new construction on property zoned LC generally located south of East Pawnee Avenue and west of South Hillside Avenue (2416 South El Rancho Road).

**VAC3020-0025** City vacation of a portion of a platted 15-foot utility easement generally located southwest of E. 21st Street North and North Greenleaf Road (1800 E. Cananda Circle).

**VAC3020-0024** City vacation of a platted 15-foot utility easement, generally located south of E. 17th Street North and east of approximately 1,500 feet east of North Hillside Avenue.

**VAC3020-0027** City Vacation of of drainage and utility easement 1037 acre-foot Reserve A Uses (6.00 acres) for address on West University 1420, 1422, 1424 and 1426; generally located one block south of Alamo Street between Maple Lane and Arapaho Drive.

**VAC3020-0046** City Vacation of a platted front setback on Reserve A to permit parking for a neighborhood mini-mall pool on property zoned SF-5 Single Family Residential and generally located one-third mile west of North 127th Street East and one-quarter mile south of East 29th Street North.

**VAC3020-0041** City Vacation of a 14-foot utility easement to permit necessary structure on property zoned SF-5 Single Family Residential generally located one-half mile north of West 29th Street North and one-quarter mile east of North Arapaho Avenue (3424 N. Riverdale).

Complete legal descriptions are available for public inspection at the **Metropolitan Area Planning Department**, 271 W. Third St., First Floor, Wichita, Kansas 67202. As provided in Section V of the **Wichita-Sedgewick County Unified Zoning Code**, the same will then and there be discussed and considered by the said MAAPC, and all persons interested in said matters will be heard at this time concerning their views and wishes in this or similar, and any project assisted any of the provisions of the proposed changes to the zoning regulations will be considered by the MAAPC as by law provided.

**PLEASE NOTE THIS MEETING IS CONSIDERED AN EMERGENCY MEETING OF THE WICHITA-SEDEGWICK COUNTY METROPOLITAN AREA PLANNING COMMISSION AND 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 to-person (see below).

**Submit Comment Ahead of Time**  
You can submit comments regarding items on the Planning Commission agenda to the **Wichita-Sedgewick County Metropolitan Area Planning Department** (Planning Department). Comments must be received by the Planning Department no later than 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 (text, etc.). The comment should indicate which item is pertinent 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 MAAPC, prior to or during the meeting.

|                 |                                                                                                                                             |
|-----------------|---------------------------------------------------------------------------------------------------------------------------------------------|
| Email           | BPagan@wichita.gov                                                                                                                          |
| Meeting Address | Wichita-Sedgewick County<br>Metropolitan Area Planning<br>Department Attn: Scott Wade<br>271 W. 3rd Street - Suite 201<br>Wichita, KS 67202 |
| Phone           | 316.248.4421                                                                                                                                |
| Fax             | 316.8587-714                                                                                                                                |

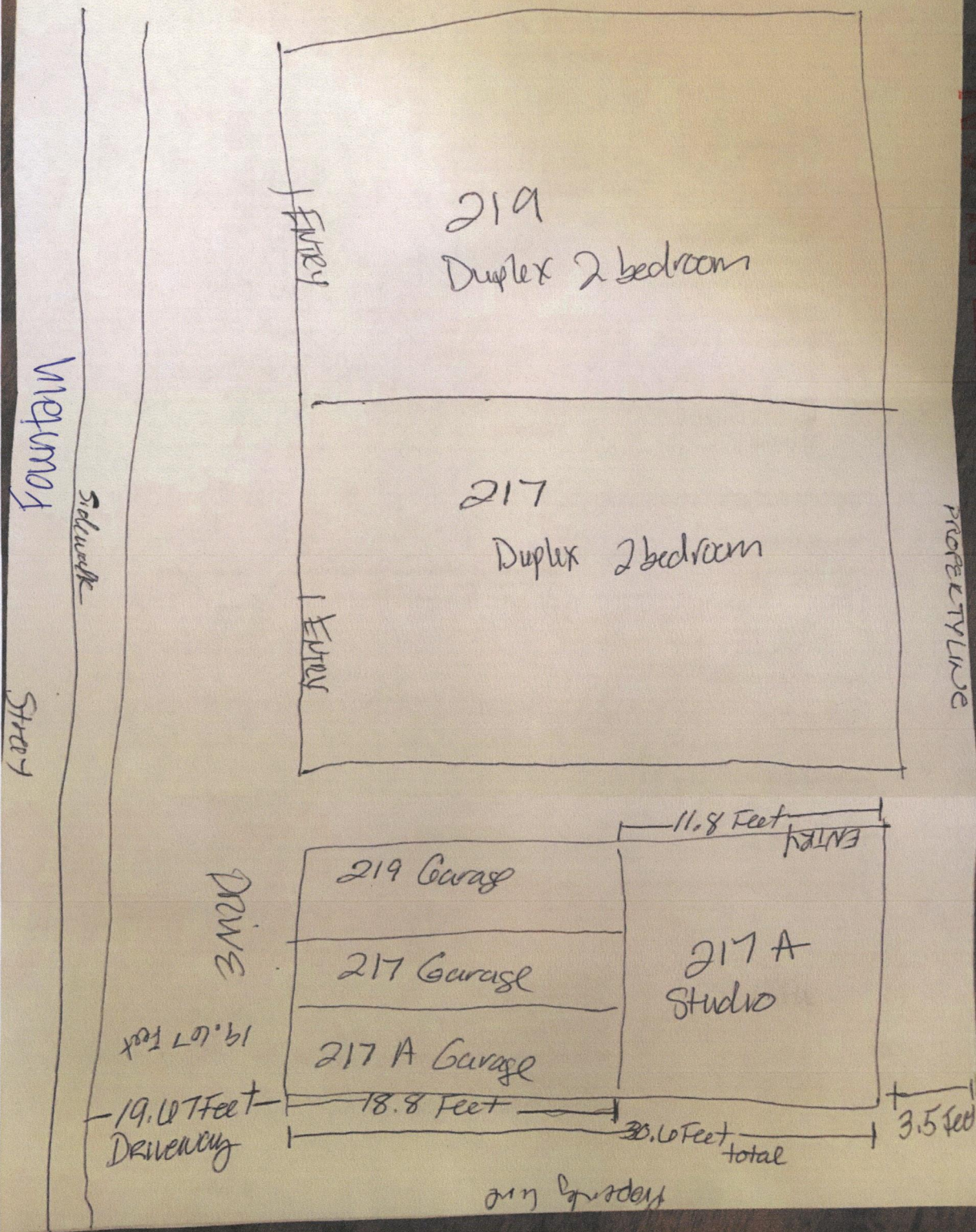
**Participate Remotely**  
Please join my meeting from your computer, tablet or smartphone. <https://global.sopmeeting.com/join/71522723>

**You can also dial in using your phone.**  
United States: +1 (224) 561-5112  
Access Code: 70-552-13

**Attend a Virtual Connection Site to Person**  
You may also participate in the meeting by joining to meeting room 1010 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 (248-4444) by 5pm, 3 days prior to the meeting.

WITNESS MY HAND on October 12, 2020  
Scott Wade, Secretary  
Wichita-Sedgewick County  
Metropolitan Area Planning Commission

Kam



SITE PLAN

APPROVED 11-5-2020 *[Signature]*