Wichita-Sedgwick County Metropolitan Area Planning Department

June 3, 2021

Edward E Fernett
PO Box 12892
Wichita KS 67277

RE: **CON2021-00016:** City Conditional Use to allow an accessory apartment on property zoned SF-5 Single-Family Residential; generally located 1,600 feet south of West 55th Street South and 600 feet west of South Seneca Street (1330 West Bones Circle).

Dear Applicant;

At its regular meeting on **May 6, 2021**, the Wichita - Sedgwick County Metropolitan Area Planning Commission considered the above captioned request. The action of the MAPC was to recommend **APPROVAL** of the request subject to the conditions in the enclosed resolution.

No protest petitions were filed against this application. Therefore, the MAPC's decision is final.

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

Sincerely,

Philip Zevenbergen, AICP
Associate Planner

Copies to: MABCD
Jeff Blubaugh, WCC District IV
Rebecca Fields, CRS District IV

CONDITIONAL USE RESOLUTION NO. CON2021-00016

WHEREAS, Edward Fernett, 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 Zoning District described as:

Lot 4, Booher 2nd 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 May 6, 2021, 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 to allow an Accessory Apartment on property zoned SF-5 Single-Family Zoning District described as:

Lot 4, Booher 2nd Addition, Wichita, Sedgwick County, Kansas.

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 South 1330 West Bones Circle) and the ownership shall not be divided or sold as a condominium.
(2) Development of the site shall be in conformance with the approved site plan
(3) The appearance of the accessory structure shall be compatible with the main dwelling unit and with the character of the neighborhood.
(4) The water and sewer provided to the accessory apartment 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.
(5) 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 accessory apartment.
(6) 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 20th Day of May 2021.

METROPOLITAN AREA PLANNING COMMISSION

Michael C. Greene, Chair MAPC

ATTEST:

Scott Wadle, Secretary

McClatchy excelerate

Belleville News-Democrat
Bellingham Herald
Bradenton Herald
Centre Daily Times
Charlotte Observer
Columbus Ledger-Enquirer
Fresno Bee
The Herald - Rock Hill
Herald Sun - Durham
Idaho Statesman
Island Packet
Kansas City Star
Lexington Herald-Leader
Merced Sun-Star
Miami Herald/el Nuevo Herald
Modesto Bee
Raleigh News & Observer
The Olympian
Sacramento Bee
Fort Worth Star Telegram
The State - Columbia
Sun Herald - Biloxi
Sun News - Myrtle Beach
The News Tribune - Tacoma
The Telegraph - Macon
San Luis Obispo Tribune
Tri-City Herald
Wichita Eagle

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
16399	45007	(default) - WIC-04-15-2021	OCA 150004	$117.60	1	14.00

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

Copy of ad content
is on the next page

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

No. of Insertions: 1
Beginning Issue of: 04/15/2021
Ending Issue of: 04/15/2021

STATE OF KANSAS)
SS
County of Sedgwick)

Hayley Martin, of lawful age, being first duly sworn, deposeth 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 04/15/2021 to 04/15/2021.

H. Hayley

I certify (or declare) under penalty of perjury that the foregoing is true and correct.
DATED: 04/15/2021

Stefani Beard

Notary Public in and for the state of Texas, residing in Dallas County

STEFANI SCOTT BEARD
My Notary ID # 131768951
Expires October 23, 2022

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

LEGAL PUBLICATION

OCA 150004

PUBLISHED IN THE WICHITA EAGLE
ON APRIL 15, 2021 (103774)
(One Time Only)

MAPC/BZA May 6, 2021
OFFICIAL HEARING NOTICE

NOTICE IS HEREBY GIVEN that on **Thursday, May 6, 2021 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 the Wichita City Hall Building - 1st Floor Council Chambers - 455 N. Main Street, 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) 268421.**

BZA2021-00018 City Variance to increase building height on property located 2000 feet east of Hoover Rd. on the south side of W. 21st St. at 4729 W. 21st St. N.

CON2021-00014 City Conditional Use to expand CON2010-00022, in association with ZON2021-00006, to allow limited indoor recycling (limited screened outdoor storage) of computers, appliances, equipment and machinery (no inoperable vehicles); generally located on the west side of St. Francis at 624 E. Morris

CON2021-00015 City Conditional Use to allow a Car Wash within 200 feet of a residential zoning district on property zoned LC Limited Commercial; generally located 1000 feet west of North Amidon on the north side of West 21st Street North (1716 W 21st St N).

CON2021-00016 City Conditional Use to allow an accessory apartment on property zoned SF-5 Single-Family Residential; generally located 1,600 feet south of West 55th Street South and and 600 feet west of South Seneca Street (1330 West Bones Circle).

VAC2021-00016 City vacation of a portion of a platted front yard setback on SF-5 Single Family Residential zoned property generally located northwest of South Tyler Road and West Kellogg Drive on the northeast corner of South Keith Avenue and West Belview Avenue (640 South Keith Avenue).

VAC2021-00017 City Vacation of a portion of a platted street side yard setback on GO General Office zoned property generally located on the northeast corner of North Hillside Avenue and East Central Avenue (550 N Hillside)

VAC2021-00018 City Vacation of a portion of a platted front yard setback on LC Limited Commercial zoned property generally located east of North Webb Road on the north side of East 21st Street North (9750 East 21st Street North)

ZON2021-00006 City Zone Change from Multi-Family Residential (B) and General Commercial (GC) to Limited Industrial, Generally located within 500 feet north of East Lincoln Street and within 1200 feet east of South Broadway Avenue (624 E Morris St).

ZON2021-00016 City zone change from TF-3 Two Family and SF-5 Single Family to MF-29 Multi-family topermit a third dwelling unit, generally located on the south side of West 18th Street Northand west of North Arkansas Avenue (641 W 18th St N).

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 in-person at the Wichita City Hall Building (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: Betsy Pagán 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/651544141

You can also dial in using your phone.
United States: +1 (571) 317-3112

Access Code: 651-544-141

Join from a video-conferencing room or system.
Dial in or type: 67.217.95.2 or inroomlink.goto.com
Meeting ID: 651 544 141
Or dial directly: 651544141@67.217.95.2 or 67.217.95.2#651544141

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https://global.gotomeeting.com/install/651544141

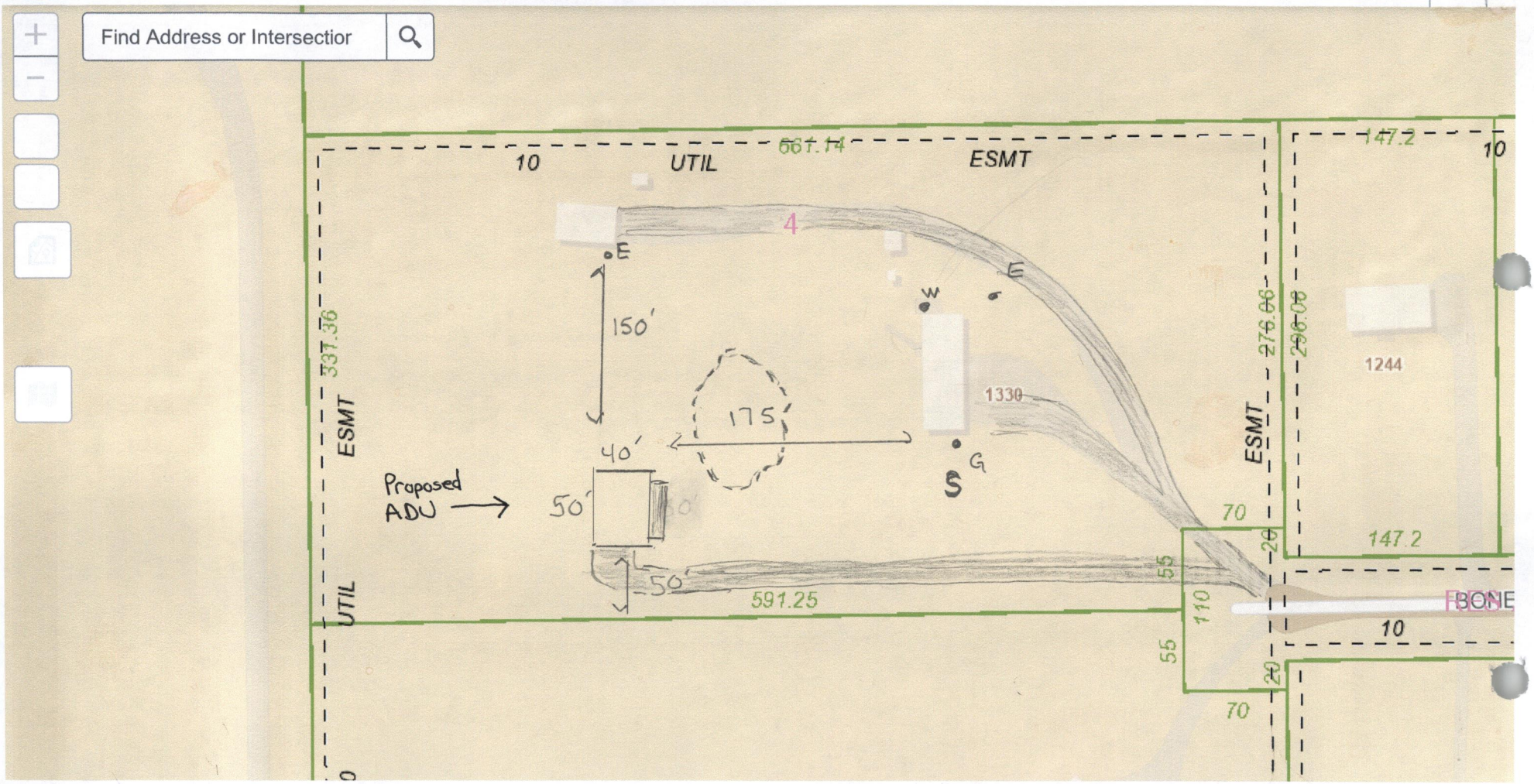
Attend In-Person

You may also participate in the hearing in-person at the Wichita City Hall Council Chambers (455 N. Main Street, Wichita, KS 67202). Please note that security screening is required for public access to the building, self-paid parking is available nearby, and COVID-19 protocols are in place. For more information please visit www.wichita.gov/visitcityhall. The in-person option is primarily 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 (316-2684464) by 5pm, 3 days prior to the meeting.

WITNESS MY HAND on April 12, 2021
Scott Wadle, Secretary
Wichita-Sedgwick County
Metropolitan Area Planning Commission

Mobile Land Records Help Unified Zoning Code

Find Address or Intersectior



E = electric
W = water
G = gas
S = Septic
Proposed pond in future

SITE PLAN
APPROVED 6/3/21 BY

N

100ft
1,643,954.815 1,650,323.019 Feet