



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

January 5, 2022

Robert Armstrong  
7540 W Northwind St., Ste 300  
Wichita, KS 67205

**RE: ZON2021-00051:** City Zone Change from SF-5 Single-Family Residential to MF-18 Multi-Family Residential with a Protective Overlay; generally located east of North Hoover Avenue and 675 feet north of West Central Avenue.

Dear Applicant;

At its regular meeting on **January 4, 2022**, the Wichita City Council considered the above captioned request. The action of the City Council was to **APPROVE TF-3 Two-Family Residential** zoning subject to the enclosed Protective Overlay #381.

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

Sincerely,

Philip Zevenbergen, AICP  
Senior Planner

Copies to: MABCD  
Cindy Claycomb, City Council District VI  
Ana Lopez, CSR District VI  
KE Miller Engineering, Kirk Miller, 117 E Lewis St., Wichita, KS 67202  
James McElroy, 732 N Hoover Ave, Wichita, KS 67212  
Kelly McElroy, 30811 W Seidl Dr., Garden Plain, KS 67050  
John Ekeler, 726 N Hoover Ave., Wichita, KS 67212



## **Approved Protective Overlay**

### **Protective Overlay #381 for TF-3 Zoning**

**The West 74.5 feet Lot 5, Block A, Patterson Gardens Addition**

1. Structures shall be limited to duplexes and single family dwellings.
2. Utilities shall be installed underground.
3. Amendments, adjustments or interpretations to this Protective Overlay shall be done in accordance with the Unified Zoning Code.
4. The Transfer of title of all or any portion of land included within the Protective Overlay (or any amendments thereto) does not constitute a termination of the plan or any portion thereof, but said plan shall run with the land and be binding upon present owners, their successors and assigns.
5. The development of this property shall proceed in accordance with the development plan as recommended for approval by the Planning Commission and approval by the Governing Body, and any substantial deviation of the plan, as determined by the Zoning Administrator and the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development.
6. Any major changes in this development plan shall be submitted to the Planning Commission and to the Governing Body for their consideration.
7. Building height shall be limited to 35 feet.



OCA 150004

PUBLISHED IN THE WICHITA EAGLE ON

Jan. 14, 2022

ORDINANCE NO. 51-697

AN ORDINANCE CHANGING THE ZONING CLASSIFICATIONS OR DISTRICTS OF CERTAIN LANDS LOCATED IN THE CITY OF WICHITA, KANSAS, UNDER THE AUTHORITY GRANTED BY THE WICHITA-SEDGWICK COUNTY UNIFIED ZONING CODE, SECTION V-C, AS ADOPTED BY SECTION 28.04.010, AS AMENDED.

BE IT ORDAINED BY THE GOVERNING BODY  
OF THE CITY OF WICHITA, KANSAS.

**SECTION 1.** That having received a recommendation from the Planning Commission, and proper notice having been given and hearing held as provided by law and under authority and subject to the provisions of The Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by Section 28.04.010, as amended, the zoning classification or districts of the lands legally described hereby are changed as follows:

**Case No. ZON2021-00051**

City zone change from SF-5 Single-Family Residential to TF-3 Two-Family Residential, subject to Protective Overlay #381, on a zoning lot described as:

The West 74.50 feet of Lot 5, Block A, Patterson Gardens, Sedgwick County, Kansas.

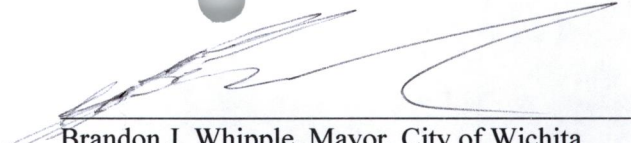
**Protective Overlay #381**

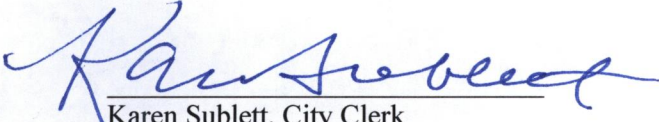
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6. Any major changes in this development plan shall be submitted to the Planning Commission and to the Governing Body for their consideration.
7. Building height shall be limited to 35 feet.

**SECTION 2.** That upon the taking effect of this ordinance, the above zoning changes shall be entered and shown on the "Official Zoning Map" previously adopted by reference, and said official zoning map is hereby reincorporated as a part of the Wichita -Sedgwick County Unified Zoning Code as amended.

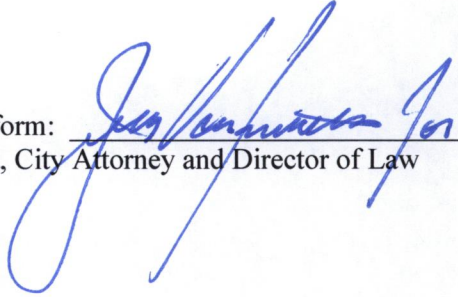
**SECTION 3.** That this Ordinance shall take effect and be in force from and after its adoption and publication in the official City paper.

ATTEST:

  
\_\_\_\_\_  
Brandon J. Whipple, Mayor, City of Wichita

  
\_\_\_\_\_  
Karen Sublett, City Clerk



Approved as to form:   
\_\_\_\_\_  
Jennifer Magaña, City Attorney and Director of Law





# AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
32522	201513	Print Legal Ad - IPL0056274		\$85.47	2	51 L

Attention: Jamie Buster  
CITY OF WICHITA/CLERKS OFFICE  
455 N MAIN ST FL 13  
WICHITA, KS 67202

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

No. of Insertions: 1  
Beginning Issue of: 01/14/2022  
Ending Issue of: 01/14/2022

**LEGAL PUBLICATION**  
ORDINANCE NO. 51-697

AN ORDINANCE CHANGING THE ZONING CLASSIFICATIONS OR DISTRICTS OF CERTAIN LANDS LOCATED IN THE CITY OF WICHITA, KANSAS, UNDER THE AUTHORITY GRANTED BY THE WICHITA-SEDGWICK COUNTY UNIFIED ZONING CODE, SECTION V-C, AS ADOPTED BY SECTION 28.04.010, AS AMENDED, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS.

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Case No. ZON2021-00051  
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- Protective Overlay #381
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ATTEST:  
Brandon J. Whipple, Mayor, City of Wichita  
Karen Sublett, City Clerk  
(SEAL) Approved as to form:  
Jennifer Magan a, City Attorney and Director of Law  
IPL0056274  
Jan 14 2022

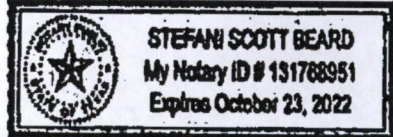
STATE OF KANSAS)  
SS  
County of Sedgwick)

Hayley Martin, 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 01/14/2022 to 01/14/2022.

I certify (or declare) under penalty of perjury that the foregoing is true and correct.  
DATED: 01/13/2022

*Stefani Beard*

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



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



