Wichita-Sedgwick County Metropolitan Area Planning Department

February 2, 2022

C & S Holdings, LLC
Sean Spencer
2951 N Woodridge Ct.
Wichita, KS 67226

RE: ZON2021-00056 with CON2021-00058: County zone change from RR Rural Residential to SF-20 Single-Family Residential with a Conditional Use to allow accessory apartments and a neighborhood swimming pool; generally located one-half mile north of N 29th Street on the west side of N. 127th St East.

Dear Applicant;

At its regular meeting on **February 2, 2022**, the Sedgwick County Board of County Commissioners considered the above captioned request. The action of the BoCC was **APPROVAL** the request subject to the enclosed conditions.

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

Sincerely,

Philip Zevenbergen, AICP
Senior Planner

Copies to: MABCD
Pete Meitzner, BoCC District 1
Nicole Gibbs, PIO BoCC District 1
Ty M. Reusser, 2114 N Keeneland Ct., Wichita, KS 67206
L & T Land, LLC, Layne M. Reusser, 12505 Four Oaks, Wichita, KS 67226
MKEC Engineering, Brian Lindebak, 411 N Webb Rd. Wichita, KS 67206

Conditions of Approval

(1) The Accessory Apartments shall conform to UZC Supplementary Use Regulations of Section III-D.6.a

(2) The Neighborhood Swimming Pool shall conform to UZC Supplementary Use Regulations of Section III-D.6.aa

(3) The applicant shall submit a site plan for the Neighborhood Swimming Pool to the Planning Department for review and approval prior to the issuance of building permits.

(4) The applicant shall obtain all applicable permits including, but not limited to: building, health and zoning. This will include submitting plans for review and approval by the MABCD.

(5) Development and maintenance of the site shall be in conformance with the approved site plan.

(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.

Wichita-Sedgwick County Metropolitan Area Planning Department

December 17, 2021

C & S Holdings, LLC
Sean Spencer
2951 N Woodridge Ct.
Wichita, KS 67226

RE: ZON2021-00056 with CON2021-00058: County zone change from RR Rural Residential to SF-20 Single-Family Residential with a Conditional Use to allow accessory apartments and a neighborhood swimming pool; generally located one-half mile north of N 29th Street on the west side of N. 127th St East.

Dear Applicant;

At its regular meeting on **December 16, 2021**, the Wichita - Sedgwick County Metropolitan Area Planning Commission considered the above captioned request. The action of the MAPC was to recommend **APPROVAL** the request subject to the enclosed conditions.

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 **December 30, 2021**. 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 1,000 feet of the property for which the application was filed and must be submitted to the County Clerk by **December 30, 2021 at 5:00 p.m.**

This case is scheduled for consideration by the Board of County Commissioners on **February 2, 2022**. The Board of County Commissioners meeting will be held in the Sedgwick County Court House, Third Floor, 525 N. Main, Wichita, Kansas.

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,

Philip Zevenbergen, AICP
Senior Planner

Copies to: MABCD
Pete Meitzner, BoCC District 1
Nicole Gibbs, PIO BoCC District 1
Ty M. Reusser, 2114 N Keeneland Ct., Wichita, KS 67206
L & T Land, LLC, Layne M. Reusser, 12505 Four Oaks, Wichita, KS 67226
MKEC Engineering, Brian Lindebak, 411 N Webb Rd. Wichita, KS 67206

Planning Commission Recommended Conditions of Approval

(1) The Accessory Apartments shall conform to UZC Supplementary Use Regulations of Section III-D.6.a

(2) The Neighborhood Swimming Pool shall conform to UZC Supplementary Use Regulations of Section III-D.6.aa

(3) The applicant shall submit a site plan for the Neighborhood Swimming Pool to the Planning Department for review and approval prior to the issuance of building permits.

(4) The applicant shall obtain all applicable permits including, but not limited to: building, health and zoning. This will include submitting plans for review and approval by the MABCD.

(5) Development and maintenance of the site shall be in conformance with the approved site plan.

(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.

RESOLUTION NO. 025-2022

Published on: February 16, 2022

A RESOLUTION CHANGING THE ZONING CLASSIFICATION AND GRANTING A CONDITIONAL USE FOR CERTAIN LANDS LOCATED WITHIN THE UNINCORPORATED AREA OF SEDGWICK COUNTY, KANSAS, UNDER THE AUTHORITY GRANTED BY THE WICHITA-SEDGWICK COUNTY UNIFIED ZONING CODE, SECTION V-D AS ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY KANSAS, DECEMBER 12, 1984, AND SUBSEQUENTLY AMENDED.

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS

SECTION I. That after receiving a recommendation from the Wichita-Sedgwick County Metropolitan Area Planning Commission, and after said Planning Commission has given proper notice and held a public hearing as provided by law, and under authority granted by Section V-D of the Wichita Sedgwick County Unified Zoning Code, a Conditional Use for the lands legally described hereby is approved as follows:

Case No. ZON2021-00056 and CON2021-00058

A Zone Change from RR Rural Residential to SF-20 Single-Family Residential on property generally located on the west side of North 127th Street East, one-half mile north of East 29th Street North, legally described as follows:

The Northeast Quarter of the Southeast Quarter of Section 34, Township 26 South, Range 2 East of the Sixth Principal Meridian, Sedgwick County, Kansas.

A Conditional Use to Accessory Apartments and Neighborhood Swimming Pool on property generally located on the west side of North 127th Street East, one-half mile north of East 29th Street North, legally described as follows:

The Northeast Quarter of the Southeast Quarter of Section 34, Township 26 South, Range 2 East of the Sixth Principal Meridian, Sedgwick County, Kansas.

SECTION II. That application ZON2021-00056 and CON2021-00058 is hereby approved and the Conditional Use is subject to the following conditions:

(1) The Accessory Apartments shall conform to UZC Supplementary Use Regulations of Section III-D.6.a

(2) The Neighborhood Swimming Pool shall conform to UZC Supplementary Use Regulations of Section III-D.6.aa

(3) The applicant shall submit a site plan for the Neighborhood Swimming Pool to the Planning Department for review and approval prior to the issuance of building permits.

(4) The applicant shall obtain all applicable permits including, but not limited to: building, health and zoning. This will include submitting plans for review and approval by the

MABCD.

(5) Development and maintenance of the site shall be in conformance with the approved site plan.

(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.

SECTION III. That upon the taking effect of this Resolution, the notations of the Zone Change and the Conditional Use shall be shown on the "Official Zoning District Map" on file in the office of the Planning Director of the Wichita-Sedgwick County Metropolitan Area Planning Department.

SECTION IV. That this Resolution shall take effect and be in force from and after its adoption by the Governing Body and publication in the official county newspaper.

[Remainder of the page is intentionally blank]

Commissioners present and voting were:

PETER F. MEITZNER	Aye
SARAH LOPEZ	Aye
DAVID T. DENNIS	Aye
LACEY D. CRUSE	Aye
JAMES M. HOWELL	Aye

Dated this 2nd day of February, 2022.

ATTEST:

KELLY B. ARNOLD, County Clerk

BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS

DAVID T. DENNIS, Chairman
Commissioner, Third District

SARAH LOPEZ, Chair Pro Tem
Commissioner, Second District

PETER F. MEITZNER
Commissioner, First District

LACEY D. CRUSE
Commissioner, Fourth District

JAMES M. HOWELL
Commissioner, Fifth District

APPROVED AS TO FORM:

Justin M. Waggoner
JUSTIN M. WAGGONER
Assistant County Counselor

Affidavit of Legal Publication

STATE OF KANSAS)

ss.

County of Sedgwick)

Emily Gillihan, 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 **16th** day of **February** 2022, with subsequent publications being made on the following dates:

N/A

Emily Gillihan
Legal Manager

Subscribed and sworn to before me this 16th day of February, 2022.

Rhonda Cott
Notary Public

Rhonda Cott
NOTARY PUBLIC
STATE OF KANSAS
My Appt. Exp. 2-20-23

Resolution No. 025-2022

Printer's Fee: $44.24
Additional copies: $_____

Legal Publication
(Published in The Derby Informer on February 16, 2022)

RESOLUTION NO. 025-2022

Published on: February 16, 2022

A RESOLUTION CHANGING THE ZONING CLASSIFICATION AND GRANTING A CONDITIONAL USE FOR CERTAIN LANDS LOCATED WITHIN THE UNINCORPORATED AREA OF SEDGWICK COUNTY, KANSAS, UNDER THE AUTHORITY GRANTED BY THE WICHITA-SEDGWICK COUNTY UNIFIED ZONING CODE, SECTION V-D AS ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY KANSAS, DECEMBER 12, 1984, AND SUBSEQUENTLY AMENDED.

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS

SECTION I. That after receiving a recommendation from the WichitaSedgwick County Metropolitan Area Planning Commission, and after said Planning Commission has given proper notice and held a public hearing as provided by law, and under authority granted by Section V-D of the Wichita Sedgwick County Unified Zoning Code, a Conditional Use for the lands legally described hereby is approved as follows:

Case No. ZON2021-00056 and CON2021-00058

A Zone Change from RR Rural Residential to SF-20 Single-Family Residential on property generally located on the west side of North 127th Street East, one-half mile north of East 29th Street North, legally described as follows:

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(2) The Neighborhood Swimming Pool shall conform to UZC Supplementary Use Regulations of Section III-D.6.aa

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(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.

SECTION III. That upon the taking effect of this Resolution, the notations of the Zone Change and the Conditional Use shall be shown on the "Official Zoning District Map" on file in the office of the Planning Director of the Wichita-Sedgwick County Metropolitan Area Planning Department.

SECTION IV. That this Resolution shall take effect and be in force from and after its adoption by the Governing Body and publication in the official county newspaper.

Commissioners present and voting were:

PETER F. MEITZNER	AYE
SARAH LOPEZ	AYE
DAVID T. DENNIS	AYE
LACEY D. CRUSE	AYE
JAMES M. HOWELL	AYE

Dated this 2nd day of February, 2022.

BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS

DAVID T. DENNIS, Chairman
Commissioner, Third District

SARAH A. LOPEZ, Chair Pro Tem
Commissioner, Second District

PETER F. MEITZNER
Commissioner, First District

LACEY D. CRUSE
Commissioner, Fourth District

JAMES M. HOWELL
Commissioner, Fifth District

ATTEST:

KELLY B. ARNOLD, County Clerk

APPROVED AS TO FORM:

JUSTIN M. WAGGONER
Assistant County Counselor

Affidavit of Legal Publication

STATE OF KANSAS)

ss.

County of Sedgwick)

Emily Gillihan, 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 **24th** day of **November** 2021, with subsequent publications being made on the following dates:

N/A

Emily Gillihan
Legal Manager

Subscribed and sworn to before me this 24th day of November, 2021.

Rhonda Cott
Notary Public

Rhonda Cott
NOTARY PUBLIC
STATE OF KANSAS
My Appt. Exp. 2-20-23

Official Hearing Notice - MAPC Dec. 16, 2021

Printer's Fee: $50.40
Additional copies: $_____

Legal Publication
OCA 150004
Published in The Derby Informer on November 24, 2021

MAPC December 16, 2021
OFFICIAL HEARING NOTICE

NOTICE IS HEREBY GIVEN that on **Thursday, December 2, 2021 no earlier than 1:30 p.m.**, the WichitaSedgwick County Metropolitan Area Planning Commission (Planning Commission) 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 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 WichitaSedgwick County Metropolitan Area Planning Department at (316) 2684421.**

CON2021-00055: County Conditional Use for child care center within church building; Generally located on the South side of West Maple Street and within one half mile of South 167th Street West (321 South 162nd St West).

CON2021-00056: County Conditional Use allow an expanded operation of Midwest Dog Center to allow an increase in the number of dogs and increase the number of dogs allowed to be trained outdoors until June 30, 2023; Generally located ½ mile west of N 215th Street W on W 29th Street N (22215 W 29th N).

CON2021-00058: County Conditional Use to allow accessory apartments and a neighborhood swimming pool associated with ZON2021-00056; generally located one-half mile north of N 29th Street on the west side of N. 127th St East.

ZON2021-00055: County Zone Change from SF-20 to MF-18 to develop duplexes; Generally located on the east side of 135th Street West and within one quarter mile north of West 13th Street North (1522 North 135th Street West).

ZON2021-00056: County zone change from RR Rural Residential to SF-20 Single-Family Residential with a Conditional Use (CON2021-00058) to allow accessory apartments and a neighborhood swimming pool; generally located one-half mile north of N 29th Street on the west side of N. 127th St East.

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 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	Planning@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	316.858.7754

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: 6515441141@67.217.95.2 or 67.217.95.2##651544141

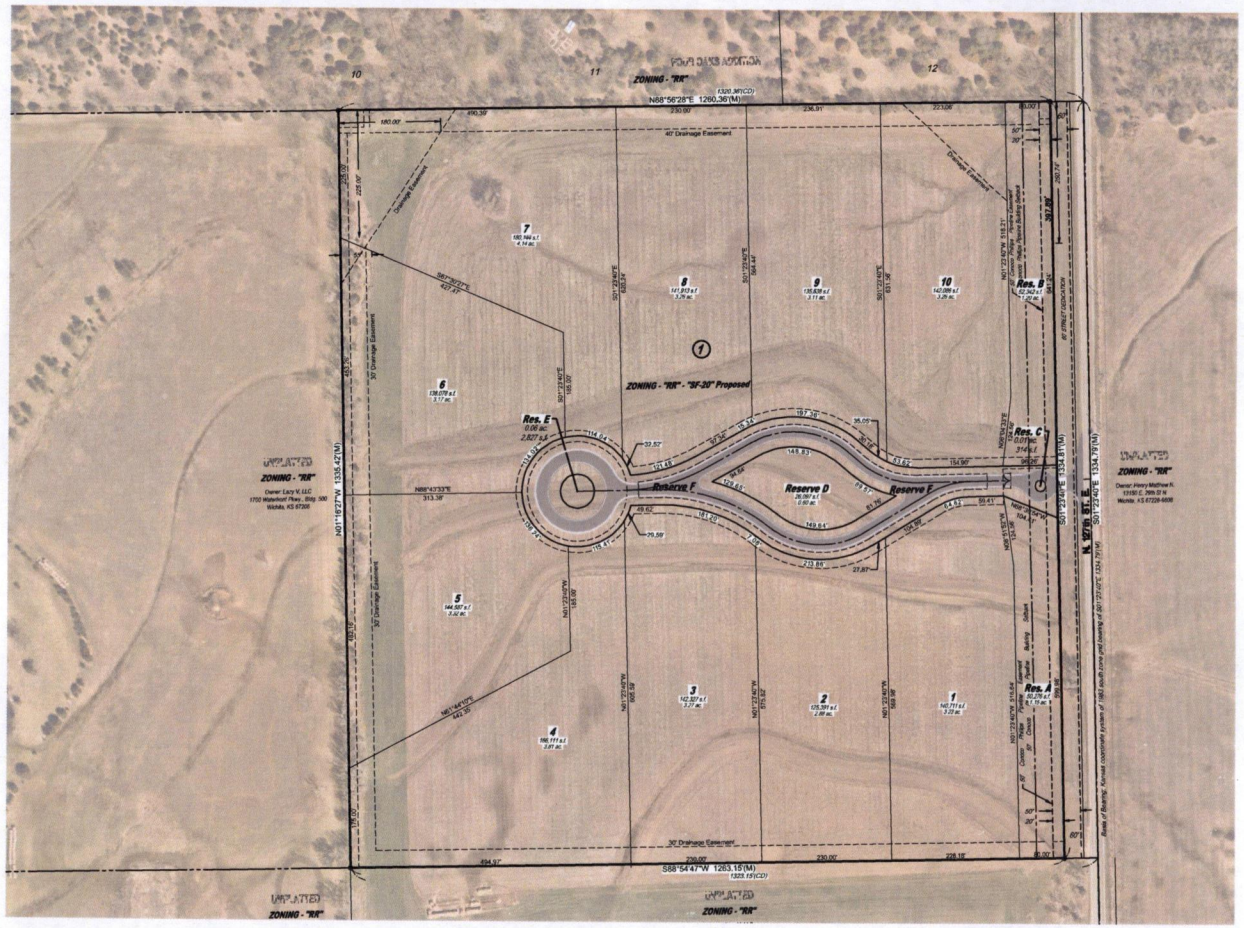
New to GoToMeeting? Get the app now and be ready when your first meeting starts: https://global.gotomeeting.com/install/651544141

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 November 24, 2021
Scott Wadle, Secretary
Wichita-Sedgwick County
Metropolitan Area Planning Commission

SITE PLAN

APPROVED 4/19/22 BY



SITE PLAN

100' 200' 400'

10.22.2021

MKEC ENGINEERING SUCCESS

CONCEPTUAL LAND PLAN 'I'

The Croft Development

J:\Projects\2021\210101037\1_Spencer_127th St Development\05 Civil\Concept\Concept_I.dwg 10/25/2021 9:26:59 AM