



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

Sarah Thummel and Aaron Pyle
210 South Kessler Street
Wichita, KS 67213

May 1, 2024

RE: CON2024-00004 - Conditional Use request in the City for Accessory Apartment on property zoned SF-5 Single-Family Residential District, generally located on the east side of South Kessler Street and within 350 feet north of West Maple Street (210 South Kessler Street).

Dear Applicants,

On April 16, 2024, the Wichita City Council considered the above captioned request. The action of the WCC was to **APPROVE** the request, subject to the following conditions:

1. 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.
2. Development and maintenance of the site shall be in conformance with the approved site plan.
3. 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.

If you have any questions concerning this matter, please contact our office.

Sincerely,

A handwritten signature in cursive script that reads 'Christina Rieth'.

Christina Rieth
Current Plans
Associate Planner

Cc: Dalton Glasscock, Councilmember District IV
Brooke Kauchak, CSR District IV
MABCD



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

Sarah Thummel and Aaron Pyle
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Wichita, KS 67213

April 16, 2024

RE: CON2024-00004 - Conditional Use request in the City for Accessory Apartment on property zoned SF-5 Single-Family Residential District, generally located on the east side of South Kessler Street and within 350 feet north of West Maple Street (210 South Kessler Street).

Dear Applicants,

On April 16, 2024, the Wichita City Council considered the above captioned request. The action of the WCC was to **APPROVE** the request, subject to the following conditions:

1. 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.
2. Development and maintenance of the site shall be in conformance with the approved site plan.
3. 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.

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MABCD



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

Sarah Thummel and Aaron Pyle
210 South Kessler Street
Wichita, KS 67213

March 14, 2024

RE: CON2024-00004 - Conditional Use request in the City for Accessory Apartment on property zoned SF-5 Single-Family Residential District, generally located on the east side of South Kessler Street and within 350 feet north of West Maple Street (210 South Kessler Street).

Dear Applicants,

On **March 14, 2024**, 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 following conditions:

1. 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.
2. Development and maintenance of the site shall be in conformance with the approved site plan.
3. 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 **March 28, 2024**. 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 **March 28, 2024** at 5:00 p.m.

Development application signs may now be removed from the property. If you have any questions concerning this matter, please contact our office.

Sincerely,

Christina Rieth
Current Plans
Associate Planner

Cc: Dalton Glasscock, Councilmember District IV; Brooke Kauchak, CSR District IV; MABCD

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

RESOLUTION NO. 24-139

WHEREAS, Aaron Pyle and Sarah Thummel, 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 permit an Accessory Apartment on property zoned SF-5 Single-Family Residential District, generally located on the east side of South Kessler Street, within 350 feet north of West Maple Street, legally described as:

A tract beginning at a point 245 feet South of the Southwest corner of Lot 8, Kessler Park; thence East 307.65 feet, more or less to the East line of the Southwest Quarter of the Southwest Quarter of Section 24, Township 27 South, Range 1 West of the 6th Principal Meridian, Sedgwick County, Kansas; thence South 60 feet; thence West 307.65 feet; more or less to a point due South of the place of beginning; thence North 60 feet to the place of beginning.

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 March 14, 2024, consider said application; and

WHEREAS, the Wichita City Council 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 Wichita City Council that this application be approved to allow a Conditional Use to permit an Accessory Apartment on property zoned SF-5 Single-Family Residential District, generally located on the east side of South Kessler Street, within 350 feet north of West Maple Street, legally described as:

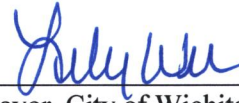
A tract beginning at a point 245 feet South of the Southwest corner of Lot 8, Kessler Park; thence East 307.65 feet, more or less to the East line of the Southwest Quarter of the Southwest Quarter of Section 24, Township 27 South, Range 1 West of the 6th Principal Meridian, Sedgwick County, Kansas; thence South 60 feet; thence West 307.65 feet; more or less to a point due South of the place of beginning; thence North 60 feet to the place of beginning.

Approved subject to the following conditions:

1. 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.
2. Development and maintenance of the site shall be in conformance with the approved site plan.
3. 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.

This Resolution shall take effect and be in force from and after its adoption by the Wichita City Council.

Adopted on 16th day of April, 2024.



Lily Wu, Mayor, City of Wichita

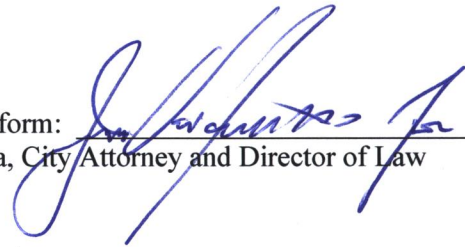
ATTEST:


Jamie Buster, City Clerk

(SEAL)



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



McClatchy

The Beaufort Gazette
The Belleville News-Democrat
Bellingham Herald
Centre Daily Times
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The Olympian

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
32522	543210	Print Legal Ad-IPL01693340 - IPL0169334	RES#24-139	\$95.94	2	57 L

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

JMBuster@wichita.gov

OCA 150004 PUBLISHED IN THE WICHITA EAGLE ON
April 19, 2024
BE IT ORDAINED BY THE GOVERNING BODY
OF THE CITY OF WICHITA, KANSAS.
RESOLUTION NO. 24-139

WHEREAS, Aaron Pyle and Sarah Thummel, 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 permit an Accessory Apartment on property zoned SF-5 Single-Family Residential District, generally located on the east side of South Kessler Street, within 350 feet north of West Maple Street, legally described as:

A tract beginning at a point 245 feet South of the Southwest corner of Lot 8, Kessler Park; thence East 307.65 feet, more or less to the East line of the Southwest Quarter of the Southwest Quarter of Section 24, Township 27 South, Range 1 West of the 6th Principal Meridian, Sedgwick County, Kansas; thence South 60 feet; thence West 307.65 feet; more or less to a point due South of the place of beginning; thence North 60 feet to the place of beginning.

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 March 14, 2024, consider said application; and

WHEREAS, the Wichita City Council 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.

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This Resolution shall take effect and be in force from and after its adoption by the Wichita City Council.

Adopted on 16th day of April 2024.

Lily Wu, Mayor, City of Wichita

ATTEST:

Jamie Buster, City Clerk

(SEAL) Approved as to form:

Jennifer Magana, City Attorney and Director of Law

IPL0169334

Apr 19 2024

In The STATE OF KANSAS

In and for the County of Sedgwick

1 insertion(s) published on:

04/19/24

STATE OF KANSAS)

SS

County of Sedgwick)

Mary Castro, of lawful age, being first duly sworn, deposeeth 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 04/19/2024 to 04/19/2024.

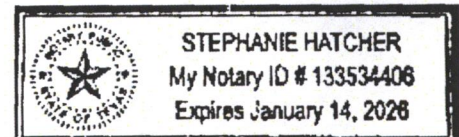
Mary Castro

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

DATED: 05/13/2024

Stephanie Hatcher

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!



The Beaufort Gazette
The Belleville News-Democrat
Bellingham Herald
Centre Daily Times
Sun Herald
Idaho Statesman
Bradenberry Herald
The Charlotte Observer
The State
Ledger-Enquirer

Durham | The Herald-Sun
Fort Worth Star-Telegram
The Fresno Bee
The Island Packet
The Kansas City Star
Lexington Herald-Leader
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The Olympian

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
23834	521838	Print Legal Ad-IPL01603430 - IPL0160343	OCA 150004-MAPC/BZA	\$186.74	3	74L

Attention: MANDY HEBERT

CITY OF WICHITA / MABCD

271 W 3RD ST N

3RD FLOOR STE 301

WICHITA, KS 67202

kgonzalez@wichita.gov

OCA 150004

Published in The Wichita Eagle on February 22, 2024
(One Time Only)

MAPC/BZA March 14, 2024
OFFICIAL HEARING NOTICE

NOTICE IS HEREBY GIVEN that on Thursday, March 14, 2024, 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 in person at the Ronald Reagan Building, 271 West Third Street, 2nd Floor, Wichita, KS 67202. Public participation is encouraged (see instructions below). Virtual participation is not available. 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.

BZA2024-00005: Variance request in the City to reduce the required parking for Group Residence, Limited from 12 to 8 parking spaces on property zoned TF-3 Two-Family Residential District, generally located north of West 50th Street South and one-quarter mile east of South Seneca Street (742 West 50th Court South).

CON2024-00004: Conditional Use request in the City to allow an Accessory Apartment in the SF-5 Single-Family District, generally located on the east side of South Kessler Street and within one-quarter mile north of West Maple Street (210 South Kessler Street).

CON2024-00006: Conditional Use request in the City to allow Group Residence, Limited on property zoned TF-3 Two-Family Residential District to allow a HomePlus for up to 12 people, generally located north of West 50th Street South and one-quarter mile east of South Seneca Street (742 West 50th Court South).

VAC2024-00007: Vacation request in the City to vacate 15 feet of the 25 feet platted setback along the north property line on property zoned SF-5 Single-Family Residential, generally located on the southwest corner of West 61st Street North and North Custer Street.

VAC2024-00008: Vacation request in the city to vacate a drainage easement by separate instrument on property zoned LI Limited Industrial, located on the south side of West Harry Street, and one-half mile west of South Meridian Avenue (1601 S. Sheridan St.).

ZON2024-00003: Zone Change request in the City from SF-5 Single-Family Residential to TF-3 Two-Family Residential, generally located south of West 50th Street South and within a half-mile east of South Seneca Street.

ZON2024-00004: Zone Change request in the City from SF-5 Single-Family Residential to TF-3 Two-Family Residential for duplex development, located within one-quarter mile west of South Seneca Street and on the south side of West Haskell Avenue (1509 West Haskell Avenue).

ZON2024-00005: Zone Change request in the City from SF-5 Single-Family Residential to TF-3 Two-Family Residential for duplex development, located 375' north of West 29th Street North and on the east side of North Hood Avenue.

ZON2024-00007: Zone Change request in the City from SF-5 Single-Family Residential to TF-3 Two-Family Residential for duplex development on property located on the east side of South Meridian Avenue and within one-quarter mile south of West 55th Street South.

ZON2024-00008: Zone Change request in the City from SF-5 Single-Family Residential and TF-3 Two-Family Residential to TF-3 Two-Family Residential and MF-29 Multi-Family Residential on property located on the east side of South Rock Road, one-half mile north of East 39th Street North.

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.

Options to participate:

1) Attend in-Person at the Ronald Reagan Building, 271 West Third Street, 2nd Floor, Wichita, Kansas 67202. Self-paid parking is available nearby. If you have any written or visual materials you wish to present, please contact Planning Department Graphics staff (316-268-4464) by 5:00 PM, 3 days prior to the meeting.

2) Submit Comments Ahead of Time regarding items on the Planning Commission agenda to the Wichita-Sedgwick County Metropolitan Area Planning Department (Planning Department) - 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. Planning Department staff make efforts to share all comments but may not be able to share those received after the deadlines below. Please be sure to provide ample time for delivery. Written Comments should be submitted by 5:00 PM the day before the meeting. Video and Audio Comments (mp3, etc.) formats be submitted at least 3 days prior to the MAPC meeting. The comments should indicate which item they pertain to and be less than three (3) minutes in duration.

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: 316.858.7764

3) If you need accommodations pursuant to the ADA, please contact Planning Staff within one week prior to the scheduled meeting.

Option to View Remotely (Not Participate)

The meeting will be streamed live and recorded. Virtual comment is not available. To view the live stream or recording, follow the link: <https://www.wichita.gov/Planning>.

WITNESS MY HAND on February 22, 2024

Scott Wadle, Secretary

Wichita-Sedgwick County

Metropolitan Area Planning Commission

IPL0160343

Feb 22 2024

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

1 insertion(s) published on:

02/22/24

STATE OF KANSAS)

SS

County of Sedgwick)

Stefani Beard, 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 02/22/2024 to 02/22/2024.

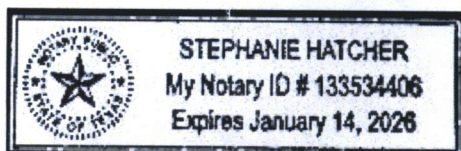
Stefani Beard

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

DATED: 02/28/2024

Stephanie Hatcher

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!

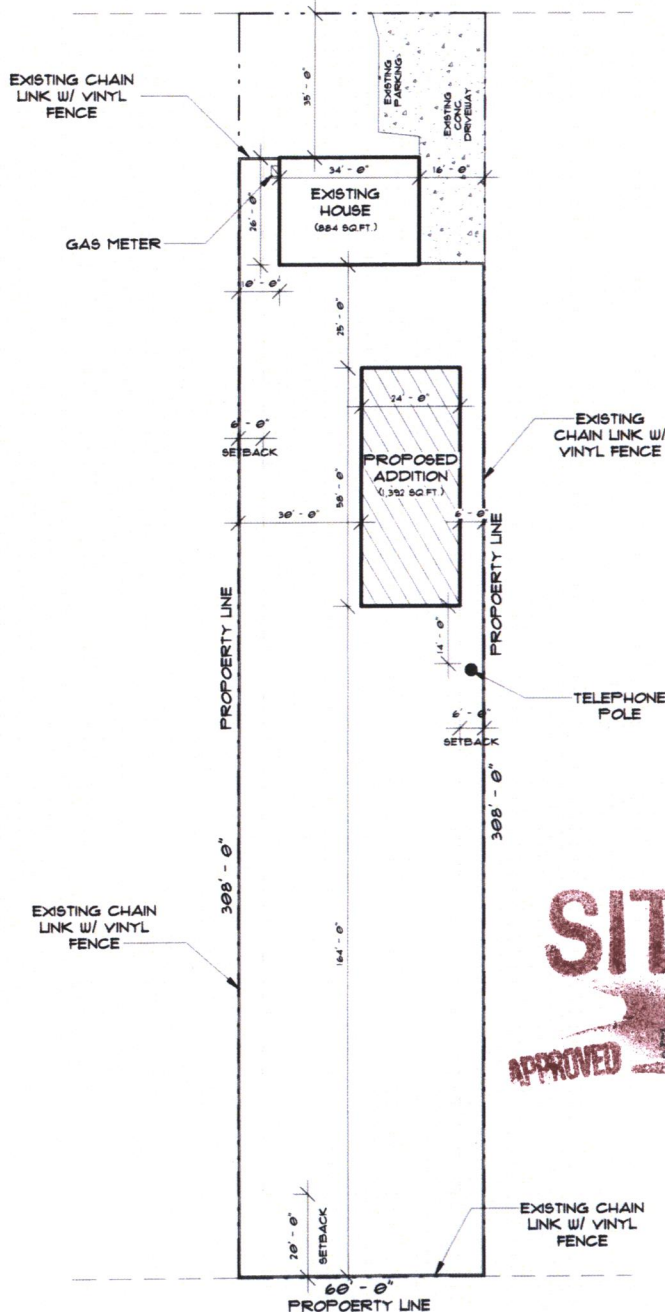
**PROPOSED ACCESSORY
GARAGE WITH APARTMENT**

SARAH THUMMEL/ AARON PYLE
210 S. KESSLER
WICHITA, KS 67213
316-253-0760

KESSLER STREET

LEGAL DESCRIPTION:

A TRACT BEGINNING AT A POINT 245 FEET SOUTH OF THE SOUTHWEST CORNER OF LOT 8, KESSLER PARK; THENCE EAST 307.65 FEET, MORE OR LESS TO THE EAST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 24, TOWNSHIP 21 SOUTH, RANGE 1 WEST OF THE 6TH PRINCIPAL MERIDIAN, SEDGWICK COUNTY, KANSAS; THENCE SOUTH 60 FEET; THENCE WEST 307.65 FEET; MORE OR LESS TO A POINT DUE SOUTH OF THE PLACE OF BEGINNING; THENCE NORTH 60 FEET TO THE PLACE OF BEGINNING.



SITE PLAN

APPROVED 5/1 BY CMR

1 Site Plan
1" = 30'-0"

North



OWNER:
SARAH THUMMEL/ AARON PYLE
LOCATION:
210 S. KESSLER WICHITA,
KS 67213

DESIGNED :
DRAWN : Apex_A
TITLE: SITE PLAN
SCALE : 1"=30' 0" DATE : 01/27/2024

STAFF REPORT

MAPC: March 14, 2024

DAB IV: March 4, 2024

CASE NUMBER: CON2024-00004 (City)

APPLICANT/AGENT: Sarah Thummel and Aaron Pyle (Applicants)

REQUEST: Conditional Use to allow an Accessory Apartment

CURRENT ZONING: SF-5 Single-Family Residential District

SITE SIZE: 0.42 acres

LOCATION: Generally located on the east side of South Kessler Street, within 350 feet north of West Maple Street (210 South Kessler)

PROPOSED USE: Accessory Apartment

RECOMMENDATION: Approve with conditions



BACKGROUND: The applicant is requesting a Conditional Use to allow an Accessory Apartment on a property zoned SF-5 Single-Family Residential District (SF-5). The 0.42-acre property is generally located on the east side of South Kessler Street, within 350 feet north of West Maple Street (210 South Kessler). The subject site is currently developed with an 884-square-foot single-family residential dwelling constructed in 1943. The applicant intends to construct a 1,392-square-foot detached garage on site with the proposed Accessory Apartment. According to Section III-B.6.c of the Unified Zoning Code, an Accessory Apartment is allowed by Conditional Use approval in SF-5 District for single-family dwellings.

The site plan shows that the proposed Accessory Apartment will be situated six feet from the north property line (interior side setback), 30 feet from the south property line (interior side setback), 164 feet from the east property line (rear setback), and 25 feet from the existing house. Section A.4 of the UZC requires one parking space per Accessory Apartment and one space for a single-family residence. The new structure will accommodate the parking for both uses on site.

Accessory Apartments are subject to Section III-D.6.a of the Unified Zoning Code (UZC), which state:

1. A maximum of one Accessory Apartment may be allowed on the same lot as a single-family dwelling unit and may be within the main building, within an accessory building or constructed as an accessory building.
2. The appearance of an Accessory Apartment shall be compatible with the main dwelling unit and with the character of the neighborhood.
3. The Accessory Apartment shall remain accessory to and under the same ownership as the principal Single-Family Dwelling Unit, and the ownership shall not be divided or sold as a condominium.
4. The water and sewer service provided to the Accessory Structure shall not be provided as separate service from the main dwelling. Electric, gas, telephone and cable television utility service may be provided as separate utility services.

The character of the neighborhood is low-density residential. Properties to the north, south, east, and west are all zoned SF-5. Properties to the north, south, and west are developed with single-family residences, and the property to the east is developed with a public park.

CASE HISTORY: The subject site is unplatted. Section 3-106 of the Subdivision Regulations states that the property is exempt from platting for building an accessory structure if verifiable evidence is presented to the Zoning Administrator showing that the individual lots or tracts of land were created before August 29, 1997. There are no zoning cases associated with this property.

ADJACENT ZONING AND LAND USE:

North:	SF-5	Single-family residential dwelling
South:	SF-5	Single-family residential dwelling
East:	SF-5	Public park
West:	SF-5	Single-family residential dwelling

PUBLIC SERVICES: The subject site has access to South Kessler Street, a two-way local street with no sidewalks. All municipal services and utilities, such as water and sewer, already serve this site. Wichita Transit stops at the northeast corner of West Maple Street and South McComas Street, which is one-tenth of a mile southwest from the subject site.

CONFORMANCE TO PLANS/POLICIES: The proposed use is in conformance with the *Community Investments Plan*. The *Community Investments Plan*'s 2035 Wichita Future Growth Concept Map identifies the site as a "Residential", which the Plan defines as "*areas that reflect the full diversity of residential development densities and types typically found in a large urban municipality. The range of housing densities and types includes, but is not limited to, single-family detached homes, semi-detached homes, zero lot line units, patio homes, duplexes, townhouses, apartments and multi-family units, condominiums, mobile*

home parks, and special residential accommodations for the elderly (assisted living, congregate care and nursing homes).” An Accessory Apartment is appropriate for this category.

The requested zoning aligns with the goals of the *Wichita: Places for People Plan*. The *Wichita: Places for People Plan* provides recommendations for urban infill development in the Established Central Area (ECA). The subject site is located within the ECA. In general, the ECA is envisioned as “a place for people - a place that provides for the movement of people - on foot, on bike and through transit - in balance with automobiles.”

- **Strategies:** The Plan recommends strategies to help guide the community in their actions to create walkable places within Wichita. The requested zoning aligns with Strategy 5, “Provide a diversity of housing options to attract new residents and allow existing residents to remain in the ECA.” The small-scale development would provide housing options that otherwise might not be immediately available in the area.
- The requested zoning also aligns with Strategy 6, “Encourage infill and redevelopment that is contextual to the environment in which it is occurring.” The proposed Conditional Use would allow for the infill of an additional dwelling unit.
- **Current Condition:** The subject property is located within an area identified as an “area of stability.” The *Wichita: Places for People Plan* defines areas of stability as “areas of the ECA that exhibit less stress, or fewer economic, connectivity, and walkability issues. Areas of Stability should require fewer interventions and potentially less investment to maintain a viable development environment and community. Improvements should be geared toward continuing the area's momentum and strengthening the established context.” Constructing an Accessory Apartment behind the existing residence continues gentle development in the area while maintaining the character of the neighborhood.

RECOMMENDATION: Based upon the information available at the time the report was prepared, staff recommends the Conditional Use be **APPROVED**, subject to the following conditions:

1. 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.
2. Development and maintenance of the site shall be in conformance with the approved site plan.
3. 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.

This recommendation is based on the following findings:

1. The zoning, uses and character of the neighborhood: The character of the neighborhood is low-density residential. Properties to the north, south, east, and west are all zoned SF-5. Properties to the north, south, and west are developed with single-family residences, and the property to the east is developed with a public park.
2. The suitability of the subject property for the uses to which it has been restricted: The subject site is currently zoned SF-5 Single-Family Residential, which permits an Accessory Apartment by Conditional Use approval under Section III-D.6.a of the Unified Zoning Code.
3. Extent to which removal of the restrictions will detrimentally affect nearby property: Staff does not anticipate that approval of the request will generate significant amounts of additional traffic. The conditions of approval should minimize any anticipated detrimental impacts.

4. Length of time subject property has remained vacant as zoned: The subject property is not vacant. The property has been developed with a single-family residential dwelling since 1943.
5. Relative gain to the public health, safety and welfare as compared to the loss in value or the hardship imposed upon the applicant: It is not anticipated that the requested Conditional Use will have a significant detrimental effect on the public health, safety, or welfare. Denial of the application may result in a loss of enjoyment for the applicant.
6. Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies: The proposed use is in conformance with the *Community Investments Plan* and the *Wichita: Places for People Plan*, as discussed in the report.
7. Impact of the proposed development on community facilities: Staff expect that there will be minimal significant impact on public roads, water, and sewer service.
8. Opposition or support of neighborhood residents: At the time the staff report was prepared, staff did not receive any comments from the public regarding the Conditional Use.

Attachments:

1. Site Plan
2. Aerial Map
3. Zoning Map
4. Land Use Map
5. Site Photos

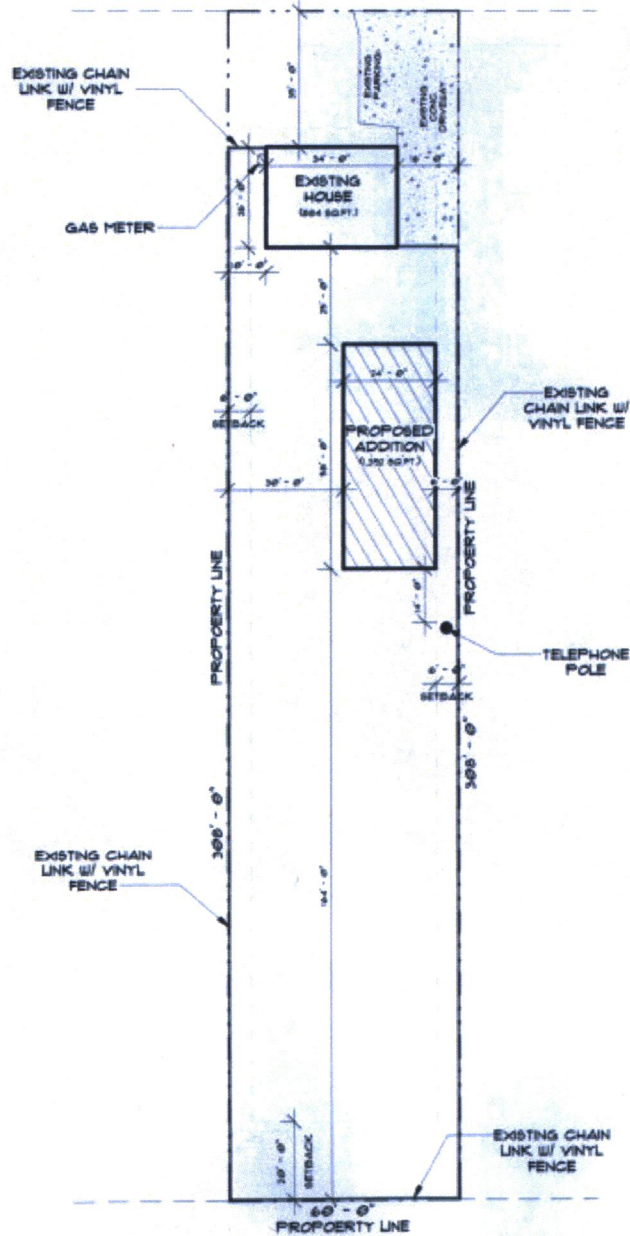
**PROPOSED ACCESSORY
GARAGE WITH APARTMENT**

SARAH THUMMEL/ AARON PYLE
210 S. KESSLER
WICHITA, KS 67213
316-255-0760

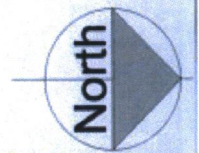
KESSLER STREET

LEGAL DESCRIPTION:

A TRACT BEGINNING AT A POINT 245 FEET SOUTH OF THE SOUTHWEST CORNER OF LOT 8, KESSLER PARK; THENCE EAST 307.65 FEET, MORE OR LESS TO THE EAST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 24, TOWNSHIP 21 SOUTH, RANGE 1 WEST OF THE 6TH PRINCIPAL MERIDIAN, SEDGWICK COUNTY, KANSAS; THENCE SOUTH 60 FEET; THENCE WEST 307.65 FEET; MORE OR LESS TO A POINT DUE SOUTH OF THE PLACE OF BEGINNING; THENCE NORTH 60 FEET TO THE PLACE OF BEGINNING.



1 Site Plan
1" = 30'-0"





Looking east towards site



Looking east towards site of proposed accessory structure



Looking west towards site



Looking west away from site

