CITY OF WICHITA

SEDGWICK COUNTY KANSAS

Wichita-Sedgwick County Metropolitan Area Planning Department

March 24, 2025

Adam & Rachel Phillips
7120 N143rd St. E
Wichita, KS 67228

RE: CON2025-00011 –A Conditional Use request to allow an Accessory Apartment, In the RR Rural Residential District, generally located on the northeast corner of East 69th Street North and North 143rd Street East (7120 North 143rd Street East).

Dear Applicant:

At its regular meeting on **February 27, 2025**, 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 with the following conditions:

1. The Accessory Apartment shall remain accessory to and under the same ownership as the principal building (7120 North 143rd Street East) 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 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, if necessary.
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.

No protests were filed against this case. Therefore, the decision of the MAPC is final. If you have any questions concerning this application, please contact our office at 352-4864.

Sincerely,

Brad Eatherly
Current Plans
Senior Planner

CC: Pete Meitzner, Commissioner, District 1
Sarah Harper, Communications Coordinator
MABCD

Wichita-Sedgwick County Metropolitan Area Planning Department

February 27, 2025

Adam & Rachel Phillips
7120 N143rd St. E
Wichita, KS 67228

RE: CON2025-00011 –A Conditional Use request to allow an Accessory Apartment, In the RR Rural Residential District, generally located on the northeast corner of East 69th Street North and North 143rd Street East (7120 North 143rd Street East).

Dear Applicant,

At its regular meeting on **February 27, 2025**, the Wichita-Sedgwick County Metropolitan Area Planning Commission considered the above captioned request. The action of the MAPC was to recommend **APPROVAL** the Conditional Use request.

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 **March 13, 2025**. 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 1000 feet of the property for which the application was filed, and must be submitted to the County Clerk by **March 13, 2025, at 5:00 p.m.**

This application is scheduled for consideration by the Board of Sedgwick County Commissioners on **Wednesday, April 9, 2025,** beginning at 9:00 a.m. The Board of County Commissioners meeting will be held at 100 North Broadway, Lower Level, 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 316-268-4421.

Sincerely,

Brad Eatherly
Current Plans
Senior Planner

CC: Pete Meitzner, Commissioner, District 1
Sarah Harper, Communications Coordinator
MABCD

CONDITIONAL USE RESOLUTION NO. CON2025-00011

WHEREAS, Adam & Rachel Phillips, 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 for Accessory Aprtment in RR Rural Residential District zoning located at 7210 North 143rd Street East, legally described as:

> That part of the West Half of the Southwest Quarter of Section 1, Township 26 South, Range 2 East of the 6th P.M., Sedgwick County, Kansas, described as: Beginning at the Southwest corner of said Southwest Quarter; thence North, along the West line of said Southwest Quarter, 1,711.01 feet; thence East, parallel with the South line of said Southwest Quarter, 470.00 feet; thence Southeasterly, 462.53 feet to a point 843.96 feet East and 1,439.99 feet North of said Southwest corner; thence South, parallel with the East line of said West Half, 970.01 feet; thence East, parallel with said South line, 486.92 feet to said East line; thence South, along said East line, 470.00 feet to said South line; thence West, along said South line, 1,333.58 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 February 27, 2025, 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 for Accessory Aprtment in RR Rural Residential District zoning located at 7210 North 143rd Street East, legally described as:

> That part of the West Half of the Southwest Quarter of Section 1, Township 26 South, Range 2 East of the 6th P.M., Sedgwick County, Kansas, described as: Beginning at the Southwest corner of said Southwest Quarter; thence North, along the West line of said Southwest Quarter, 1,711.01 feet; thence East, parallel with the South line of said Southwest Quarter, 470.00 feet; thence Southeasterly, 462.53 feet to a point 843.96 feet East and 1,439.99 feet North of said Southwest corner; thence South, parallel with the East line of said West Half, 970.01 feet; thence East, parallel with said South line, 486.92 feet to said East line; thence South, along said East line, 470.00 feet to said South line; thence West, along said South line, 1,333.58 feet to the place of beginning.

Approved subject to the following conditions:

1. The Accessory Apartment shall remain accessory to and under the same ownership as the principal building (7120 North 143rd Street East) 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 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, if necessary.
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 13th Day of March, 2025.

METROPOLITAN AREA PLANNING COMMISSION

Bryan Frye, Chairman

ATTEST:

Scott Wadle, Secretary

Sedgwick Co. public notice

(Published in The Ark Valley News Feb. 6, 2025.)

MAPC February 27, 2025
OFFICIAL HEARING NOTICE

NOTICE IS HEREBY GIVEN that on **Thursday, February 27, 2025, 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.

CON2025-00011: Conditional Use request in the County for an Accessory Apartment on property zoned RR Rural Residential District, located on the northeast corner of East 69th Street North and North 143rd Street East (7120 N. 143rd Street 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 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 Departments 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 6, 2025
Scott Wadle, Secretary
Wichita Sedgwick County Metropolitan Area Planning Commission

Affidavit of Publication

STATE OF KANSAS,
SEDGWICK COUNTY, ss.

Chris Strunk, being first duly sworn, deposes and says: That he is Publisher of The Ark Valley News, formerly The Valley Center Index, 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 yearly basis in Sedgwick County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a weekly published at least weekly 50 times a year; has been so published continuously and uninterruptedly in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at the post office of Valley Center 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 consecutive weeks, the first publication thereof being made as aforesaid on the 6th day of February, 2025. with subsequent publications being made on the following dates:

_____, 2025 _____, 2025

_____, 2025 _____, 2025

_____, 2025 _____, 2025

Chris Strunk

Subscribed and sworn to before me this 6th day of February, 2025.

Notary Public

My commission expires 4/24/28

Additional copies $ _____

Printer's fee _____

LISA K. STRUNK NOTARY PUBLIC STATE OF KANSAS

AGENDA ITEM NO. 4.1

WICHITA—SEDGWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION

STAFF REPORT
MAPC: February 27, 2025
CAB 1: March 17, 2025

CASE NUMBER: CON2025-00011 (County)

APPLICANT/OWNER: Adam and Rachel Phillips (Applicants)

REQUEST: Conditional Use to permit an Accessory Apartment

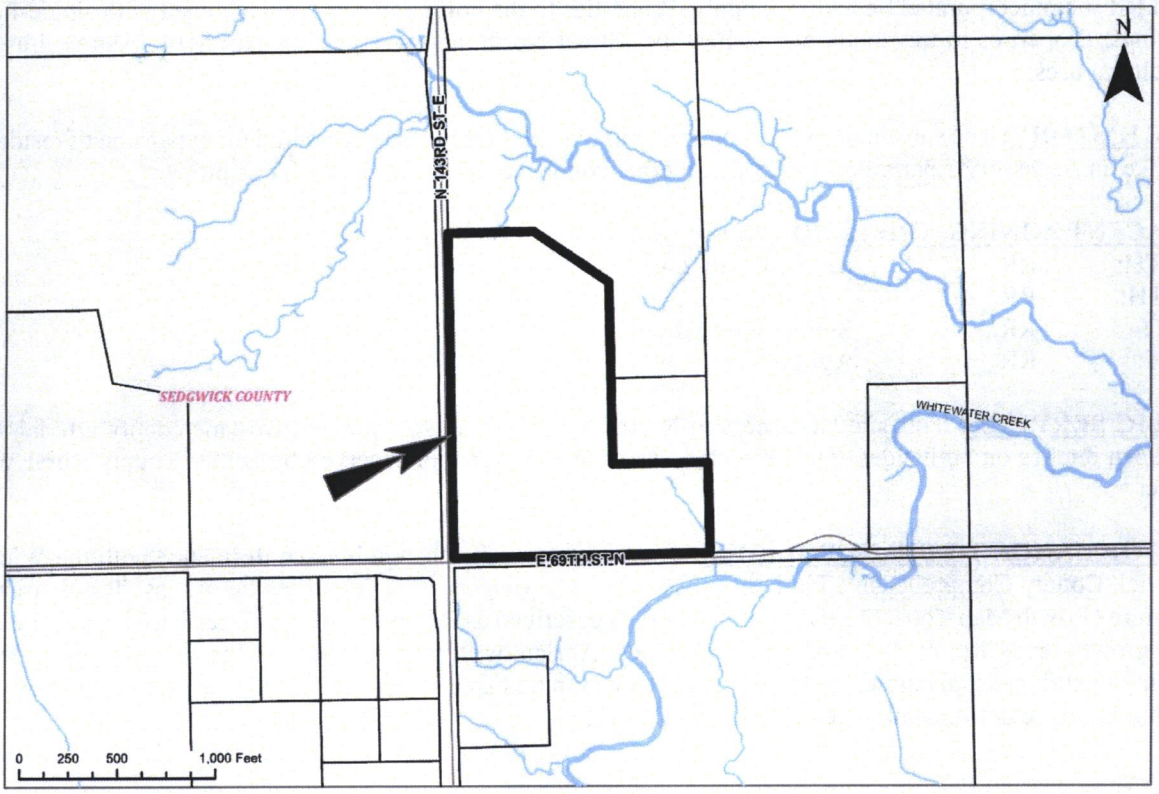
CURRENT ZONING: RR Rural Residential District

SITE SIZE: 35.86 acres

LOCATION: Generally located on the northeast corner of East 69th Street North and North 143rd Street East (7120 North 143rd Street East).

PROPOSED USE: Accessory Apartment.

RECOMMENDATION: Approval with conditions.



BACKGROUND: The applicant is requesting a Conditional Use to allow an Accessory Apartment on property zoned RR Rural Residential District (RR). The 35.86-acre subject site is generally located on the northeast corner of East 69th Street North and North 143rd Street East (7120 North 143rd Street East).

The property is currently developed with a single-family dwelling. The applicants desire to construct an Accessory Apartment for aging family members. The proposed Accessory Apartment is defined as such because it would have living facilities for sleeping, eating, sanitation and a kitchen, which requires water and sewer services. The proposed building measures 40 feet by 105 feet. It is proposed to be located directly to the east of the main dwelling unit. Access to the Accessory Apartment would be from the driveway that currently serves the property. The principal structure and the Accessory Apartment would share on-site sewage and water.

The Wichita-Sedgwick County Unified Zoning Code ("UZC") defines an "Accessory Apartment" (Sec. II-B.1.b) as a dwelling unit that may be wholly within or may be detached from a principal building. Accessory Apartments are also subject to Supplementary Use Regulation Sec.III-D.6.a:

1. a maximum of one Accessory Apartment may be allowed on the same lot as a single-family dwelling unit that may be within the main building, within an accessory building or constructed as an Accessory Apartment;
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; and
4. the water and sewer service provided to the Accessory Apartment 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 area is rural and low-density residential. Properties to the north, south, east and west are zoned RR in unincorporated Sedgwick County. Properties to the north and east are developed with single-family dwellings. Properties to the south, across East 69th Street North, and west, across North 143rd Street East, are agricultural uses.

CASE HISTORY: The subject property is currently unplatted. Platting is not required for expansion of residential uses like an Accessory Apartment. There are no other zoning cases associated with this property.

ADJACENT ZONING AND LAND USE:

NORTH:	RR	Single-family dwelling
SOUTH:	RR	Agriculture
EAST:	RR	Single-family dwelling
WEST:	RR	Agriculture

PUBLIC SERVICES: This site has access to North 143rd Street East, a gravel, two-lane county arterial street with open ditches on both sides. The property uses onsite sewage and is served by Butler County Rural Water District #5.

CONFORMANCE TO PLANS/POLICIES: The requested zone change is in conformance with the Wichita-Sedgwick County Comprehensive Plan, the *Community Investments Plan*, identifies the site as "Rural Area" on the Future Growth Map Concept Map. This category is described as follows: "Encompasses land outside the 2035 urban growth areas for Wichita and the small cities. Agricultural uses, rural-based businesses, and larger lot residential exurban subdivisions likely will be developed in this area." An Accessory Apartment on property this size should not be detrimental to neighboring properties.

RECOMMENDATION: Based upon information available prior to the public hearings, planning staff recommends that the request for the Accessory Apartment be **APPROVED**, subject to the following conditions:

1. The Accessory Apartment shall remain accessory to and under the same ownership as the principal building (7120 North 143rd Street East) 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 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, if necessary.
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.

This recommendation is based on the following findings:

1. **The zoning, uses and character of the neighborhood**: The character of the area is rural and low-density residential. Properties to the north, south, east and west are zoned RR Rural Residential District in unincorporated Sedgwick County. Properties to the north and east are developed with single-family dwellings. Properties to the south, across East 69th Street North, and west, across North 143rd Street East, are developed with agricultural uses.

2. **The suitability of the subject property for the uses to which it has been restricted**: The subject site is currently zoned RR Rural Residential District, which is suitable for a single-family residence and an Accessory Apartment with an approved Conditional Use. The size of the property can easily accommodate a separate Accessory Apartment and the additional required parking space.

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 and there is ample space for parking on site. The conditions of approval should minimize any potential detrimental impacts.

4. **Length of time subject property has remained vacant as zoned**: The subject property has been developed with a single-family dwelling.

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 an 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 request for an Accessory Apartment is in conformance with the *Community Investments Plan*, as discussed in this staff report.

7. **Impact of the proposed development on community facilities**: Staff expects that there will be minimal impact on public roads and services.

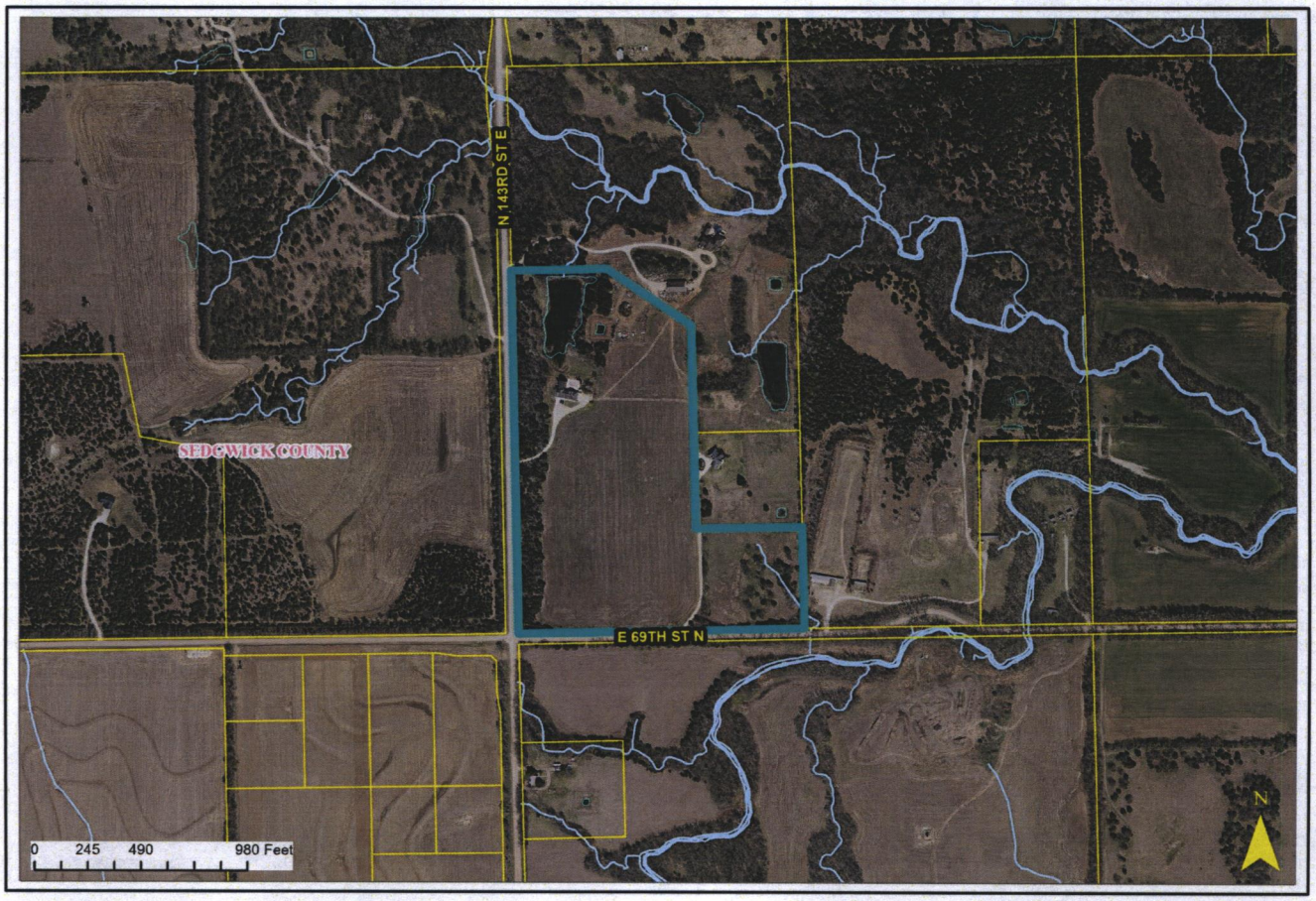
8. **Opposition or support of neighborhood residents**: At the time the staff report was prepared, staff had not received any comments from the public regarding the requested Conditional Use.

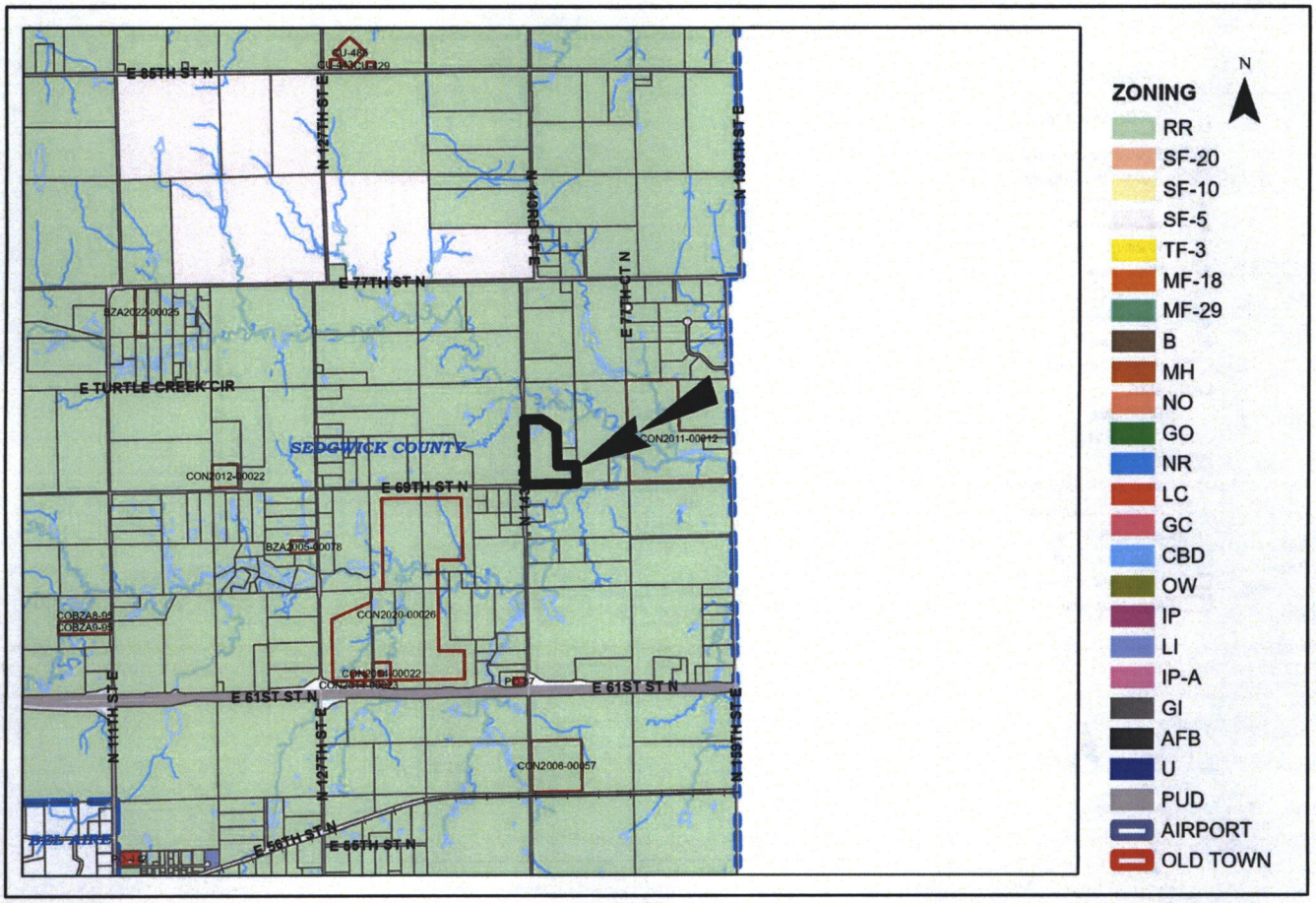
Attachments:

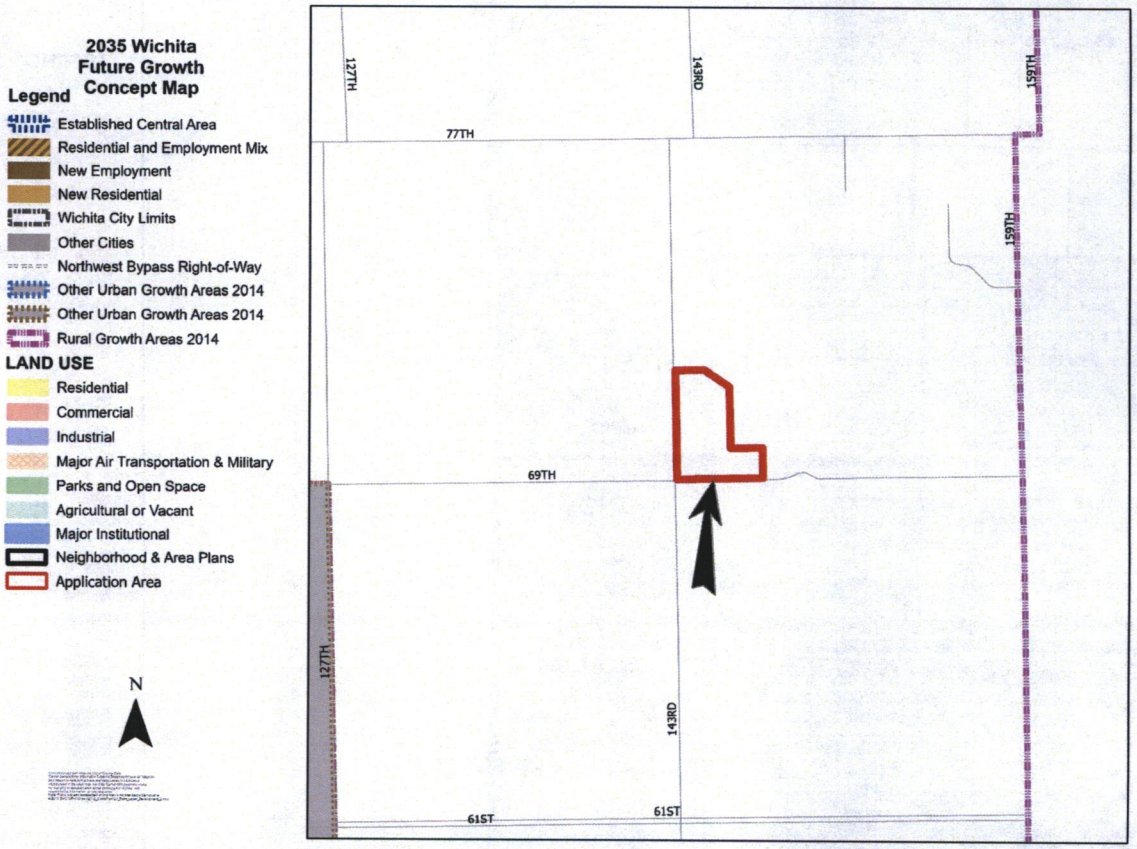
1. Site Plan
2. Aerial Map
3. Zoning Map
4. Future Growth Map
5. Urban Area of Influence Map
6. Site Photos

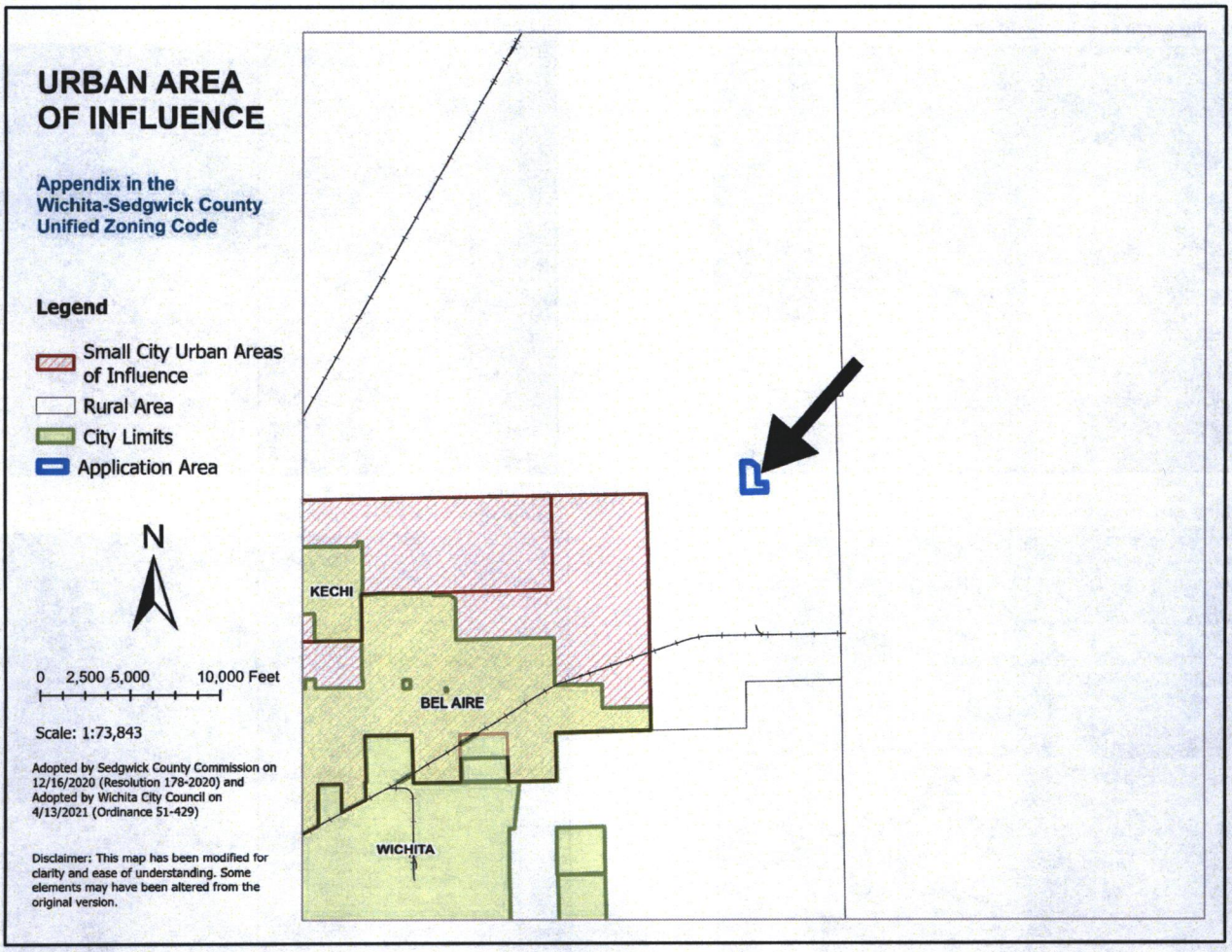
Site Plan


S 143rd
N 143rd St E
S 143rd St E
TH PT W 1/2 SW 1/4 BEG SW COR SAID W 1/2 TH N 1711 FT E 470 FT SELY 462.5 FT S 945 FT E 487 FT S 495 FT W 1333.59 FT TO BEG EXC RD SEC 1-26-2E
To property line 479'
264' - 2"
105' - 6"
40' - 0"
New Barndominium
Adam and Rachel Phillips Barndominium
7120 N 134rd St E
Wichita, KS 67228
No Agent, Self Prepared
37.5 Acres
To property line 1095'
Remove existing lagoon and install septic
To property line 1092'
60'
N


N 143RD ST E
SEDGWICK COUNTY
E 69TH ST N
0 245 490 980 Feet
N


E 85TH ST N
N 127TH ST E
N 135TH ST E
N 143RD ST E
N 150TH ST E
E 77TH ST N
E 77TH CT N
BZA2022-00025
E TURTLE CREEK CIR
SEDGWICK COUNTY
CON2011-00012
CON2012-00022
E 69TH ST N
BZA2005-00078
COBZA8-95
COBZA9-95
CON2020-00026
CON2014-00022
E 61ST ST N
N 111TH ST E
N 127TH ST E
CON2006-00057
E 57TH ST N
E 55TH ST N
N
ZONING
RR
SF-20
SF-10
SF-5
TF-3
MF-18
MF-29
B
MH
NO
GO
NR
LC
GC
CBD
OW
IP
LI
IP-A
GI
AFB
U
PUD
AIRPORT
OLD TOWN


2035 Wichita
Future Growth
Concept Map
Legend
Established Central Area
Residential and Employment Mix
New Employment
New Residential
Wichita City Limits
Other Cities
Northwest Bypass Right-of-Way
Other Urban Growth Areas 2014
Other Urban Growth Areas 2014
Rural Growth Areas 2014
LAND USE
Residential
Commercial
Industrial
Major Air Transportation & Military
Parks and Open Space
Agricultural or Vacant
Major Institutional
Neighborhood & Area Plans
Application Area
N
127TH
143RD
159TH
77TH
69TH
61ST


URBAN AREA OF INFLUENCE
Appendix in the Wichita-Sedgwick County Unified Zoning Code
Legend
Small City Urban Areas of Influence
Rural Area
City Limits
Application Area
N
0 2,500 5,000 10,000 Feet
Scale: 1:73,843
Adopted by Sedgwick County Commission on 12/16/2020 (Resolution 178-2020) and Adopted by Wichita City Council on 4/13/2021 (Ordinance 51-429)
Disclaimer: This map has been modified for clarity and ease of understanding. Some elements may have been altered from the original version.
KECHI
BEL AIRE
WICHITA

Looking north at existing dwelling



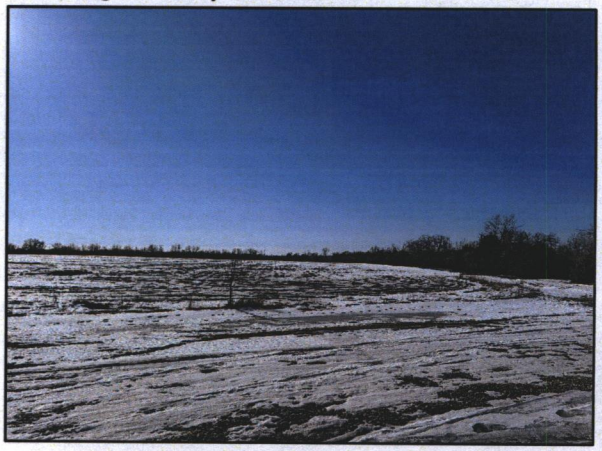
Looking north away from site



Looking east away from site



Looking south away from site



Looking west away from property




TH PT W 1/2 SW 1/4
SW COR SAID W 1/2
1711 FT E 470 FT S
462.5 FT S 945 FT E 48
S 495 FT W 1333.59 F
BEG EXC RD SEC 1-2
SITE PLAN
3/13/25
To property line
479'
105' - 6"
264' - 2"
40' - 0"
New Barndominium
n and Rachel Phillips Barndominium
N 134rd St E
ita, KS 67228
gent, Self Prepared
Acres
To property line
1095'
Remove existing
lagoon
and install septic
To property line
1092'
N