Wichita-Sedgwick County Metropolitan Area Planning Department

Dalan Nguyen
1632 North Nevada Court
Wichita, KS 67212

May 13, 2025

RE: CON2025-00041 - Conditional Use request in the City for an Accessory Apartment on property zoned SF-5 Single-Family Residential; generally located within one-block west of North West Street and one-half mile north of West 13th Street North (1632 N. Nevada Ct.).

Dear Applicant,

On **May 13, 2025**, the Wichita City Council the above captioned request. The action of the WCC was to **APPROVE** the request, 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 1632 North Nevada Court), 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 submission of 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.
7. The Accessory Apartment must have a hipped or gabled roof.

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

Sincerely,

Christina Rieth
Current Plans
Associate Planner

CITY OF WICHITA

SEDGWICK COUNTY KANSAS

Wichita-Sedgwick County Metropolitan Area Planning Department

Dalan Nguyen
1632 North Nevada Court
Wichita, KS 67212

April 10, 2025

RE: CON2025-00041 - Conditional Use request in the City for an Accessory Apartment on property zoned SF-5 Single-Family Residential; generally located within one-block west of North West Street and one-half mile north of West 13th Street North (1632 N. Nevada Ct.).

Dear Applicant,

On **April 10, 2025**, the Wichita-Sedgwick County Metropolitan Area Planning Commission considered the above captioned request. The recommendation of the MAPC was to **APPROVE** the request, 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 1632 North Nevada Court), 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 submission of 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.

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 **April 24, 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 200 feet of the property for which the application was filed and must be submitted to the City Clerk by **April 24, 2025** at 5:00 p.m.

This case will be heard on **Monday, April 14, 2025**, by the District Advisory Board (DAB) VI, which meets at the Evergreen Library and Resource Center (2601 North Arkansas Avenue, Wichita, KS 67204) at 6:30 p.m. For more information, please contact Ana Lopez at 316-303-8043 or alopez@wichita.gov.

If the District Advisory Board recommends approval, and no protest petitions are received, then the decision of the MAPC is final. Else, the Wichita City Council will meet on Tuesday, May 13, 2025, at 9:00 a.m. for final decision. The WCC meets at City Hall, 455 North Main Street, Wichita, KS 67202.

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: Maggie Ballard, Councilmember District VI
Ana Lopez, CSR District VI
MABCD

OCA 150004 PUBLISHED AT WICHITA.GOV/LEGALNOTICES ON MAY 16,2025

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

CONDITIONAL USE RESOLUTION NO. 25-202

WHEREAS, Dalan Nguyen, Owner, pursuant to Section V-D of the Wichita-Sedgwick County Unified Zoning Code (herein referred to as Unified Zoning Code), requests a Conditional Use to permit an Accessory Apartment on property zoned SF-5 Single-Family Residential District located on the north side of West Nevada Court, within 350 feet west of North West Street, legally described as:

Lots 3 and 4, Nevada Court, Bettega Addition to 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 April 10, 2025, 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 located on the north side of West Nevada Court, within 350 feet west of North West Street, legally described as:

Lots 3 and 4, Nevada Court, Bettega Addition to 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 1632 West Nevada Court), 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.
7. The Accessory Apartment must have a hipped or gabled roof.

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

Lily Wu, Mayor, City of Wichita

ATTEST:

for

Paul Leeker, ~~Deputy~~ 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
Sun Herald
Idaho Statesman
Bradenton 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
The Telegraph - Macon
Merced Sun-Star
Miami Herald
El Nuevo Herald

The Modesto Bee
The Sun News - Myrtle Beach
Raleigh News & Observer
Rock Hill | The Herald
The Sacramento Bee
San Luis Obispo Tribune
Tacoma | The News Tribune
Tri-City Herald
The Wichita Eagle
The Olympian

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Cols	Depth
16399	645112	Print Legal Ad-IPL02228020 - IPL0222802	MAPC/BZA April 10, 2025	1	68 L

Attention: Mandy Hebert

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

MHEBERT@wichita.gov

OCA 150004
Published in The Wichita Eagle on March 19, 2025
(One Time Only)
MAPC/BZA April 10, 2025
OFFICIAL HEARING NOTICE

NOTICE IS HEREBY GIVEN that on **Thursday, April 10, 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. **Full notice can be found at www.wichita.gov/LegalNotices.**

CON2025-00041: Conditional Use request in the City for an Accessory Apartment on property zoned SF-5 Single-Family Residential; generally located within one-block west of North West Street and one-half mile north of West 13th Street North (1632 N. Nevada Ct.).

CON2025-00050: Conditional Use request in the City for a Group Residence, Limited on property zoned SF-5 Single-Family Residential District, generally located on the east side of North Fountain Avenue and within 600 feet north of East 21st Street North (2272 North Fountain Avenue).

DER2024-00011: Unified Zoning Code amendment (City and County) pertaining to posting of development signs in the unincorporated areas of the County and the City of Wichita.

VAC2025-00009: Vacation request in the City to vacate five feet of a 35-foot platted front setback and two feet of a five-foot utility easement on the west property line to rebuild a garage, generally located on the southwest corner of East Waterman Street and South Terrace Drive (301 South Terrace).

ZON2025-00007: Zone Change request in the City from TF-3 Two-Family Residential to GC General Commercial to allow for commercial/storage buildings and to remove lots 4 & 5 from PO-335, on the west side of South 135th Street West and within one-quarter mile north of West Kellogg Drive.

IPL0222802
Mar 19 2025

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

1 insertion(s) published on:
03/19/25

STATE OF KANSAS)
SS
County of Sedgwick)

Mary Castro, 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 03/19/2025 to 03/19/2025.

Mary Castro

I certify (or declare) under penalty of perjury that the foregoing is true and correct.
DATED: 03/19/2025

Amy Robbins

Notary Public in and for the state of South Carolina, residing in Beaufort County

AMY L. ROBBINS
NOTARY PUBLIC
SOUTH CAROLINA
MY COMMISSION EXPIRES 11-03-32

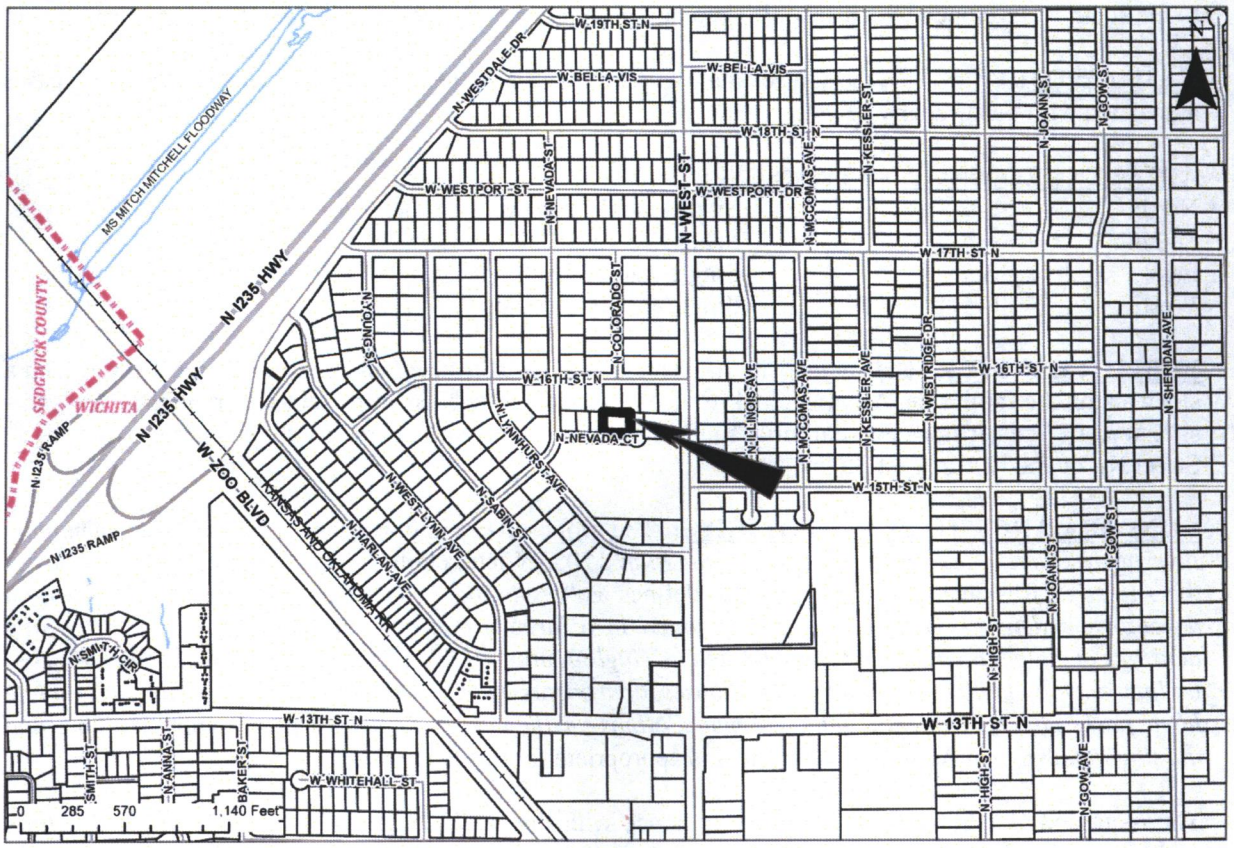
Extra charge for lost or duplicate affidavits.
Legal document please do not destroy!

WICHITA–SEDGWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION

AGENDA ITEM NO. 4.2

STAFF REPORT
MAPC: April 10, 2025
DAB VI: April 14, 2025

CASE NUMBER:	CON2025-00041 (City)
APPLICANT/AGENT:	Dalan Nguyen (Applicant)/Darrell Leffew (Agent)
REQUEST:	Conditional Use to allow an Accessory Apartment
CURRENT ZONING:	SF-5 Single-Family Residential District
SITE SIZE:	0.40 acres
LOCATION:	Generally located on the north side of West Nevada Court, within 350 feet west of North West Street (1632 West Nevada Court).
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 0.47-acre property is generally located on the north side of West Nevada Court, within 350 feet west of North West Street (1632 West Nevada Court). The subject site is currently developed with an 1,842-square-foot single-family residential dwelling constructed in 1965. The applicant is requesting the Conditional Use to construct a detached dwelling unit on the northeast side of the property.

According to the submitted site plan, the proposed Accessory Apartment will measure 608 square feet (19 feet by 32 feet). It will sit 11 feet north of the existing dwelling, 20 feet from the rear setback, and six feet from the east (side) property line.

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

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 zoned SF-5. Properties to the north, east, and west are developed with single-family residences. Property to the south is developed with a school. There are no Accessory Apartments in the immediate area.

CASE HISTORY: In 1955, the subject site was platted as the Bettega Addition. There are no zoning cases associated with this property.

ADJACENT ZONING AND LAND USE:

North:	SF-5	Single-family dwellings
South:	SF-5	School
East:	SF-5	Single-family dwelling
West:	SF-5	Single-family dwelling

PUBLIC SERVICES: The subject site has access to West Nevada Court, a two-way local street with a sidewalk on the south side. All municipal services and utilities, such as water and sewer, already serve this site. Wichita Transit stops one-half mile southeast of the subject site, on the southeast corner of West 13th Street North and North West Street.

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 Conditional Use is in conformance with the *Wichita: Places for People Plan*. The *Plan* outlines six Strategies that "help guide the community in their actions to create walkable places within

Wichita." Strategy 5 aims to "Provide a diversity of housing options to attract new residents and allow existing residents to remain in the ECA." An Accessory Apartment introduces a new type of housing not found within the immediate vicinity, which diversifies the types of housing in the area. Strategy 6 aims to "Encourage infill and redevelopment that is contextual to the environment in which it is occurring." The requested Conditional Use creates an additional dwelling unit on a larger lot, and the conditions of approval require a compatible accessory structure, which together bring infill that continues the harmonious development of the community.

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 Accessory Apartment shall remain accessory to and under the same ownership as the principal single-family residence (located at 1632 West Nevada Court), 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.

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 zoned SF-5. Properties to the north, east, and west are developed with single-family residences. Property to the south is developed with a school. There are no Accessory Apartments in the immediate area.

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 possible significant negative impacts.

4. Length of time subject property has remained vacant as zoned: The property has been developed with a single-family residential dwelling since 1965.

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.

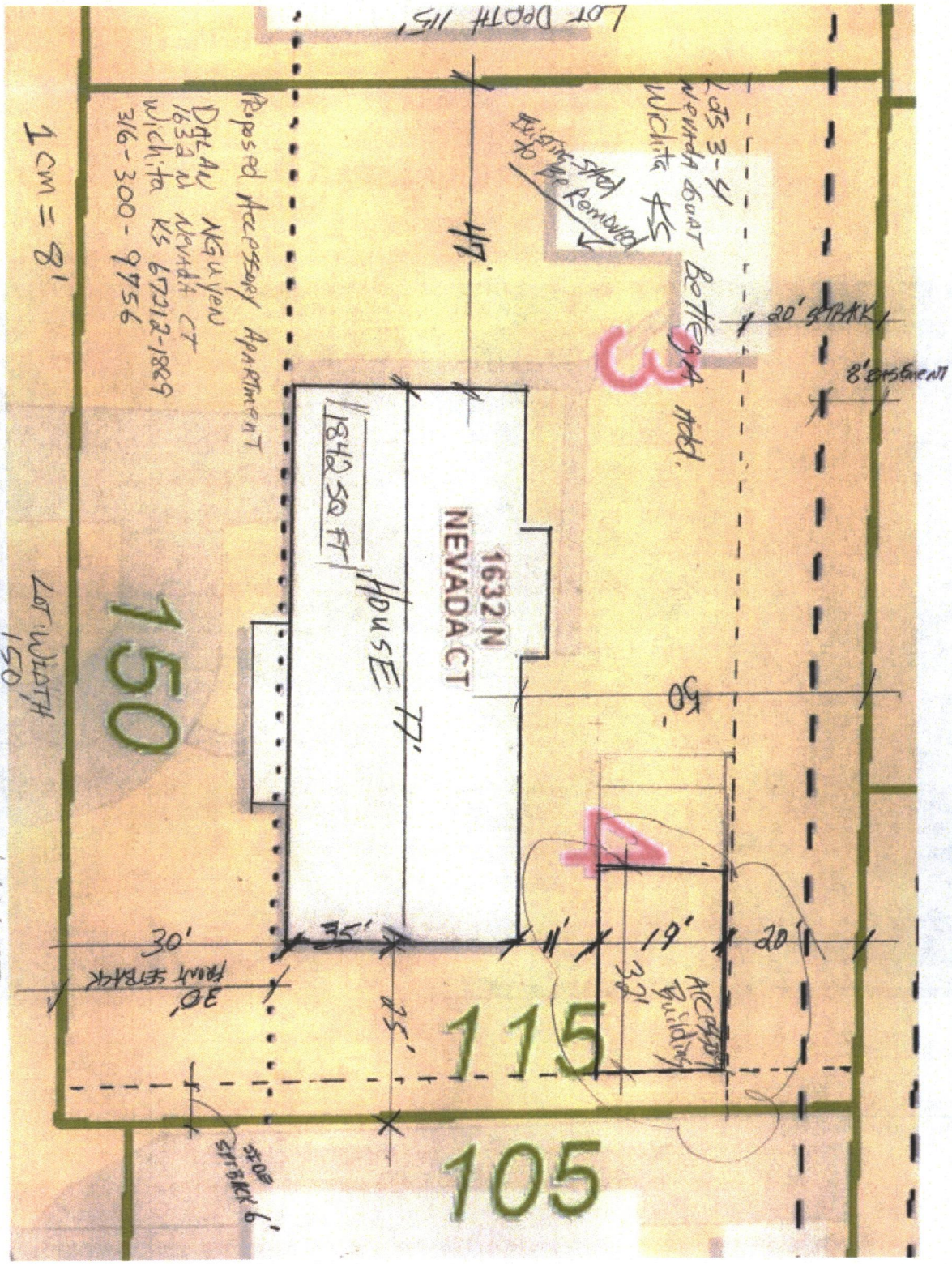
6. Conformance of the requested change to the adopted or recognized Comprehensive Plan and

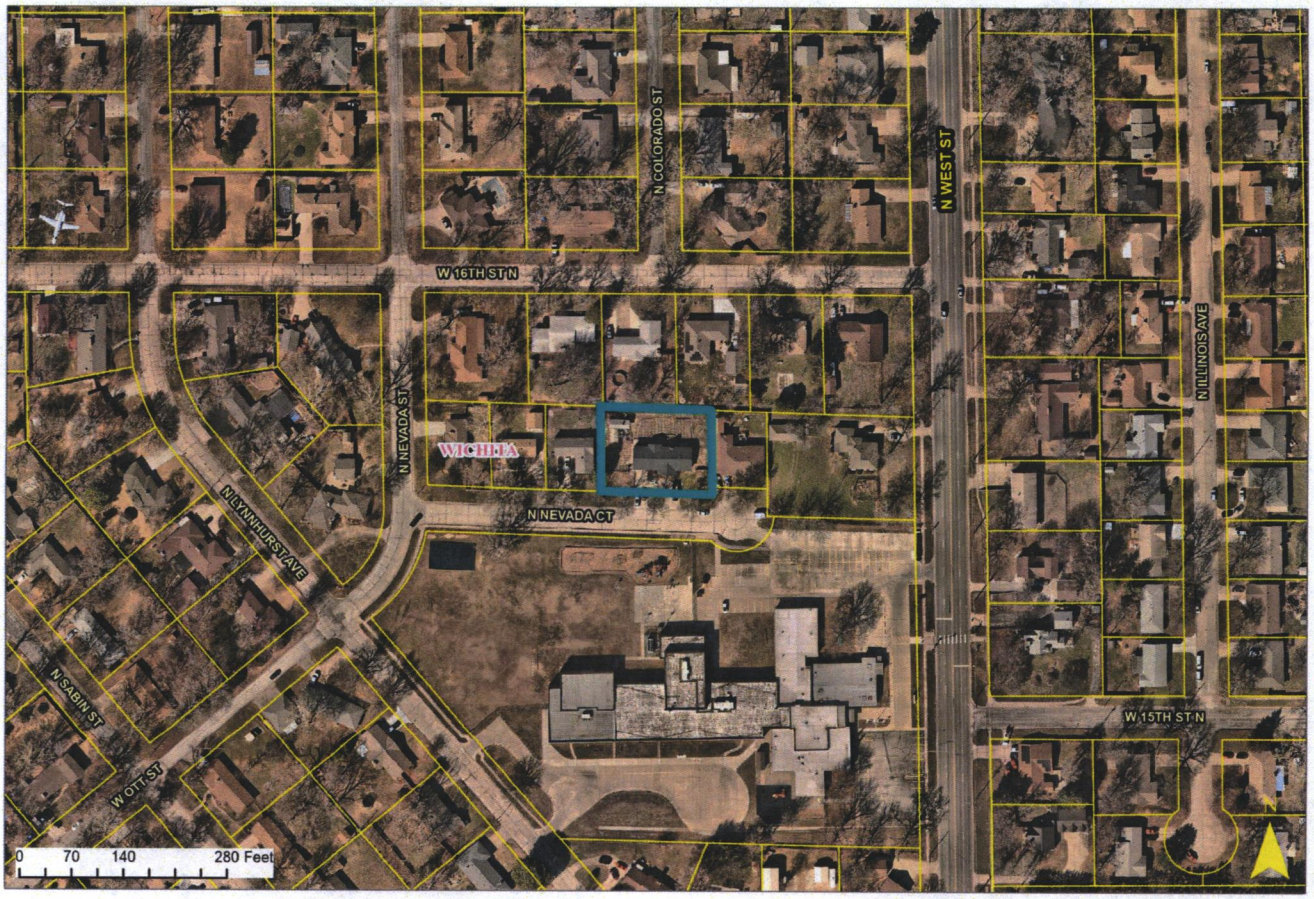
policies: The proposed use is in conformance with the *Community Investments Plan* and the *Wichita: Places for People Plan*, as discussed in the report.

7. Impact of the proposed development on community facilities: Staff expects 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 public comment on the requested Conditional Use.

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


Lot Depth 115'
1 cm = 8'
Proposed Accessory Apartment
Dalan Nguyen
1632 N Nevada Ct
Wichita KS 67212-1869
316-300-9756
Lots 3-4 Nevada Court Estates Wichita KS
Existing Shed to be Removed
117'
20' Setback
8' Easement
3
1632 N NEVADA CT
1842 SQ FT
House
77'
8'
4
150
Lot Width 150
← N. Nevada Ct →
30'
Front Setback
35'
11'
19'
20'
32'
Accessory Building
25'
115
105
Side Setback 6'


W 16TH ST N
N COLORADO ST
N WEST ST
N ILLINOIS AVE
N NEVADA ST
WICHITA
N NEVADA CT
N LYNNHURST AVE
N SABIN ST
W OTT ST
W 15TH ST N
0 70 140 280 Feet


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
N
MS MITCH MITCHELL FLOODWAY
N I-235 HWY
N WESTDALE DR
W BELLA VIS
W WESTPORT ST
W WESTPORT DR
N NEVADA ST
N WEST ST
BZA2015-00036
N MCCOMAS AVE
N KESSLER ST
W 18TH ST N
N JOANN ST
W 17TH ST N
BZA2019-00034
N YOUNG ST
N LYNNHURST AVE
N COLORADO ST
SEDGWICK COUNTY
BZA2004-00055
W 16TH ST N
WICHITA
N NEVADA CT
BZA2008-00051
N ILLINOIS AVE
N WESTRIDGE DR
BZA2014-00009
W 15TH ST N
BZA2014-00005
W ZOO BLVD
CON2021-00021
N SABIN ST
N HARLAN AVE
W ST
N WEST LYNN AVE
BZA2001-00070
BZA2021-00019
N HIGH ST
CUP DP-80
BZA23-77
BZA2004-00046
CUP DP-64
BZA70-84
BZA9-78
CU-561
BZA2009-00027
BZA2005-00076
BZA44-78
BZA75-84
BZA40-78
W 13TH ST N
BZA2005-00080
BZA37-66
CON2022-00053
BZA15-78
BZA2008-00052
N ANNA ST
N BAKER ST
W WHITEHALL ST

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

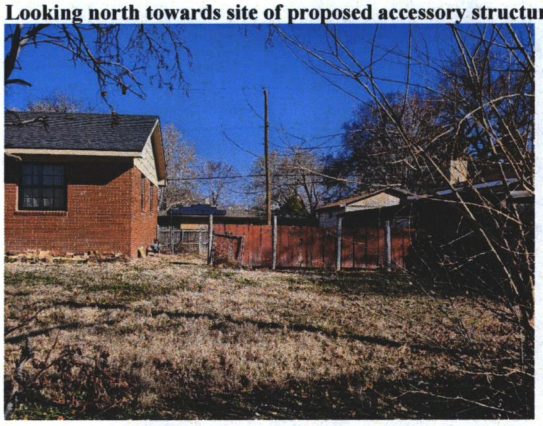
N



Looking north towards site



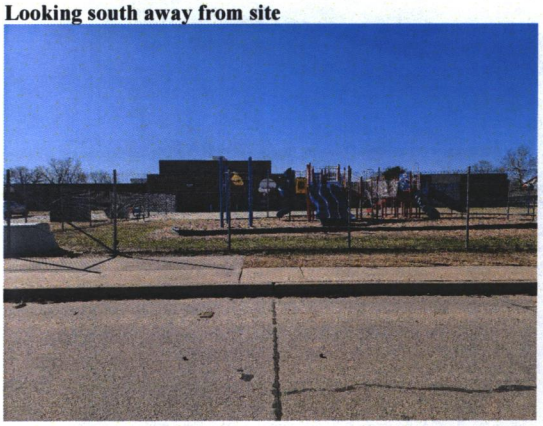
Looking north towards site of proposed accessory structure



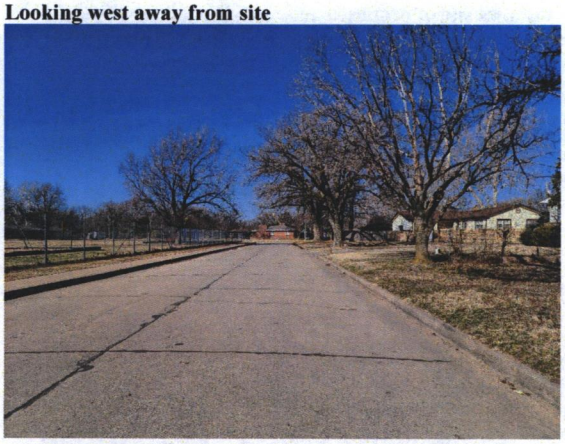
Looking north towards existing accessory structure



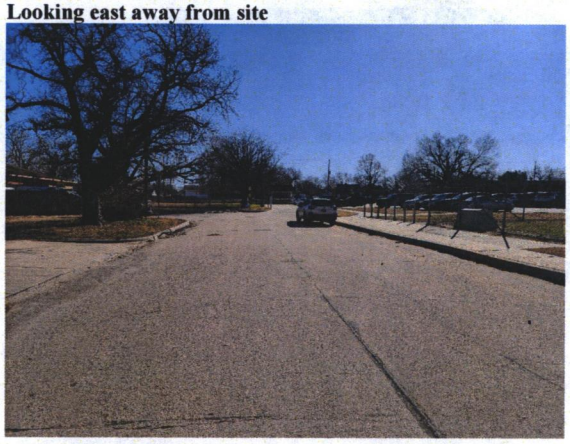
Looking south away from site

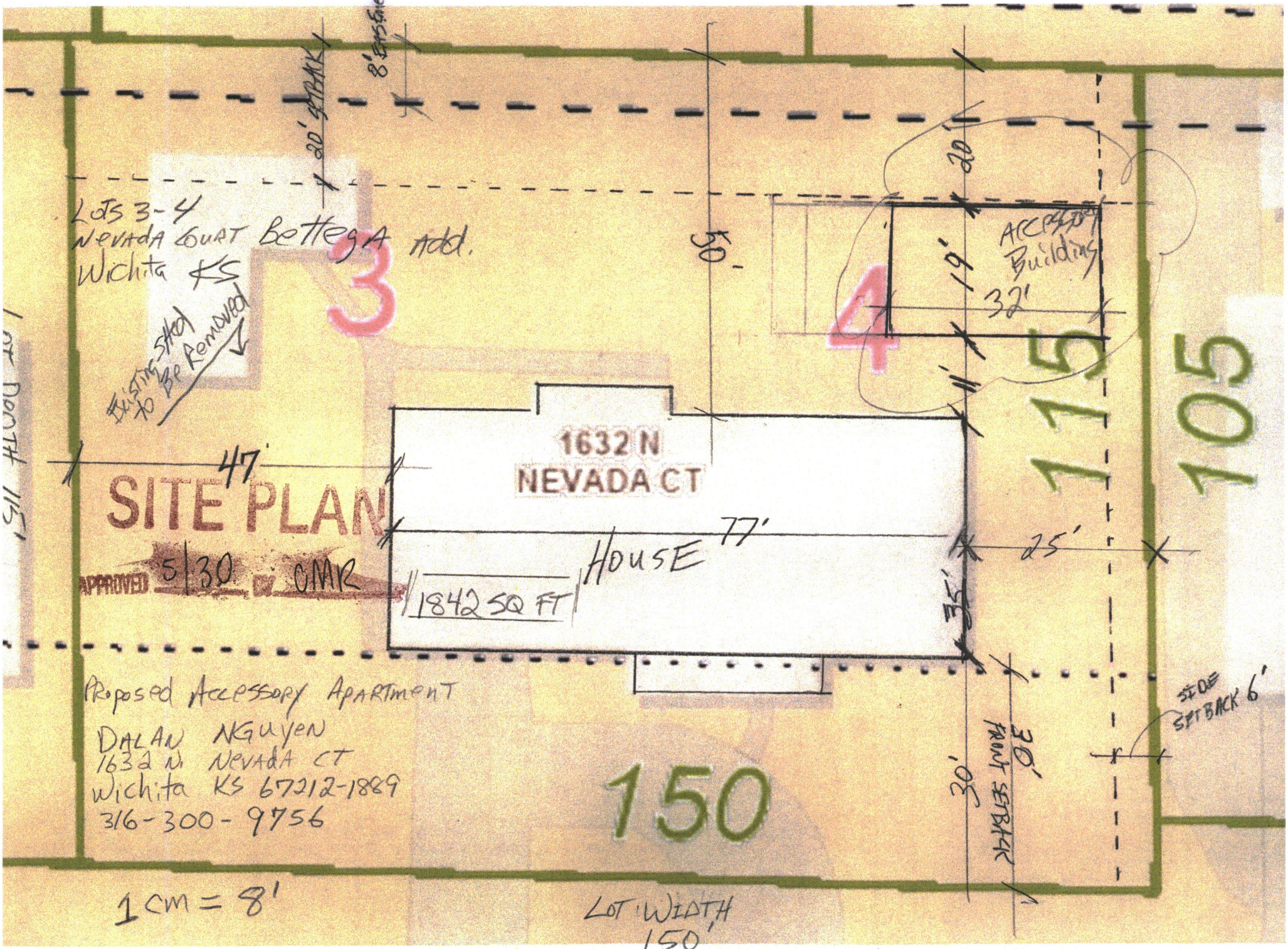


Looking west away from site



Looking east away from site




Lots 3-4
Nevada Court Bettega Add.
Wichita KS
3
4
20' SETBACK
8' EASEMENT
50'
ACCESSORY Building
32'
6'
11'
Existing shed to be Removed
47'
1632 N
NEVADA CT
77'
HOUSE
1842 SQ FT
25'
SITE PLAN
APPROVED 5/30 CMR
Proposed Accessory Apartment
DALAN NGUYEN
1632 N. NEVADA CT
Wichita KS 67212-1869
316-300-9756
150
105
115
30' FRONT SETBACK
SIDE SETBACK 6'
1 cm = 8'
LOT WIDTH 150'