



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

September 26, 2025

Benjamin and Nicole Mainwaring & Michelle Eagy
26555 W 21st St. N
Garden Plain, KS 67050

RE: CON2025-000106 –Conditional Use to allow Accessory Apartment on property zoned RR Rural Residential, Generally located 500 feet south of West 21st Street North and 800 feet west of North 263rd Street West (26555 West 21st Street North).

Dear Applicant:

At its regular meeting on **September 11, 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 (26555 West 21st Street North) 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: Stephanie Wise, Commissioner, District 1
MABCD
Shelby Sheils 26577 W. 21st St. N Garden Plain, KS 67050
Garrett & Cami Taylor 11807 W. Beckemeyer St Wichita, KS 67212
Leon & Terri Engelbert 720 Fairway Dr Beloit, KS 67420
Kevin & Robyn Pracht 2055 N 263rd St W Garden Plain, KS 67050



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

September 12, 2025

Benjamin and Nicole Mainwaring & Michelle Eagy
26555 W 21st St. N
Garden Plain, KS 67050

RE: CON2025-000106 –Conditional Use to allow Accessory Apartment on property zoned RR Rural Residential, Generally located 500 feet south of West 21st Street North and 800 feet west of North 263rd Street West (26555 West 21st Street North).

Dear Applicant,

At its regular meeting on **September 11, 2025**, the Wichita-Sedgwick County Metropolitan Area Planning Commission considered the above captioned request. The action of the MAPC was to recommend **APPROVAL** the above captioned 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 September 25, 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 **September 25, 2025, at 5:00 p.m.**

This application will be presented to the Board of County Commissioners on **Wednesday, October 22, 2025**, beginning at 9:00 a.m. The Board of County Commissioners meeting will be held 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: Stephanie Wise, Commissioner, District 1
MABCD
Shelby Sheils 26577 W. 21st St. N Garden Plain, KS 67050
Garrett & Cami Taylor 11807 W. Beckemeyer St Wichita, KS 67212
Leon & Terri Engelbert 720 Fairway Dr Beloit, KS 67420
Kevin & Robyn Pracht 2055 N 263rd St W Garden Plain, KS 67050

CONDITIONAL USE RESOLUTION NO. CON2025-00106

WHEREAS, Benjamin & Nicole Mainwaring, 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 Apartment in RR Rural Residential District zoning located at 26555 West 21st Street North, legally described as:

Lot 2, Block A, Flatland Estates, a portion of the Northeast Quarter of Section 9, Township 27 South, Range 3 West of the 6th Principal Meridian, 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 September 11, 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 Apartment in RR Rural Residential District zoning located at 26555 West 21st Street North, legally described as:

Lot 2, Block A, Flatland Estates, a portion of the Northeast Quarter of Section 9, Township 27 South, Range 3 West of the 6th Principal Meridian, Sedgwick County, Kansas.

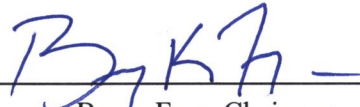
Approved subject to the following conditions:

1. The Accessory Apartment shall remain accessory to and under the same ownership as the principal building (26555 West 21st Street North) and the ownership shall not be divided or sold as a condominium.
2. The development of an Accessory Apartment shall adhere to Supplementary Use Regulations of Section III-D.6.a of the Unified Zoning Code.
3. Development of the site shall be in conformance with the approved site plan.
4. 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.
5. 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 November, 2025.

METROPOLITAN AREA PLANNING COMMISSION

ATTEST:



Bryan Frye, Chairman



Scott Wadle, Secretary

Sedgwick Co. public notice

(Published in The Ark Valley News
Aug. 21, 2025.)

MAPC September 11, 2025 OFFICIAL HEARING NOTICE

NOTICE IS HEREBY GIVEN that on **Thursday, September 11, 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.

CON2025-00106: Conditional Use request in the County to allow an Accessory Apartment on property zoned RR Rural Residential generally located 500 feet south of West 21st Street North and 800 feet west of North 263rd Street West. (26555 West 21st Street North).

PUD2025-00018: Amendment to PUD #27 in the County to add parcels to the PUD for multi-use development; generally located on the northeast corner of North 151st Street West and West 21st Street North (14800 West Saint Teresa Street).

VAC2025-00034: Vacation Request in the County of the west 5 feet of the 20 foot drainage and utility easement located on the west side of property zoned SF-20 Single Family Residential, generally located at South 135th Street West and West 35th Street South.

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 August 21, 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 21st day of August, 2025.

with subsequent publications being made on the following dates:

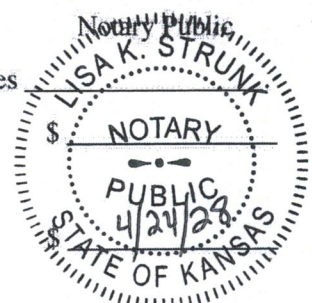
_____, 2025 _____, 2025
_____, 2025 _____, 2025
_____, 2025 _____, 2025

Subscribed and sworn to before me this 21st day of August, 2025.

My commission expires

Additional copies

Printer's fee





STAFF REPORT

MAPC: September 11, 2025

CAB 3: September 9, 2025

CASE NUMBER: CON2025-00106 (County)

APPLICANT/OWNER: Benjamin & Nicole Mainwaring/Michelle Eagy (Applicants)

REQUEST: Conditional Use to permit an Accessory Apartment

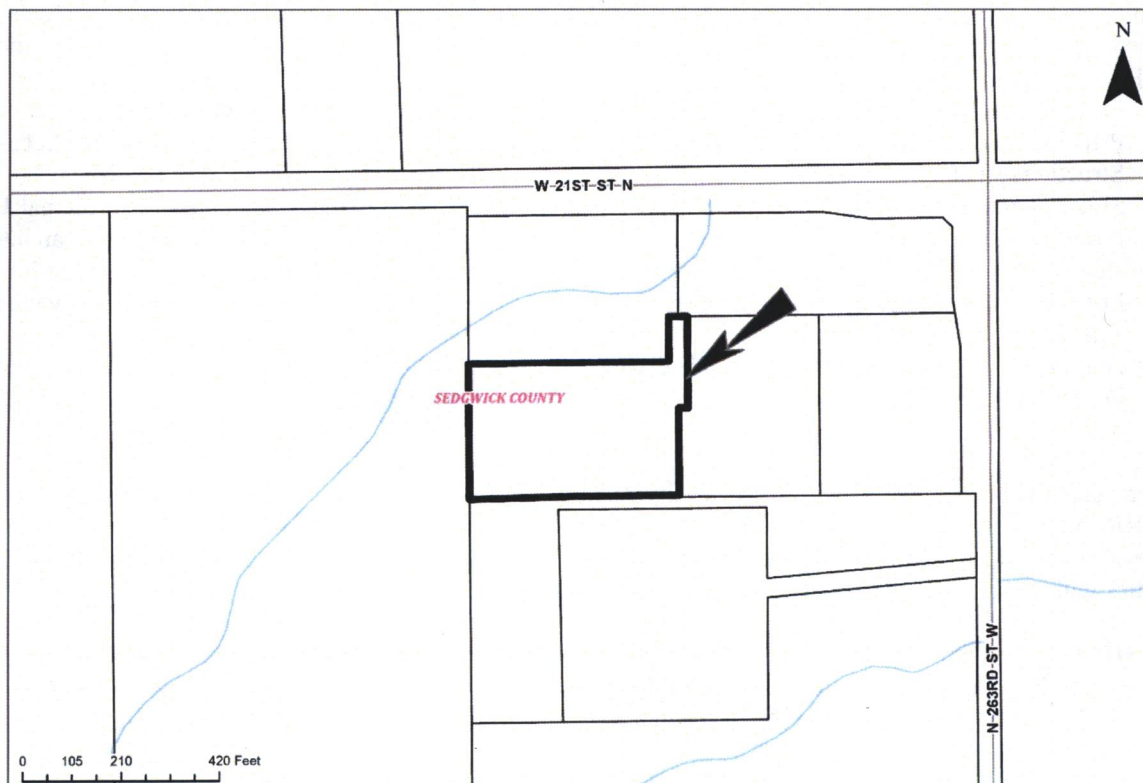
CURRENT ZONING: RR Rural Residential District

SITE SIZE: 3.14 acres

LOCATION: Generally located 500 feet south of West 21st Street North and 800 feet west of North 263rd Street West (26555 West 21st Street North)

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 3.14-acre subject site is generally located 500 feet south of West 21st Street North and 800 feet west of North 263rd Street West (26555 West 21st Street North).

The property is currently undeveloped. The applicants desire to construct an Accessory Apartment at the same time as the Principal Building. 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 applicants propose placing the Accessory Apartment behind the existing garage and set back from the north interior side property line by 50 feet. The Principal Building and the Accessory Apartment would share on-site sewage and water. Based on renderings provided by the applicants, the Accessory Apartment is compatible in appearance to the Principal Building. This meets one of the Supplementary Use Regulations that are required.

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.

In addition, when located in zoning districts MH or more restrictive, Accessory Apartments are required to comply with the property development standards in Sec. III-D.7.e(2) of the Unified Zoning Code. Those standards include the following.

1. Front Setbacks - Accessory Structures shall not be located nearer to the front property line than the Principal Structure except on Lots five acres or more in area where the Front Setback for Accessory Structures shall be the same as required for Principal Structures.
2. Side Setbacks - Accessory Structures shall comply with the Side Setback standards for Principal Uses, provided that an Accessory Structure shall not be required to set back more than three feet from an interior side Lot Line when all parts of the Accessory Structure are located more than one-half the depth of the Lot behind the front property line. Accessory Structures may not utilize more than one-half of any required side Yard.
3. Height - No Accessory Structure shall exceed 60 percent of the allowable height requirements of the District unless the Accessory Structure conforms to all Setback requirements for Principal Structures in that District.

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 and are developed with agricultural uses. Property to the north is also developed with a shop/garage. Property to the south is developed with a single-family dwelling. Other properties within the Flatland Estates Addition are platted for residential uses.

CASE HISTORY: On December 18, 2024, the subject site was platted as part of the Flatland Estates Addition. There are no other zoning cases associated with this property.

ADJACENT ZONING AND LAND USE:

NORTH: RR Agriculture/Shop

CON2025-00106

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

PUBLIC SERVICES: This site has access to West 21st Street North, a paved, two-lane county arterial street with open ditches on both sides. The property will use onsite sewage, and water will be served by a well.

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 (26555 West 21st Street North) and the ownership shall not be divided or sold as a condominium.
2. The development of an Accessory Apartment shall adhere to Supplementary Use Regulations of Section III-D.6.a of the Unified Zoning Code.
3. Development of the site shall be in conformance with the approved site plan.
4. 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.
5. 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 in unincorporated Sedgwick County and are developed with agricultural uses. Property to the north is also developed with a shop/garage. Property to the south is developed with a single-family dwelling. Other properties within the Flatland Estates Addition are platted for residential 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 never been developed but is platted for residential uses.

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:

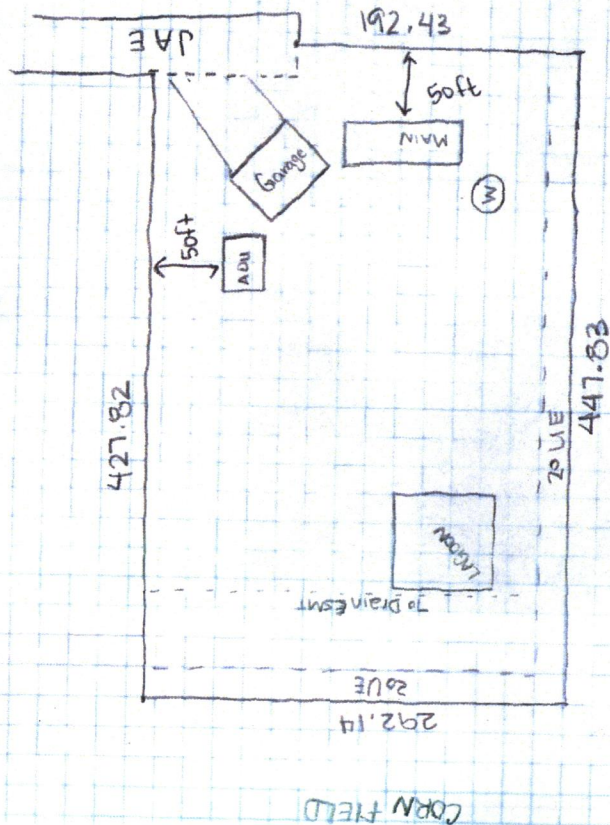
1. Site Plan
2. Aerial Map
3. Zoning Map
4. Future Growth Map
5. Urban Growth Area Map
6. Urban Area of Influence Map
7. Site Photos

21st Street N↑

Proposed Accessory Dwelling Unit

Eagy/Mainwaring
26555 W. 21st St N.
Garden Plain, KS 67050
719-360-8233

Flatland Estates
Lot 2 Block A

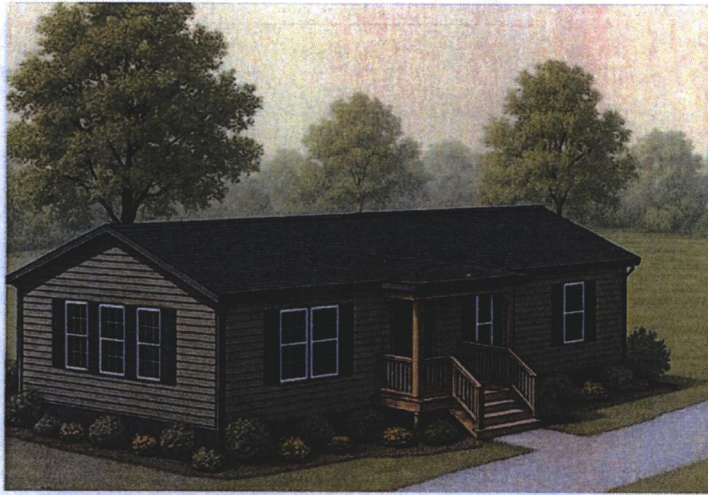


263rd street

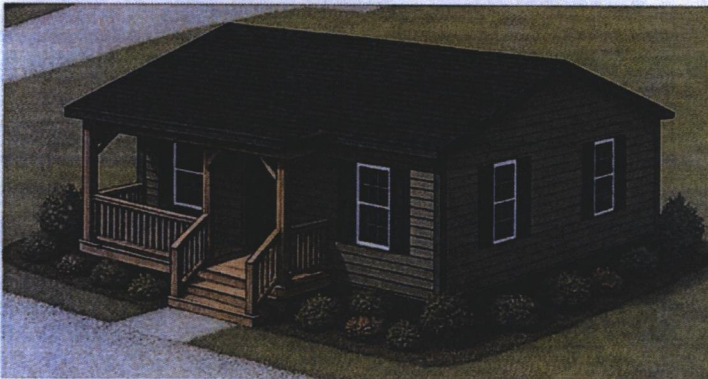
MAIN-32x80
GARAGE-44x36
ADU- 28x40

□ $1 = 20\text{ft}$

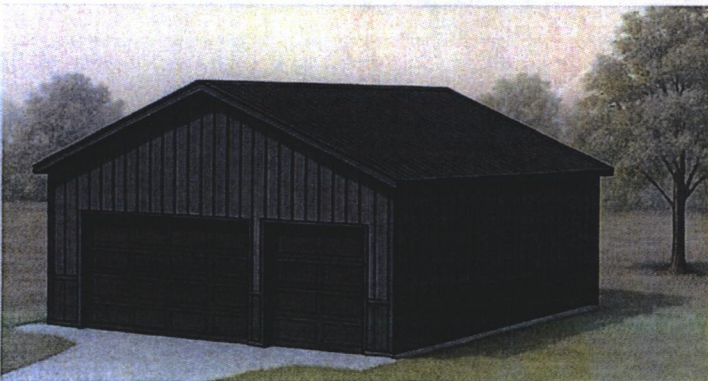
$$\begin{array}{l} 447 = 22.4 \\ 427 = 21.4 \\ 292 = 14.6 \\ 192 = 9.6 \end{array}$$



Main House

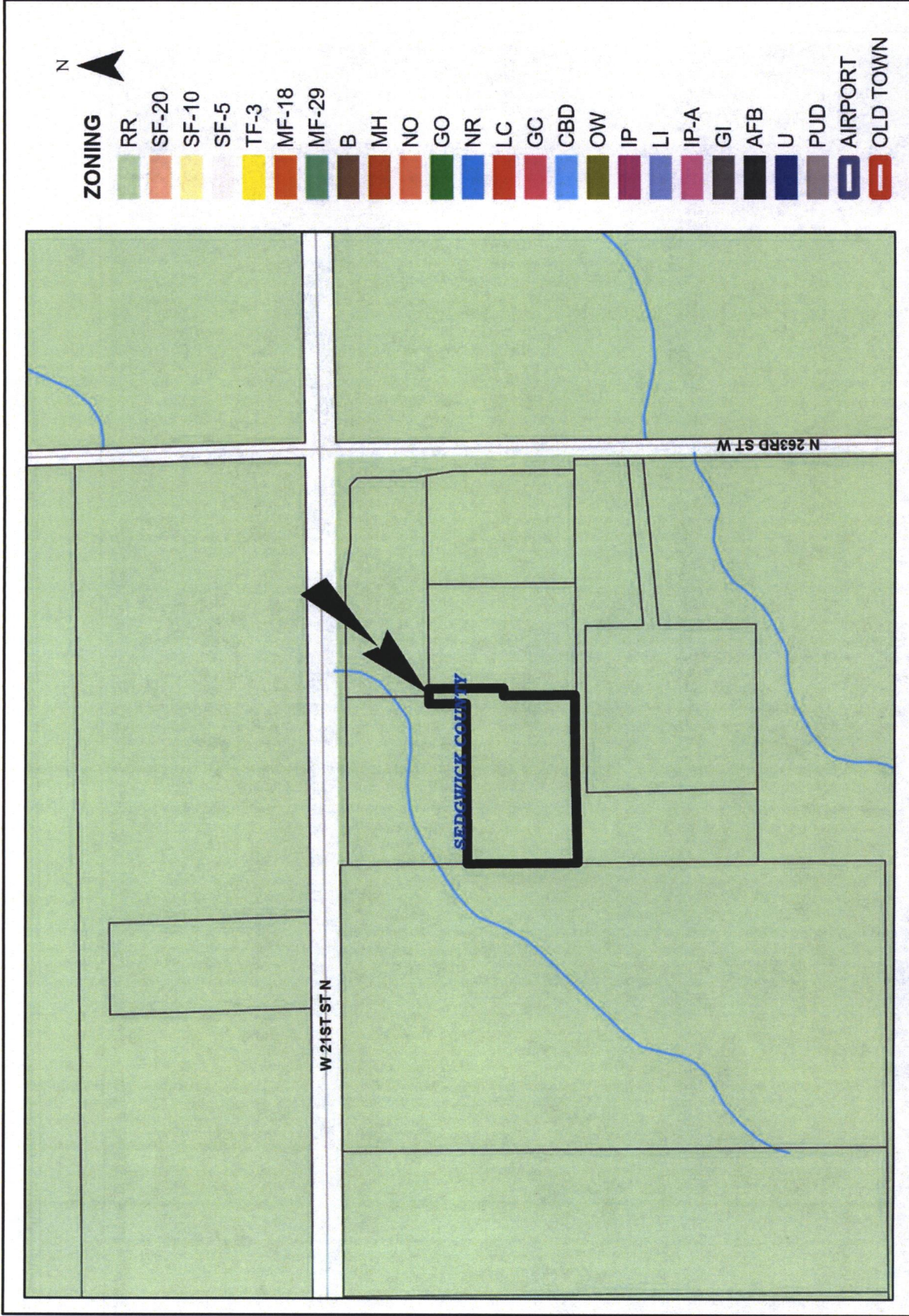


ADU Mom's house



Garage Barn





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



Map prepared by the Metropolitan Area Planning Commission
on behalf of the City of Wichita, Kansas
Map Date: 10/20/2023
Map Scale: Not to Scale
Map Source: Various sources including aerial photography, GIS data, and public input.



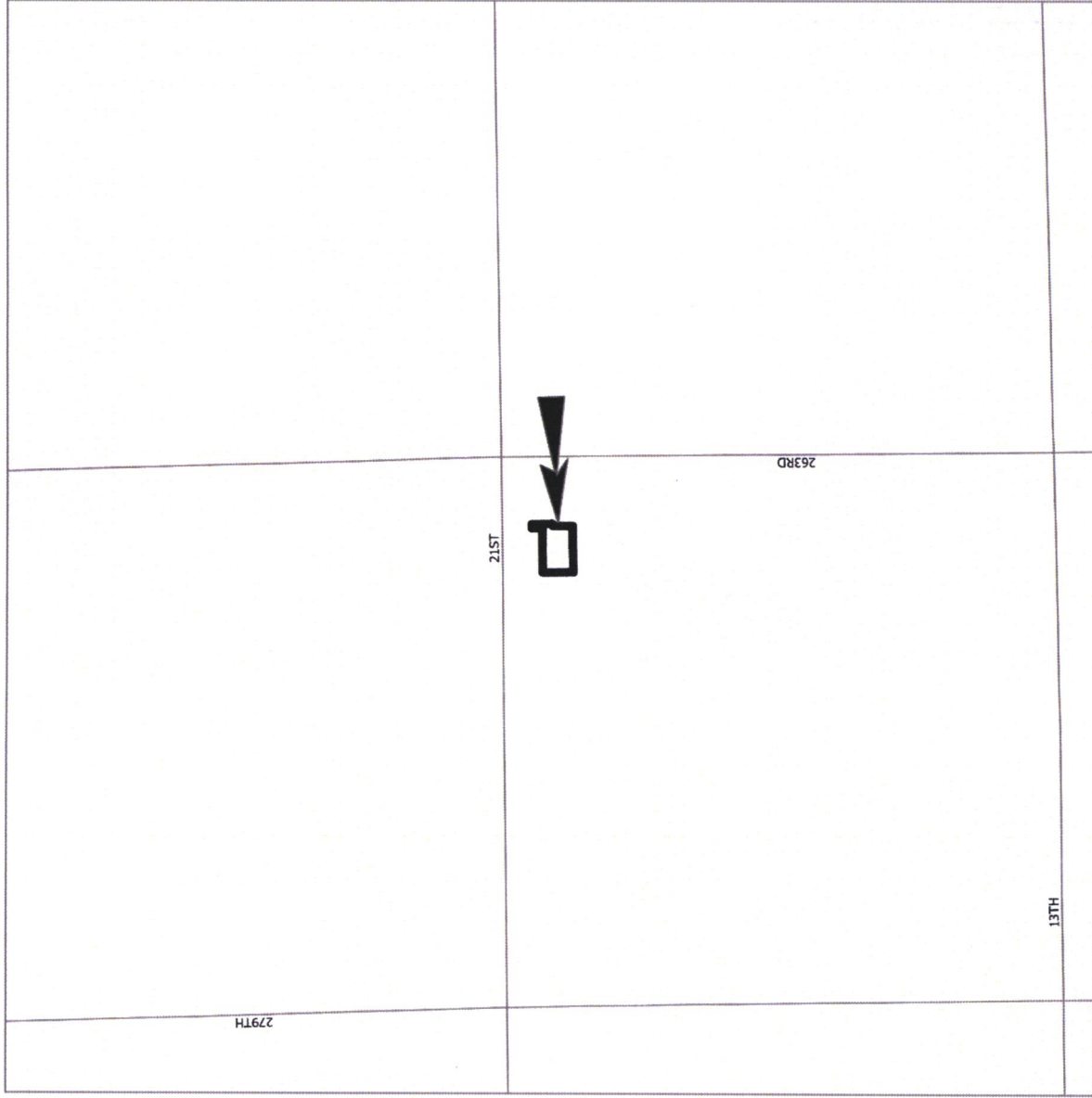
2035 Urban Growth Areas Map

(This map is not reflective of the Zoning Areas of Influence in Sedgwick County)



Legend

-  Application Area
-  Wichita Growth Area
-  Small City Urban Growth Area
-  Small City Urban Growth Area
-  Small City Urban Growth Area
-  Rural Area
-  K-96 Special Use Corridor
-  SCROADNG911



URBAN AREA OF INFLUENCE

Appendix in the
Wichita-Sedgwick County
Unified Zoning Code

Legend

-  Small City Area of Influence
-  Sedgwick County
-  City Limits
-  Application Area

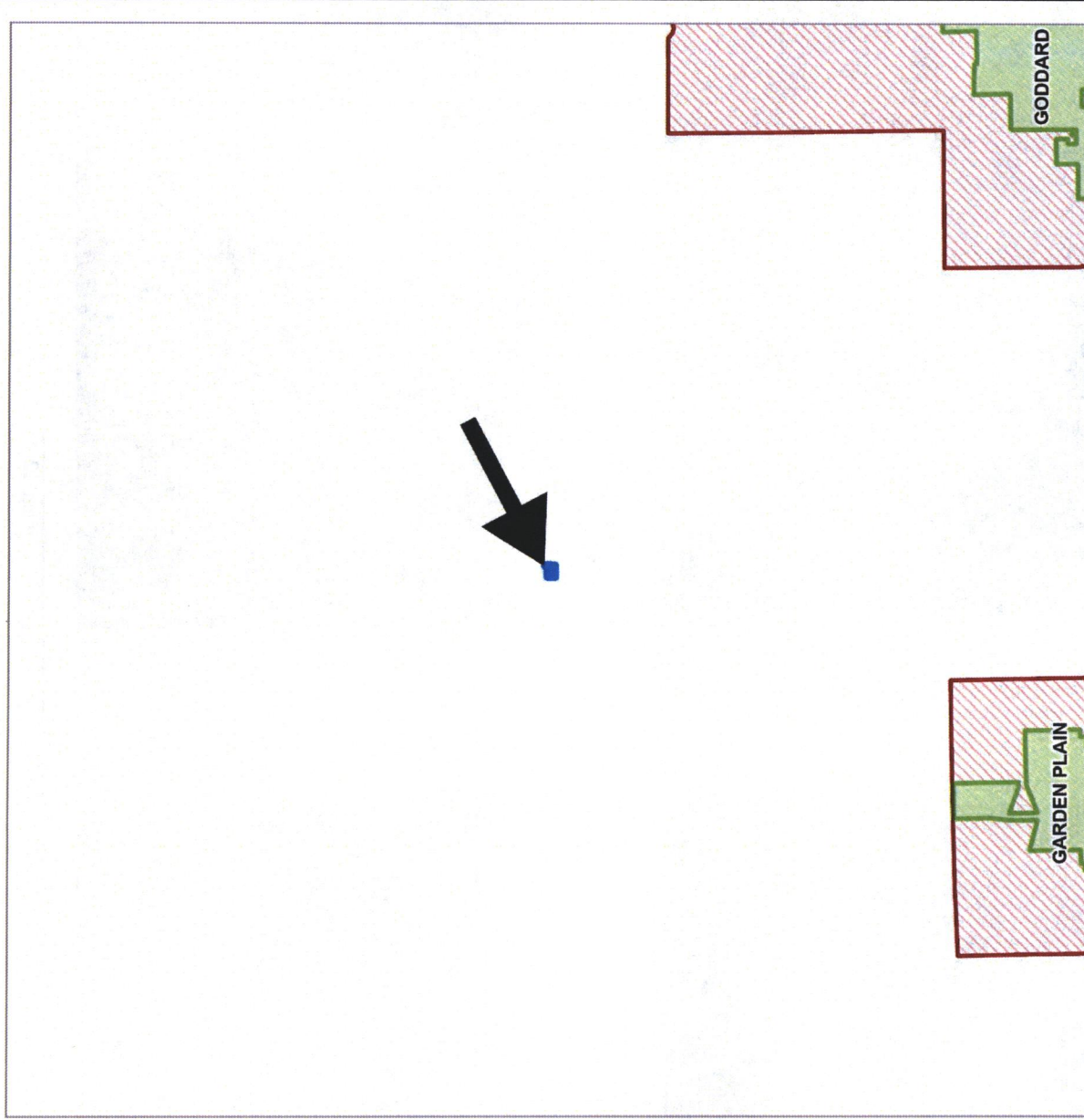


0 2,000 4,000 8,000 Feet

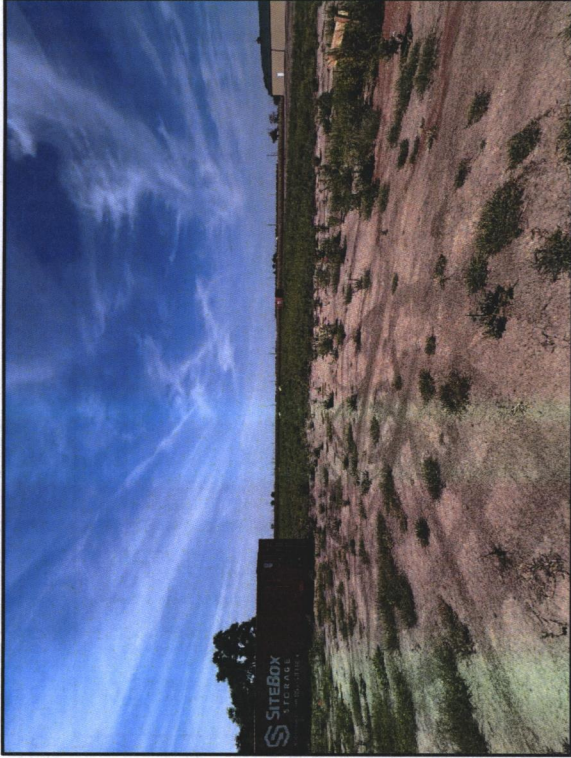
Scale: 1:61,574

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)

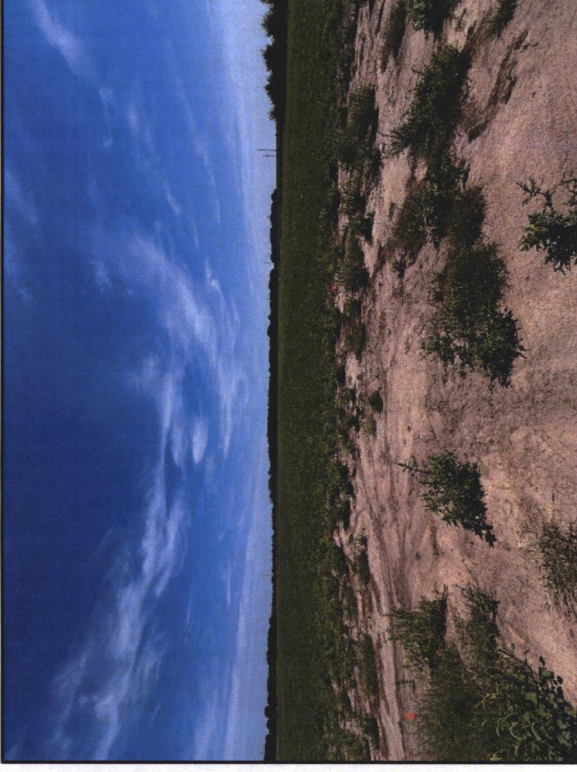
Disclaimer: This map has been modified for clarity and ease of understanding. Some elements may have been altered from the original version.



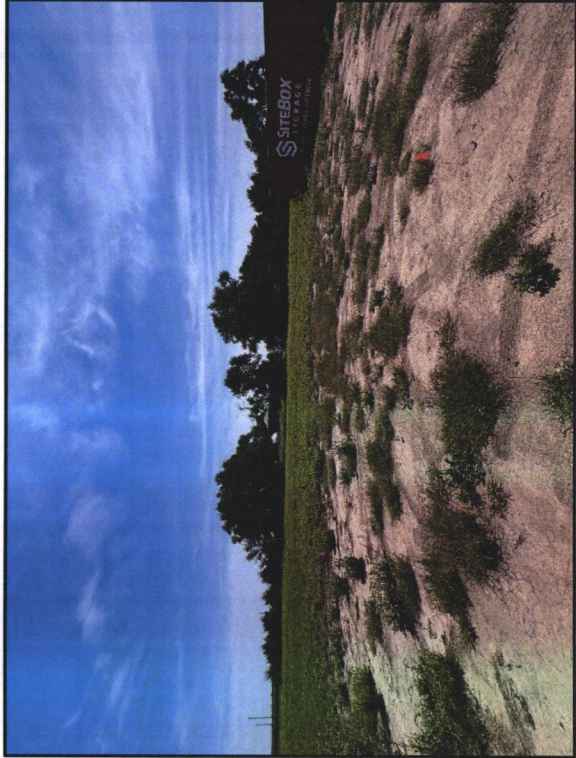
Looking west into site



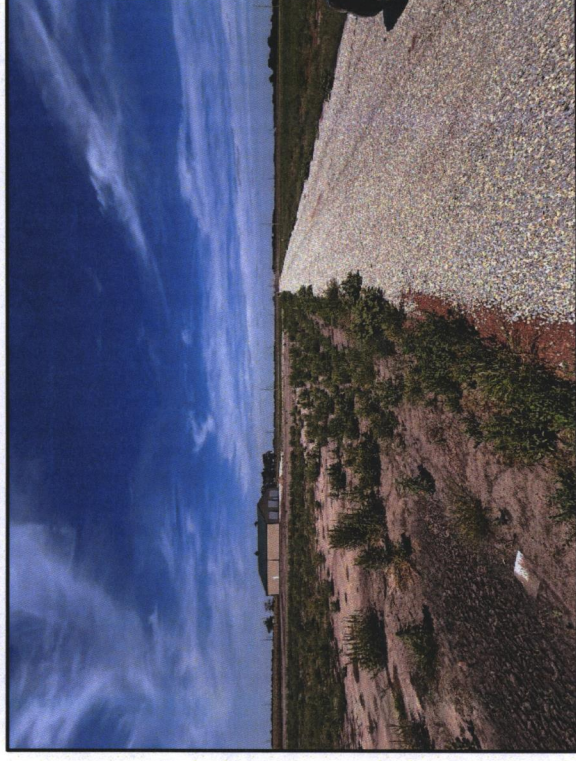
Looking east away from site



Looking south away from site

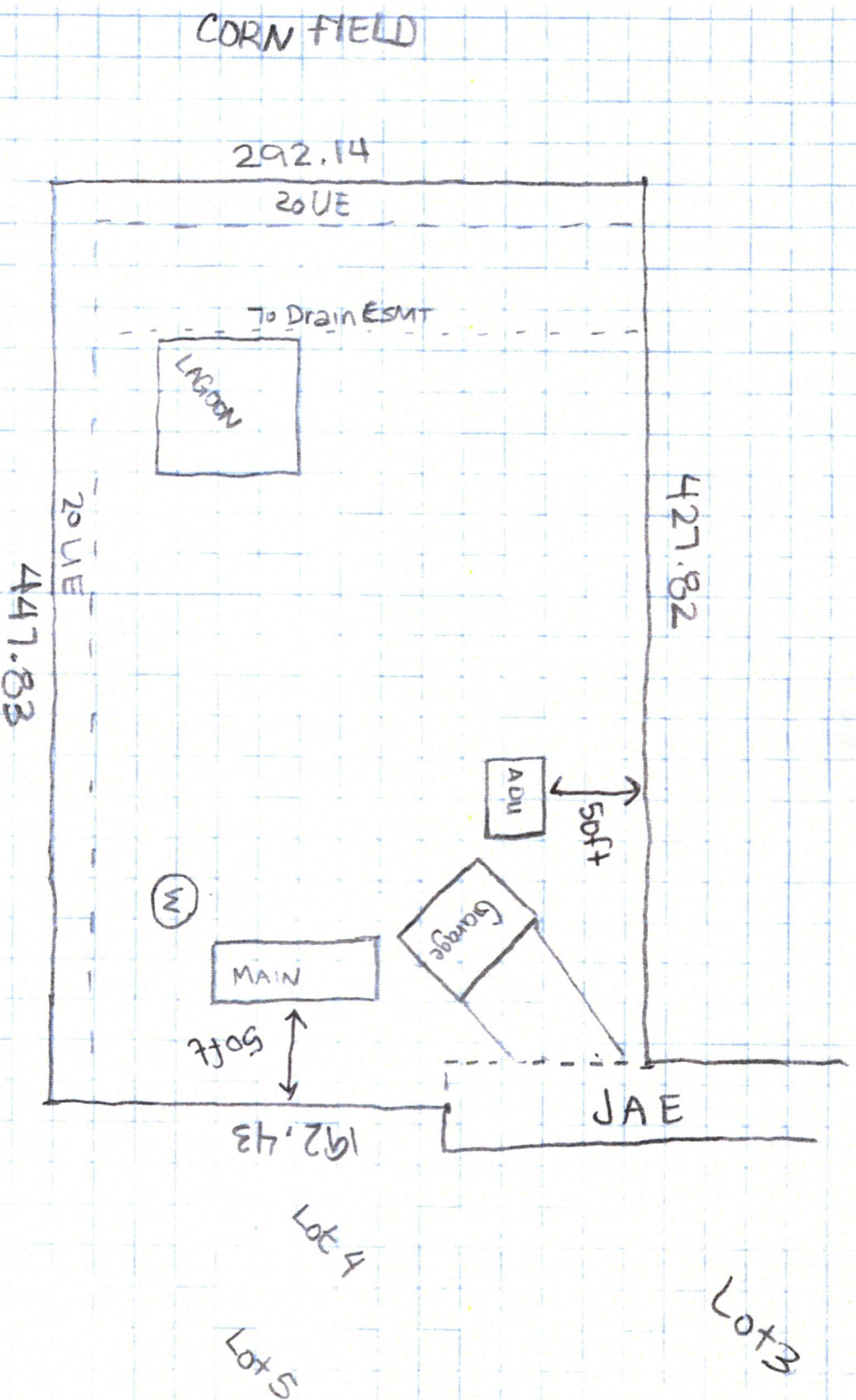


Looking north away from site



21st Street N↑

Lot 1



Proposed Accessory Dwelling Unit
 Easy/Mainwaring
 20555 W. 21st St. N.
 Garden Plain, KS 67053
 719-360-8233
 Flatland Estates
 Lot 2 Block A

263rd Street

Lot 4

Lot 5

MAIN - 32x80
 GARAGE - 44x36
 ADU - 28x40

N↑

1 = 20'

447 = 22.4
 427 = 21.4
 292 = 14.6
 192 = 9.6

SITE PLAN

APPROVED 9/24/25 BY SSC