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

Jose Raymundo and Maria Lopez Paredes
2044 North Fairview Avenue
Wichita, KS 67203

July 23, 2026

**RE: CON2026-00023** – Conditional Use request in the City for an Accessory Apartment on property zoned TF-3 Two-Family Residential District, generally located on the east side of North Fairview Avenue, within 175 feet south of West 20th Street North (2044 North Fairview Avenue).

Dear Applicant;

At its regular meeting on **July 9, 2026**, 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. Prior to the issuance of a Certificate of Occupancy, the structure shall come into conformance with the development standards for accessory structure height and setback requirements or appropriate action be taken (Variance and/or Administrative Adjustment) shall be taken to bring the structure into compliance.
2. The Accessory Apartment shall remain accessory to and under the same ownership as the principal single-family residence (located at 2204 North Fairview Avenue), and the ownership shall not be divided or sold as a condominium.
3. Development of the site shall be in conformance with the approved site plan.
4. The appearance of the accessory structure shall be compatible with the main dwelling unit and with the character of the neighborhood.
5. 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.
6. 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.
7. 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 received for this case. Therefore, the decision of the MAPC is final. If you have any questions concerning this application, please contact our office at 268-4421.

Sincerely,

Christina Rieth

Christina Rieth, AICP
Current Plans
Senior Planner

Cc: MABCD
Claudia Villatoro, *via email*

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

Jose Raymundo and Maria Lopez Paredes
2044 North Fairview Avenue
Wichita, KS 67203

July 10, 2026

**RE: CON2026-00023** – Conditional Use request in the City for an Accessory Apartment on property zoned TF-3 Two-Family Residential District, generally located on the east side of North Fairview Avenue, within 175 feet south of West 20th Street North (2044 North Fairview Avenue).

Dear Applicant;

At its regular meeting on **July 9, 2026**, 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. Prior to the issuance of a Certificate of Occupancy, the structure shall come into conformance with the development standards for accessory structure height and setback requirements or appropriate action be taken (Variance and/or Administrative Adjustment) shall be taken to bring the structure into compliance.
2. The Accessory Apartment shall remain accessory to and under the same ownership as the principal single-family residence (located at 2204 North Fairview Avenue), and the ownership shall not be divided or sold as a condominium.
3. Development of the site shall be in conformance with the approved site plan.
4. The appearance of the accessory structure shall be compatible with the main dwelling unit and with the character of the neighborhood.
5. 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.
6. 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.
7. 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 **July 23, 2026.** 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 **July 23, 2026, at 5:00 p.m.**

If no protests are received, then the decision of the MAPC is final. If protests are received, this application will be considered by the Wichita City Council on **Tuesday, August 11, 2026,** beginning at 9:00 a.m., at 455 North Main Street, Wichita, KS 67202, for final action.

Development application signs may now be removed from the property. If you have any questions concerning this application, please contact our office at 268-4421.

Sincerely,

Christina Rieth

Christina Rieth, AICP
Current Plans
Senior Planner

Cc: MABCD
Claudia Villatoro, *via email*

**CONDITIONAL USE RESOLUTION NO. CON2026-00023**

**WHEREAS**, Jose Raymundo and Maria Lopez Paredes, 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 an Accessory Apartment in the City in the TF-3 Two-Family Residential District zoning, located at 2044 North Fairview Avenue, legally described as:

Lots 12 and 14, Block 1, Avondale 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 July 9, 2026, 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 an Accessory Apartment in the City in the TF-3 Two-Family Residential District zoning, located at 2044 North Fairview Avenue, legally described as:

Lots 12 and 14, Block 1, Avondale Addition to Wichita, Sedgwick County, Kansas.

Approved subject to the following conditions:

1. Prior to the issuance of a Certificate of Occupancy, the structure shall come into conformance with the development standards for accessory structure height and setback requirements or appropriate action be taken (Variance and/or Administrative Adjustment) shall be taken to bring the structure into compliance.
2. The Accessory Apartment shall remain accessory to and under the same ownership as the principal single-family residence (located at 2204 North Fairview Avenue), and the ownership shall not be divided or sold as a condominium.
3. Development of the site shall be in conformance with the approved site plan.
4. The appearance of the accessory structure shall be compatible with the main dwelling unit and with the character of the neighborhood.
5. 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.
6. 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.
7. 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.

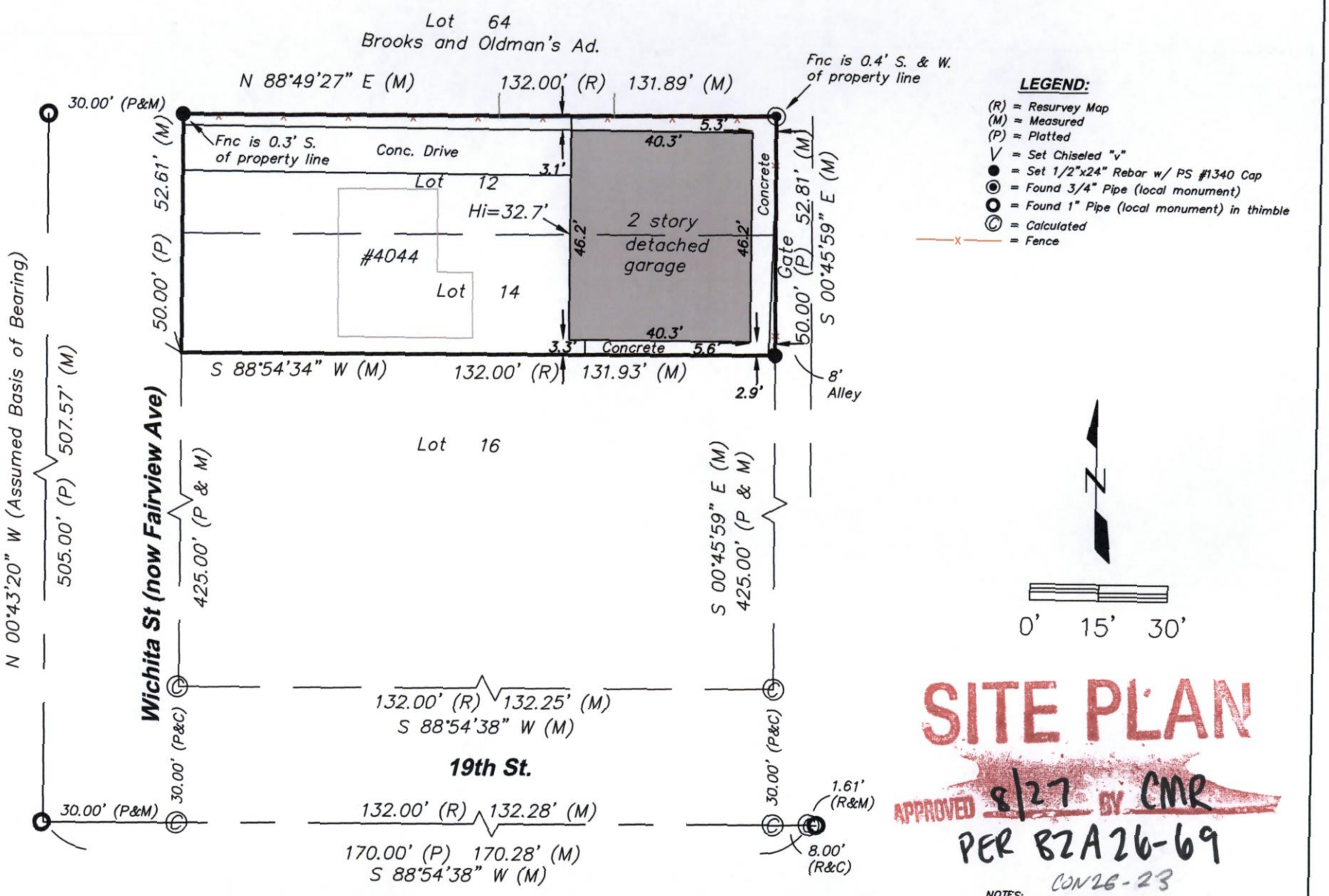
Adopted this 27 Day of AUGUST, 2026.

METROPOLITAN AREA PLANNING COMMISSION

Bob Aldrich, MAPC Chair

ATTEST:

Scott Wadle, Secretary




**LEGEND:**

- (R) = Resurvey Map
- (M) = Measured
- (P) = Platted
- V = Set Chiseled "v"
- ● = Set 1/2"x24" Rebar w/ PS #1340 Cap
- ◉ = Found 3/4" Pipe (local monument)
- ⊙ = Found 1" Pipe (local monument) in thimble
- Ⓒ = Calculated
- —x— = Fence

N

0' 15' 30'

# SITE PLAN

APPROVED 8/27 BY CMR
PER BZA26-69
CON26-23

NOTES:
1) Unplatted Easements of Record if any, are not shown hereon
2) Except as shown, property improvements are not shown hereon
3) Plat contains no Angles or Bearings
4) Fences are at or near property line, except as shown.

| | |
|---|---|
| Dwn. By: AMF | Aprvd. By: CRA |
| Dwg. No. A26-05-030 | Scale: 1" = 30' |

FILE: C:drawings/boundary/A26-05-030

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 |
|---|---|---|---|---|---|
| 41100 | IPL0314352 | Legal Ad - IPL0314352 | 03 12 2026 MAPC SUMMARY OFFICIAL HEARING | 1.0 | 89.0L |

ATTENTION: CITY OF WICHITA/PLANNING DEPT IP
271 WEST THIRD ST., 2ND FL, SU 203
WICHITA, KS 67202
MHEBERT@wichita.gov;kgonzalez@wichita.gov

**MAPC/BZA March 12, 2026 OFFICIAL HEARING NOTICE**

NOTICE IS HEREBY GIVEN that on **Thursday, March 12, 2026, 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.**

**BZA2026-00010:** Variance request in the City to allow a reduction in parking from 127 to 30 for Group Residence; General on property zoned LC Limited Commercial District with PO #437, generally located on the north side of West 9th Street North, within one block west of North Main Street.

**CON2026-00011:** Conditional Use request in the City for multi-family density in the TF-3 Two-Family Residential District, generally located west of South Bonn Street and approximately one quarter mile north of West Harry Street (1311 South Bonn Avenue).

**CON2026-00023:** Conditional Use request in the City for an Accessory Apartment on property zoned TF-3 Two-Family Residential District, generally located on the east side of North Fairview Avenue, within 175 feet south of West 20th Street North (2044 North Fairview Avenue).

**DER2025-00015:** Unified Zoning Code amendment (City) to the Public Notification pertaining to requirements for the mailed notification letters.

**DER2026-00001:** Comprehensive Plan amendment (City and County) pertaining to urban scale density in unincorporated Sedgwick County.

**VAC2026-00002:** Vacation request in the City to vacate a portion of the west building setback on property zoned SF-5 Single-Family Residential District, generally located on the south side of West 34th Street North, and one block east of North Arkansas Avenue (525 West 34th Street North).

**ZON2026-00002:** Zone Change request in the City from B Multi-Family Residential District to LC Limited Commercial District, generally located on the east side of North Pennsylvania Avenue, within 300 feet south of East 3rd Street North (332 North Pennsylvania Avenue).

**ZON2026-00003:** Zone Change request in the City from PUD #104 and LI Limited Industrial District to TF-3 Two-Family Residential District, generally located on the east side of North Greenwich Road and within one-quarter mile north of East 37th Street North
IPL0314352
Feb 18 2026

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

the undersigned, 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.

1.0 insertion(s) published on:
02/18/26 Print

Print Tearsheet Link

Marketplace Link

Russ Davis

DIGITALLY SIGNED

Russ Davis

Sherry J Chasteen

DIGITALLY SIGNED

Sworn to and subscribed before me on Feb 18, 2026, 10:27 AM EST

NOTARY PUBLIC STATE OF TEXAS
SHERRY J CHASTEEN
ELECTRONIC NOTARY PUBLIC
STATE OF TEXAS
COMMISSION # 125328493
MY COMMISSION EXPIRES 4/16/2029

Online Notary Public. This notarial act involved the use of online audio/video communication technology. Notarization facilitated by SIGNiX®

AGENDA ITEM NO. 4.3

WICHITA–SEDGWICK COUNTY
W-SC
METROPOLITAN AREA PLANNING COMMISSION

**STAFF REPORT**
MAPC: March 12, 2026
DAB VI: March 9, 2026

| | |
|---|---|
| CASE NUMBER: | CON2026-00023 (City) |
| APPLICANT/AGENT: | Jose Raymundo and Maria Lopez Paredes (Applicants) |
| REQUEST: | Conditional Use to allow an Accessory Apartment |
| CURRENT ZONING: | TF-3 Two-Family Residential District |
| SITE SIZE: | 0.15 acres |
| LOCATION: | Generally located on the east side of North Fairview Avenue, within 200 feet south of West 20th Street North (2044 North Fairview Avenue) |
| PROPOSED USE: | Accessory Apartment |
| RECOMMENDATION: | Defer to May 14, 2026 |



**BACKGROUND:** The applicant is requesting a Conditional Use to allow an Accessory Apartment on a property zoned TF-3 Two-Family Residential District (TF-3). The 0.15-acre property is generally located on the east side of North Fairview Avenue, within 200 feet south of West 20th Street North (2044 North Fairview Avenue). The subject site is currently developed with a 788-square-foot single-family residential dwelling constructed in 1940 and a two story, 38-foot by 40-foot (3,040 square foot) accessory structure constructed in 2025. The applicant is requesting a Conditional Use to bring the accessory structure, in which an Accessory Apartment is located, into compliance.

According to a representative from the Metropolitan Area Building and Construction Department (MABCD), the applicant submitted plans to remove the existing garage and replace it with a one-story, two-car garage in October 2024. Upon completion, the MABCD inspector noticed that the garage was two stories in height with living quarters (spaces for sleeping, eating, cooking, and sanitation) on the second floor.

The site plan illustrates that the accessory structure is five feet from the rear property line and three feet from each side setback. The height of the accessory structure is unknown, but it appears to exceed the maximum allowed height for accessory structures in TF-3 zoning. Without a survey, it is unknown the exact location of the structure in relation to property lines. Fence lines cannot be assumed as the actual property line. Furthermore, it is unknown what the actual height of the structure is, as defined by the Unified Zoning Code (UZC). If needed, applicant intends to apply for a Variance to allow the existing accessory structure to remain at its current height (if it exceeds the limits set forth in the UZC) in order to bring the structure into compliance. Additional action may be necessary regarding the setbacks.

Accessory Apartments are subject to Section III-D.6.a of the 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.

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.

- 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.

- 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.

- 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. Sixty percent of the maximum allowed height of 35 is 21 feet. In this instance with a gabled roof, the height is the measured at the midpoint between the bottom of the

roof line and the peak.

The character of the neighborhood is low-density residential. Properties to the north, south, east, and west are developed with single-family residences. Properties to the north, south, and west are zoned TF-3, and the properties to the west are zoned MF-29 Multi-Family Residential District.

**CASE HISTORY:** In 1887, the subject site was platted as part of the Avondale Addition. There are no zoning cases associated with this property.

**ADJACENT ZONING AND LAND USE:**

| | | |
|---|---|---|
| North: | TF-3 | Single-family dwelling |
| South: | TF-3 | Single-family dwelling |
| East: | MF-29 | Single-family dwellings |
| West: | TF-3 | Single-family dwelling |

**PUBLIC SERVICES:** The subject site has access to North Fairview Avenue, which is a two-way local street with sidewalks on each side. All municipal services and utilities, such as water and sewer, already serve this site. Wichita Transit stops one block northwest of the subject site, on the southeast corner of West 21st Street North and North Waco Avenue.

**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 primarily identifies the site as appropriate for "Residential" uses, which the Plan defines as follows: "*Encompasses 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 an appropriate housing type within this category.

The *Plan*'s Locational Guidelines provide a decision-making framework regarding land use changes. In general, "Development should occur where necessary supporting infrastructure and services exist or are planned for extension concurrently with the development." The Accessory Apartment will share utilities with the principal structure, where the infrastructure and services already exist.

The requested Conditional Use is in conformance with the *Wichita: Places for People Plan*. The *Places for People Plan* outlines a list of Strategies intended to 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 the new residents and allow existing residents to remain in the [Established Central Area] ECA." The requested Conditional Use allows for additional housing for new residents. Strategy 6 aims to "Encourage infill and redevelopment that is contextual to the environment in which it is occurring." The proposed Accessory Apartment would create infill housing.

**RECOMMENDATION:** Based upon the information available at the time the report was prepared, staff recommends that the Conditional Use be **DEFERRED** to the May 14, 2026, MAPC hearing so that the applicant can provide MAPC Staff survey documentation regarding the following. Survey documentation should be provided to MAPD Staff by April 30, 2026.

1. The actual height of the structure, as defined by the Unified Zoning Code (midpoint of the gable height)
2. The distance between the structure and all property lines.

Alternative

Should the MAPC consider approval of the item. Staff recommends the following conditions and findings.

1. The applicant shall provide survey documentation regarding the actual height of the structure, as defined by the UZC, and the distance between the structure and all property lines prior to the issuance of a Certificate of Occupancy.
    a. If the height and/or setbacks do not meet the standards set forth in the UZC for accessory structures, the applicant shall obtain property zoning approval prior to the issuance of a Certificate of Occupancy.
2. The Accessory Apartment shall remain accessory to and under the same ownership as the principal single-family residence (located at 2204 North Fairview Avenue), and the ownership shall not be divided or sold as a condominium.
3. Development of the site shall be in conformance with the approved site plan.
4. The appearance of the accessory structure shall be compatible with the main dwelling unit and with the character of the neighborhood.
5. 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.
6. 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.
7. 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 developed with single-family residences. Properties to the north, south, and west are zoned TF-3, and the properties to the west are zoned MF-29 Multi-Family Residential District.

2. The suitability of the subject property for the uses to which it has been restricted: The subject site is currently zoned TF-3 Two-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 subject property is not vacant. The property has been developed with a single-family residential dwelling since 1940 and an accessory structure since 2025.

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.

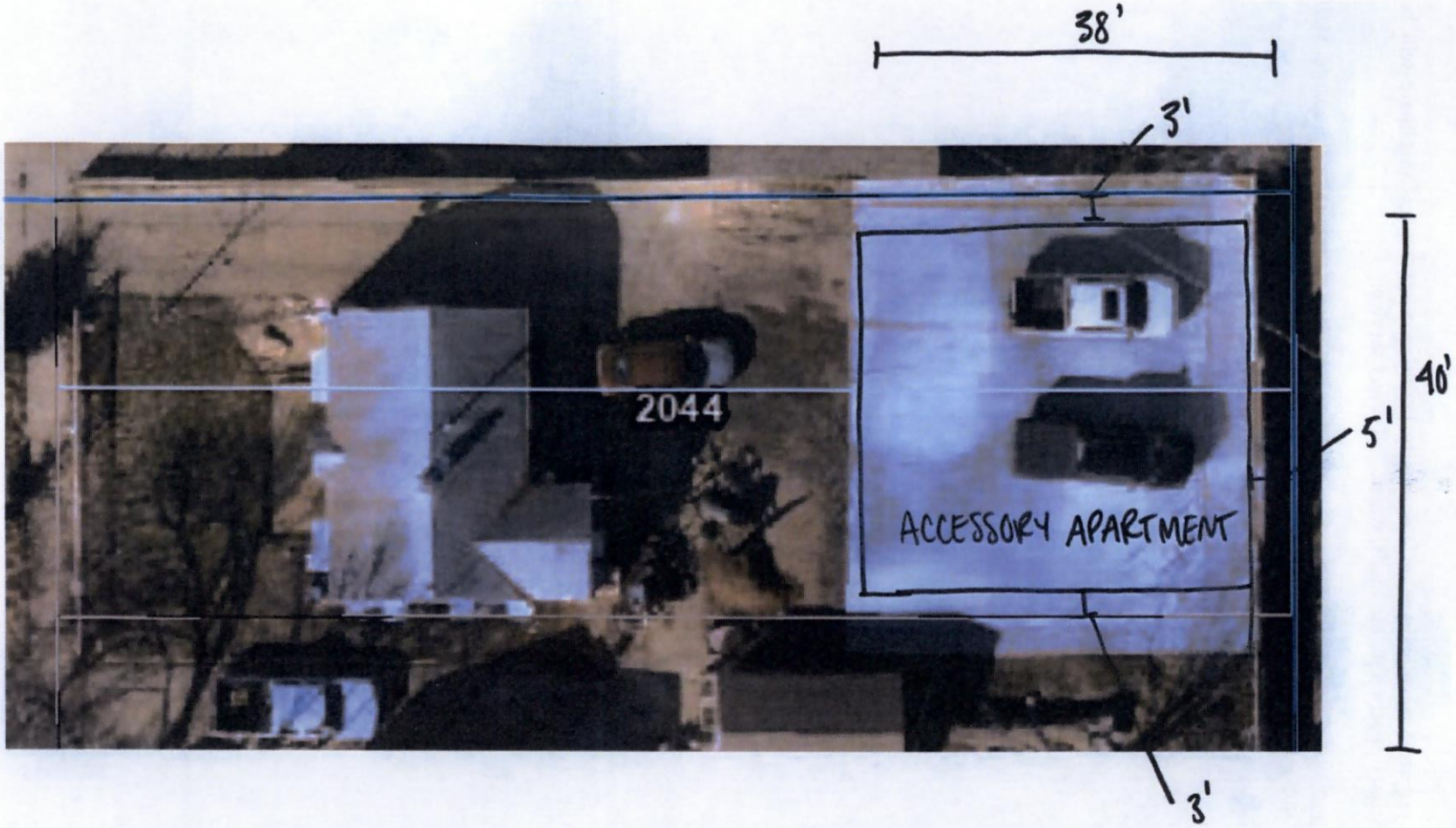
6. Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies: The proposed use is in conformance with the *Community Investments Plan* and the *Wichita: Places for People Plan*, as discussed in the report.

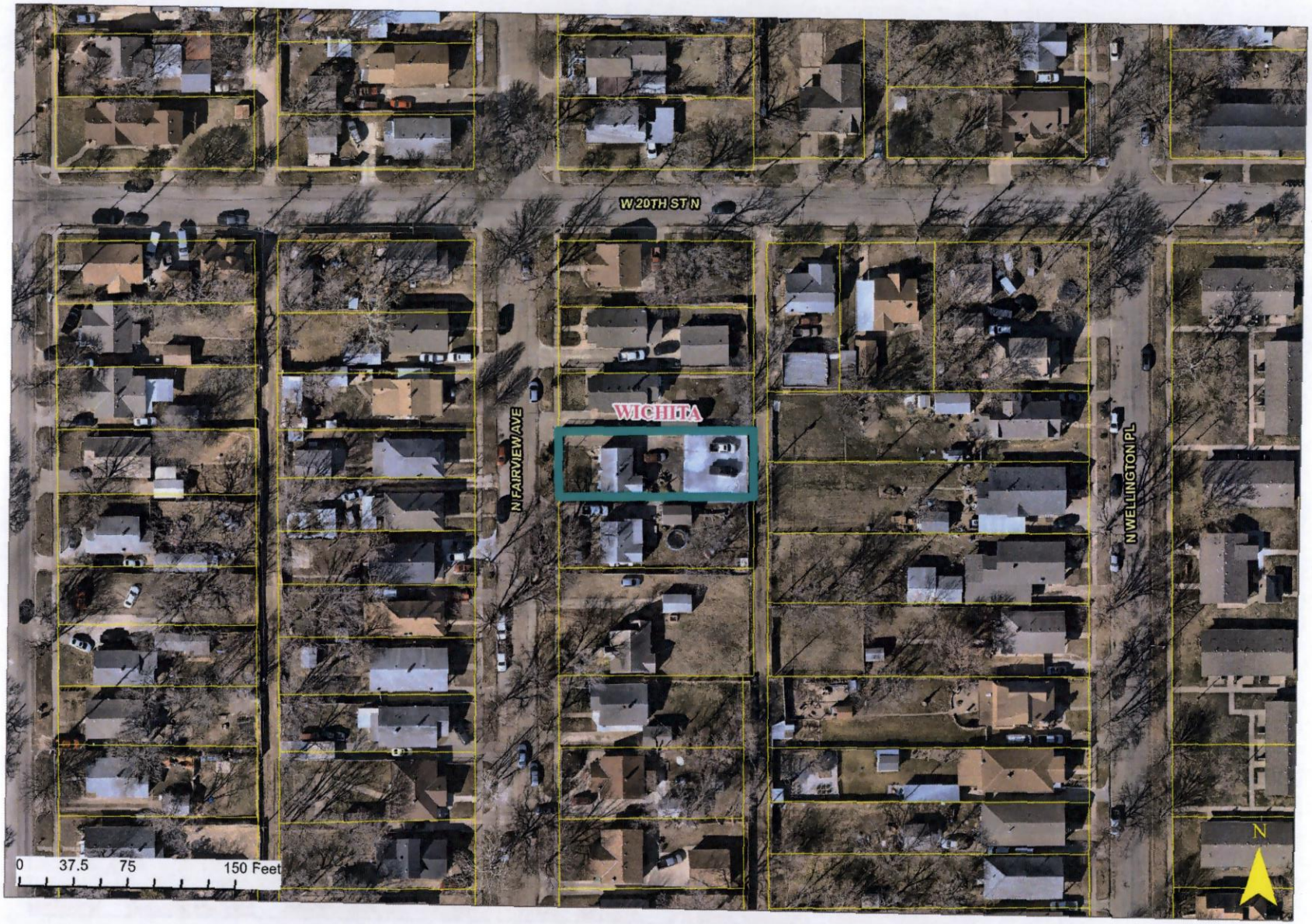
7. Impact of the proposed development on community facilities: Staff expects that there will be minimal significant impact on public roads, water, and sewer service.

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


38'
3'
2044
ACCESSORY APARTMENT
40'
5'
3'


W 20TH ST N
N FAIRVIEW AVE
WICHITA
N WELLINGTON PL
0 37.5 75 150 Feet
N


W 21ST ST N
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SF-10
SF-5
TF-3
MF-18
MF-29
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CBD
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GI
AFB
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PUD
AIRPORT
OLD TOWN

# 2035 Wichita Future Growth Concept Map



**Looking east towards site**



**Looking north away from site**



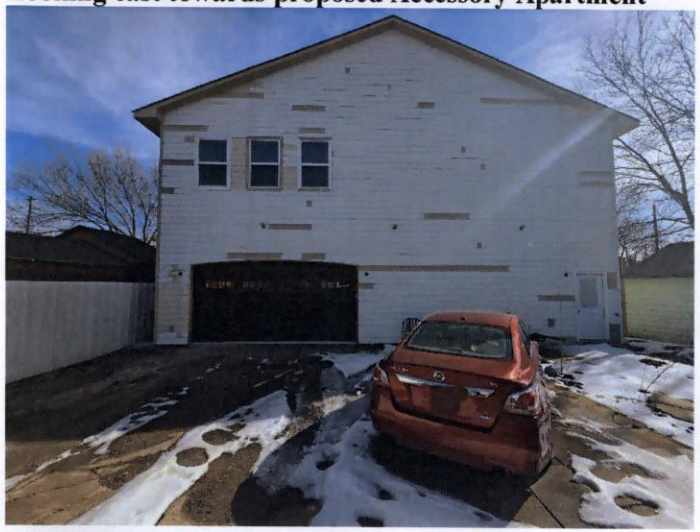
**Looking west away from site**



**Looking south away from site**



**Looking east towards proposed Accessory Apartment**



**Looking west towards site**



**Looking south towards site**

