Wichita-Sedgwick County Metropolitan Area Planning Department

February 27, 2026

Derek and Jennifer Keller
1469 N Perry Ave
Wichita, KS 67203

RE: CON2025-00162: Conditional Use request for an Accessory Apartment on property zoned SF-5 Single-Family Residential District, generally located on the west side of North Perry Avenue, within 900 feet north of West 13th Street North (1469 North Perry Avenue)

Dear Applicant;

At its regular meeting on **February 12, 2026**, the Wichita - Sedgwick County Metropolitan Area Planning Commission considered the above captioned request. The action of the MAPC was to recommend **APPROVAL** of the request, subject to the following conditions:

1. The Accessory Apartment shall remain accessory to and under the same ownership as the principal single-family residence (located at 1469 North Perry Avenue), 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.

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

Copies to: MABCD
Maggie Ballard, Council Member, District VI
Ana Lopez, CSR, District VI

Wichita-Sedgwick County Metropolitan Area Planning Department

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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 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 **February 26, 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 **February 26, 2026, at 5:00 p.m**.

This application will be heard by the Wichita City Council on **Tuesday, April 7, 2026**, beginning at 9:00 a.m. The Wichita City Council meeting will be held at 455 N. Main St., 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 268-4421.

Sincerely,

Brad Eatherly
Current Plans
Senior Planner

Copies to: MABCD
Maggie Ballard, Council Member, District VI
Ana Lopez, CSR, District VI

CONDITIONAL USE RESOLUTION NO. CON2025-00162

WHEREAS, Derek and Jennifer Keller, 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 SF-5 Single-Family Residential District zoning located at 1469 North Perry Avenue, legally described as:

> Beginning at a point 325 feet South of the Northeast corner of Lot 14, The Hanna Subdivision, Sedgwick County, Kansas; thence South 130 feet; thence West parallel with the North line of said Lot 14 to the Left bank of the Arkansas River; thence Northeasterly along said Left bank to a point West of the beginning; thence East to the point of beginning, EXCEPT that part condemned by City of Wichita, Kansas, in District Court Case #105035, for Perry Avenue.

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 12, 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 Accessory Apartment in SF-5 Single-Family Residential District zoning located at 1469 North Perry Avenue, legally described as:

> Beginning at a point 325 feet South of the Northeast corner of Lot 14, The Hanna Subdivision, Sedgwick County, Kansas; thence South 130 feet; thence West parallel with the North line of said Lot 14 to the Left bank of the Arkansas River; thence Northeasterly along said Left bank to a point West of the beginning; thence East to the point of beginning, EXCEPT that part condemned by City of Wichita, Kansas, in District Court Case #105035, for Perry Avenue.

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 1469 North Perry Avenue), 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.

Adopted this ___ Day of _____, 2026.

METROPOLITAN AREA PLANNING COMMISSION

Bryan Frye, Chairman

ATTEST:

Scott Wadle, Secretary

SITE PLAN

APPROVED 2/12/26 BY MAZ JBE

CON2025-00162

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	IPL0306900	Legal Ad - IPL0306900		1.0	81.0L

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 February 12, 2026
OFFICIAL HEARING NOTICE

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

BZA2025-00091: Variance request in the City to allow gravel as a parking surface; generally located on the east side of North Hillside Avenue and within 500 feet north of East 27th Street North (2800 North Hillside Avenue).

CON2025-00162: Conditional Use request in the City for an Accessory Apartment on property zoned SF-5 Single-Family Residential District, generally located on the west side of North Perry Avenue, within 900 feet north of West 13th Street North (1469 North Perry Avenue).

CON2026-00001: Conditional Use request in the City for an Entertainment Establishment in the City (with ZON2026-00001 for zone change from TF-3 to LC), generally located west of North Fairmount Avenue and one block south of East 17th Street North (1655 North Fairmount Avenue).

ZON2025-00067: Zone Change request in the City from SF-5 Single-Family Residential District to TF-3 Two-Family Residential District, generally located and 912 feet north of West 55th Street South and 0.4 miles west of South Seneca Street (5413 South Vine Street).

ZON2025-00072: Zone Change request in the City from GO General Office and MF-29 Multi-Family Residential to GC General Commercial to allow Construction Sales and Service, generally located to the southeast of the corner of East 9th Street North and North Hillside Avenue and on the west site of North Holyoke Avenue.

ZON2026-00001: Zone Change request in the City from TF-3 Two-Family Residential to LC Limited Commercial District (with CON2026-00001 for Entertainment Establishment in the City), generally located west of North Fairmount Avenue, within one block south of East 17th Street North (1655 North Fairmount Avenue).
IPL0306900
Jan 21 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:
01/21/26 Print

Print Tearsheet Link

Marketplace Link

Amanda Rodela

DIGITALLY SIGNED

Amanda Rodela

Julie A Ambry

DIGITALLY SIGNED

Sworn to and subscribed before me on Jan 21, 2026, 9:58 AM EST

OFFICIAL SEAL
JULIE A AMBRY
NOTARY PUBLIC, STATE OF ILLINOIS
COMMISSION NO. 1010931
MY COMMISSION EXPIRES MAY 28, 2029

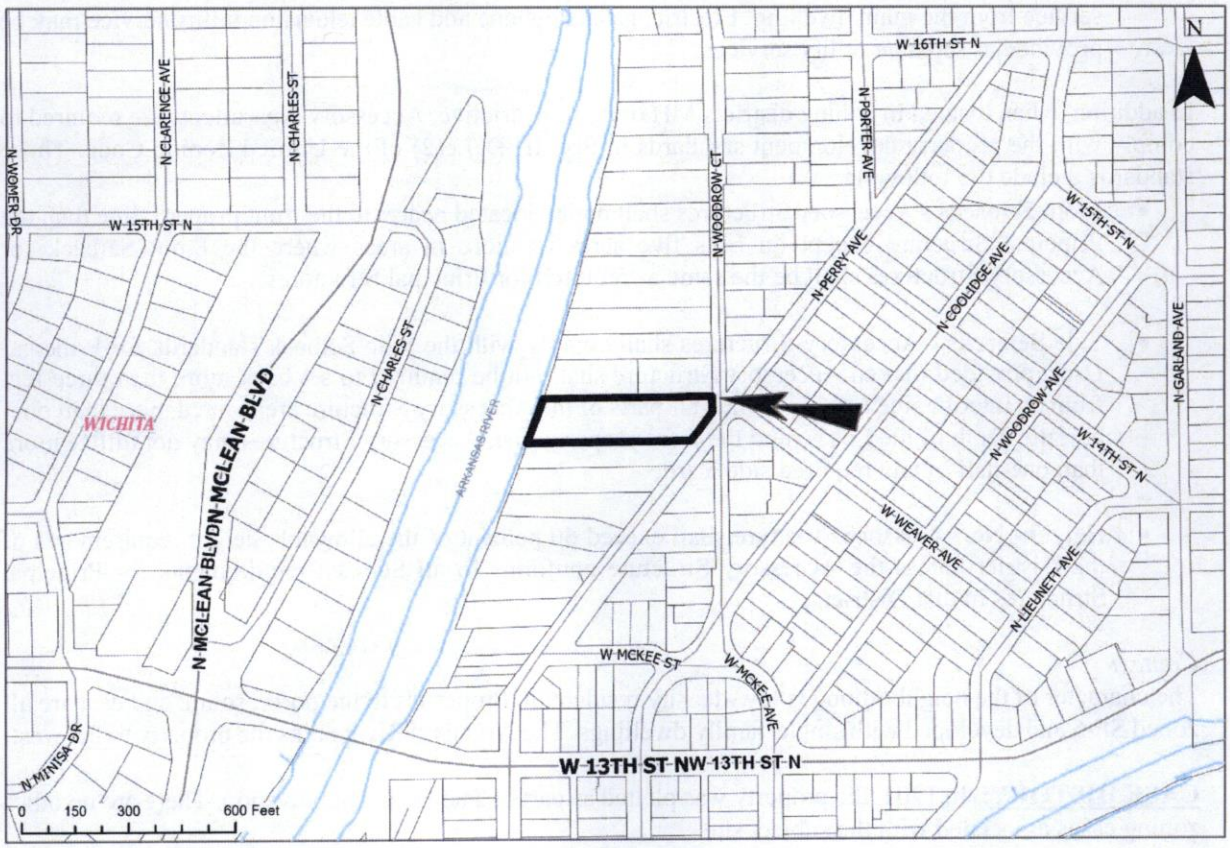
Online Notary Public. This notarial act involved the use of online audio/video communication technology. Notarization facilitated by SIGNiX®

AGENDA ITEM NO. 4.1

WICHITA–SEDGWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION

STAFF REPORT
MAPC: February 12, 2026
DAB VI: February 9, 2026

CASE NUMBER:	CON2025-00162 (City)
APPLICANT/AGENT:	Derek and Jennifer Keller (Applicants)
REQUEST:	Conditional Use to allow an Accessory Apartment
CURRENT ZONING:	SF-5 Single-Family Residential District
SITE SIZE:	1.39 acres
LOCATION:	Generally located on the west side of North Perry Avenue, within 900 feet north of West 13th Street North (1469 North Perry Avenue)
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 1.39-acre property is generally located on the west side of North Perry Avenue, within 900 feet north of West 13th Street North (1469 North Perry Avenue). The subject site is currently developed with a single-family residential dwelling, a pool, and a storage shed. The applicant is requesting the Conditional Use in order to construct a detached garage with an attached dwelling unit.

The subject site has previously had a legal, non-conforming Accessory Apartment located on the property. A dwelling unit is defined by the Unified Zoning Code as "*a building or portion of a building that contains living facilities for not more than one family and that includes provisions for sleeping, cooking, eating, and sanitation.*" The applicant intends to construct a new accessory structure on site that will feature a 60' x 19' living area and 71' x 25' attached garage. The new structure would be situated six (6) feet from the interior side (south) property line. Section A.4 of the UZC requires one parking space per Accessory Apartment and one space for a single-family residence. The new structure and existing driveway would accommodate the necessary parking for both uses on site.

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.

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 areas 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.

Context

The character of the neighborhood is low-density residential. Properties to the north, south, and east are all zoned SF-5 and developed with single-family dwellings. The Arkansas River abuts the property to the west.

CASE HISTORY: In 1904, the property was platted as part of The Hanna Subdivision. There are no other zoning cases associated with the subject site.

ADJACENT ZONING AND LAND USE:

North:	SF-5	Single-family dwelling
South:	SF-5	Single-family dwelling
East:	SF-5	Single-family dwellings
West:	N/A	Arkansas River

PUBLIC SERVICES: The subject site has access to North Perry Avenue, a two-way local street with no sidewalks on either side. All municipal services and utilities, such as water and sewer, already serve this site. Wichita Transit does not serve the subject site.

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

The requested Conditional Use is in conformance with the *Wichita: Places for People Plan*. The *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 new residents and allow existing residents to remain in the ECA." The subject site will create an additional unit of housing, adding to the range of housing in the immediate area. Strategy 6 aims to "Encourage infill and redevelopment that is contextual to the environment in which it is occurring." The proposed Accessory Apartment creates infill housing amongst other residential buildings.

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 1469 North Perry Avenue), 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.
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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.

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, and east are all zoned SF-5 and developed with

single-family dwellings. The Arkansas River abuts the property to the west.

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 subject property is currently 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 a significant detrimental effect on the public health, safety, or welfare. Denial of the application may result in a loss of enjoyment for the applicant.

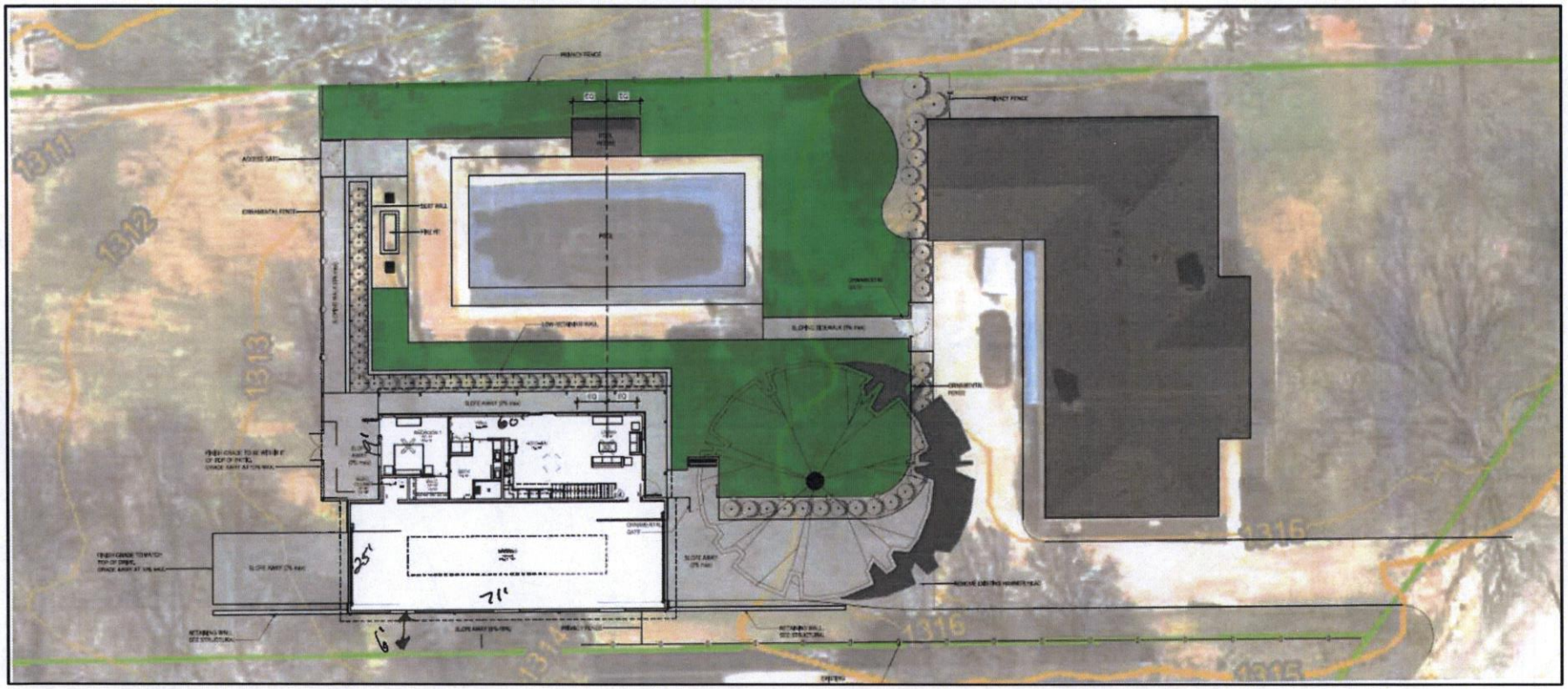
6. Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies: The proposed use is in conformance with the *Community Investments Plan* and the *Wichita: Places for People Plan*, as discussed in the report.

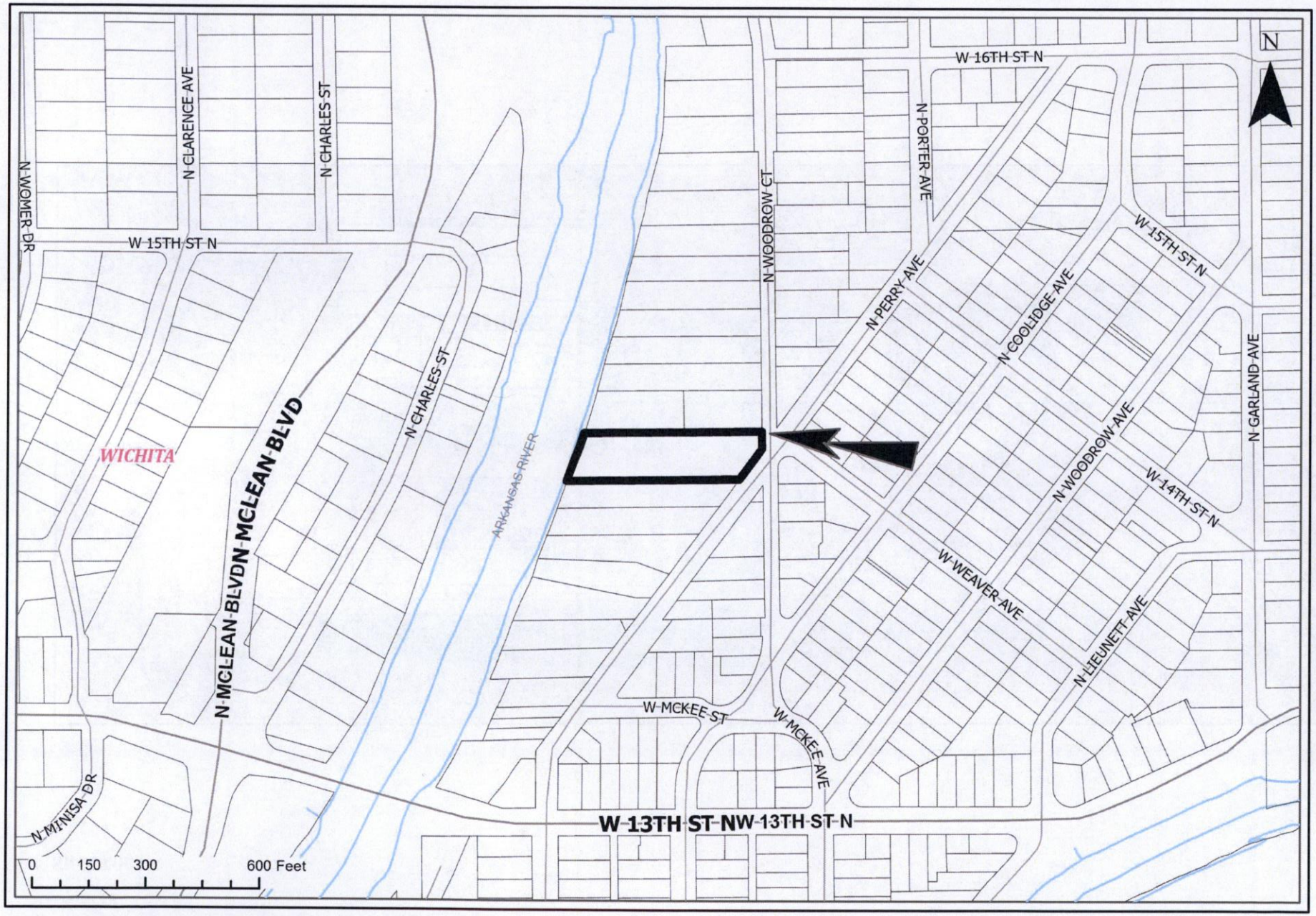
7. Impact of the proposed development on community facilities: Staff expect that there will be minimal significant impact on public roads, water, and sewer service.

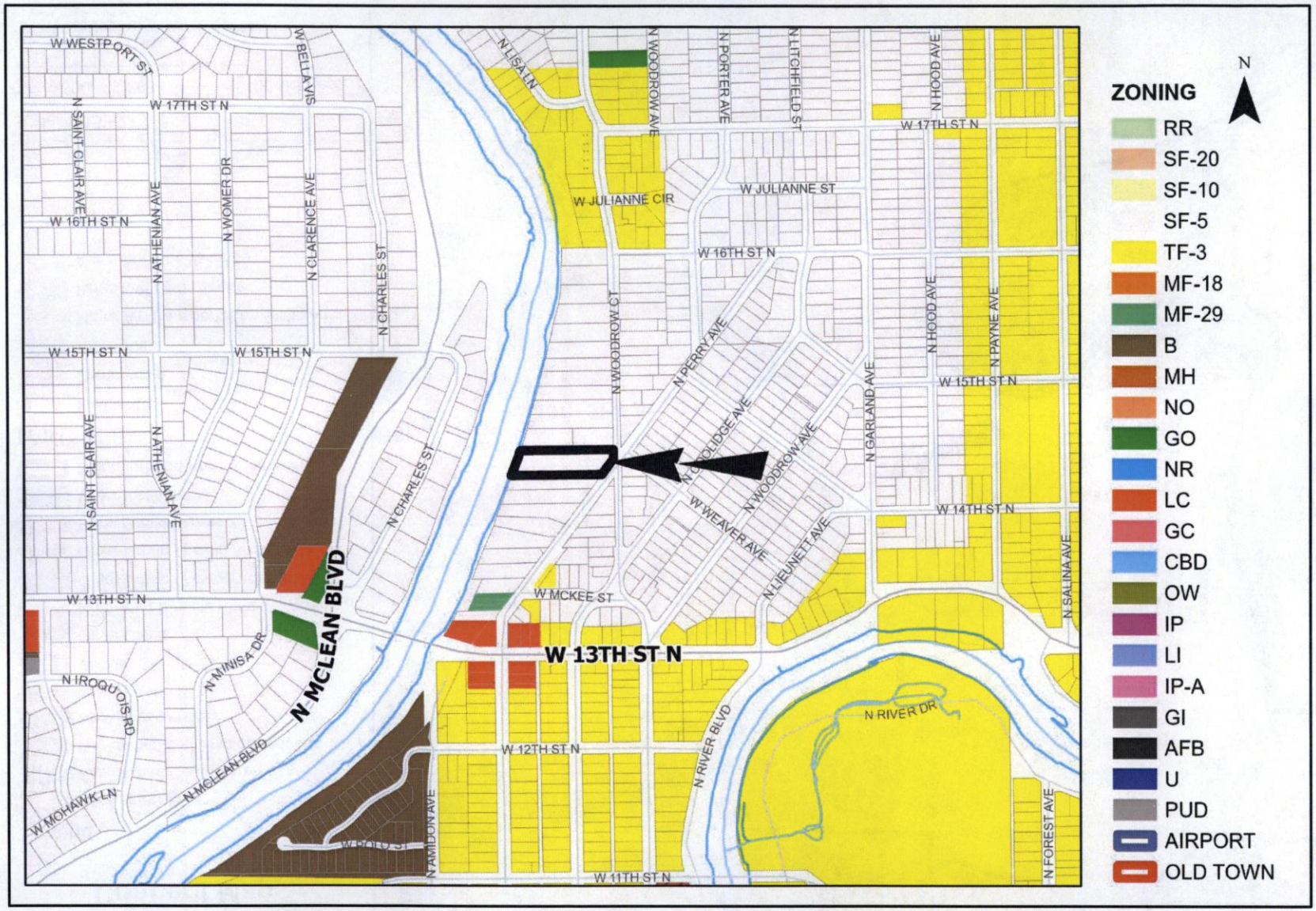
8. Opposition or support of neighborhood residents: At the time the staff report was prepared, staff has not received any public comment regarding the request.

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

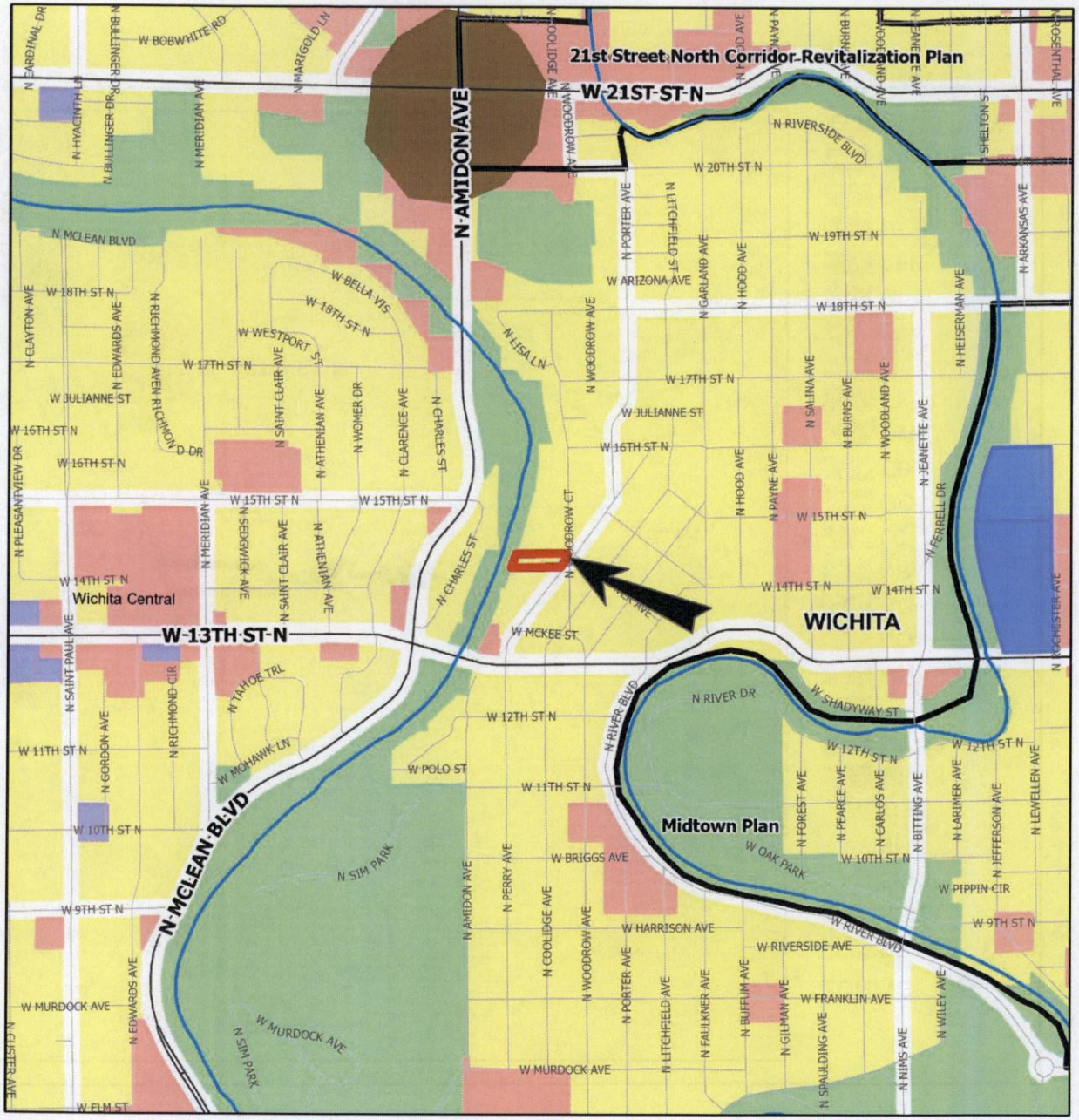
Site Plan




N
W 16TH ST N
N CLARENCE AVE
N CHARLES ST
N WOMER DR
W 15TH ST N
N WOODROW CT
N PORTER AVE
N PERRY AVE
N COOLIDGE AVE
W 15TH ST N
N GARLAND AVE
N CHARLES ST
WICHITA
N MCLEAN BLVD
N MCLEAN BLVD
ARKANSAS RIVER
N WOODROW AVE
W 14TH ST N
W WEAVER AVE
N LIEUNETT AVE
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AIRPORT
OLD TOWN

2035 Wichita Future Growth Concept Map



Legend

- Application Area
- 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
- Major Institutional
- Neighborhood Area & Plans 2025

LAND USE

- Residential
- Commercial
- Industrial
- Major Air Transportation & Military
- Parks and Open Space
- Agricultural or Vacant

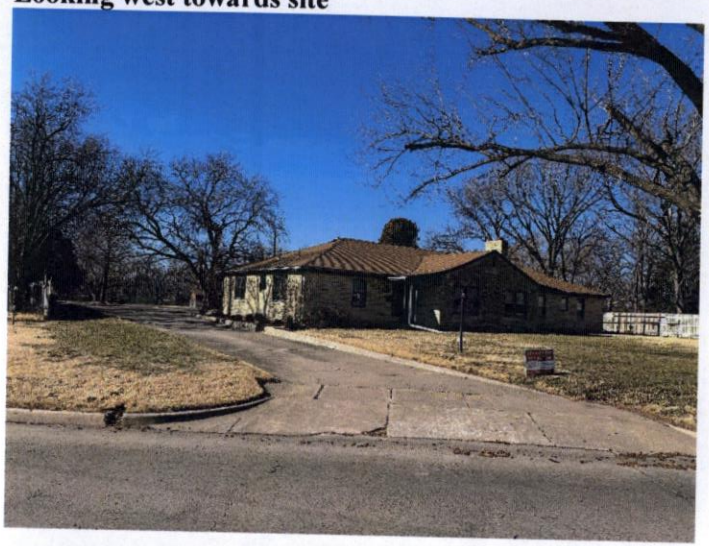
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Scale: 1:15,572

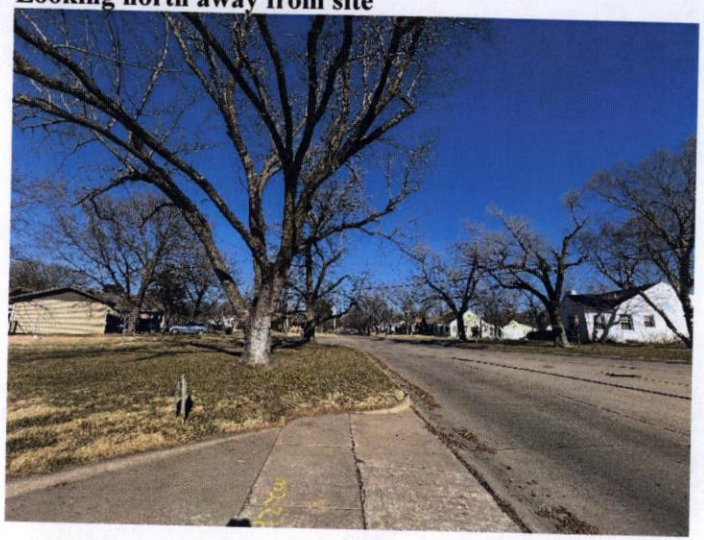
0 600 1,200 2,400 US Feet

It is understood that while the City of Wichita Data Center Geographical Information Systems Department have no indication and reason to believe that there are inaccuracies in information incorporated in the base map, the Data Center-GIS personnel make no warranty or representation, either expressed or implied, with respect to the information, or data displayed.
Note: Public property represented on this map is not intended to be inclusive.

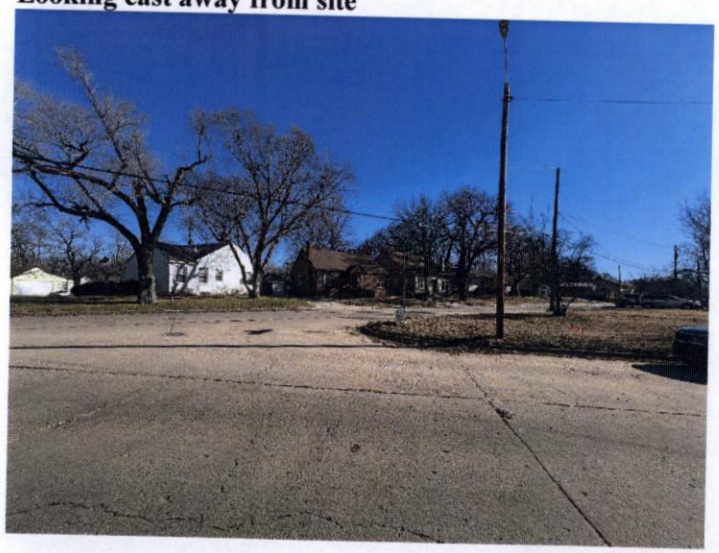
Looking west towards site



Looking north away from site



Looking east away from site



Looking south away from site

