



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

June 21, 2021

Sunflower Land Trust, Inc.  
P.O. Box 8634  
Wichita, KS 67208

Jim Michael  
7626 E. 37<sup>th</sup> Street N., Ste. 2907  
Wichita, KS 67226

**RE: CON2021-00025** - County Conditional use in Rural Residential for Scatter Garden (cemetery); generally located on the northwest corner of South 127th Street East and East 79th Street South

Dear Applicant:

At its regular meeting on **June 17, 2021**, the Wichita - Sedgwick County Metropolitan Area Planning Commission considered the above captioned request. The action of the MAPC was to **APPROVE** the request subject to the following conditions:

1. The applicant shall comply with all applicable provisions of Kansas State Statutes and Administrative Regulations governing cemeteries.
2. Cremains shall be interred in a biodegradable container and interment locations shall be documented and maintained by the Sunflower Land Trust (owner).
3. The applicant shall obtain all applicable state and local inspections, permits and licenses.
4. The applicant shall record the Conditional Use certificate with the Register of Deeds indicating that this tract of land has special conditions for development on the property. Legally described as: The South Half of the East Half of the Southeast Quarter of Section 3, Township 29 South, Range 2 East of the 6<sup>th</sup> P.M., Sedgwick County, Kansas.
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.

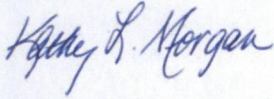
Property owners opposed to the application may file with the County Clerk a signed, written protest of the MAPC's recommendation. (Unsigned e-mails are not considered to be legal protests.) To be effective, the protest must be filed by 5:00 p.m. on July 1, 2021. In order to be considered a "valid" petition, 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 County Clerk by **July 1, 2021 at 5:00 p.m.**

If no valid protests or appeals opposing the action of the MAPC are filed with the County Clerk by **5:00 p.m. on Thursday, July 1, 2021**, the action of the MAPC will be considered final.

If a protest or an appeal of the decision of the MAPC is filed, the application will be forwarded to the Board of County Commissioners for consideration on August 4, 2021.

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,



Kathy L. Morgan, Senior Planner  
Current Plans Division

Copies to: MABCD  
Jim Howell, BoCC District 5  
Public Information Officer Sedgwick County

CONDITIONAL USE RESOLUTION NO. CO 2021-00025

WHEREAS, Sunflower Land Trust (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 a Scatter Garden (cemetery) on 40 acres zoned RR Rural Residential described as:

The South Half of the East Half of the Southeast Quarter of Section 3, Township 29 South, Range 2 East of the 6<sup>th</sup> P.M., 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 June 17, 2021, 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 to permit a Scatter Garden (cemetery) on 40 acres zoned RR Rural Residential described as:

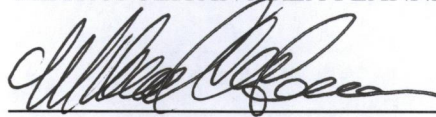
The South Half of the East Half of the Southeast Quarter of Section 3, Township 29 South, Range 2 East of the 6<sup>th</sup> P.M., Sedgwick County, Kansas.

Approved subject to the following conditions:

1. The applicant shall comply with all applicable provisions of Kansas State Statutes and Administrative Regulations governing cemeteries.
2. Cremains shall be interred in a biodegradable container and interment locations shall be documented and maintained by the Sunflower Land Trust (owner).
3. The applicant shall obtain all applicable state and local inspections, permits and licenses.
4. The applicant shall record the Conditional Use certificate with the Register of Deeds indicating that this tract of land has special conditions for development on the property. Legally described as: The South Half of the East Half of the Southeast Quarter of Section 3, Township 29 South, Range 2 East of the 6<sup>th</sup> P.M., Sedgwick County, Kansas.
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 17th Day of June 2019

METROPOLITAN AREA PLANNING COMMISSION



Michael C. Greene, Chair MAPC

ATTEST:

  
Scott Wadle, Secretary

# Affidavit of Legal Publication

STATE OF KANSAS )

ss.

County of Sedgwick )

Mary Joyce, being first duly sworn, deposes and says: That he/she is Legal Manager of

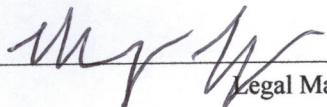
## The Derby Informer

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 weekly basis in Sedgwick County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a weekly published on Wednesdays, and has been so published continuously and uninterrupted in said county and state for a period of more than one year prior to the first publication of said notice, and has been admitted at the post office of Derby, Kansas, in said county as second class matter.

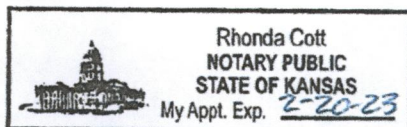
That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for 1 week the first publication thereof being made as aforesaid on the 26th day of May 2021, with subsequent publications being made on the following dates:

N/A

  
Legal Manager

Subscribed and sworn to before me this 26th day of May, 2021.

  
Notary Public



Official Hearing Notice – MAPC – June 17, 2021

Printer's Fee: \$46.20

Additional copies: \$ \_\_\_\_\_

Legal Publication  
OCA 150004  
Published in The Derby Informer on May 26, 2021

**MAPC June 17, 2021  
OFFICIAL HEARING NOTICE**

NOTICE IS HEREBY GIVEN that on Thursday, June 17, 2021 no earlier than 1:30 p.m., the WichitaSedgwick County Metropolitan Area Planning Commission (Planning Commission) will consider the following applications. The meeting will be held virtually, public participation is available in multiple ways, those without technology options can participate by going to Wichita City Hall Building – 1st Floor Council Chambers – 455 N. Main Street, Wichita, Kansas 67202 (specified at the bottom of this notice). If you have any questions regarding the meeting or items on this notice, please call the WichitaSedgwick County Metropolitan Area Planning Department at (316) 2684421.

**CON2021-00025** - County request for Conditional use in Rural Residential for Scatter Garden (cemetery); generally located on the northwest corner of South 127th Street East and East 79th Street South.

**CON2021-00026** - County Conditional Use to permit an accessory apartment on property zoned RR Rural Residential; generally located within one-quarter mile south of East 55th Street South and within one-half mile east of South Greenwch Road (Derby Influence Area) (5700 S 116th Street East).

Complete legal descriptions are available for public inspection at the Metropolitan Area Planning Department, 271 W. Third St., 2nd Floor. As provided in Section V of the WichitaSedgwick 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.

**PLEASE NOTE THIS MEETING IS CONSIDERED AN EMERGENCY MEETING OF THE WICHITA-SEDGWICK COUNTY METROPOLITAN AREA PLANNING COMMISSION DUE TO COVID-19, WHICH WILL IMPOSE SPECIAL PROCEDURES TO PARTICIPATE IN THE PUBLIC HEARING. THESE ARE AS FOLLOWS:**

The meeting will be conducted "virtually" using Go-To-Meeting. You have multiple options to participate: 1) submit comments ahead of time, 2) participate remotely, or 3) attend in-person at the Wichita City Hall Building (see below).

**Submit Comments Ahead of Time**  
You can submit comments regarding items on the Planning Commission agenda to the Wichita-Sedgwick County Metropolitan Area Planning Department (Planning Department). Comments must be received by the Planning Department

no later than 5pm 3 days prior to the meeting. Please be sure to provide ample time for delivery. The comments can be submitted in the following formats: email; letter; video; and audio message (mp3, etc.). The comment should indicate which item they pertain to and be less than three (3) minutes in duration. The comments should be submitted to Planning Department staff 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.

Email	Planning@wichita.gov
Mailing Address	Wichita-Sedgwick County Metropolitan Area Planning Department Attn: <b>Scott Wadle</b> 271 W. 3rd Street – Suite 101 Wichita, KS 67202
Phone	316.268.4421
Fax	316.858.7764

**Participate Remotely**  
Please join my meeting from your computer, tablet or smartphone.  
<https://global.gotomeeting.com/join/651544141>  
You can also dial in using your phone.  
United States: +1 (571) 317-3112  
Access Code: 651-544-141

**Join from a video-conferencing room or system.**  
Dial in or type: 67.217.95.2 or inroomlink.goto.com  
Meeting ID: 651 544 141  
Or dial directly: 651544141@67.217.95.2 or 67.217.95.2##651544141

New to GoToMeeting? Get the app now and be ready when your first meeting starts: <https://global.gotomeeting.com/install/651544141>

**Attend In-Person**  
You may also participate in the hearing in-person at the Wichita City Hall Council Chambers (455 N. Main Street, Wichita, KS 67202). Please note that security screening is required for public access to the building, self-paid parking is available nearby, and COVID-19 protocols are in place. For more information please visit [www.wichita.gov/visitcityhall](http://www.wichita.gov/visitcityhall). The in-person option is primarily intended for those without other technology options, and who have not previously submitted recorded audio or video comments. If you have any written or visual materials you wish to present, please contact Planning Department Graphics staff (316-2684464) by 5pm, 3 days prior to the meeting.

WITNESS MY HAND on May 26, 2021  
**Scott Wadle, Secretary**  
WichitaSedgwick County  
Metropolitan Area Planning Commission

