



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

February 4, 2022

Sandy Bland  
PO Box 780324  
Wichita, KS 67278

**RE: BZA2021-00072** – City Variance for a parking reduction on property zoned TF-3 Two Family Residential located 900 feet west of North Hillside Avenue, 450 feet South of East 21st Street North (2909 East Shadybrook).

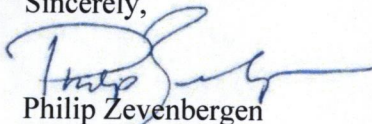
Dear Applicant,

The official action of the Board of Zoning Appeals was to grant the requested variance. The BZA2021-00072 Resolution adopted by the Board of Zoning Appeals on January 20, 2022 is attached. The approval of the request is subject to the following conditions.

1. Total occupants (residents and staff) on the property shall not exceed seven (7) individuals.
2. All State, County, and any other applicable permits, inspections, and standards shall be met.

If you have any questions concerning this application, please contact our office at 268-4421.

Sincerely,



Philip Zevenbergen  
Senior Planner

Copies to: Zachary Bland, 503 E Wild Plum Cir, Derby, KS 67037

**BZA RESOLUTION NO. BZA2021-00072**

**WHEREAS**, Sandy Bland (owner); pursuant to Kansas Statutes Annotated 12-759, request a Variance to reduce the off-street parking requirement for Group Residence, Limited from four (4) spaces to zero (0) spaces on property zoned TF-3 Two-Family Residential, and legally described as follows:

Lot 31, Block 14, Shady Brook Addition to the City of Wichita, Sedgwick County, Kansas; ALSO part of Lot 30, Block 14, Shady Brook Addition, described as: Beginning at the original Northeast corner of said Lot 30, thence Westerly along the North line of said Lot 30, for a distance of 5 feet; thence Southeasterly for a distance of 113.7 feet to the original Southeast corner of said Lot 30; thence Northwesterly along the original lot line between Lots 30 and 31 to the point of beginning;

ALSO part of Lot 32, Block 14, Shady Brook Addition, described as: Beginning at the Northwest corner of Lot 32, thence Southeasterly along the original lot line between Lots 31 and 32, a distance of 108 feet to the original Southwest corner of Lot 32; thence Northeasterly on line with the original lot line between Lots 29 and 31 extended, a distance of 10 feet; thence Northwesterly for a distance of 107.9 feet to the point of beginning.

**WHEREAS**, proper notice as required by ordinance and by the rules of the Board of Zoning Appeals has been given; and

**WHEREAS**, the Board of Zoning Appeals did, at the meeting of January 20, 2022, consider said application; and

**WHEREAS**, the Board of Zoning Appeals has proper jurisdiction to consider said request for a variance under the provisions of Kansas Statutes Annotated 12-759 *et. seq.*; and

**WHEREAS**, it is the opinion of the Board of Zoning Appeals that the conditions of the request are unique to the subject property. In this case, the boys who will reside in the home are not of proper driving age and do not own vehicles. Additionally, the property was never developed with a driveway or garage/parking area. There is insufficient space to construct a driveway and provide any parking not in the front setback.

**WHEREAS**, it is the opinion of the Board of Zoning Appeals that waving the requirements will not adversely affect the rights of adjacent property owners.

**WHEREAS**, it is the opinion of the Board of Zoning Appeals that the strict application of the applicable Code will constitute an unnecessary hardship upon the property owner.

**WHEREAS**, it is the opinion of the Board of Zoning Appeals that the requested variance would not adversely affect the public interest, health, safety or welfare; and

**WHEREAS**, It is the opinion of Board of Zoning Appeals that the spirit and intent of the Zoning Code is being met in this case; and

**WHEREAS**, each of the five conditions required by Kansas Statutes Annotated 12-759, are found to be present for a variance to be granted.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Zoning Appeals, pursuant to Kansas Statutes Annotated 12-759, in the case of a Variance to reduce the off-street parking requirement for

Group Residence, Limited from four (4) spaces to zero (0) spaces on property zoned TF-3 Two-Family Residential, and legally described as follows:

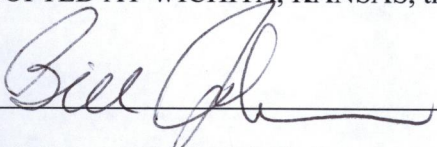
Lot 31, Block 14, Shady Brook Addition to the City of Wichita, Sedgwick County, Kansas; ALSO part of Lot 30, Block 14, Shady Brook Addition, described as: Beginning at the original Northeast corner of said Lot 30, thence Westerly along the North line of said Lot 30, for a distance of 5 feet; thence Southeasterly for a distance of 113.7 feet to the original Southeast corner of said Lot 30; thence Northwesterly along the original lot line between Lots 30 and 31 to the point of beginning;

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The variance is hereby GRANTED, subject to the following conditions:

1. Total occupants (residents and staff) on the property shall not exceed seven (7) individuals.
2. All State, County, and any other applicable permits, inspections, and standards shall be met.

ADOPTED AT WICHITA, KANSAS, this 4 Day of February, 2022.



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Bill Johnson, BZA Board Chair

ATTEST:



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Scott Wadle,  
BZA Secretary



Beaufort Gazette  
 Belleville News-Democrat  
 Bellingham Herald  
 Bradenton Herald  
 Centre Daily Times  
 Charlotte Observer  
 Columbus Ledger-Enquirer  
 Fresno Bee

The Herald - Rock Hill  
 Herald Sun - Durham  
 Idaho Statesman  
 Island Packet  
 Kansas City Star  
 Lexington Herald-Leader  
 Merced Sun-Star  
 Miami Herald

el Nuevo Herald - Miami  
 Modesto Bee  
 Raleigh News & Observer  
 The Olympian  
 Sacramento Bee  
 Fort Worth Star-Telegram  
 The State - Columbia  
 Sun Herald - Biloxi

Sun News - Myrtle Beach  
 The News Tribune Tacoma  
 The Telegraph - Macon  
 San Luis Obispo Tribune  
 Tri-City Herald  
 Wichita Eagle

## AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
16399	191675	WIC-12-30-21	OCA 150004	\$109.20	1	13.00 in

**Attention:** Betsy Pagán  
 CITY OF WICHITA/PLANNING DEPT  
 271 WEST THIRD ST., 2ND FL, SU 203  
 WICHITA, KS 67202

Copy of ad content  
 is on the next page

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

No. of Insertions: 1  
 Beginning Issue of: 12/30/2021  
 Ending Issue of: 12/30/2021

STATE OF KANSAS)

SS

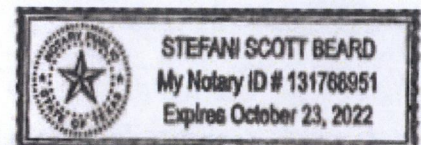
County of Sedgwick)

Hayley Martin, of lawful age, being first duly sworn, depose and saith: That he is Record Clerk of The Wichita Eagle, a daily newspaper published in the City of Wichita, County of Sedgwick, State of Kansas, and having a general paid circulation on a daily basis in said County, which said newspaper has been continuously and uninterruptedly published in said County for more than one year prior to the first publication of the notice hereinafter mentioned, and which said newspaper has been entered as second class mail matter at the United States Post Office in Wichita, Kansas, and which said newspaper is not a trade, religious or fraternal publication and that a notice of a true copy is hereto attached was published in the regular and entire Morning issue of said The Wichita Eagle from 12/30/2021 to 12/30/2021.

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

DATED: 12/30/2021

Notary Public in and for the state of Texas, residing in Dallas County



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

# LEGAL PUBLICATION

OCA 150004

PUBLISHED IN THE WICHITA EAGLE  
ON DECEMBER 30, 2021 (445212)

(One Time Only)

MAPC/SEA January 20, 2022

OFFICIAL HEARING NOTICE

NOTICE IS HEREBY GIVEN that on **Thursday, January 20, 2022, no earlier than 1:30 p.m.**, the Wichita-Sedgewick County Metropolitan Area Planning Commission/Board Zoning Appeals 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 the Wichita City Hall Building - 1<sup>st</sup> 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 Wichita-Sedgewick County Metropolitan Area Planning Department at (316) 268-4421.**

**BZA2021-00072:** City Variance for a parking reduction on property zoned TF-3 Two Family Residential located 900 feet west of North Hillside Avenue, 450 feet South of East 21st Street North (2909 East Shadybrook).

**CON2021-00062:** City Conditional Use for Group Residence, Limited on property zoned TF-3 Two Family Residential located 900 feet west of North Hillside Avenue, 450 feet South of East 21st Street North (2909 East Shadybrook).

**CON2021-00065:** City Conditional Use for Entertainment Establishment (defined as "Night Club in the City") on property zoned LC Limited Commercial, located one-half mile west of North Oliver Avenue, on the North side of East 13th Street North (3906 East 13th Street North).

**CON2021-00066:** Conditional Use request in the City for Vehicle and Equipment Sales on property zoned LC Limited Commercial, located on the north side of West Maple Street and within a quarter mile west of South West Street (NE corner of W Maple and S Tracy St.).

**CUP2021-00070:** City CUP amendment to Country Club Park DP-186 to Parcels 2 and 3, adjust parcel boundaries, merge general provision text, and modify signage requirements (1313 Webb Rd) associated with zone change GO to LC (ZON2021-00062).

**VAC2021-00056:** Request in the City to vacate a portion of a platted street side yard setback on SF-5 Single-Family Residential zoned property generally located north of West 31st Street South, west of South Seneca Street, on the southwest corner of West 29th Street South & South Millwood Avenue.

**ZON2021-00041:** City zone change from SF-5 Single-Family Residential to TF-3 Two-Family Residential on property located one-block south of West Douglas Avenue and one-half mile east of South Seneca Street (127 S Millwood).

**ZON2021-00042:** City zone change to Country Club Park DP-186 to Parcels 2 and 3, GO General Office to LC Limited Commercial associated with CUP amendment (CUP2021-00070), generally located at the southwest corner of E. 13th Street N and N. Webb Rd.

**ZON2021-00043:** Zone Change request in the City from LI Limited Industrial to SF-5 Single-Family Residential for future development on property located on the east side of North Greenway Road and within one-half mile north of East 29th Street North.

**ZON2021-00044:** Zone Change request in the City from TF-3 Two Family Residential to MF-18 Multi-Family Residential to permit 2 additional dwelling units (total of 8) on property located within one-block north of East 13th Street North and two-blocks east of North Hillside Avenue (1432, 1434, & 1436 N Fairmount).

Complete legal descriptions are available for public inspection at the Metropolitan Area Planning Department, 271 W. Third St., 2nd Floor, Wichita, Kansas 67202. As provided in Section V of the Wichita-Sedgewick 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-SEDEGWICK 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-Meetings. 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-Sedgewick 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-Sedgewick County Metropolitan Area Planning Department Attn: <b>Scott Wade</b> 271 W. 3 <sup>rd</sup> Street - Suite 201 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.golomeeting.com/join/65154414>

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 irroomink.golo.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.golomeeting.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/visitchityhall](http://www.wichita.gov/visitchityhall). 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 (316-268-4444) by 5pm, 3 days prior to the meeting.

WITNESS MY HAND on December 30, 2021

**Scott Wade, Secretary**  
Wichita-Sedgewick County  
Metropolitan Area Planning Commission

**CODE INFORMATION**

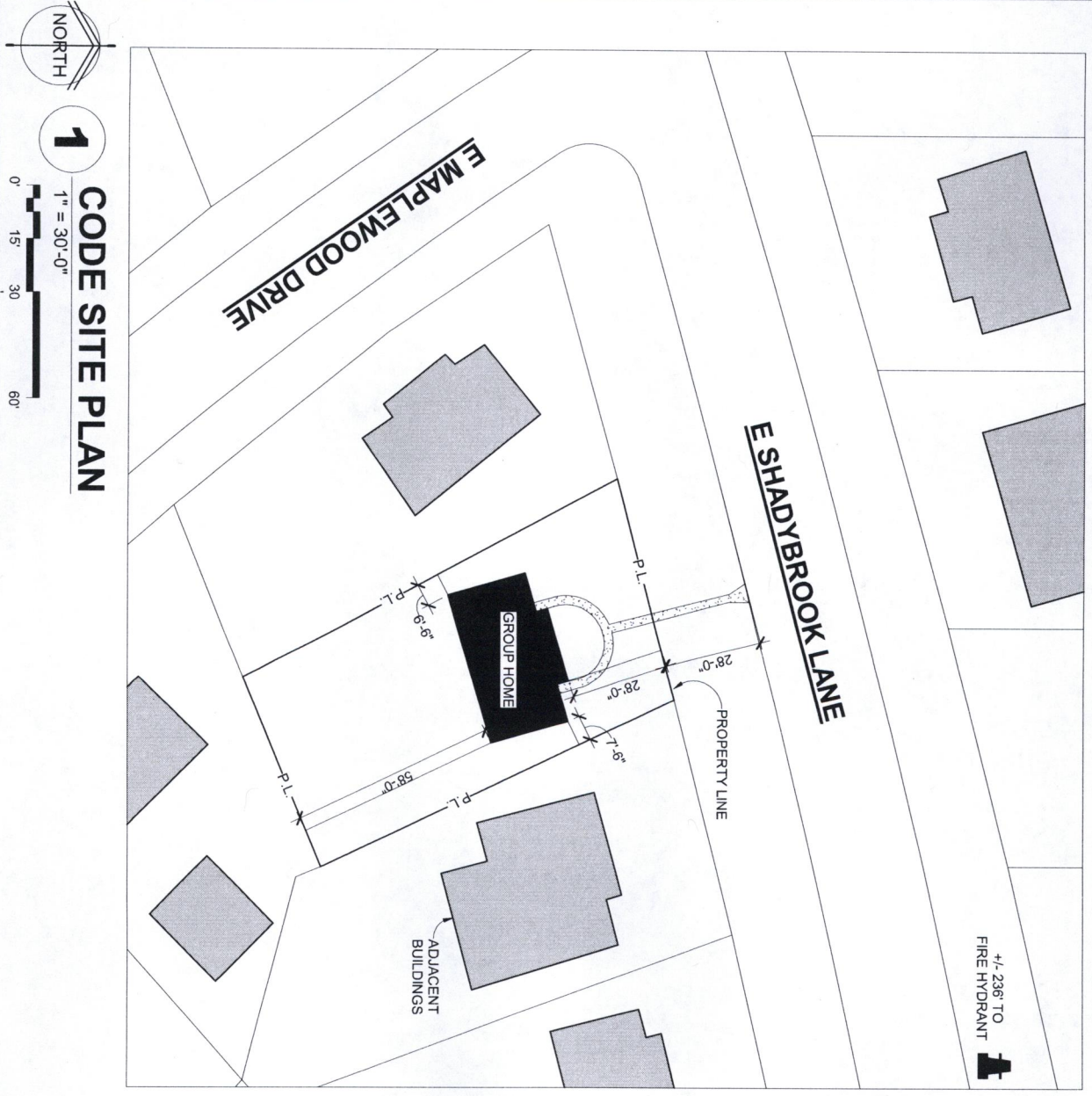
1. PROJECT CONSTRUCTION PURPOSE: NEW LICENSURE OF A NEW HOME (CHANGE IN USE)
2. REASON FOR SUBMITTAL: THE OWNER OF TRUE GROWTH CENTER AT 2909 E SHADYBROOK LN IN WICHITA, KANSAS IS APPLYING FOR LICENSURE.
3. CODES USED:
  - 2008 NFPA 101 LIFE SAFETY CODE
  - 2018 IBC
  - 2014 NFPA 70 (FIRE ALARM)
  - 2013 NFPA 72 (FIRE ALARM)
4. CONTACT INFO:
 

OWNER:	TERA ANDREWS
ARCHITECT:	TRU GROWTH CENTER LLC
ARCHITECT:	2827 N BEACON HILL CT
ARCHITECT:	WICHITA, KS 67220
ARCHITECT:	PH (316) 262-4170
ARCHITECT:	PH (316) 300-7487
5. ARCHITECTS SEAL: PROVIDED ON DRAWING
6. RESPONDING FIRE SERVICE: WICHITA FIRE DEPARTMENT
7. NAME OF LOCAL BUILDING INSPECTION DEPT: METRO AREA BUILDING AND CONSTRUCTION DEPARTMENT (MABCD)
8. OCCUPANCY GROUP / TYPE: R-4
9. CONSTRUCTION TYPE: V-A
10. ALTERNATIVE DESIGN OR METHODS OF CONSTRUCTION: NOT APPLICABLE
11. PER LIFE SAFETY CODE 302.3.3.2, ALL SEPARATION WALLS AROUND STEERING ROOMS RESIST FIRE FOR NOT LESS THAN 1/2 HOUR AND ARE CONSTRUCTED WITH MINIMUM 2x4 WOOD STUD FRAME.
12. WATER SUPPLY FOR FIRE SUPPRESSION: NOT REQUIRED
13. RESIDENT BEDROOM DOORS ARE MINIMUM 1 3/4" THICK SOLID-BONDED WOOD BUILDINGS NOT REQUIRED TO BE SELF-CLOSING.
14. RESIDENT BEDROOMS WILL BE PROVIDED WITH A MINIMUM OF (1) WINDOW MEETING EXIT REQUIREMENTS PER ROOM. CLEAR OPENING DIMENSIONS ARE NOTED ON THE CODE PLAN.
15. STRUCTURAL CODE REQUIREMENTS:
  - A. TOTAL FLOOR AREA PER OCCUPANCY: ALLOWABLE AREA: 7,000 SF PER LEVEL ACTUAL AREA: 1,077 SF
  - B. HEIGHT AND AREA LIMITATIONS (TABLE 603): ALLOWED: 40 FEET, 2 STORY ACTUAL: 16 FEET, 1 STORY
  - C. STRUCTURAL FIRE RATING (TABLE 601, TYPE V-B): BUILDING ELEMENT: RECT'D ACTUAL:
 

STRUCTURAL FRAME	0 HR	0 HR
BEARING WALL (INTERIOR)	0 HR	0 HR
NONBEARING WALLS AND PARTITIONS (EXTR)	0 HR	0 HR
NON BEARING WALLS AND PARTITIONS (INTR)	0 HR	0 HR
ROOF CONSTRUCTION	0 HR	0 HR
FLOOR CONSTRUCTION	0 HR	0 HR
TABLE 602 ALL > 30' DISTANCE)	0 HR	0 HR
16. ACTIVE FIRE SAFETY FEATURES:
  - A. STANDBY FIRE SUPPRESSION SYSTEM: NOT REQUIRED
  - B. STANDPIPE: NOT REQUIRED
  - C. FIRE ALARM SYSTEM: REQUIRED
  - D. HARD WIRED SMOKE DETECTORS: PROVIDED
  - E. EMERGENCY LIGHTING AND POWER: NOT PROVIDED
  - F. SMOKE EXHAUST SYSTEMS: NOT PROVIDED
  - G. FACILITIES WITH 5 OR LESS RESIDENTS ARE NOT REQUIRED TO BE SPRINKLED
17. SEE THE SITE PLAN PROVIDED FOR THE FOLLOWING ITEMS PER IFC APPENDIX B, C, AND D:
  - FIRE DEPARTMENT ACCESS MEASUREMENTS
  - FIRE DEPARTMENT CONNECTIONS (IF APPLICABLE)
  - HYDRANT LOCATION AND DISTANCE
  - PRIORITY LINES

# SITE PLAN

APPROVED 2/14/23 BY *Depp*



**1** CODE SITE PLAN  
1" = 30'-0"  
0' 15' 30' 60'

**TRUE GROWTH CENTER LLC**

2909 E SHADYBROOK LANE  
WICHITA, KS 67214

Kansas Code Plans LLC  
2827 N Beacon Hill Ct  
Wichita, KS 67220  
T 316.303.8576  
www.kansascodeplans.com

PRINTS ISSUED: 01/23/23  
DRAWN: CORM REVIEW

NO.	DATE	DESC.

CDP No. 2101  
SHEET STATUS: CHECKED/STAMPED  
SITE PLAN & CODE INFO

**CFP.1**