



Wichita-Sedgwick County Metropolitan Area Planning Department

August 12, 2021

Leonel Perez
10932 West 37th Street North
Wichita KS 67205

GLMV Architecture
Attn: Jeff Kuhn
1525 E. Douglas
Wichita, KS 67211

RE: CON2021-00029 & CON2021-00030: City Conditional Use for Group Residence, Limited for Home Plus assisted living home on property zoned TF-3 Two-Family Residential (with CON2021-00030 to allow an accessory apartment), generally located on the 1,970 feet west of North Maize Road on the north side of West 37th Street North (10932 W. 37th St. N.).

Dear Applicants;

At its regular meeting on August 10, 2021, the Wichita City Council considered the above captioned request. The action of the WCC was to APPROVE the conditional use requests subject to the following conditions:

CON2021-00029

- 1) The Conditional Use approval is limited to a maximum of 10 persons needing assistance with daily activities and two (2) staff members.
- 2) The owner or the manager of the facility shall comply with all regulations and licensing required by the Kansas Department of Aging and Disability Services.
- 3) No freestanding signs shall be allowed.
- 4) The site shall be developed and operated in compliance with all federal, state, and local rules, regulations and permitting requirements.
- 5) File conditional use instrument with the Register of Deeds of Sedgwick County.
- 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.

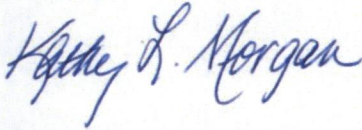
AND

CON2021-00030

- 1) The accessory apartment shall remain accessory to and under the same ownership as the principal structure (10932 W. 37th Street N.) and the ownership shall not be divided or sold as a condominium. The accessory apartment will be located in an existing outbuilding. The apartment shall be used for the on-site administrator.
- 2) Onsite water and wastewater services shall be provided in compliance with the Sedgwick County Sanitation Code. Electric, gas, telephone and cable television utility service may be provided as separate utility services.
- 3) The applicant shall obtain all applicable permits including, but not limited to: building, health and zoning. This will include submitting plans for review and approval by the MABCD.

- 4) Development and maintenance of the site shall be in conformance with the approved site plan.
- 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.

Sincerely,



Kathy L. Morgan, Senior Planner
Metropolitan Area Planning Department
271 West 3rd Street, Room 203
Wichita, KS 67202

Resolution No. 21-294

A RESOLUTION APPROVING CON2021-00030 AUTHORIZING AN ACCESSORY APARTMENT, ON APPROXIMATELY 0.93 ACRE ZONED TWO-FAMILY RESIDENTIAL (TF-3) LOCATED ON THE NORTH SIDE OF WEST 37TH STREET NORTH AND 1,970 FEET WEST OF NORTH MAIZE ROAD (10932 W. 37TH STREET N), IN THE CITY OF WICHITA, SEDGWICK COUNTY, KANSAS, UNDER THE AUTHORITY GRANTED BY THE WICHITA-SEDGWICK COUNTY UNIFIED ZONING CODE, SECTION V-D, AS ADOPTED BY ORDINANCE NO. 44-975 AS AMENDED.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WICHITA, SEDGWICK COUNTY, KANSAS:

SECTION 1. That after receiving a recommendation from the Wichita-Sedgwick County Metropolitan Area Planning Commission, and after said Planning Commission has given proper notice and held a public hearing as provided by law, and under authority granted by Section V-D of the Wichita-Sedgwick County Unified Zoning Code, for a Conditional Use to allow an Accessory Apartment on property zoned Two-Family Residential (TF-3) generally located on the north side of West 37th Street North and 1,970 feet west of North Maize Road (10932 W. 37th Street N) and legally described as:

Lot 38, Block 1, Prairie Pointe Addition, 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 8, 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 Wichita City Council that this application is to allow an Accessory Apartment on property zoned Two-Family Residential (TF-3) generally located on the north side of West 37th Street North and 1,970 feet west of North Maize Road (10932 W. 37th Street N) and legally described as:

Lot 38, Block 1, Prairie Pointe Addition, Wichita, Sedgwick County, Kansas

SUBJECT TO THE FOLLOWING CONDITIONS:

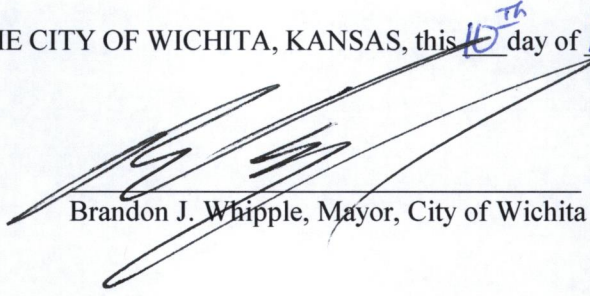
1. The accessory apartment shall remain accessory to and under the same ownership as the principal structure (10932 W. 37th Street N.) and the ownership shall not be divided or sold as a condominium. The accessory apartment will be located in an existing outbuilding. The apartment shall be used for the on-site administrator.
2. Onsite water and wastewater services shall be provided in compliance with the Sedgwick County Sanitation Code. Electric, gas, telephone and cable television utility service may be provided as separate utility services.
3. The applicant shall obtain all applicable permits including, but not limited to: building, health and zoning. This will include submitting plans for review and approval by the MABCD.
4. Development and maintenance of the site shall be in conformance with the approved site plan.
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.

SECTION 2. That upon the taking effect of this Resolution, the notation of such Conditional Use permit shall be shown on the "Official Zoning District Map" on file in the office of the Planning Director of the Wichita-Sedgwick County Metropolitan Area Planning Department.

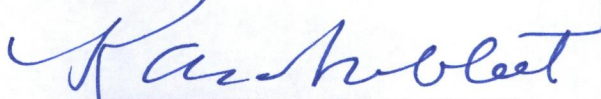
SECTION 3. That this Resolution shall take effect and be in force from and after its adoption by the Governing Body.

ADOPTED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS, this 10th day of Aug, 2021.



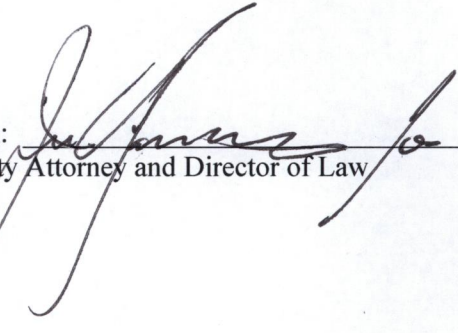
Brandon J. Whipple, Mayor, City of Wichita

ATTEST:



Karen Sublett, City Clerk



Approved as to form: 

Jennifer Magaña, City Attorney and Director of Law



AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
32522	220008	Print Legal Ad - IPL0061058		\$119.07	2	71L

Attention: Jamie Buster
 CITY OF WICHITA/CLERKS OFFICE
 455 N MAIN ST FL 13
 WICHITA, KS 67202

LEGAL PUBLICATION

Published in the *Wichita Eagle* on February 18, 2022
 Resolution No. 21-285

A RESOLUTION APPROVING CON2021-00030 AUTHORIZING AN ACCESSORY APARTMENT, ON APPROXIMATELY 0.93 ACRE ZONED TWO-FAMILY RESIDENTIAL (TF-3) LOCATED ON THE NORTH SIDE OF WEST 37TH STREET NORTH AND 1,970 FEET WEST OF NORTH MAIZE ROAD (10932 W. 37TH STREET N), IN THE CITY OF WICHITA, SEDGWICK COUNTY, KANSAS, UNDER THE AUTHORITY GRANTED BY THE WICHITA-SEDGWICK COUNTY UNIFIED ZONING CODE, SECTION V-D, AS ADOPTED BY ORDINANCE NO. 44-975 AS AMENDED. BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WICHITA, SEDGWICK COUNTY, KANSAS:

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ADOPTED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS, this 10th day of August, 2021.

Brandon J. Whipple, Mayor, City of Wichita

ATTEST:
 Karen Sublett, City Clerk
 (SEAL)

Approved as to form:
 Jennifer Magana, City Attorney and Director of Law
 IPL0061058
 Feb 18 2022

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

No. of Insertions: 1
 Beginning Issue of: 02/18/2022
 Ending Issue of: 02/18/2022

STATE OF KANSAS)
 SS
 County of Sedgwick)

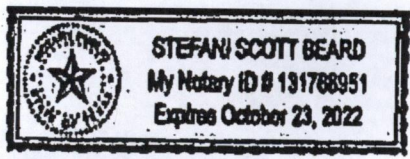
Hayley Martin, of lawful age, being first duly sworn, deposeth and saith: That he is Record Clerk of The Wichita Eagle, a daily newspaper published in the City of Wichita, County of Sedgwick, State of Kansas, and having a general paid circulation on a daily basis in said County, which said newspaper 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 from 02/18/2022 to 02/18/2022.

M. Hayley

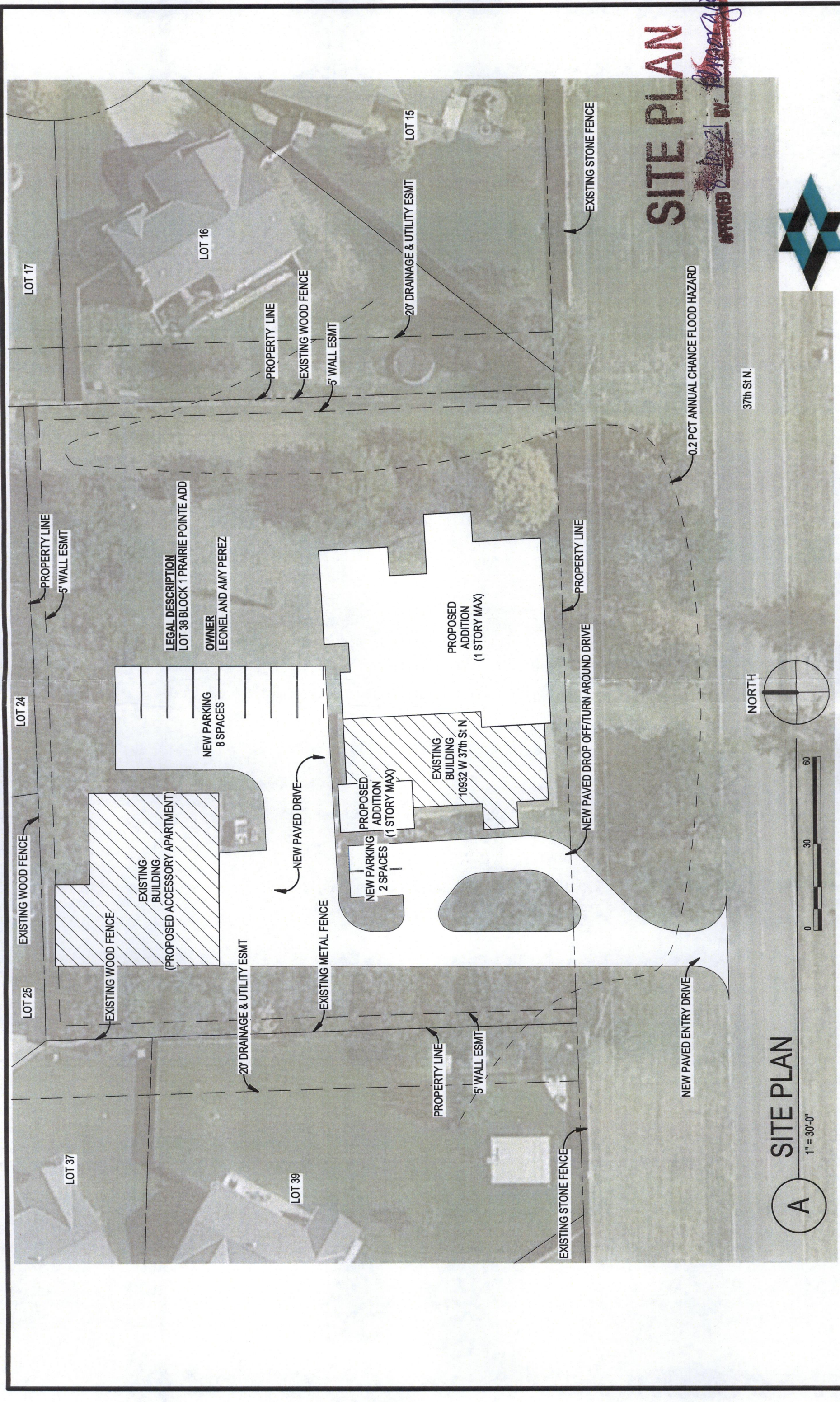
I certify (or declare) under penalty of perjury that the foregoing is true and correct.
 DATED: 02/18/2022

Stefani Beard

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!

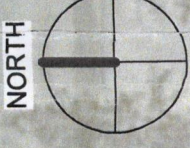
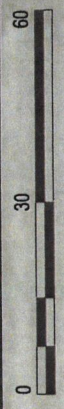


SITE PLAN

APPROVED *[Signature]* BY *[Signature]*

A

SITE PLAN
1" = 30'-0"



37th St N.



GLMV Architecture

PEREZ HOME PLUS