



Wichita-Sedgwick County Metropolitan Area Planning Department

June 30, 2022

Linda and Robert Kromer
649 North Brookhaven Drive
Wichita, KS 67230

RE: CON2022-00011: City Conditional Use for an Accessory Apartment on property zoned SF-5 Singel Family Residential; generally located in Wichita approximately 1,215 feet west of the intersection of North 159th Street East and East Sharon Drive (649 North Brookhaven Drive).

Dear Applicant;

At its regular meeting on June 16, 2022, the Wichita - Sedgwick County Metropolitan Area Planning Commission considered the above captioned request. The action of the MAPC was to **APPROVE** the request with the following conditions:

1. The Accessory Apartment shall remain accessory to and under the same ownership as the principal single-family residence (located at 649 N. Brookhaven Drive) and the ownership shall not be divided or sold as 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 turning in plans for review and approval by the MABCD for the Accessory Apartment.
6. If the Zoning Administrator finds 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 June 30, 2022. 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 June 30, 2022 at 5:00 p.m.

If there are no protests, the MAPC's approval is final. If there are protests, this application will be presented to the Wichita City Council on Tuesday, July 19, 2022 beginning at 9:00 a.m.

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,

Mary M. Hunt, AICP
Principal Planner

Copies to: MABCD
Becky Tuttle Council Member District II
Cory Buchta, CSR District II
Mark Waldie, Southwestern Remodeling

CONDITIONAL USE RESOLUTION NO. CON2022-00011

WHEREAS, Linda and Robert Kromer, 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 to allow an Accessory Apartment on property zoned SF-5 Single-Family Residential located at 649 North Brookhaven Drive legally describes as:

Lot 10, Block 1, Brookhaven Estates Addition, Sedgwick County, Kansas, TOGETHER WITH Lot 9, Block 1, Brookhaven Estates Addition, Sedgwick County, Kansas, except that part described as follows: Beginning at a point on the west line of said Lot 9 which is 54.64 feet north of the southwest corner of said Lot 9; thence northeasterly to a point on the east line of Lot 9, Block 1, which is 60.00 feet north of the southeast corner of said Lot 9; thence south on said east line, 60.00 feet to said southeast corner; thence southwesterly, on the south line of said Lot 9, a distance of 220 feet to the southwest corner of said Lot 9; thence north, on the west line of said Lot 9, a distance 54.64 feet to the point of the beginning

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 16, 2022, 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 allow an Accessory Apartment on property zoned SF-5 Single-Family Residential located at 649 N. Brookhaven Drive legally described as:

Lot 10, Block 1, Brookhaven Estates Addition, Sedgwick County, Kansas, TOGETHER WITH Lot 9, Block 1, Brookhaven Estates Addition, Sedgwick County, Kansas, except that part described as follows: Beginning at a point on the west line of said Lot 9 which is 54.64 feet north of the southwest corner of said Lot 9; thence northeasterly to a point on the east line of Lot 9, Block 1, which is 60.00 feet north of the southeast corner of said Lot 9; thence south on said east line, 60.00 feet to said southeast corner; thence southwesterly, on the south line of said Lot 9, a distance of 220 feet to the southwest corner of said Lot 9; thence north, on the west line of said Lot 9, a distance 54.64 feet to the point of the beginning

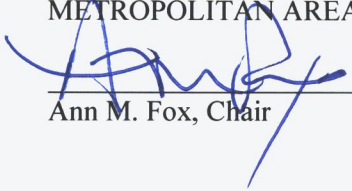
Approved subject to the following conditions:

- 1) The Accessory Apartment shall remain accessory to and under the same ownership as the principal single-family residence (Located at 649 North Brookhaven Drive) 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 Apartment 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) This 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

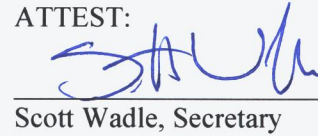
Zoning Code, may, with the concurrence of the Planning Director, declare that the conditional use is null and void.

Adopted this 24 Day of October 2022.

METROPOLITAN AREA PLANNING COMMISSION


Ann M. Fox, Chair

ATTEST:


Scott Wadle, 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	266020	WIC-5-26-2022	OCA 150004	\$117.60	1	14.00 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: 05/26/2022
Ending Issue of: 05/26/2022

STATE OF KANSAS)

SS

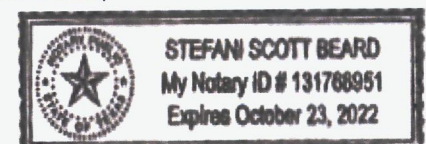
County of Sedgwick)

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 05/26/2022 to 05/26/2022.

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

DATED: 05/26/2022

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!

Raducanu loses in 2nd round at French Open

Associated Press

PARIS — U.S. Open champion Emma Raducanu is out of the French Open in the second round.

Raducanu lost to Aliaksandra Sasnovich of Belarus 3-6, 6-1, 6-1 to end her Roland Garros tournament debut on Wednesday.

The 19-year-old Raducanu broke Sasnovich in the fifth game of the opening set, hitting consecutive backhand winners followed by a forehand to clinch it.

Sasnovich couldn't convert on three chances to break her opponent in the first set but took advantage with two breaks to start the second, when the 47th-ranked player also won 12 of 14 service points.

The 12th-seeded Raducanu failed to convert on five break-point chances at 1-1 in the third set as



Emma Raducanu returns the ball to Aliaksandra Sasnovich during their second-round match of the French Open on Wednesday in Paris.

Sasnovich recorded her 16th career victory over a top-20 player.

Raducanu, who also lost to Sasnovich at Indian Wells last year in the British first match after winning the title at Flushing Meadows, had 17 winners and 33 unforced errors on Court Suzanne Lenglen.

Sasnovich advanced to the third round at Roland Garros for the first time. This is her seventh appearance.

Two-time Grand Slam champion Victoria Azarenka of Belarus also reached the third round by beating Andrea Petkovic 6-1, 7-6 (3).

American teenager Coco Gauff advanced to the third round of the French Open by beating Alison van Uytvanck of Belgium 6-1, 7-6 (4).

The 18-year-old Gauff is trying to improve on her quarterfinal run at the French Open last year — her best result at a major. Gauff twice fell behind by two games in the second set but broke back both times. The American forced three errors from Van Uytvanck in the tiebreaker.

The 28-year-old Van Uytvanck's best result at a Grand Slam tournament was reaching the quarterfinals at Roland Garros in 2015.

Gauff is the youngest player remaining in the draw and celebrated her high school graduation this week with pictures at the Eiffel Tower.

In the men's draw, Novak Djokovic eased into the third round of his French Open title defense with a straight-set victory over Alex Molcan.

The top-ranked Djokovic defeated the 24-year-old Slovakian 6-2, 6-3, 7-6 (4) at Court Suzanne Lenglen.

K-State lands coveted football transfer Forsha

BY KELLIS ROBINETT
krobinett@wichita-eagle.com

It's not often that Kansas State finds itself in a recruiting battle for a football player with USC.

Even more rare: the Wildcats beating the Trojans for a coveted prospect. But that's exactly what happened on Tuesday evening when Gavin Forsha, a 6-foot-3 and 220-pound linebacker from Tyler (Texas) Junior College, announced his intentions to play for the Wildcats.

Forsha visited K-State in early May and then picked up a scholarship offer from USC, which led to a visit to Los Angeles. After checking out both campuses, Forsha decided he wanted to continue his college football career in Manhattan.

The Wildcats have established a strong recruiting connection to Tyler Junior College lately. Perhaps that is part of the reason why

Forsha was smitten with the Wildcats. He is the third transfer K-State has landed from Tyler since the spring semester began. He will join safety Kobe Savage and cornerback Justice Clemons on the roster.

Forsha, who is originally from Nashville, was a priority recruit for the Wildcats after they lost Brandon Jennings and a few other linebackers to the transfer portal.

Forsha will be expected to compete with Will Hornas, Krew Jackson, Austin Moore and Nick Allen for playing time next to returning starter Daniel Green.

Forsha made 46 tackles as a freshman at Tyler, including 13.5 for loss. Eleven of those were sacks. He has three years of college eligibility remaining.

His next tackle will come at K-State instead of a traditional power located in Los Angeles.

Kellis Robinett
@KellisRobinett



Cheney senior Harrison Middleton won the Class 3A boys golf state championship after Tuesday's play was rained out.

FROM PAGE 18 GOLF

season-high round of 81 back on April 8. Middleton said he was fully aware of the forecast for rain on Tuesday, which impacted his strategy on Monday.

"I had a feeling we might not play again, so I went for everything," Middleton said. "It felt like a round of golf with my friends. No laying up, going after every pin. It was full steam ahead, guns blazing."

"That aggressive mentality led to five birdies, the most important the final one on the final hole of his round on the 500-yard Par 5 No. 9. Middleton's second shot had left him in the rough about 25 yards from the pin, but he delivered his best chip shot of the round to put him six feet away.

Middleton calmly sank the putt, not knowing that the up-and-down for birdie had just won him a state championship by one stroke over Hesston sophomore Camden Watsonson, who birdied four of his final five holes to make a charge at the lead.

"We have this video of him making the putt on 18 and he doesn't have any idea how important that putt was," said Nancy Middleton, his mother. "Now we know. It's just so awesome. He picked the best day to have one of his best rounds of golf." Nancy and Jason Middleton remember when Harrison actually preferred basketball when he was younger. He still played through high

school and remained a talented player, earning honorable mention all-state honors on a Cheney team that finished 22-1 this season.

But when the family moved to Cherry Oaks and became members at the golf course, Harrison had found a new love. He used to spend hours at the course and during the summer he would wait until 3 p.m. when his mother clocked out of work to play even longer.

"In the summer when it got hot, he didn't like walking the course and he couldn't rent a cart until he was 16," Nancy Middleton said. "So he would be there waiting for me every day when I got off work to drive him around in the cart. I loved doing it. He was such a natural at golf."

"I always loved the highs of (golf)," Middleton said. "Nothing feels better than a good round."

BISHOP CARROLL KAPPAU MT. CARMEL COME AWAY WITH STATE TITLES

Bishop Carroll junior Noah Holtzman etched his name as one of the all-time greats in the program by winning the Class 5A individual state championship with his 1-under round of 71 on Monday at Quail Ridge golf course in Winfield.



Bishop Carroll junior Noah Holtzman, center, was the Class 5A individual champion after Tuesday's round was rained out in Winfield.

Holtzman held off a loaded field that included Kapaun Mt. Carmel's 1-2 punch of junior Conner Geist and sophomore Asher Whitaker, who both finished one stroke behind Holtzman in a tie for second place. Tuesday's round was canceled due to rain, which finalized Monday's leaderboard after 18 holes.

"It means a lot because our school has a lot of really good history, so it will be cool to look up at the banners and see this," Holtzman said.

It concluded an impressive postseason run by Holtzman, which also included the valiant effort to help Carroll upset Kapaun as the City League champions with Holtzman shooting the low score to also earn individual honors.

Holtzman was coming off his best summer to date, as he finished in the top-5 of the Kansas Junior Amateur and qualified for the Kansas-Nebraska Cup. He now joins a short list of just three golfers at Carroll to win a state title in Zach Cleland (2003) and Rod Nuckolls (1972, 1975).

"This is by far the most impressive season we've had for an individual since I've been here," Carroll coach Mark Berger said. "Noah is just a tremendous ball-striker. He's so solid and consistent that he rarely has to scramble."

Holtzman was actually left frustrated by his round on Monday, despite being the only competitor under par. He 2-under through 14, but back-to-back bogys left him even par. He didn't know it at the time, but his birdie on the 394-yard Par 4 No. 18 is what sealed the championship. "I hit 15 out of 18 greens, so that's a pretty

good recipe for success," Holtzman said. "I played pretty well, but I missed a couple short putts and I feel like I could have shot a lot better."

While Geist and Whitaker came one stroke shy of individual honors, they didn't go home empty handed: their scores helped power Kapaun to its second straight Class 5A team state championship and 33rd in school history.

The Crusaders are slated to return all six of their members from the state championship team which also included individual medalists in junior Quaid Oliver (75, tied for seventh) and sophomore Noah Frittle (77, tied for 13th), as well as senior Spencer Seachris and junior Gabe Greier.

WICHITA-AREA MEDALISTS FROM STATE GOLF TOURNAMENTS

At the Class 5A state tournament at Quail Ridge in Winfield, Eisenhower came away with a second-place team trophy with a team score of 307, led by a trio of top-20 finishes in senior Emery Kaylor (75, tied for seventh), junior Carson Wright (75, tied for seventh) and sophomore Tyler Hardtfer (78, tied for 17th).

Other area medalists in 5A were Andover senior James Hill (73, tied for fourth), Maize South senior Kyle Kasitz (73, tied for fourth) and Andover freshman Aidan Nguyen (77, tied for 13th).

At the Class 4A state tournament at Sand Creek Station in Newton, Wellington had its team title in defending its team title in anticlimactic fashion with Tuesday's cancellation that left the Crusaders four strokes short of

Bishop Miege's winning score of 324. Wellington seniors Dettrek Gill (77, fourth) and Brett Wyckoff (81, tied for ninth) came away with top-10 finishes.

McPherson won the third-place team trophy with a score of 331, led by top-15 finishes from sophomore Blaise Hoover (81, tied for ninth), senior Parker VanCampen (81, tied for ninth) and senior Gus Ruddle (82, tied for 12th).

Other area medalists in 4A included Augusta senior Chad Brown (76, second), Pratt freshman Grant McAtee (79, sixth) and Buhler junior Logan Day (86, tied for 18th).

Hesston won the Class 3A team state championship with a score of 319, edging Santa Fe Trail out by two strokes. The Swathens were led by sophomore Camden Watsonson's runner-up finish and senior Ty Schroeder, who finished tied for 10th place with a round of 80.

Other team members were senior Jace Regier, freshman Grant Watsonson, junior Eric Schmidt and sophomore Palmer Welsh.

At the Class 1A state tournament at Hesston golf course, Hutchinson Central Christian won the team with a score of 355 and freshman Ryland Kooiman won individual honors with a 5-over round of 76. Other team members were freshman Nathan Reed (85, tied for eighth), junior Andrew Yoder, senior David Weis, senior Carson Hamby and junior Gabe Regier. Other area medalists included Goessel sophomore Noah Scher (80, fourth) and Dexter junior Cole Shorter (85, tied for eighth).

Taylor Eldridge
316-268-6270,
@taylordridge

LEGAL PUBLICATION

OCA 18064
PUBLISHED IN THE WICHITA EAGLE
ON MAY 26, 2022 (TUESDAY)
(One Time Only)

MAY 26, 2022 SPECIAL HEARING NOTICE

NOTICE IS HEREBY GIVEN that on Thursday, June 16, 2022, at 10:00 a.m., the Wichita-Sedgwick County Metropolitan Area Planning Commission Board, 2000 West 16th Street, Suite 200, will consider the following applications. The meeting will be held virtually, and the public is invited to attend via Zoom. Zoom link: <https://wscaplanet.com/join/9123456789>. Zoom ID: 912 345 6789. Zoom Passcode: 123456789. Zoom link: <https://wscaplanet.com/join/9123456789>. Zoom ID: 912 345 6789. Zoom Passcode: 123456789.

401 N. Main Street, Wichita, Kansas 67202
(Contact: 316-268-6270)

CONSENT-0001: Conditional Use request in the City of Wichita for an accessory building located approximately one-quarter mile north of East Central Avenue and approximately one-quarter mile west of North 18th Street East (off N. Broadway St.).

CONSENT-0002: Conditional Use request in the City of Wichita for an accessory building located 150 feet south of East 3rd Street (north and 1,200 feet east of North Oliver Avenue at 250 North Old Main Road).

CONSENT-0003: Conditional Use request in the City of Wichita for an accessory building located one-quarter mile north of North 18th Street East (off N. Broadway St.).

CONSENT-0004: Conditional Use request in the City of Wichita for an accessory building located one-quarter mile north of North 18th Street East (off N. Broadway St.).

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CONSENT-0033: Conditional Use request in the City of Wichita for an accessory building located one-quarter mile north of North 18th Street East (off N. Broadway St.).

LEGAL PUBLICATION

OCA 150004
PUBLISHED IN THE WICHITA EAGLE
ON MAY 26, 2022 (627033)
(One Time Only)

MAPC/BZA June 16, 2022 OFFICIAL HEARING NOTICE

NOTICE IS HEREBY GIVEN that on **Thursday, June 16, 2022, 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 virtually, public participation is available in multiple ways, those without technology options can participate by going to the 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 Wichita-Sedgwick County Metropolitan Area Planning Department at (316) 268-4421.

CON2022-00011: Conditional Use request in the City for an Accessory Apartment located approximately one-quarter mile north of East Central Avenue and approximately one-quarter mile West of North 159th Street East (449 N. Brookhaven Dr.)

CON2022-00013: Conditional Use request in the City for an Accessory Apartment on property zoned SF-5 Single-Family Residential located 500 feet South of East 2nd Street North and 1,700 feet East of North Oliver Avenue (250 North Old Manor Road).

CON2022-00015: Conditional Use request in the City to allow an Accessory Apartment; generally located one-quarter mile West of North Broadway Avenue and one-quarter mile North of West 29th Street North (3135 N. Wellington Place).

PUD2022-00012: Zone change request in the City from LI Limited Industrial to PUD Planned Unit Development for mixed-use development on property located within one block North of West Douglas Avenue and one-half mile West of North Seneca Street (130 - 200 N. Millwood Avenue).

VAC2022-00017: Vacation request in the City to vacate a platted 8-foot easement on SF-5 Single-Family Residential zoned property; generally located one-quarter mile North of East Pawnee Avenue and two blocks East of South Hillside Avenue (3437 E. Kinkaid Ct.).

ZON2022-00028: Zone Change request in the City from IP Industrial Park to TF-3 Two-Family Residential and amendment to Protective Overlay #247 to remove land from the Protective Overlay on property located one-half mile South of West 31st Street South and within one-quarter mile East of South 119th Street West.

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-Sedgwick 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: Scott Wadle 271 W. 3rd 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.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.geto.com

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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. 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 (316-268-4464) by 5pm, 3 days prior to the meeting.

WITNESS MY HAND on May 26, 2022

Scott Wadle, Secretary

Wichita-Sedgwick County
Metropolitan Area Planning Commission



STAFF REPORT
MAPC June 16, 2022
DAB II June 13, 2022

CASE NUMBER: CON2022-00011 (City)

APPLICANT/OWNER: Linda and Robert Kromer

REQUEST: Conditional Use request for an Accessory Apartment

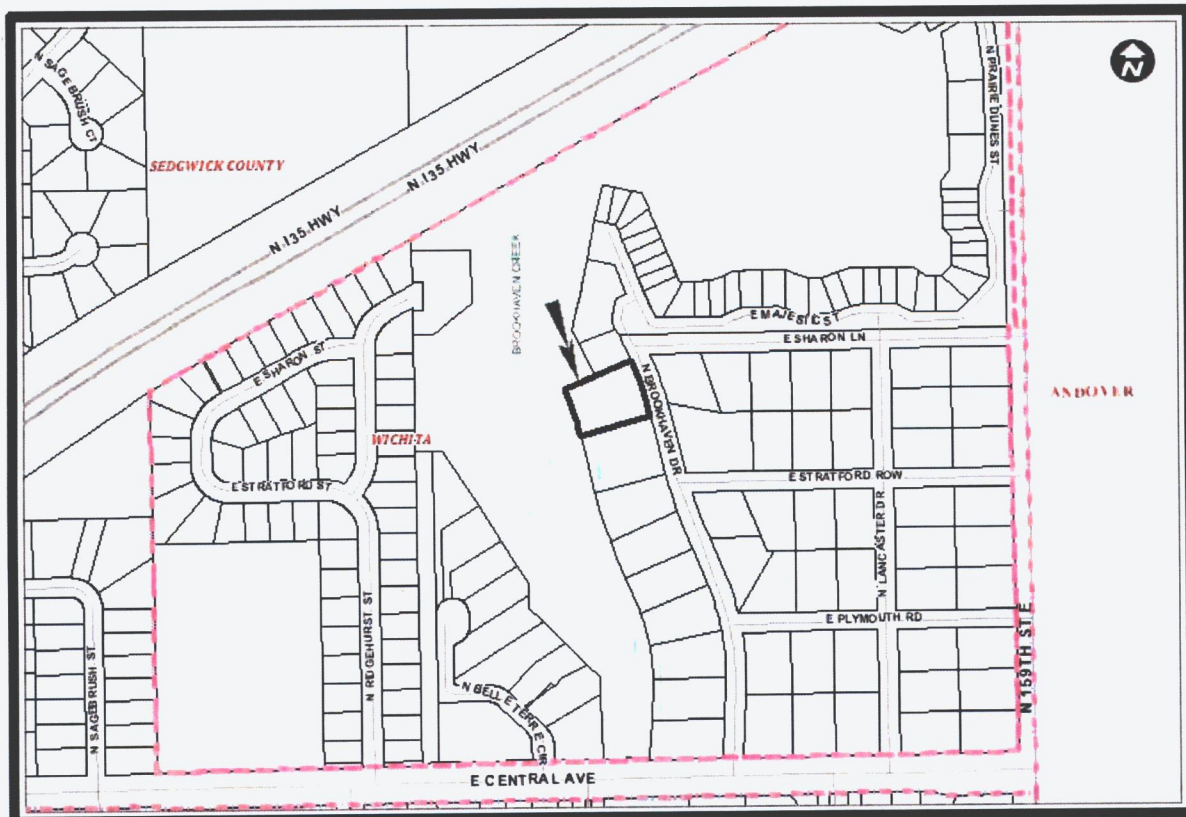
CURRENT ZONING: SF-5 Single-Family Residential

SITE SIZE: 0.84 acres

LOCATION: Generally located in Wichita approximately 1,215 feet west of the intersection of North 159th Street East and East Sharon Drive. (649 North Brookhaven Drive)

PROPOSED USE: Accessory Apartment

RECOMMENDATION: Approve with conditions



BACKGROUND: The applicant is requesting a Conditional Use to build an Accessory Apartment within an existing pole barn, in the SF-5 Single-Family Residential zoning district. The property is addressed as 649 North Brookhaven Drive, which is generally located 1,215 feet west of the intersection of North 159th St. East and East Sharon Lane. The site is currently developed with a single-family home, and a pole barn structure in the back yard. The pole barn structure will house the Accessory Apartment in a portion of the structure. The primary residence was built in 1992.

The Wichita-Sedgwick County Unified Zoning Code (“UZC”) defines an “Accessory Apartment” (Art. II. Sec. II-B.1.b) as a dwelling unit that may be wholly within or may be detached from a principal single-family dwelling unit. Accessory Apartments are also subject to supplementary use regulation Art. III. Sec. III-D.6.a (1) a maximum of one Accessory Apartment may be allowed on the same lot as a single-family dwelling unit that may be within the main building, within an accessory building or constructed as an Accessory Apartment; (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 and (4) the water and sewer service provided to the Accessory Apartment 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.

Regarding regulation #2 related to the appearance of the Accessory Apartment being compatible with the main dwelling unit and with the character of the neighborhood; the pole barn in which the Accessory Apartment had a building permit issued in July 2021 and has since expired. The Framing permit remains to be done along with the final Certificate of Occupancy. In Staff’s opinion, adding a dwelling unit within the existing structure does not detract from the appearance of the neighborhood as the exterior of the existing structure is not changing.

Properties within the Brookhaven Estates Addition are approximately one-half acre or more in size. Properties on the north, south, and east are all zoned SF-5 Single-Family Residential and developed with single-family homes. Property to the west is zoned SF-5 and developed as a golf course. Properties to the north of Brookhaven Estates subdivision are a combination of SF-Single-Family Residential, TF-3 Two-Family Residential, and MF-18 Multi-Family Residential on smaller scale lots.

CASE HISTORY: In 1954, the site was platted as part of the Brookhaven Estates Addition.

ADJACENT ZONING AND LAND USE:

NORTH:	SF-5	Single-Family residences
SOUTH:	SF-5	Single-Family residences
WEST:	SF-5	Golf Course
EAST:	SF-5	Single-Family residences

PUBLIC SERVICES: North Brookhaven Drive is a two-way, paved local street with no sidewalks. The Brookhaven Estates Addition has municipal water and sewer. Wichita Transit does not serve this area with regular transit service.

CONFORMANCE TO PLANS/POLICIES: The requested Accessory Apartment is in conformance with the following plans.

The Community Investments Plan: The requested Accessory Apartment is in conformance with the goals of the Community Investment Plan. The Community Investments Plan (the Wichita-Sedgwick County Comprehensive Plan) includes the 2035 Wichita Future Growth Concept Map. The Map identifies the area in which the site is located to be appropriate for residential uses and identifies Accessory Apartments as appropriate in existing residential areas if appropriate site design limits adverse impacts on surrounding residential uses.

RECOMMENDATION: Based upon information available prior to the public hearings, planning staff recommends that the request be **APPROVED**, with the following conditions:

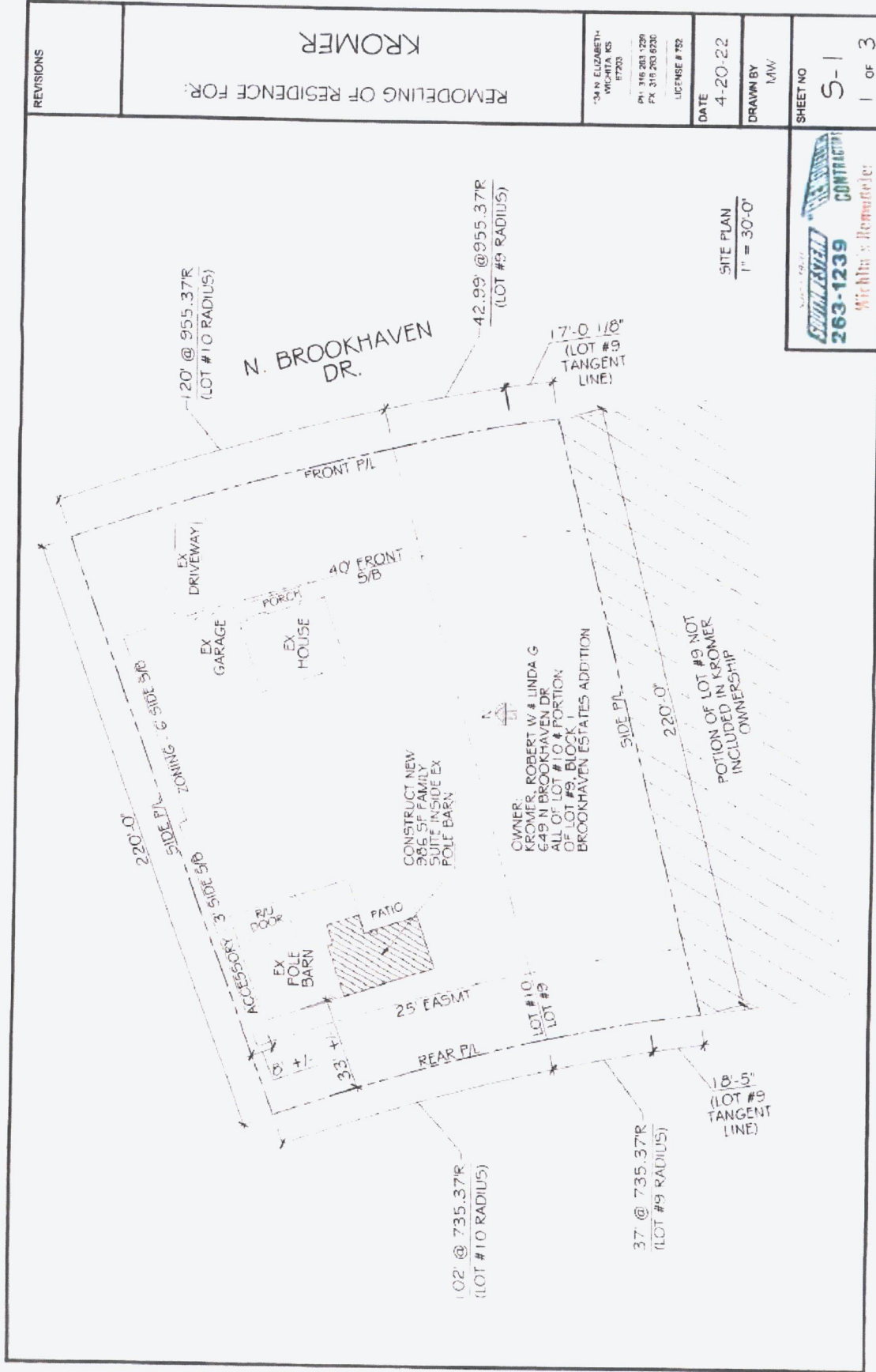
- (1) The Accessory Apartment shall remain accessory to and under the same ownership as the principal single-family residence (located at 649 N. Brookhaven Drive) and the ownership shall not be divided or sold as a condominium.
- (2) Development of the site shall be in conformance with the approved site 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 turning in 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:** Properties in three directions (north, south, and east) are zoned SF-5 Single-Family Residential. To the west of the property is a reserve area and detention basin. Farther west across the reserve area is another subdivision of SF-5, Single Family homes. The residential development within Brookhaven Estates Addition is on large urban lots of approximately one-half acre or larger. The pole barn in which the Accessory Apartment will be located has existed as part of the neighborhood for some time. In Staff's opinion, adding a dwelling unit within the existing structure does not detract from the appearance of the neighborhood as the exterior of the existing structure is not changing.
- (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 allows the development of single-family residences. The property will continue to be used for one single-family residence; the size of the property easily accommodates an Accessory Apartment and the additional required parking spaces.
- (3) **Extent to which removal of the restrictions will detrimentally affect nearby property:** Approval of the request should not detrimentally impact nearby properties. The conditions of approval should minimize any unanticipated detrimental impacts.
- (4) **Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies:** The proposed Conditional Use is in conformance with the *Community Investments Plan* as discussed in the staff report.
- (5) **Impact of the proposed development on community facilities:** Community facilities may not be significantly impacted by the Accessory Apartment located in an additional accessory structure. The property is served by municipal water and sewer.

Attachments:

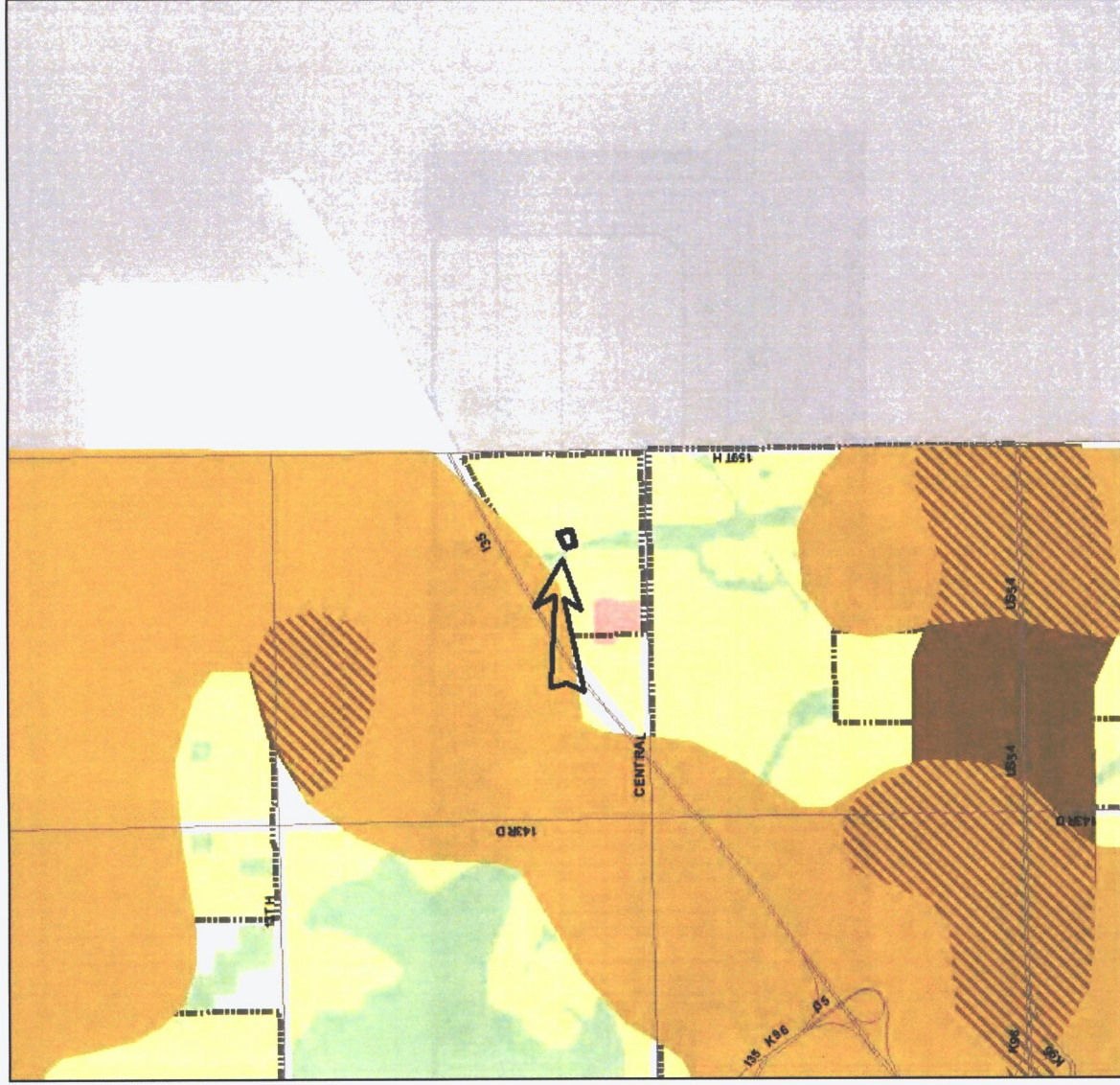
- | | |
|---------------|--|
| 1. Site Plan | 4. Community Investments Plan Land Use Map |
| 2. Aerial Map | |
| 3. Zoning Map | 5. Site Photos |





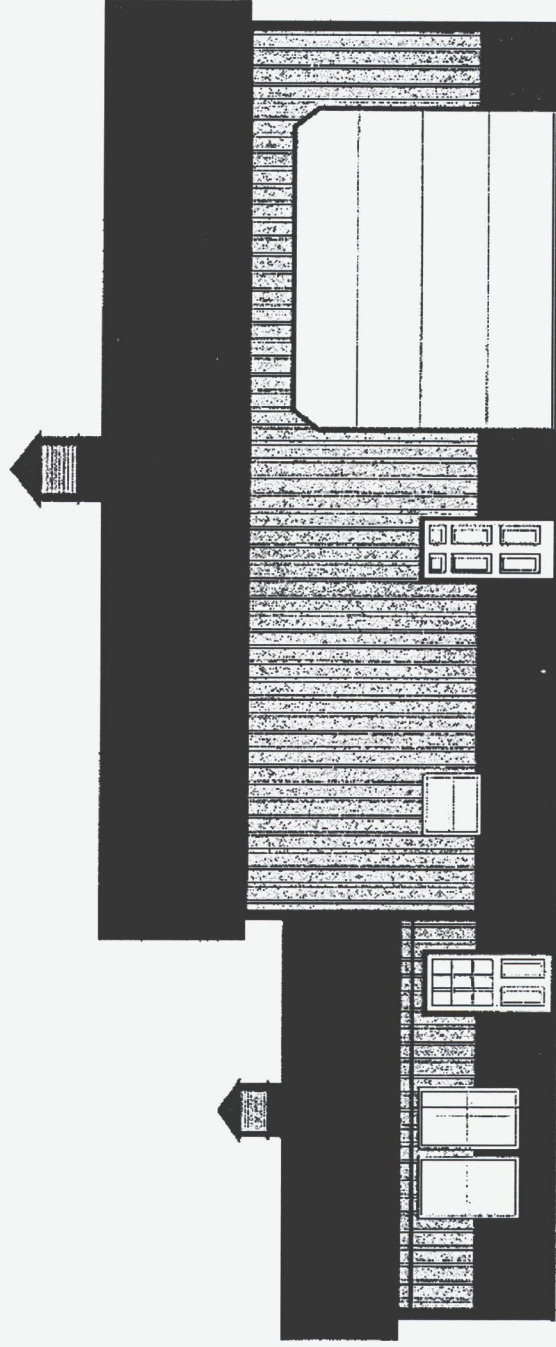
2035 Wichita Future Growth Concept Map

- Legend**
-  Established Central Area Residential and Employment Mix
 -  New Employment
 -  New Residential
 -  Wichita City Limits
 -  Other Cities
 -  Northwest Bypass Right-of-Way
- Statistical Development Areas**
-  Other Urban Growth Areas 2014
 -  Other Urban Growth Areas 2014
 -  Rural Growth Areas 2014
- LAND USE**
-  Residential
 -  Commercial
 -  Industrial
 -  Major Air Transportation & Military
 -  Parks and Open Space
 -  Agricultural or Vacant
 -  Major Institutional
 -  Nghbd_Plan_Areas





EAST SIDE-EAVE SIDE 2 ELEVATION



Wanda Kramer
Creative Signage Inc.
714.271.1111

Subject Property – 649 N. Brookhaven Dr.



1. Subject home



2. Subject home from south side; Accessory Apartment in the rear



3. Home across street from subject home



4. Brookhaven Dr. looking south



*5. Brookhaven Dr. and E. Sharon Ln.
looking east*



*6. Adjacent subdivision north of subject
parcel*

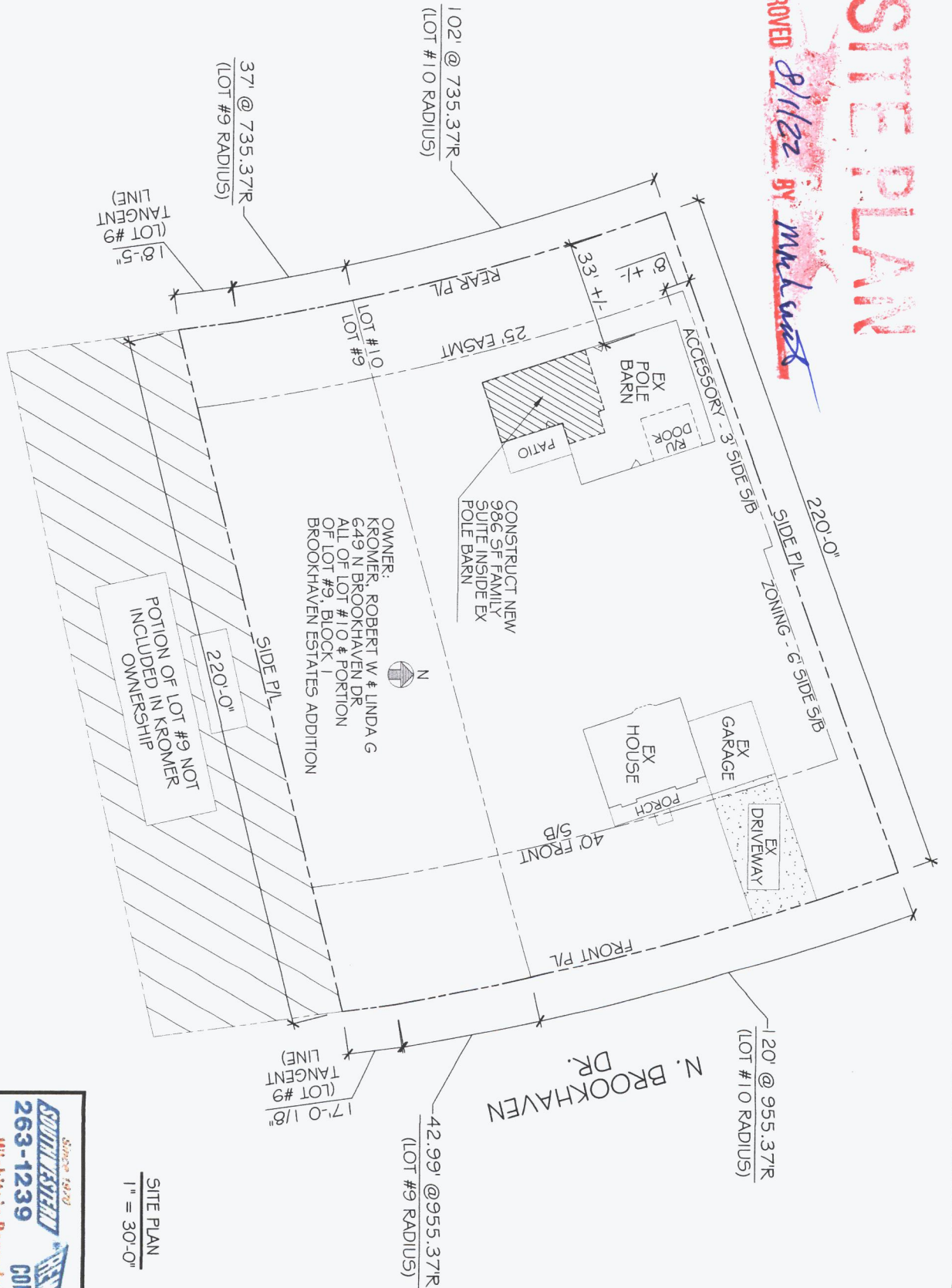
SITE PLAN

APPROVED

8/1/22

BY

M. L. Smith



REVISIONS

REMODELING OF RESIDENCE FOR:
KROMER

134 N. ELIZABETH
WICHITA, KS
67203

PH 316.263.1239
FX 316.263.6230
LICENSE # 732

DATE
4-20-22

DRAWN BY
MM

SHEET NO.

S-1

1 OF 3

Since 1970
SOUTH-STEEL
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CONTRACTORS

REPORT

July 1, 2022 M. M. M. M.



Wichita's Remodeler

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REMODELING OF RESIDENCE FOR:
KROMER

PH 316.263.1239
FX 316.263.6230

LICENSE # 752

4-20-22

MM