



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

October 17, 2023

Sheldon Green and Jacqueline Green-Doggett
2642 North Edwards Street
Wichita, KS 67204

RE: CON2023-00039 - Conditional Use request in the City for accessory apartment on property zoned SF-5 Single-Family Residential; generally located 400 feet north of West 25th Street West and 660 feet west of North Meridian Avenue (2642 North Edwards Street).

Dear applicants,

On October 17, 2023, the Wichita City Council considered the above captioned request. The action of the WCC was to **APPROVE** 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 and the ownership shall not be divided or sold as a condominium. The exterior materials are to be complimentary to the main structure.
2. Water and sewer services shall be connected to the main structure and provided in compliance with the Sedgwick County Sanitation Code before a building permit will be issued. 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.

If you have any questions concerning this matter, please contact our office.

Sincerely,

A handwritten signature in black ink that reads 'Christina Rieth'.

Christina Rieth
Associate Planner

Cc: Maggie Ballard, Councilmember District VI
Ana Lopez, CSR District VI
MABCD



Wichita-Sedgwick County Metropolitan Area Planning Department

September 14, 2023

Sheldon Doggett and Jacqueline Green
2642 North Edwards Street
Wichita, KS 67204

RE: CON2023-00039: Conditional Use request in the City for accessory apartment on property zoned SF-5 Single-Family Residential; generally located 400 feet north of West 25th Street West and 660 feet west of North Meridian Avenue (2642 North Edwards Street).

Dear Applicant;

At its regular meeting on **September 14, 2023**, 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 with the following conditions:

1. The Accessory Apartment shall remain accessory to and under the same ownership as the principal single-family residence and the ownership shall not be divided or sold as a condominium. The exterior materials are to be complimentary to the main structure.
2. Water and sewer services shall be connected to the main structure and provided in compliance with the Sedgwick County Sanitation Code before a building permit will be issued. 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.

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 September 28, 2023. 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 **September 28, 2023 at 5:00 p.m.**

To ensure that Conditional Use applications would not be ruled invalid due to the recent American Warrior, Inc. v. Board of County Commissioners of Finney County, Kansas, the Planning Department is sending Conditional Use cases to the respective Governing Body for action. To do this, the Planning Director is submitting an appeal

for all Conditional Use applications, per UZC Sec. V.A.5. This application will be considered by the Wichita City Council on **Tuesday, October 17, 2023** beginning at 9:00 a.m.

This is a reminder that development application signs should now be removed from the property. If you have any questions concerning this application, please contact our office at 268-4421.

Sincerely,

A handwritten signature in cursive script that reads "Christina Rieth".

Christina Rieth
Current Plans
Associate Planner

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

BE IT ORDAINED BY THE GOVERNING BODY
OF THE CITY OF WICHITA, KANSAS.RESOLUTION NO. 23-445

WHEREAS, Sheldon Doggett and Jacqueline Green Doggett, Owners, 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 an Accessory Apartment on property zoned SF-5 Single-Family Residential District located on the east side of North Edwards Street, within 100 feet north of West 25th Street North, legally described as:

Lot 4, Block 5, Northwest Heights Addition to 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 September 14, 2023, consider said application; and

WHEREAS, the Wichita City Council 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 be approved to allow a Conditional Use to permit an Accessory Apartment on property zoned SF-5 Single-Family Residential District located on the east side of North Edwards Street, within 100 feet north of West 25th Street North, legally described as:

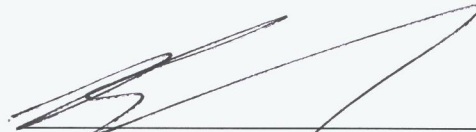
Lot 4, Block 5, Northwest Heights Addition to Wichita, Sedgwick County, Kansas.

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 2642 North Edwards Street) 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 Resolution shall take effect and be in force from and after its adoption by the Wichita City Council.

Adopted on 17th day of October, 2023.



Brandon J. Whipple, Mayor, City of Wichita

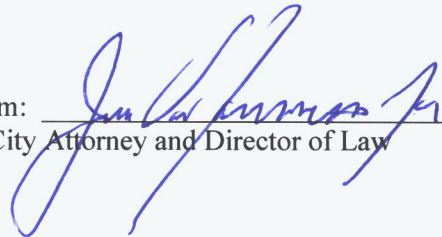
ATTEST:



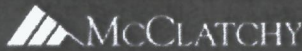
Jamie Buster, City Clerk

(SEAL)



Approved as to form: 

Jennifer Magaña, City Attorney and Director of Law



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
32522	480453	Print Legal Ad-IPL01443370 - IPL0144337		\$103.95	2	62 L

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

JMBuster@wichita.gov

LEGAL PUBLICATION

RESOLUTION NO. 23-445
BE IT ORDAINED BY THE GOVERNING BODY
OF THE CITY OF WICHITA, KANSAS
RESOLUTION NO. 23-445

WHEREAS, Sheldon Doggett and Jacqueline Green Doggett, Owners, 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 an Accessory Apartment on property zoned SF-5 Single-Family Residential District located on the east side of North Edwards Street, within 100 feet north of West 25 th Street North, legally described as:

Lot 4, Block 5, Northwest Heights Addition to 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 September 14, 2023, consider said application; and

WHEREAS, the Wichita City Council 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 be approved to allow a Conditional Use to permit an Accessory Apartment on property zoned SF-5 Single-Family Residential District located on the east side of North Edwards Street, within 100 feet north of West 25 th Street North, legally described as:

Lot 4, Block 5, Northwest Heights Addition to Wichita, Sedgwick County,
Kansas.

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 2642 North Edwards Street) 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 Resolution shall take effect and be in force from and after its adoption by the Wichita City Council.
Adopted on 17 th day of October 2023.

Brandon J Whipple, Mayor, City of Wichita
ATTEST: Jamie Buster, City Clerk
(SEAL) Approved as to form: Jennifer Magana, City Attorney and Director of Law
IPL0144337
Oct 20 2023

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

1 insertion(s) published on:

10/20/23

STATE OF KANSAS)

SS

County of Sedgwick)

Stefani Beard, 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 10/20/2023 to 10/20/2023.

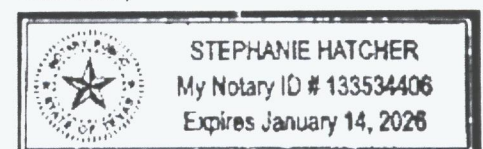
Stefani Beard

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

DATED: 10/24/2023

Stephanie Hatcher

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!



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	457830	Print Legal Ad-IPL01362800 - IPL0136280		\$227.06	3	90 L

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

MHEBERT@wichita.gov

OCA 150004
Published in The Wichita Eagle on August 24, 2023
(One Time Only)
MAPG/SEA September 14, 2023

NOTICE IS HEREBY GIVEN that on Thursday, September 14, 2023, 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 at the Ronald Reagan Building, 271 West Third Street, 2nd Floor, Wichita, KS 67202. Public participation may also occur through virtual methods (specified at the end 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.

SEA2023-00045: Request for Variance in the City to have zero setback on a through street and to increase height of off-site sign to 54.14 feet on a property zoned GI General Industrial; generally located on the west side of North Hydraulic Avenue and East of I-135.

CON2023-00001: Conditional Use in the City to amend CON2022-00010 and expand Vehicle and Equipment Sales, Outdoor for the entire property in accordance to the revised site plan; generally located on the northeast corner of West Central Avenue and North Hoover Road (5534 West Central Avenue).

CON2023-00036: Conditional Use request in the City to permit live music and entertainment (defined as Nightclub in the City) as an accessory use to hotels and restaurants; generally located on the northeast corner of North Webb Road and Waterfront Pkwy (1720 North Webb Road).

CON2023-00039: Conditional Use request in the City for accessory apartment on property zoned SF-5 Single-Family Residential; generally located 400 feet north of West 25th Street West and 660 feet west of North Meridian Avenue (2642 North Edwards Street).

CUP2023-00027: CUP Amendment in the City to DP-218 to develop a Warehouse Self-Storage facility on property zoned LC Limited Commercial; located approximately 225 feet north of West 21st Street North and on the east side of North 119th Street West.

DER2023-00004: Unified Zoning Code amendment to the Old Town Overlay to allow Tattoo and Body Piercing Facility as a permitted use within the Old Town Overlay District, located between North Santa Fe Avenue and North Washington Avenue, and between East Douglas Avenue and East 3rd Street North.

VAC2023-00029: Vacation request in the City to vacate a portion of a sanitary easement by separate instrument on property zoned RUD Planned Unit Development and located at the southwest corner of South Seneca St. and West MacArthur Rd.

VAC2023-00030: Vacation request in the City to vacate a 15-foot platted utility easement on property zoned LC Limited Commercial; generally located on the south side of East Kellogg Drive and within one-half mile east of South Rock Road (southeast corner of East Kellogg Dr. and South Eastern Ave).

VAC2023-00031: Vacation request in the City to vacate access control of right in and right out movements on Towne East Mail Drive on property zoned LC Limited Commercial District; generally located north of Kellogg Drive and Towne East Mail Drive.

VAC2023-00032: Vacation request in the City to vacate the north 126 feet of an existing 30-foot driveway easement on property zoned LC Limited Commercial District; generally located north of East 21st Street North and West of Pinecrest Avenue (5110 East 21st Street North).

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.

Options to participate (see below):
1) Participate virtually
2) Attend in-person at the Ronald Reagan Building
3) Submit comments ahead of time

Participate Virtually
Join Zoom Meeting
<https://us06web.zoom.us/j/4089866967?pwd=ek3bW0Y5IENbJkQ0TDYvOxPVB0BkUT09>
Meeting ID: 408 986 6967
Passcode: 094136

One tap mobile
+16699006833,4089866967#...094136# US (San Jose)
+17193594580,4089866967#...094136# US
Meeting ID: 408 986 6967
Passcode: 094136

Find your local number: <https://us06web.zoom.us/j/4089866967>
Attend in-Person
You may also participate in the hearing in-person at the Ronald Reagan Building, 271 West Third Street, 2nd Floor, Wichita, Kansas 67202. 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.

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

WITNESS MY HAND on August 24, 2023
Scott Wadle, Secretary
Wichita-Sedgwick County
Metropolitan Area Planning Commission
IPL0136280
Aug 24 2023

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

1 insertion(s) published on:
08/24/23

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 08/24/2023 to 08/24/2023.

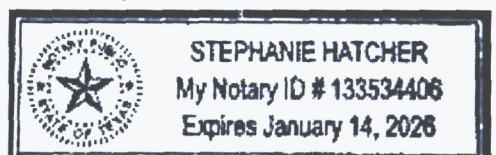
M. Hayley

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

DATED: 08/24/2023

Stephanie Hatcher

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!

STAFF REPORT

MAPC: September 14, 2023

DAB VI: September 11, 2023

<u>CASE NUMBER:</u>	CON2023-00039 (City)
<u>APPLICANT/OWNER:</u>	Jacqueline Green-Doggett (Applicant)
<u>REQUEST:</u>	Conditional Use request for an Accessory Apartment
<u>CURRENT ZONING:</u>	SF-5 Single-Family Residential District
<u>SITE SIZE:</u>	0.52 acres
<u>LOCATION:</u>	Generally located on the east side of North Edwards Street, within 100 feet north of West 25 th Street North (2642 North Edwards Street).
<u>PROPOSED USE:</u>	Accessory Apartment
<u>RECOMMENDATION:</u>	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. The property is located at 2642 North Edwards Street, which is generally located on the east side of North Edwards Street, within 100 feet north of West 25th Street North. The site is currently developed with a 936 square foot single-family home, a detached one-car garage, and a detached two-car garage. The applicant is requesting to convert the one-car detached garage into the Accessory Apartment. The existing structure is built inside of the setback requirements for an Accessory Apartment on SF-5 Single Family Residential zoning.

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 and 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.
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.

In staff’s opinion, the proposed Accessory Apartment is compatible with the main dwelling unit and the character of the neighborhood. In the subject neighborhood, many homes have detached garages that sit behind or to the side of the main dwelling. The proposed Accessory Apartment sits approximately 16 feet east from the main dwelling unit.

The character of the neighborhood is low-density residential. Properties on the north, south, east, and west are all zoned SF-5 Single-Family Residential and developed with single-family dwellings.

CASE HISTORY: On October 15, 1950, the site was platted as Lot 4, Block 5 of the Northwest Heights Addition. There are no zoning cases associated with this property.

ADJACENT ZONING AND LAND USE:

NORTH:	SF-5	Single-family residence
SOUTH:	SF-5	Single-family residence
WEST:	SF-5	Single-family residence
EAST:	SF-5	Single-family residence

PUBLIC SERVICES: The subject site has access to North Edwards Street, a paved, two-way local street with no sidewalks. Wichita Transit does not serve this site. This site already has access to all municipal services, such as sewer and water.

CONFORMANCE TO PLANS/POLICIES: The proposed use is in conformance with the following plans:

The Community Investments Plan: The Wichita-Sedgwick County Comprehensive Plan, the Community Investments Plan, identifies the site as a “Residential” on the Future Growth Map Concept Map as: “*areas that reflect the full diversity of residential development densities and types typically found in a large urban municipality.*” Accessory Apartments are listed in acceptable forms of housing in the plan.

Wichita: Places for People Plan: The proposed Accessory Apartment also conforms with the *Wichita: Places for People Plan*. The property is located within Wichita’s Established Central Area in an “Area of Stability”, which the *Plan* defines as “locations within the ECA that exhibit less stress, or fewer economic, connectivity and accessibility

issues than the Areas of Opportunity. Areas of Stability require fewer interventions and potentially less public investment to maintain a stable development environment and community. Improvements should be targeted to support development momentum and strengthen the established physical context.” Accessory Apartments promote small-scale infill and will contribute to the improvement of the area.

Strategies: The Plan recommends strategies to help guide the community in their actions to create walkable places within Wichita. The requested Accessory Apartment proposal aligns with the design principles of Places for People Strategy 5 by “supporting development of a variety of lot sizes and housing types.” The Land Use Compatibility principle encourages Accessory Apartments as appropriate in existing neighborhoods. The requested Conditional Use also aligns with the *Places for People Plan*’s Strategy 6, “Encourage infill and redevelopment that is contextual to the environment in which it is occurring.” The proposed Accessory Apartment will utilize an existing accessory structure.

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 2642 North Edwards Street) 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:** The character of the neighborhood is low-density residential. Properties on the north, south, east, and west are all zoned SF-5 Single-Family Residential District and developed with single-family dwellings. Accessory Apartments are permitted within SF-5 zoning by Conditional Use. This applicant proposes to use the existing garage structure for the Accessory Apartment.
2. **The suitability of the subject property for the uses to which it has been restricted:** The subject site is currently zoned SF-5 which allows for the development of single-family residences. The property will continue to be used as a single-family residence, the size of the property easily accommodates the Accessory Apartment and the additional required parking spaces, as exemplified through the current existence of an accessory structure.

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. **Length of time subject property has remained vacant as zoned:** The subject property has been developed since 1951.
5. **Relative gain to the public health, safety and welfare as compared to the loss in value or the hardship imposed upon the applicant:** Staff does not anticipate the requested Conditional Use to have any detrimental effects on the public health, safety, and welfare of the surrounding community. There is ample space on site to accommodate the anticipated traffic and parking. Denial could result in a loss of use and enjoyment of the applicant's property.
6. **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* and the *Wichita: Places for People Plan*, as discussed in the staff report.
7. **Impact of the proposed development on community facilities:** Community facilities will be minimally impacted by the Accessory Apartment. The property is served by municipal water and sewer.
8. **Opposition or support of neighborhood residents:** At the time the staff report was prepared, staff did not receive any public comment on the requested Conditional Use.

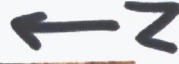
Attachments:

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

SITE PLAN

264B N
EDWARDS ST

PROPOSED
ACCESSORY
APARTMENT
(GARAGE)



DETACHED
GARAGE

MAIN STRUCTURE

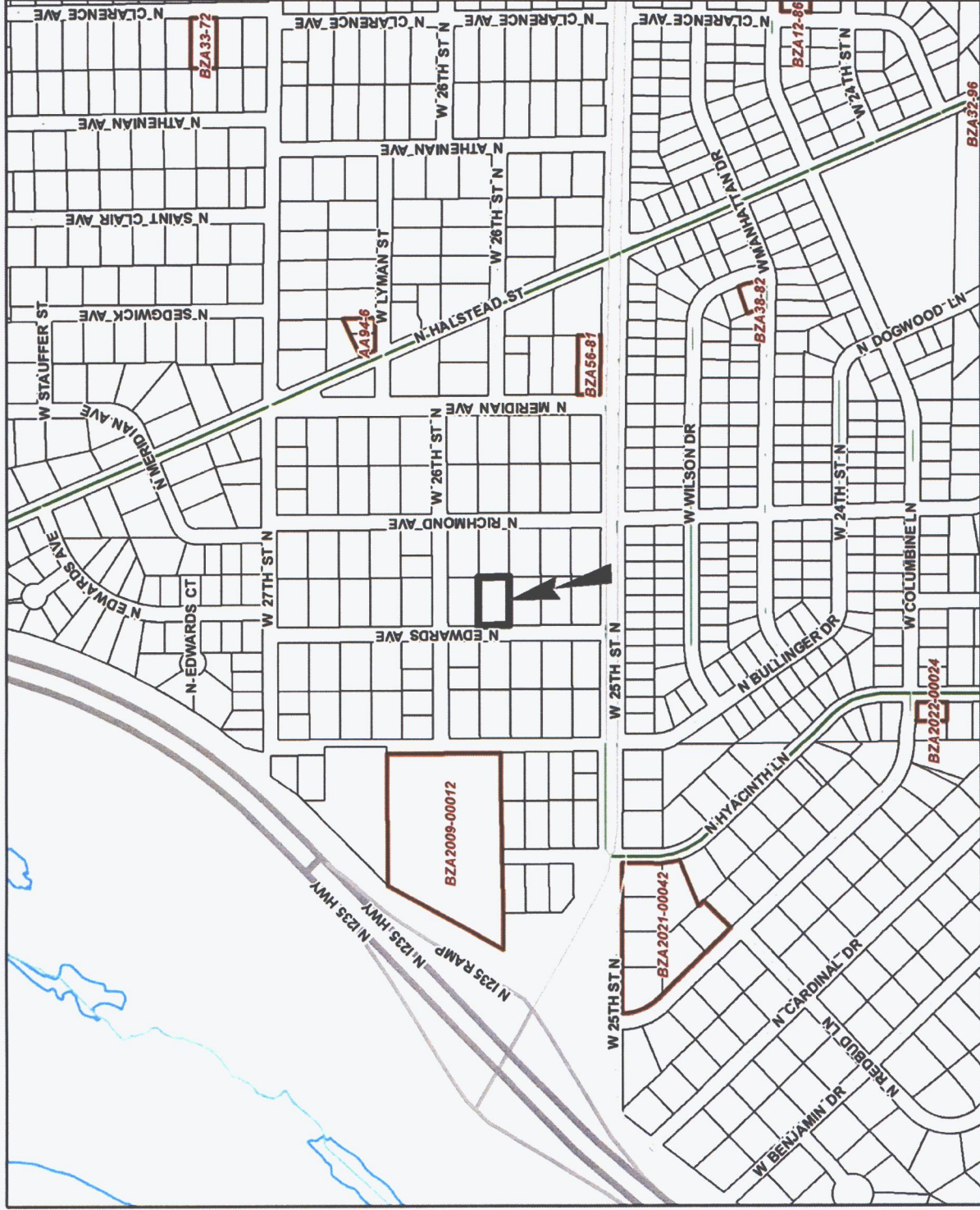
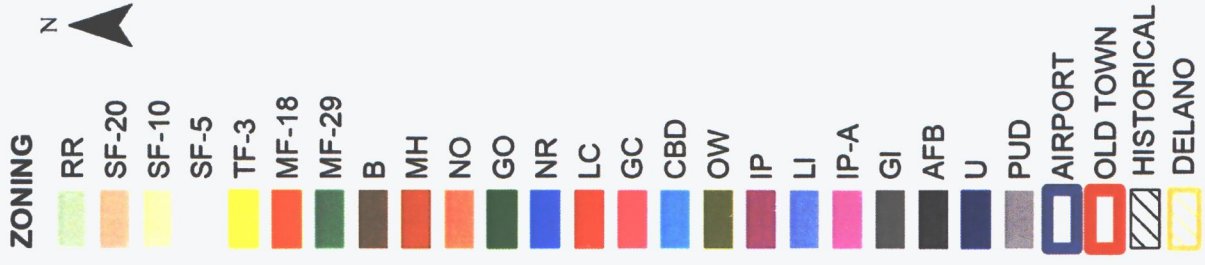
LEGAL DESCRIPTION

LOT 4, BLOCK 5
NORTHWEST HEIGHTS ADDITION

SCALE: 1:480

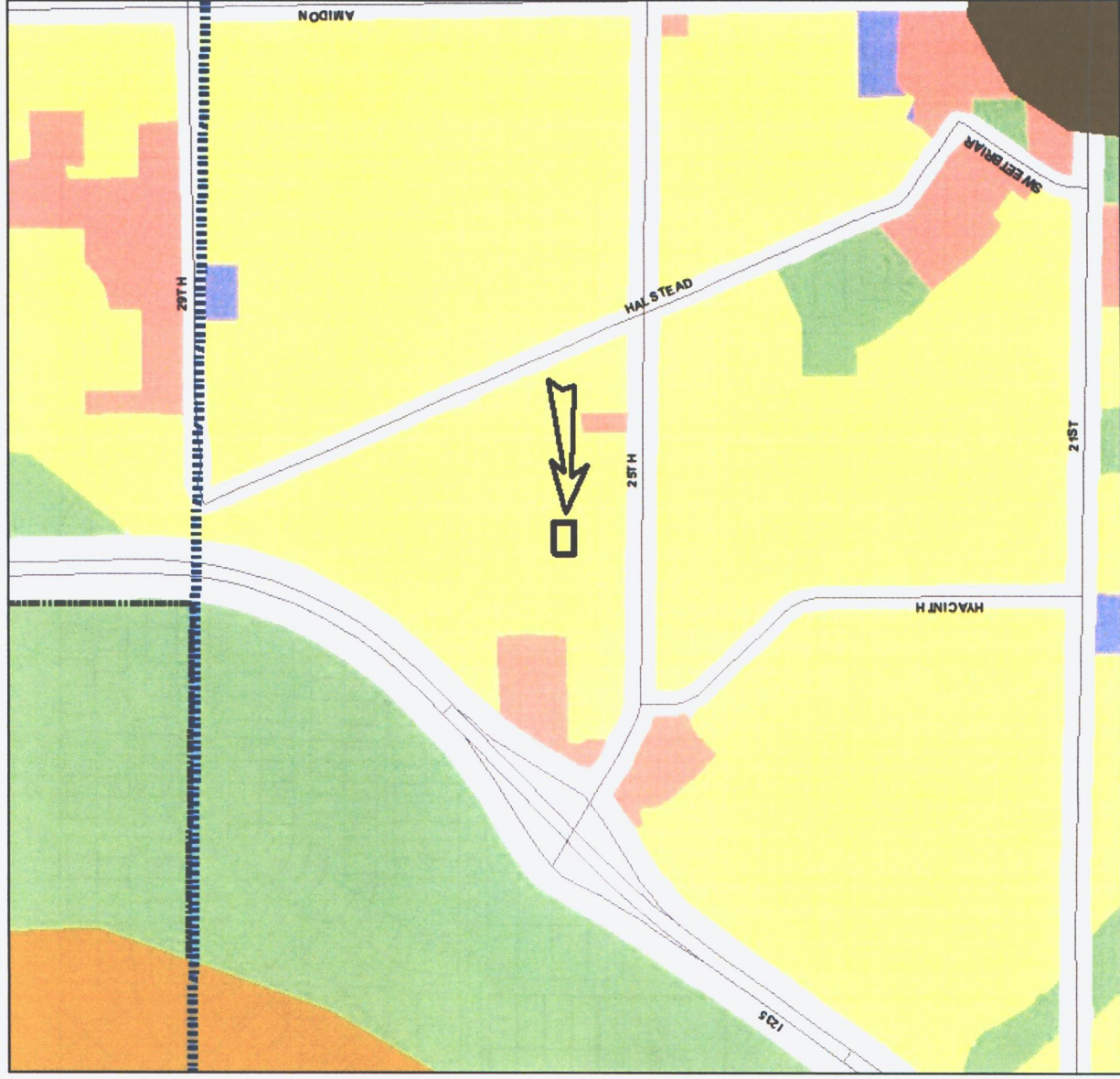






2035 Wichita Future Growth Concept Map

- 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
 - Nghbhd_Plan_Areas



Site Photos:



Looking east towards proposed Accessory Apartment



Looking east towards main structure



Looking east towards two-car garage



Looking west away from site



Looking north towards proposed Accessory Apartment



Looking east away from site

SITE PLAN

264B N
EDWARDS ST

PROPOSED
ACCESSORY
APARTMENT
(GARAGE)



DETACHED
GARAGE

MAIN STRUCTURE

SITE PLAN

10/25/23 CMR

SCALE: 1:480

LEGAL DESCRIPTION

LOT 4, BLOCK 5
NORTHWEST HEIGHTS ADDITION