



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

October 9, 2025

Vetruel Poole
5827 E Bellaire Avenue
Wichita, KS 67218

RE: CON2025-00119: Conditional Use request for an Accessory Apartment on property zoned SF-5 Single-Family Residential District, generally located within a quarter mile southeast of the corner of East Mount Vernon Road and South Edgemoor Drive (5827 East Bellaire Avenue)

Dear Applicant;

At its regular meeting on **October 9, 2025**, 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, 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 5827 East Bellaire Avenue), 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 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.

Property owners opposed to the application may file with the County Clerk a signed, written protest of the MAPC's recommendation. (Unsigned e-mails are not considered to be legal protests.) To be effective, the protest must be filed by 5:00 p.m. on September 23, 2025. 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 23, 2025, at 5:00 p.m.**

This application will be heard by the Wichita City Council on **Thursday, November 6, 2025**, beginning at 6:00 p.m. The Wichita City Council meeting will be held at 455 N. Main St., Wichita, Kansas.

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,



Brad Eatherly
Current Plans
Senior Planner

Copies to:

MABCD
Mike Hoheisel, Council Member, District III
Becca Johnson, CSR, District III

CONDITIONAL USE RESOLUTION NO. CON2025-00119

WHEREAS, Vetrual Poole, 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 for Accessory Apartment in SF-5 Single-Family Residential District zoning located at 5827 East Bellaire Avenue, legally described as:

Lot 11, Block E, Reserve 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 October 9, 2025, 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 for Accessory Apartment in SF-5 Single-Family Residential District zoning located at 5827 East Bellaire Avenue, legally described as:

Lot 11, Block E, Reserve Addition to Wichita, Sedgwick County, Kansas.

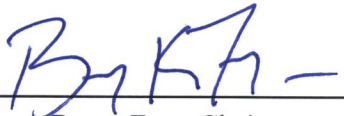
Approved subject to the following conditions:

1. The Accessory Apartment shall remain accessory to and under the same ownership as the principal single-family residence (located at 5827 East Bellaire Avenue), 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 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.

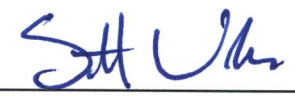
Adopted this 13th Day of November, 2025.

METROPOLITAN AREA PLANNING COMMISSION

ATTEST:



Bryan Frye, Chairman



Scott Wadle, Secretary

Green Acres

Search...

Getting Around Tools Identify Draw & Measure Tasks



Tool Labels X



Line



Point



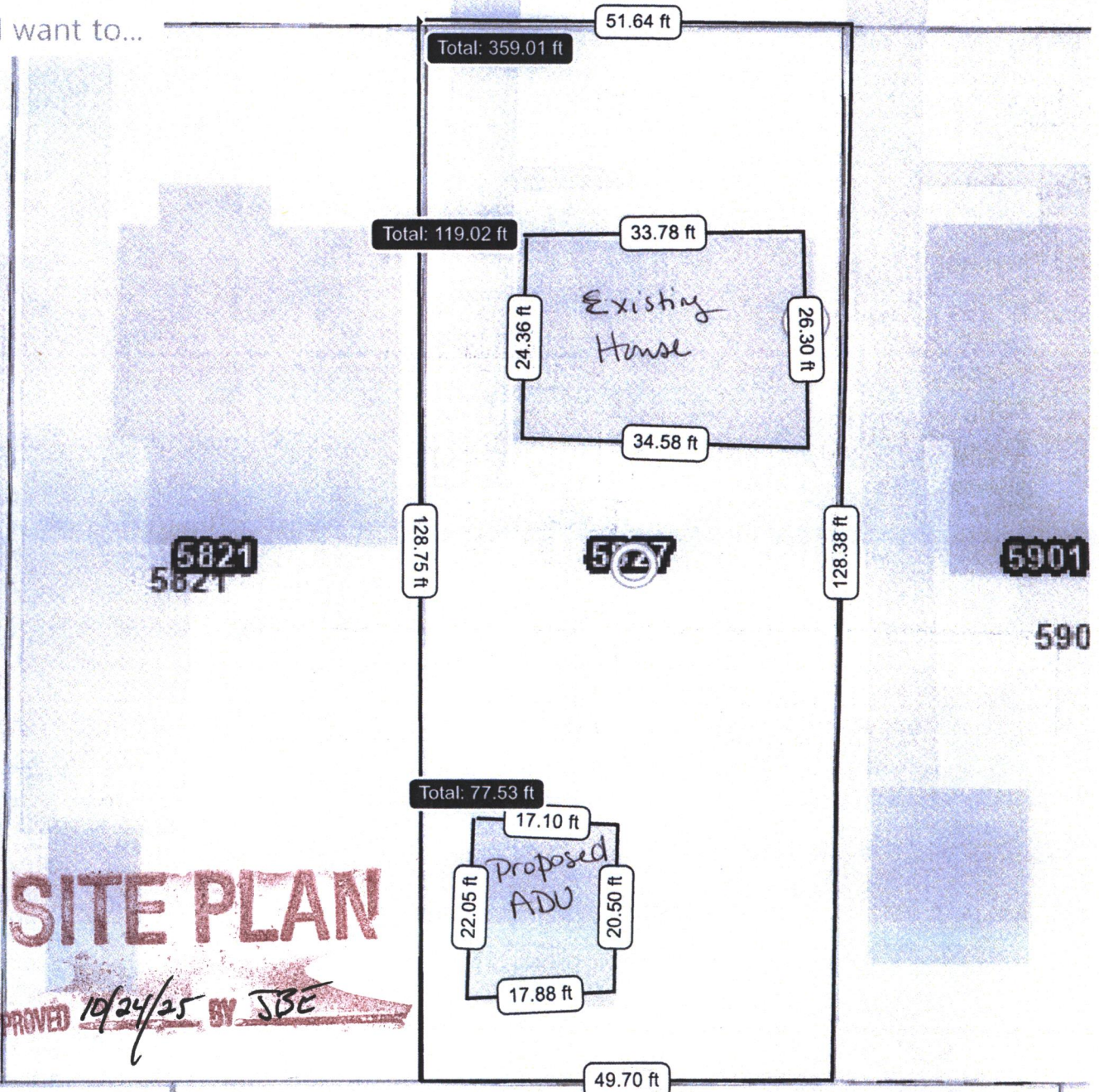
Erase



Export Drawings

Bellaire Ave

I want to...



SITE PLAN

APPROVED 10/24/25 BY SBE



Aerials

WKID: 4326 Lat/Long ▲

Lat: 37.65451° N
Lon: 97.26859° W

Scale 1: 282



Go

0 10 20ft

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Cols	Depth
41100	IPL0273072	Legal Ad - IPL0273072	10/9 Hearing	2.0	90.0L

ATTENTION: CITY OF WICHITA/PLANNING DEPT IP
271 WEST THIRD ST., 2ND FL, SU 203
WICHITA, KS 67202
MHEBERT@wichita.gov

OCA 150004

**Published in The Wichita Eagle on September 17, 2025
(One Time Only)**

MAPC/BZA October 9, 2025 OFFICIAL HEARING NOTICE

NOTICE IS HEREBY GIVEN that on **Thursday, October 9, 2025, 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 in person at the Ronald Reagan Building, 271 West Third Street, 2nd Floor, Wichita, KS 67202. Public participation is encouraged (see instructions below). Virtual participation is not available. 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. **Full notice can be found at www.wichita.gov/LegalNotices.**

BZA2025-00059: Variance request in the City to reduce minimum lot size requirement for a duplex and reduce street side and front setbacks by up to 20 percent on property zoned TF-3 Two-Family Residential, generally located on the southeast corner of North Market Street and East 11th Street North.

CON2025-00119: Conditional Use in the City to allow an Accessory Apartment on property zoned SF-5, generally located within a quarter mile southeast of the corner of East Mount Vernon Road and South Edgemoor Drive (5827 E Bellaire Avenue).

PUD2025-00020: PUD amendment request in the City to PUD #12 to allow for assisted living facilities and independent living residences, generally located on the southeast corner of East Harry Street and South 127th Street East.

PUD2025-00021: PUD amendment request in the City to PUD #55 to modify building capacity, building coverage area, and max gross floor area ratio on Parcel 1 on property generally located on the south side of East Douglas Ave, within one block east of South Hillside Avenue (3207 East Douglas Avenue).

VAC2025-00041: Vacation Request in the City to vacate the 20-foot side setback on the south side of property zoned LC, generally located on the northeast corner of South Seneca Street and West 29th Street South (2958 South Seneca Street).

ZON2025-00042: Zone Change request in the City from SF-5 Single-Family Residential District to LC Limited Commercial District, generally located south of West 55th Street South and 642 feet west of South Seneca Street (1313 W 55th Street South).

ZON2025-00043: Zone Change request in the City from TF-3 Two-Family Residential to LC Limited Commercial with Protective Overlay for youth community mental health facility, generally located south of West Harry Street and bounded by South Gordon Avenue and South Edwards Avenue (1601 South Edwards Avenue).

IPL0273072

Sep 17 2025

In The STATE OF KANSAS

In and for the County of Sedgwick

STATE OF KANSAS)

SS

County of Sedgwick)

the undersigned, 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.

1.0 insertion(s) published on:

09/17/25 Print

[Print Tearsheet Link](#)

[Marketplace Link](#)

Sherry Chasteen



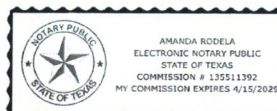
Sherry Chasteen

Amanda Rodela



Sworn to and subscribed before
me on

Sep 17, 2025, 9:48 AM EDT



Online Notary Public. This notarial act involved the use of online audio/video communication technology. Notarization facilitated by SIGNIX*

STAFF REPORT

MAPC: October 9 2025

DAB III: October 1, 2025

CASE NUMBER: CON2025-000119 (City)

APPLICANT/AGENT: Vetrual Poole (Applicant)

REQUEST: Conditional Use to allow an Accessory Apartment

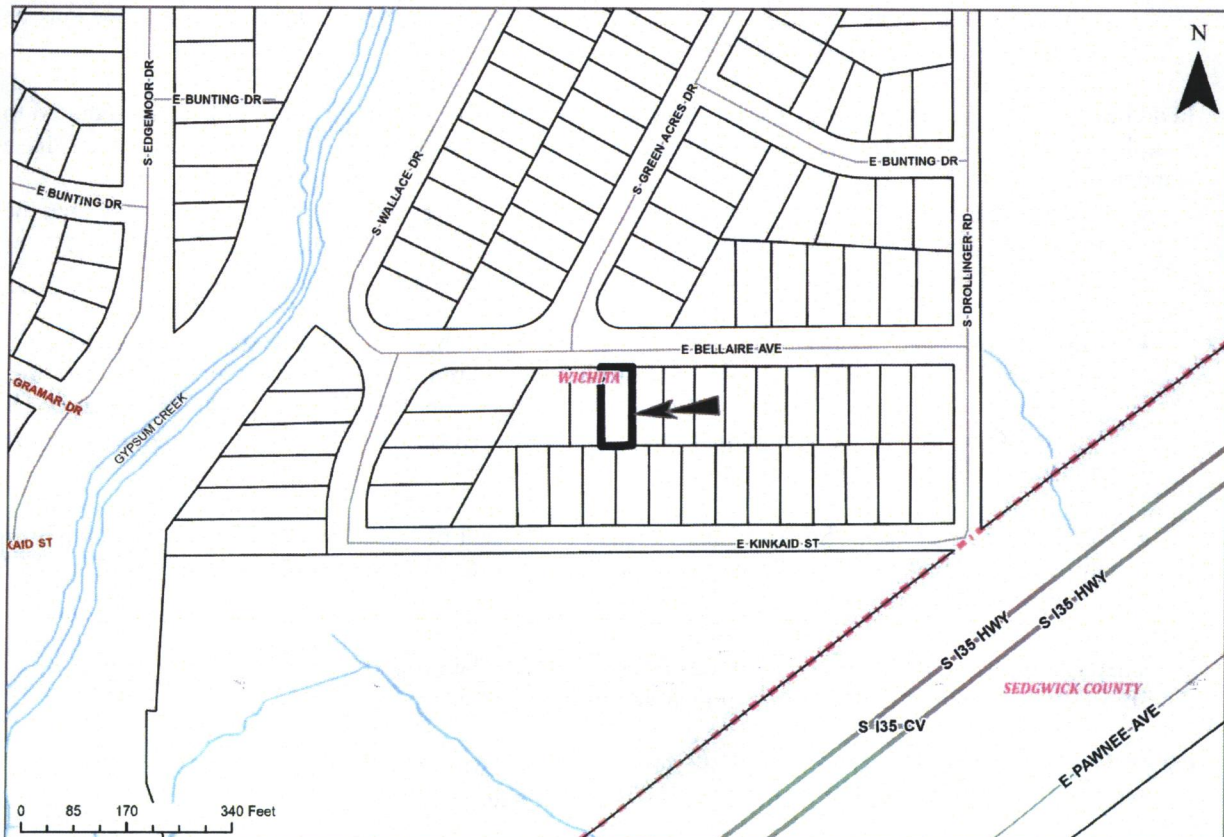
CURRENT ZONING: SF-5 Single-Family Residential District

SITE SIZE: 0.15 acres

LOCATION: Generally located within a quarter mile southeast of the corner of East Mount Vernon Road and South Edgemoor Drive (5827 East Bellaire Avenue)

PROPOSED USE: Accessory Apartment

RECOMMENDATION: 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 (SF-5). The 0.15-acre property is generally located within a quarter mile southeast of the corner of East Mount Vernon Road and South Edgemoor Drive (5827 East Bellaire Avenue). The subject site is currently developed with a single-family residential dwelling and one detached garage.

The applicant has indicated that they intend to convert the detached garage to an Accessory Apartment on the property. If not already, the existing structure will need to be setback three (3) feet from the interior side property lines and five (5) feet from the rear property lines setback lines. Section IV-A.4 of the UZC requires one parking space per Accessory Apartment and one space for a single-family residence. The existing driveway would accommodate the necessary parking for both uses on site.

The Wichita-Sedgwick County Unified Zoning Code ("UZC") defines an "Accessory Apartment" (Sec. II-B.1.b) as a dwelling unit that may be wholly within or may be detached from a principal building. A dwelling unit is defined by the Unified Zoning Code as *"a building or portion of a building that contains living facilities for not more than one family and that includes provisions for sleeping, cooking, eating, and sanitation."* Accessory Apartments are subject to Section III-D.6.a of the Unified Zoning Code (UZC), which states:

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 building.
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 Structure 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 addition, when located in zoning districts MH or more restrictive, Accessory Apartments are required to comply with the property development standards in Sec. III-D.7.e(2) of the Unified Zoning Code. Those standards include the following.

- Front Setbacks - Accessory Structures shall not be located nearer to the front property line than the Principal Structure except on Lots five acres or more in areas where the Front Setback for Accessory Structures shall be the same as required for Principal Structures.
- Side Setbacks - Accessory Structures shall comply with the Side Setback standards for Principal Uses, provided that an Accessory Structure shall not be required to set back more than three feet from an interior side Lot Line when all parts of the Accessory Structure are located more than one-half the depth of the Lot behind the front property line. Accessory Structures may not utilize more than one-half of any required side Yard.
- Height - No Accessory Structure shall exceed 60 percent of the allowable height requirements of the District unless the Accessory Structure conforms to all Setback requirements for Principal Structures in that District.

The character of the neighborhood is low-density residential. The property is surrounded by properties in the SF-5 District and all are developed with single-family dwellings.

CASE HISTORY: On January 31, 1952, the subject property was platted as part of the Reserve Addition. There are no other zoning cases associated with the subject site.

ADJACENT ZONING AND LAND USE:

North:	SF-5	Single-family dwelling
South:	SF-5	Single-family dwelling
East:	SF-5	Single-family dwelling
West:	SF-5	Single-family dwelling

PUBLIC SERVICES: The subject site has access to East Bellaire Avenue, a two-way local street with no sidewalks. All municipal services and utilities, such as water and sewer, already serve this site. Wichita Transit does not serve the subject site, with the nearest stop over one-half of a mile to the west at the corner of East Mount Vernon Road and South Oliver Street.

CONFORMANCE TO PLANS/POLICIES: The proposed use is in conformance with the *Community Investments Plan*. The *Community Investments Plan*'s 2035 Wichita Future Growth Concept Map identifies the site as "Residential", which the Plan defines as "*areas that reflect the full diversity of residential development densities and types typically found in a large urban municipality. The range of housing densities and types includes, but is not limited to, single-family detached homes, semi-detached homes, zero lot line units, patio homes, duplexes, townhouses, apartments and multi-family units, condominiums, mobile home parks, and special residential accommodations for the elderly (assisted living, congregate care and nursing homes).*"

RECOMMENDATION: Based upon the information available at the time the report was prepared, staff recommends the Conditional Use be **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 5827 East Bellaire Avenue), 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 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.

This recommendation is based on the following findings:

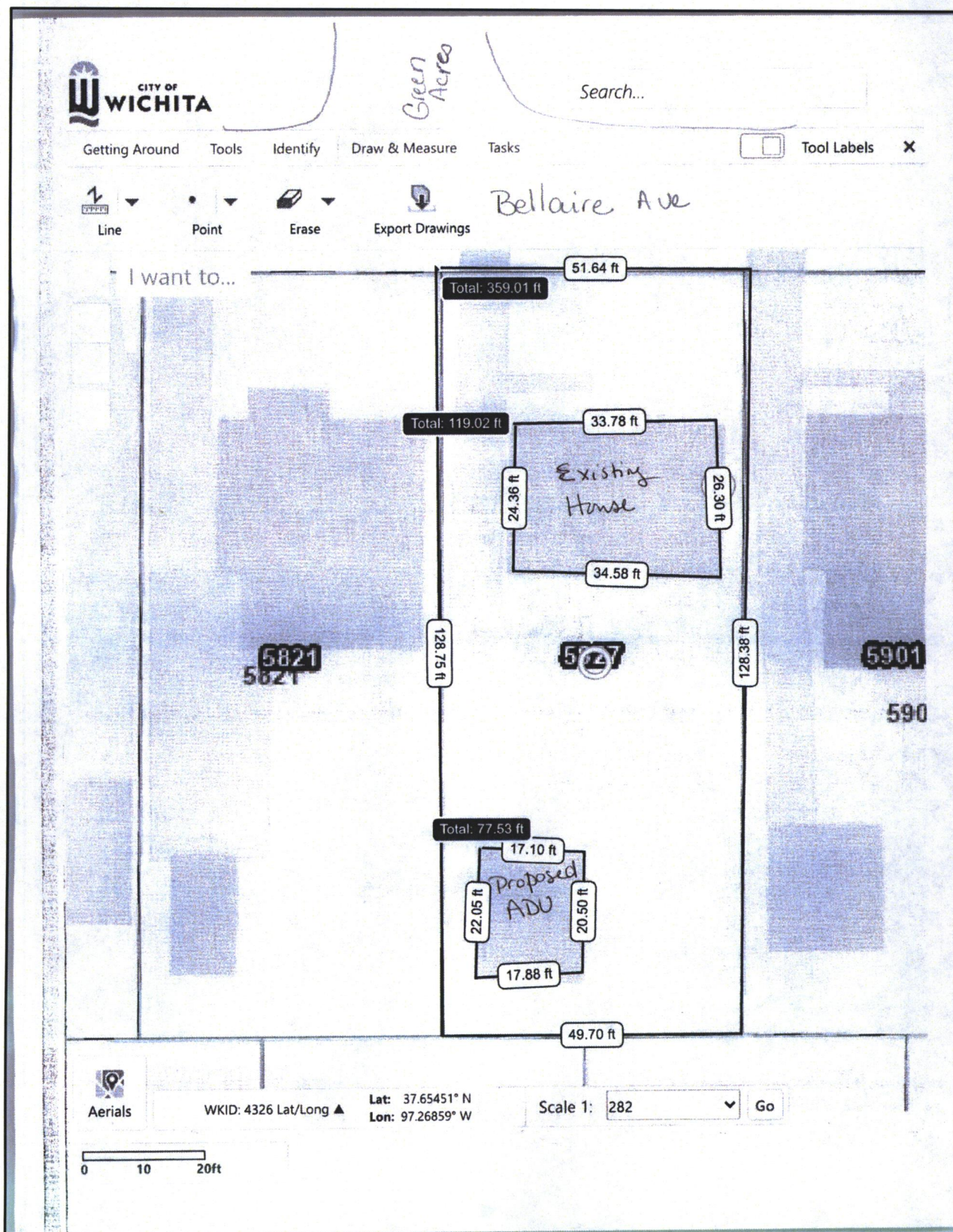
1. The zoning, uses and character of the neighborhood: The character of the neighborhood is low-density residential. The property is surrounded by properties in the SF-5 District and all are developed with single-family dwellings.
2. The suitability of the subject property for the uses to which it has been restricted: The subject site is currently zoned SF-5 Single-Family Residential, which permits an Accessory Apartment by Conditional Use approval under Section III-D.6.a of the Unified Zoning Code.
3. Extent to which removal of the restrictions will detrimentally affect nearby property: Staff does not

anticipate that approval of the request will generate significant amounts of additional traffic. The conditions of approval should minimize significant negative impacts.

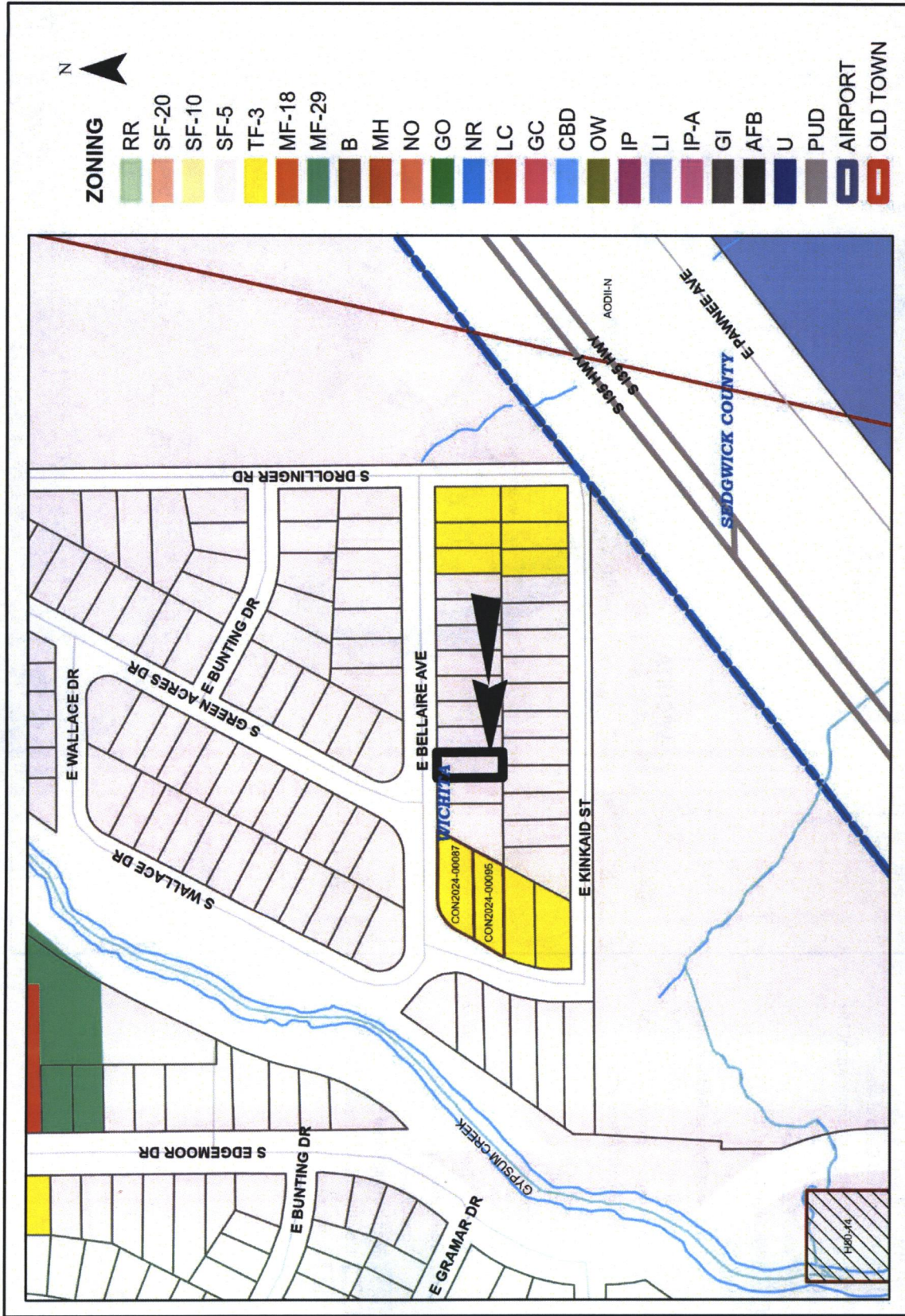
4. Length of time subject property has remained vacant as zoned: The subject property is not vacant. The property has been developed with a single-family residential dwelling since 1953.
5. Relative gain to the public health, safety and welfare as compared to the loss in value or the hardship imposed upon the applicant: It is not anticipated that the requested Conditional Use will have a significant detrimental effect on the public health, safety, or welfare. Denial of the application may result in a loss of enjoyment for the applicant.
6. Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies: The proposed use is in conformance with the *Community Investments Plan* and the *Wichita: Places for People Plan*, as discussed in the report.
7. Impact of the proposed development on community facilities: Staff expect that there will be minimal significant impact on public roads, water, and sewer service.
8. Opposition or support of neighborhood residents: At the time the staff report was prepared, staff has not received any public comment regarding the request.

Attachments:

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





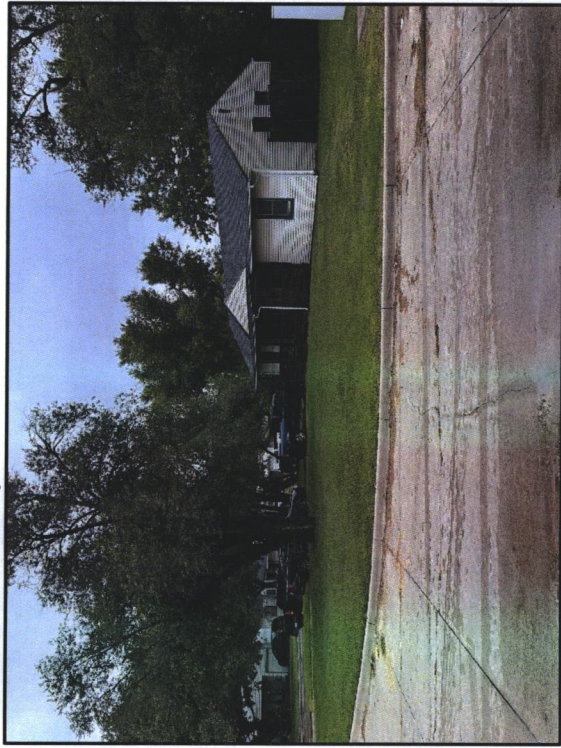




Looking south into site



Looking north away from site



Looking east away from site



Looking west away from site

