



Wichita-Sedgwick County Metropolitan Area Planning Department

October 21, 2021

Spencer and Amanda Levin
15601 W. Highview Drive
Goddard, KS 67052

RE: CON2021-00041- County Conditional use for Accessory Apartment on property zoned RR Rural Residential; Generally Located on the South Side of West Highview Drive, 1,300 Feet North of West Pawnee Avenue and 1,400 Feet West of South 151st Street West (15601 Highview Drive, Goddard, KS).

Dear Applicant:

There were no protests filed. The decision of the MAPC is final. Attached please find a signed copy of the signed resolution.

Sincerely,

A handwritten signature in blue ink that reads 'Kathy L. Morgan'.

Kathy L. Morgan, Senior Planner
Current Plans Division

Copies to: MABCD
Jim Howell, BoCC District 5
Public Information Officer Sedgwick County



Wichita-Sedgwick County Metropolitan Area Planning Department

October 8, 2021

Spencer and Amanda Levin
15601 W. Highview Drive
Goddard, KS 67052

RE: CON2020-00041- County Conditional use for Accessory Apartment on property zoned RR Rural Residential; Generally Located on the South Side of West Highview Drive, 1,300 Feet North of West Pawnee Avenue and 1,400 Feet West of South 151st Street West (15601 Highview Drive, Goddard, KS).

Dear Applicant:

At its regular meeting on **October 7, 2021**, the Wichita - Sedgwick County Metropolitan Area Planning Commission considered the above captioned request. The action of the MAPC 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 (located at 15601 Highview Drive) and the ownership shall not be divided or sold as a condominium. The exterior materials are to be complimentary to the main structure.
- (2) On-site water and wastewater services shall be provided in compliance with the Sedgwick County Sanitation Code. Electric, gas, telephone and cable television utility service may be provided as separate utility services.
- (3) The applicant shall obtain all applicable permits including, but not limited to: building, health and zoning. This will include submitting plans for review and approval by the MABCD.
- (4) Development and maintenance of the site shall be in conformance with the approved site plan.
- (5) If the Zoning Administrator finds that there is a violation of any of the conditions of the Conditional Use, the Zoning Administrator, in addition to enforcing the other remedies set forth in Article VIII of the Unified Zoning Code, may, with the concurrence of the Planning Director, declare that the Conditional Use is null and void.

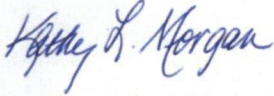
Property owners opposed to the application may file with the County Clerk a signed, written protest of the MAPC's recommendation. (Unsigned e-mails are not considered to be legal protests.) **To be effective, the protest must be filed by 5:00 p.m. on October 21, 2021.** In order to be considered a "valid" 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 County Clerk by **October 21, 2021 at 5:00 p.m.**

If no valid protests or appeals opposing the action of the MAPC are filed with the County Clerk by **5:00 p.m. on Thursday, October 21, 2021**, the action of the MAPC will be considered final.

If a protest or an appeal of the decision of the MAPC is filed, the application will be forwarded to the Board of County Commissioners for consideration on **November 17, 2021**.

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,



Kathy L. Morgan, Senior Planner
Current Plans Division

Copies to: MABCD
Jim Howell, BoCC District 5
Public Information Officer Sedgwick County
Justin Waggoner, County Law

CONDITIONAL USE RESOLUTION NO. CON2021-00041

WHEREAS, Spencer and Amanda Leven, 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 RR Rural Residential Zoning District; generally located 1300 feet north of W Pawnee Avenue and 1400 feet west of S 155th Street W. (15601 Highview Dr.).

A tract in the Southeast Quarter of Section 34, Township 27 South, Range 2 West of the Sixth Principal Meridian, Sedgwick County, Kansas, described as follows:

Beginning at a point on the South line of said Southeast Quarter, 1,326 feet West of the Southeast corner of said Southeast Quarter; thence North parallel to the East line of said Southeast Quarter, 1,313.10 feet; thence West with a deflection angle to the left of $90^{\circ}10'$, 334 feet; thence South parallel to the East line of said Southeast Quarter, 1,310.77 feet to the South line of said Southeast Quarter; thence East 334 feet to the point of 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 October 7, 2021, consider said application; and

WHEREAS, the MAPC has authority to permit a Conditional Use, subject to any special conditions deemed appropriate in order to assure full compliance with the criteria of the Unified Zoning Code.

NOW, THEREFORE, BE IT RESOLVED by the Metropolitan Area Planning Commission that this application be approved to allow a Conditional Use to allow an Accessory Apartment on property zoned RR Rural Residential Zoning District described as:

A tract in the Southeast Quarter of Section 34, Township 27 South, Range 2 West of the Sixth Principal Meridian, Sedgwick County, Kansas, described as follows:

Beginning at a point on the South line of said Southeast Quarter, 1,326 feet West of the Southeast corner of said Southeast Quarter; thence North parallel to the East line of said Southeast Quarter, 1,313.10 feet; thence West with a deflection angle to the left of $90^{\circ}10'$, 334 feet; thence South parallel to the East line of said Southeast Quarter, 1,310.77 feet to the South line of said Southeast Quarter; thence East 334 feet to the point of beginning.

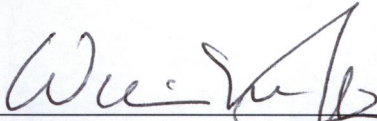
Approved subject to the following conditions:

- (1) The accessory apartment shall remain accessory to and under the same ownership as the principal single-family residence (located at 15601 Highview Drive) and the ownership shall not be divided or sold as a condominium. The exterior materials are to be complimentary to the main structure.
- (2) On-site water and wastewater services shall be provided in compliance with the Sedgwick County Sanitation Code. Electric, gas, telephone and cable television utility service may be provided as separate utility services.
- (3) The applicant shall obtain all applicable permits including, but not limited to: building, health and zoning. This will include submitting plans for review and approval by the MABCD.
- (4) Development and maintenance of the site shall be in conformance with the approved site plan.

(5) If the Zoning Administrator finds that there is a violation of any of the conditions of the Conditional Use, the Zoning Administrator, in addition to enforcing the other remedies set forth in Article VIII of the Unified Zoning Code, may, with the concurrence of the Planning Director, declare that the Conditional Use is null and void.

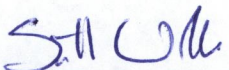
Adopted this 7th Day of October 2021.

METROPOLITAN AREA PLANNING COMMISSION



William M. Johnson, Chairman

ATTEST:



Scott Wadle, Secretary

Site Plan



SITE PLAN

APPROVED 10-21-2021 *[Signature]*