Wichita-Sedgwick County Metropolitan Area Planning Department

December 7, 2021

Raed Monsour
2126 W Timber Creek
Wichita, KS 67204

RE: **CON2021-00046:** City Conditional Use to allow an Accessory Apartment on property zoned SF-5 Single-Family Residential; generally located northeast of South Broadway Avenue and East Mount Vernon Road (1747 South Santa Fe Avenue).

Dear Applicants;

At its regular meeting on **December 7, 2021**, the Wichita City Council considered the above captioned request. The action of the City Council 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 1747 South Santa Fe 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 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.

If you have any questions concerning this application, please contact our office at 268 4421.

Sincerely,

Philip Zevenbergen, AICP
Senior Planner

Copies to: MABCD
Jared Cerullo, City Council District III
Maddy Campbell, CSR District III
Armstrong Land Survey, Donn Armstrong, 1601 E Harry St, Wichita, KS 67211

(Published in the Wichita Eagle on December 10, 2021)

Resolution No. 21-446

A RESOLUTION APPROVING CON2021-00046 AUTHORIZING AN ACCESSORY APARTMENT, ON APPROXIMATELY 0.172 ACRE ZONED SF-5 SINGLE-FAMILY RESIDENTIAL LOCATED ON THE NORTHEAST OF SOUTH BROADWAY AVENUE AND EAST MOUNT VERNON ROAD (1747 SOUTH SANTA FE AVENUE), IN THE CITY OF WICHITA, SEDGWICK COUNTY, KANSAS, UNDER THE AUTHORITY GRANTED BY THE WICHITA-SEDGWICK COUNTY UNIFIED ZONING CODE, SECTION V-D, AS ADOPTED BY ORDINANCE NO. 44-975 AS AMENDED.

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

SECTION 1. That after receiving a recommendation from the Wichita-Sedgwick County Metropolitan Area Planning Commission, and after said Planning Commission has given proper notice and held a public hearing as provided by law, and under authority granted by Section V-D of the Wichita-Sedgwick County Unified Zoning Code, for a Conditional Use to allow an Accessory Apartment on property zoned Single-Family Residential (SF-5) generally located northeast of South Broadway Avenue and East Mount Vernon Road (1747 South Santa Fe Avenue) and legally described as:

Lots 45 and 47, Block 5, Allen and Smith's Addition, Wichita, Sedgwick County, Kansas

WHEREAS, proper notice as required by the Unified Zoning Code and by the policy of the Metropolitan Area Planning Commission (hereinafter referred to as MAPC) has been given; and

WHEREAS, the MAPC did, at the meeting of November 4, 2021, consider said application; and

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

NOW, THEREFORE, BE IT RESOLVED by the Wichita City Council that this application is approved for a Conditional Use to allow an Accessory Apartment on property zoned Single-Family Residential (SF-5) generally located northeast of South Broadway Avenue and East Mount Vernon Road (1747 South Santa Fe Avenue) and legally described as:

Lots 45 and 47, Block 5, Allen and Smith's Addition, Wichita, Sedgwick County, Kansas

SUBJECT TO THE FOLLOWING CONDITIONS:

(1) The accessory apartment shall remain accessory to and under the same ownership as the principal single-family residence (located at 1747 South Santa Fe 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 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.

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

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

ADOPTED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS, this 7th day of December, 2021.

CITY OF WICHITA

Brandon J. Whipple, Mayor

ATTEST:

Karen Sublett, City Clerk

(SEAL)

Approved as to form:

Jennifer Magaña, City Attorney and Director of Law

McClatchy

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	185237	WIC-12-10-21	RES. 21-446	$84.00	1	10.00 in

Attention: Jamie Buster
CITY OF WICHITA/CLERKS OFFICE
455 N MAIN ST FL 13
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: 12/10/2021
Ending Issue of: 12/10/2021

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 12/10/2021 to 12/10/2021.

M. Hayley

I certify (or declare) under penalty of perjury that the foregoing is true and correct.
DATED: 01/03/2022

Stefani Beard

Notary Public in and for the state of Texas, residing in Dallas County

STEFANI SCOTT BEARD
My Notary ID # 131768951
Expires October 23, 2022

Extra charge for lost or duplicate affidavits.
Legal document please do not destroy!

LEGAL PUBLICATION

PUBLISHED IN THE WICHITA EAGLE
ON DECEMBER 10, 2021 (428603)

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CITY OF WICHITA

_____
Brandon J. Whipple, Mayor

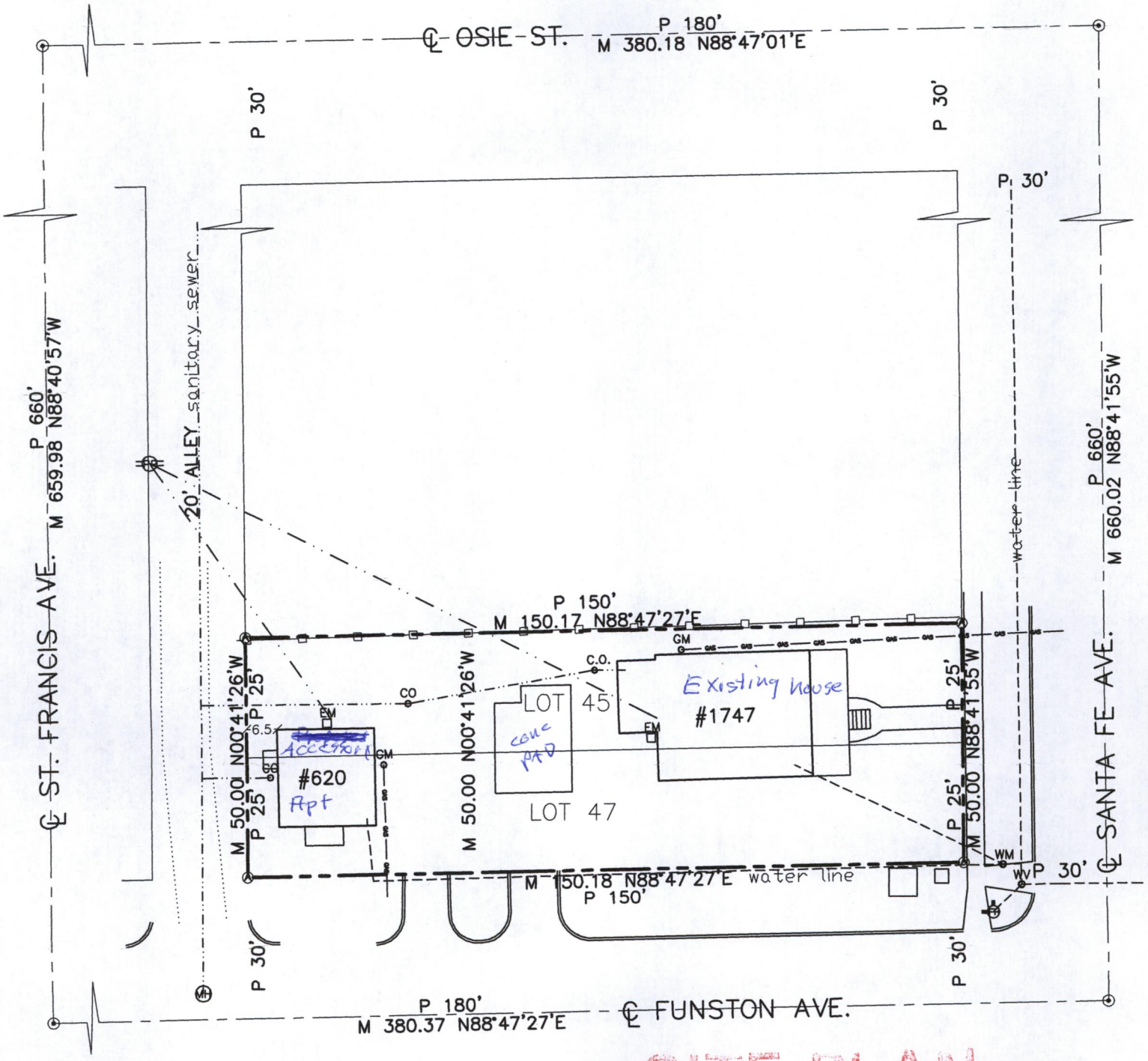
ATTEST:

_____
Karen Sublett, City Clerk
(SEAL)

Approved as to Form:

_____
Jennifer Magaña, City Attorney and
Director of Law

SITE PLAN



SITE PLAN

APPROVED 12/7/21 BY

- ⊕ – "Armstrong" capped rebar set
- ⊙ – iron in thimble found
- WV – water valve
- MH – man hole
- CO – sanitary cleanout
- EM – electric meter
- FH – fire hydrant
- PP – power pole
- WM – water meter

SCALE 1"=30'

W.O. 40985

ARMSTRONG LAND SURVEY, P.A.

1601 E. HARRY
WICHITA, KS 67211
PH. (316) 263-0082
donn@armstrongsurvey.com