



**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.

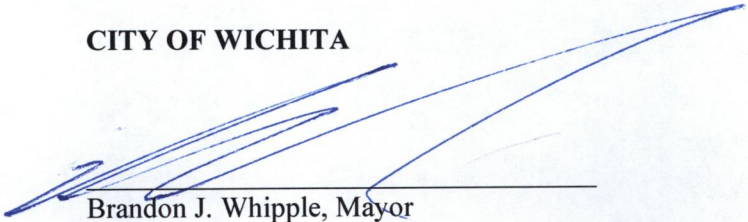
- (4) The water and sewer provided to the accessory apartment shall not be provided as separate services from the main dwelling. Electric, gas, telephone and cable television utility service may be provided as separate utility services.
- (5) The applicant shall obtain all applicable permits including, 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.

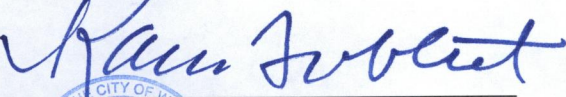
**SECTION 3.** That this Resolution shall take effect and be in force from and after its adoption by the Governing Body.

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

**CITY OF WICHITA**

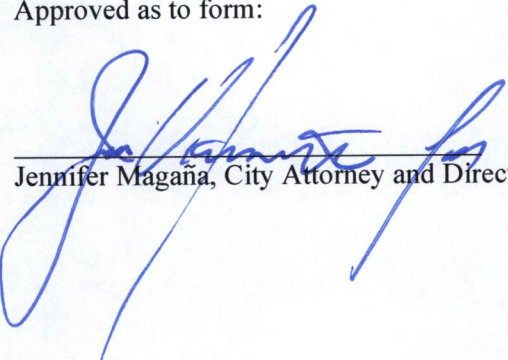
  
Brandon J. Whipple, Mayor

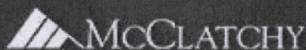
**ATTEST:**

  
Karen Sublett, City Clerk

(SEAL)

Approved as to form:

  
Jennifer Magaña, City Attorney and Director of Law



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

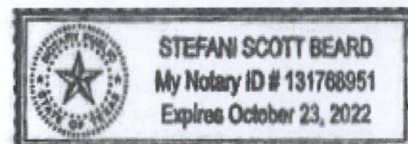
No. of Insertions: 1  
Beginning Issue of: 12/10/2021  
Ending Issue of: 12/10/2021

STATE OF KANSAS)  
SS  
County of Sedgwick)

Hayley Martin, of lawful age, being first duly sworn, 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 12/10/2021 to 12/10/2021.

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

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!

## LEGAL PUBLICATION

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

### 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

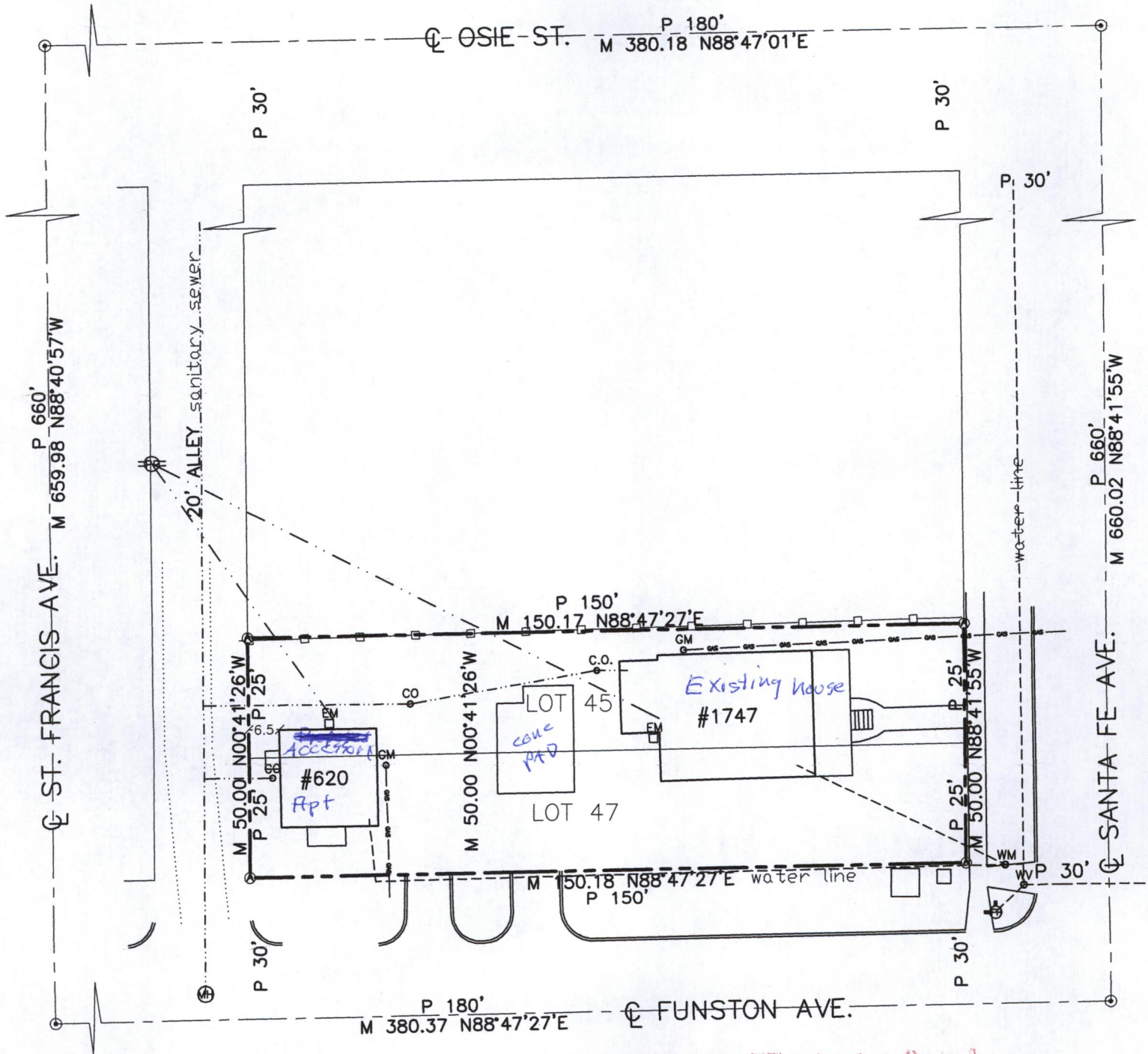
**ATTEST:**

Karen Sublett, City Clerk  
(SEAL)

Approved as to Form:

Jennifer Magaña, City Attorney and  
Director of Law

# SITE PLAN



## SITE PLAN

APPROVED 12/7/21 BY [Signature]

W.O. 40985

- ⓐ - "Armstrong" capped rebar set
- ⓐ - iron in thimble found
- WV - water valve
- ⓐ - man hole
- SC - sanitary cleanout
- EM - electric meter
- FH - fire hydrant
- PP - power pole
- WM - water meter



**ARMSTRONG  
LAND SURVEY, P.A.**

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