



MINUTES
PLANNING COMMISSION
7651 E. Central Park Ave, Bel Aire, KS
August 08, 2024 6:30 PM



I. Call to Order: Chairman James Schmidt opened the meeting at 6:30 p.m.

II. Roll Call

Present were James Schmidt, John Charleston, Edgar Salazar, Phillip Jordan, Dee Roths, and Deryk Faber. Commissioner Edgar Salazar arrived later, after the vote for Item IV. A. Commissioner Paul Matzek was absent.

III. Pledge of Allegiance: Chairman Schmidt led the pledge of allegiance.

IV. Consent Agenda

A. Approval of Minutes from Previous Meeting

MOTION: Commissioner Roths moved to approve the minutes of July 11, 2024 as presented. Commissioner Faber seconded the motion. ***Motion carried 5-0.***

V. Old Business/New Business

- A. ZON2024-00031 (County).** The applicant is requesting a zone change from RR Rural Residential District (RR) to GC General Commercial District (GC) with Protective Overlay (PO) #439, to permit Construction Sales and Service (Tree Service/Lumber Yard), Event Center in the County, Community Assembly, and Single-Family residence on the property. The property is 10.79 acres in size and is located on the southwest corner of North 127th Street East and East 56th Street North (5601 North 127th Street East).

Chairman Schmidt opened the public hearing. Brad Eatherly, Senior Planner, presented a report and answered questions on behalf of the Wichita – Sedgwick County Metropolitan Area Planning Department, which has also reviewed the request, as the property lies in both the County and Bel Aire’s zones of influence.

The applicant, Robert Phillips, spoke and answered questions from the Commission regarding his business activities.

Michael Moore, 13200 E 55th St N, spoke in opposition to the requested zoning. His property is adjacent to the applicant’s property. Among other concerns, Mr. Moore cited truck traffic, noise until 10 or 11 at night, dumping of tree debris, large bonfires, and possible violations of burning permit restrictions on the applicant’s property. Mr. Moore also provided two packets of information to the Commission entitled “Wichita Tree Dump” and “5601 N 127th East – Changing Zoning request: Wichita Tree Company L.L.C” [*appended to these Minutes*].

Nadine Smith, 5445 N 127th Street E, Wichita, spoke in opposition to the requested zoning. Her property is adjacent to the applicant's property. She cited concerns about brush piles harboring rodents which have infested her property, and large burn piles located within a few feet of her property line which caused lingering smoke in her home for several days.

MOTION: Commissioner Faber moved to take a 20 -minute Executive Session. Commissioner Schmidt seconded the motion. ***Motion carried 6-0.***

The Commission then recessed for executive session. At 7:40 p.m. Chairman Schmidt called the meeting back to order in open session. City Attorney Maria Schrock noted that the Executive Session was taken for Attorney-Client privilege, the City Attorney and City Engineer were present and no binding action had been taken.

Pamela Phillips, 6111 Danbury, Bel Aire, Kansas, spoke in favor of the zoning request. She is the mother of the applicant. She has no concerns about safety or traffic on the property.

City Attorney Maria Schrock asked if any Commissioners had reason to be disqualified from consideration of this matter, due to any bias or conflicts of interest. Ms. Schrock asked if any Commission members had received any ex-parte communication prior to this hearing. Commissioner Dee Roths shared that she had some communications with neighbors about this matter, therefore she will not participate in the discussion or vote.

The applicant, Robert Phillips, spoke in response to the public comments and answered questions from the Commission. He stated that there would be no burning under the proposed zoning and the property would only be used for truck parking and a business office.

Chairman Schmidt asked if anyone wished to make further comments. Michael Moore spoke to the Commission again about his concerns about the activities on the subject property.

There being no others requesting to speak, Chairman Schmidt closed the public hearing and requested discussion from the Commission.

The Commission discussed the application in reference to "Golden Factors" of zoning including: the suitability of the property for the uses to which it has been restricted under its existing zoning; the character of the neighborhood; the relative gain to the public health, safety, and welfare by destruction of value of the applicant's property as compared to the hardship on other individual landowners; conformance with the comprehensive plan; and opinions of other property owners. Commissioners noted potential C-1 growth in the area, the recommendation of the Sedgwick County Planning Department, and the restrictions of the proposed Protective Overlay. Following discussion, Chairman Schmidt requested a motion.

MOTION: Chairman Schmidt moved to deny the request for zone change from RR Rural Residential District (RR) to GC General Commercial District (GC) with Protective Overlay (PO) #439 as presented. Commissioner Salazar seconded the motion. ***Motion carried 4-1*** with Commissioner Jordan voting against the motion and Commissioner Roths abstaining from the vote.

- B. SD-24-02 Preliminary Plat, Chapel Landing 8th.** Platting of an R-5 Residential District. The subject property is approximately 24.09 acres generally located at East 53rd Street N and Woodlawn Blvd.

Chairman Schmidt opened the public hearing.

Kris Rose, agent for the applicant, presented the preliminary plat and stood for questions from the Commission.

No others requested to speak. Chairman Schmidt closed the public hearing.

The Commission then discussed details of the plat including possible park/greenspace areas, the locations of entrances/exits, and expected traffic in the area.

MOTION: Commissioner Jordan moved to approve the Preliminary Plat of Chapel Landing 8th, SD-24-02, as presented with the request that one lot be committed to green space. Commissioner Faber seconded the motion. ***Motion carried 6-0.***

VI. Next Planning Commission Meeting

MOTION: Commissioner Faber moved to approve the date of the next meeting, September 12, 2024 at 6:30 p.m. Commissioner Roths seconded the motion. ***Motion carried 6-0.***

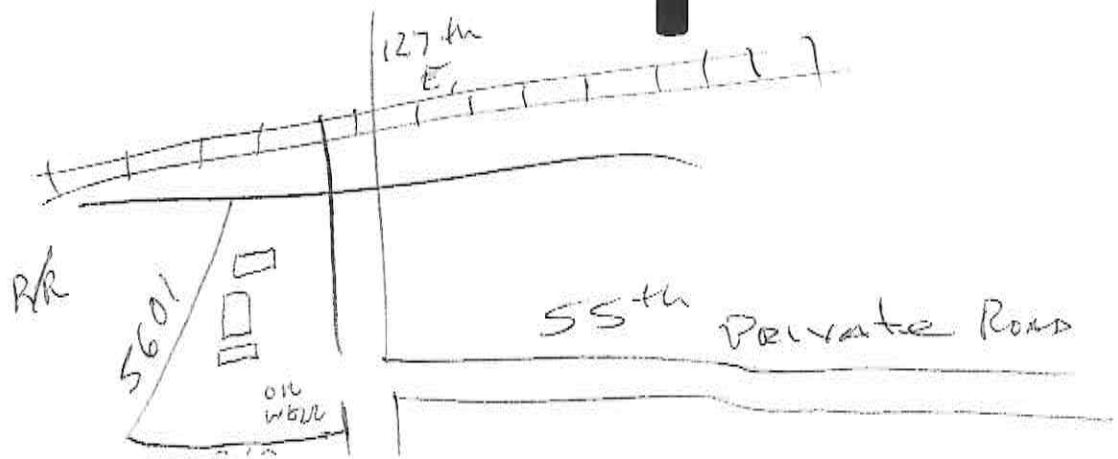
VII. Current Events

The Commission briefly discussed the recent ballot question that would allow the City to designate its website as the official publication of record. No action was taken.

VIII. Adjournment

MOTION: Commissioner Roths moved to adjourn. Commissioner Jordan seconded the motion. ***Motion carried 5-1.***

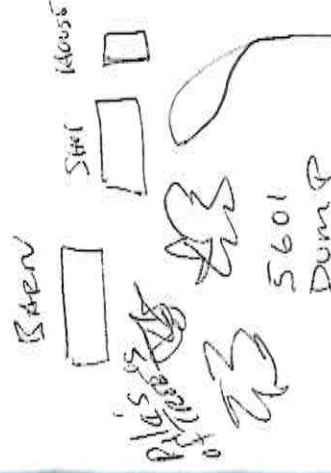
Wichita Tree Dump



Beep!!
Beep!!
Beep!!

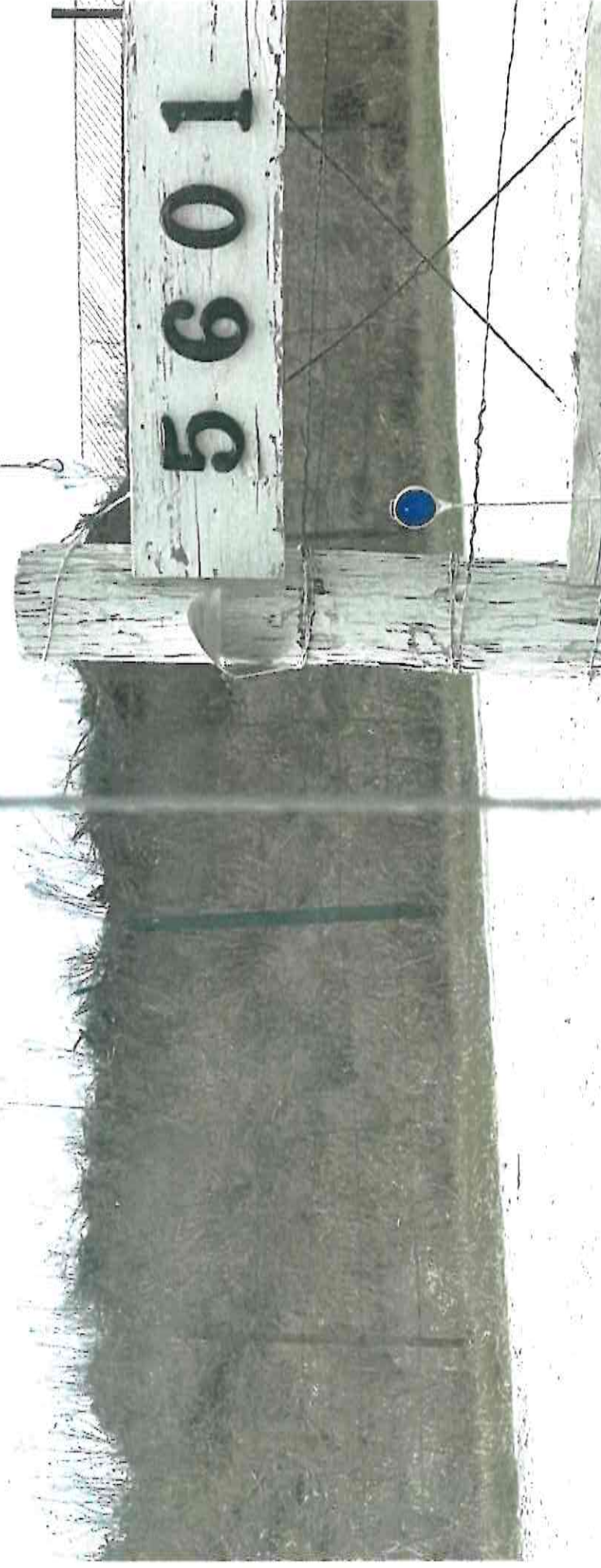
Looking WEST 127 E.
TREES ARE SEEN OVER
the Hill.

THIS WAS REBUILT
DUE TO LARGE
TRUCKS AND
TRAFFIC



WE OWN AND
MAINTAIN
THIS ROAD
AND PAY THE
TAXES.

Private Road
WE CALL SETH FOR
MAINTENANCE REASONS



E. 55 th is my driveway

E 55th St N

E 55th St N

N 127th St E

N 127th St E

E 164th St N

E 56th St N

5601
Tree
Drop



Neighborhood

Payne Township, Wichita

① Where is this data from?

Payne Township is a friendly neighborhood in Wichita, USA, known for its welcoming atmosphere. Nextdoor Neighbors love the area for its community spirit and the camaraderie among residents, making it a pleasant place to live.

Now has large trucks and heavy traffic Morning Noon and every night straight by Payne township on 53rd



Tree removal done in winter by Wichita Tree Service owner Robert Phillips

Tree Removal in Wichita, KS

TAKE THE TREE'S TO THE LAND FILL
AND ALL THE INSECTS TOO.

Do you have a dead or dying tree? Do you need to remove a tree to build a deck, building or other project? At Wichita Tree Service **large tree removal** is our specialty. Do you have a tree that another company turned down because it is too difficult or there is no room to drop the wood? Call Wichita Tree Service. We can pick up the whole tree with a 50 ton crane and set it in the front yard! Have a tree in the back yard that other companies want to charge an arm and a leg to remove because they can't get their bucket truck in the backyard? Wichita Tree Service has 5 experienced tree climbers along with compact equipment to get in tight spots. We can get the tree down safely! Have a stump in the backyard that another company can't get to? Call Wichita Tree Service. We have one large stump grinder that fits through gates. No gate, no access at all, no problem. We have a smaller stump grinder that can be carried by 2 people or it need be lifted with a crane.



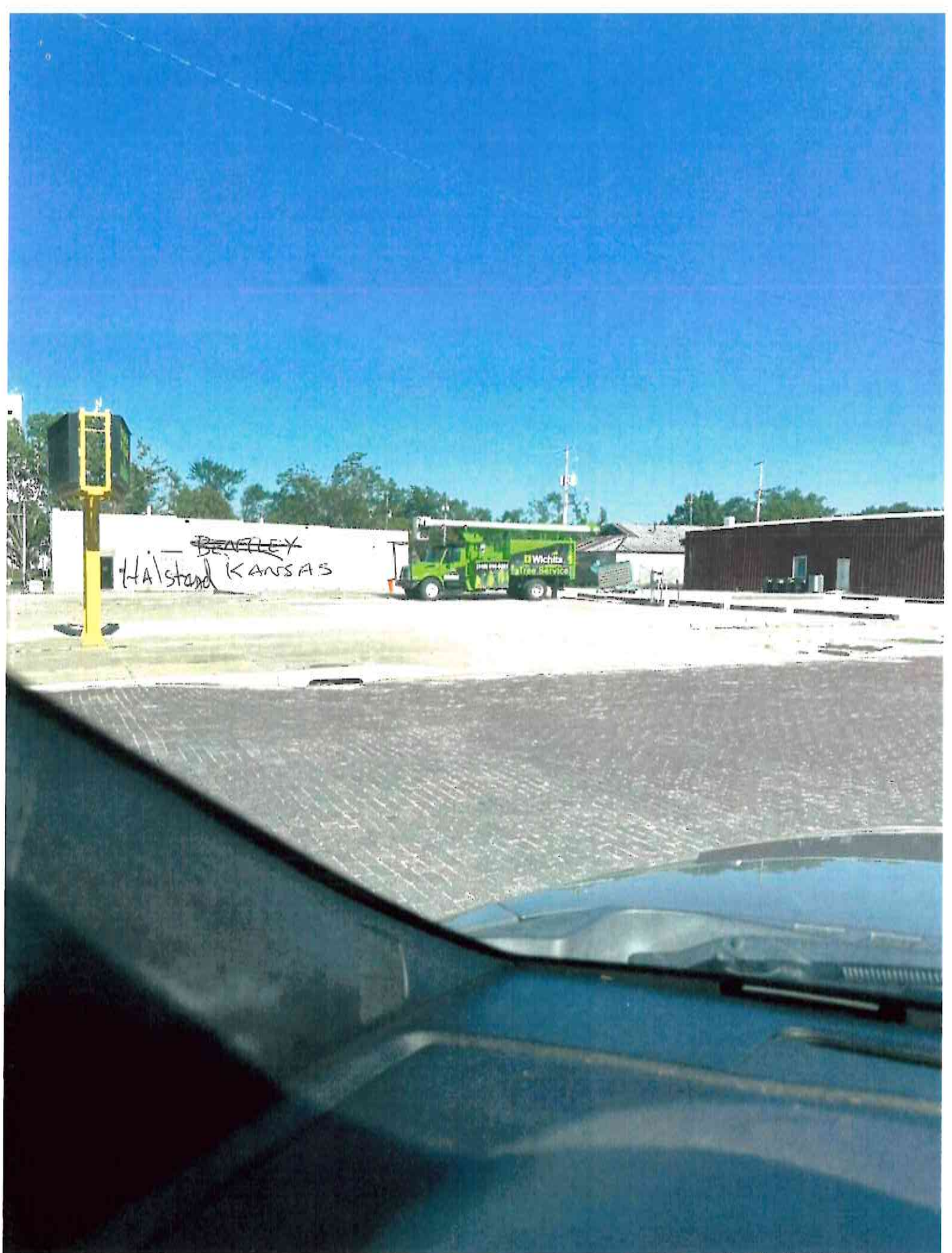
Wichita Tree Service Grapple truck

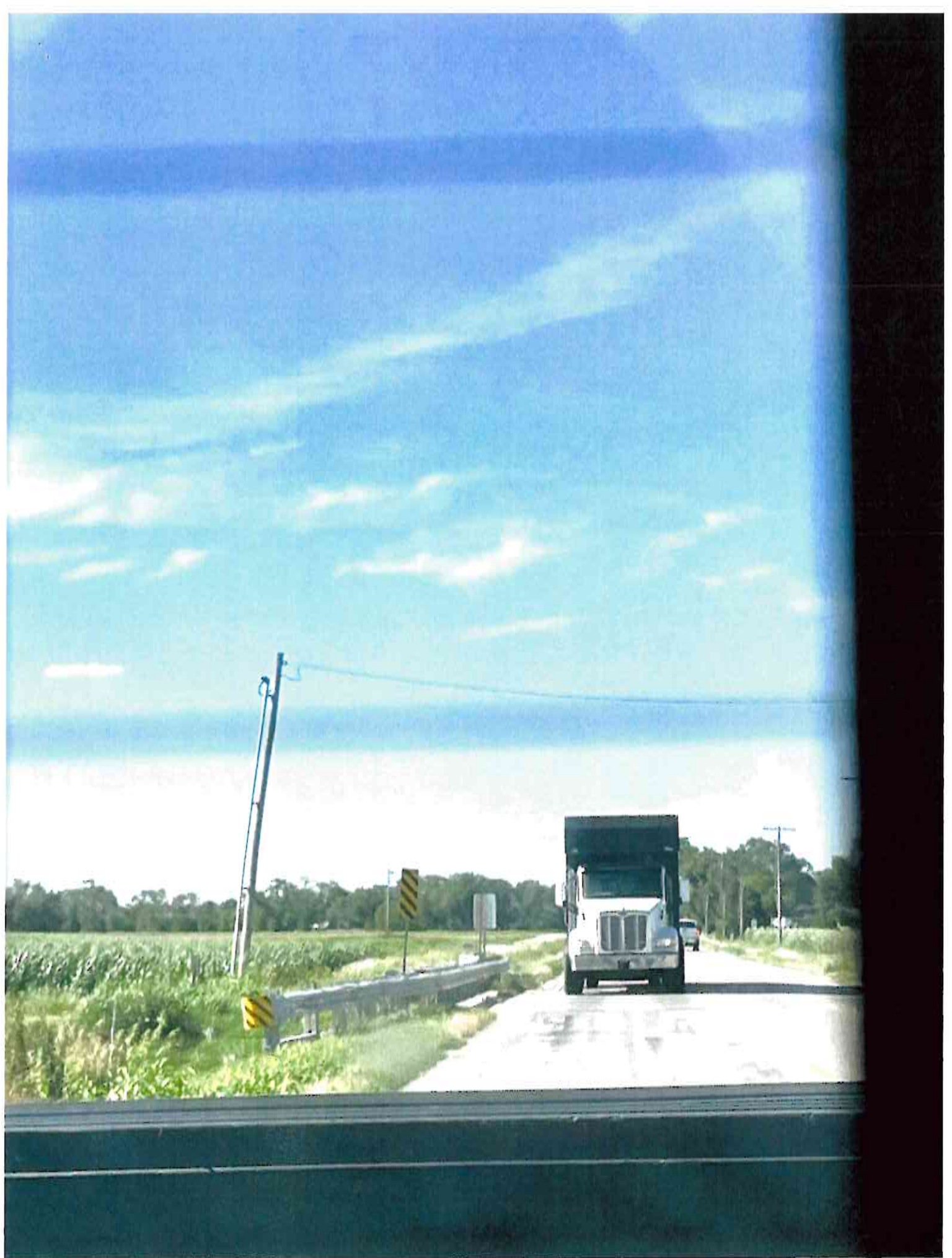


Wichita Tree Service now offers land clearing and pasture clearing for Kansas and Oklahoma. We currently have 3 large capacity 65-90 yard Self loading grapple trucks that can move massive amounts of tree debris very quickly and efficiently. Our two larger trucks are able to pull large trailers bringing the capacity of one truck up

to 180 cubic yards. For reference a large dump truck is around 20 cubic yards. Wichita Tree Service has more grapple trucks than any other tree service in the Wichita area, with only a few others that even have one. With plans to add more in the future. These trucks are used







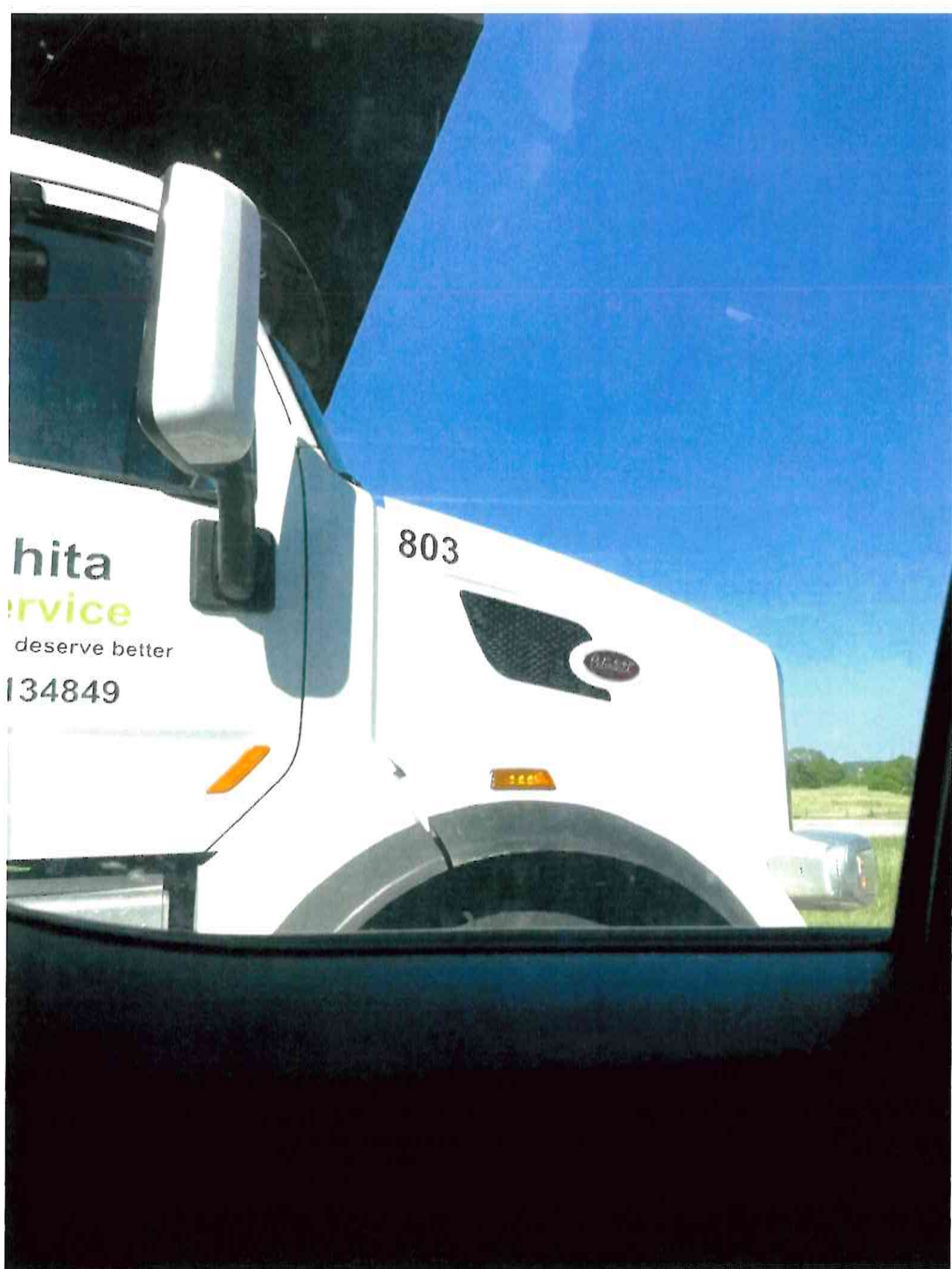
hita
ervice

deserve better

134849

803

1200







ARDOX

IN MY HAND

TAN
INER
E-401

666188

TERS

PORT

70 ft FLAMES
Raining Violation
PER Burn
Permit

OUR DRIVE WAY



LARGE TREE PICS

SET A FIRE



OUR DRIVE WAY





Sedgwick County
Fire District 1

THESE TREES AND INSECTS (BUGS) COME FROM
ALL OVER KANSAS (DERBY, BENTON, BENTLEY
SEDGWICK COUNTY

HALSTEAD. N S E W of Wichita)
https://www.sedgwickcounty.org/open_burns

EXAMPLES OF OPEN BURNS: (examples are not all inclusive)

- Burning of brush and tree trimmings on residential or commercial property, brush and tree trimmings ^{THESE LAWS ARE IN PLACE} must be cut from the permit location. (Material to be burned may not be hauled or brought in from outside the permit property.) TREE PILES 70 ft IN DIA - 40 feet tall
- Burning that is considered to be necessary and in the public's interest as determined on a case-by-case basis (roadway clearings, salvage operations, structures, storm debris, etc.)
- Burning of cut trees, vegetation or other clean wood for recreational enjoyment, commonly known as a "bonfire".

THIS IS AGAINST THE LAW

THESE TREES ARE GREEN MOSTLY, IT TAKES AN
ACCELERANT TO LIGHT GREEN TREES AND IT
TAKE DAYS FOR PILES THIS SIZE TO BURN OUT,



LOOKING NORTH FROM 53RD STREET

70' DIA PILAS
15 feet tall



Looking North From 53rd St.



60 ft DIA or more
15' to 17' High



View From S3 rd
Looking North



VIEW FROM 127 st E
LOOKING WEST



THEY HAVE BURNED THE
FIRST 2 BIG PILE'S
STILL BRING TREE'S IN.



LOUD TRUCKS ALL DAY !!! EVEN WEEKENDS.

THIS OPERATION CAN BE SEEN FROM S3 RD AND 127th Street.

THERE ARE 8 TO 10 GREEN TRUCKS WITH TRAILER OUT ALL DAY. THESE WHITE TRUCKS ARE LEFT BEHIND.



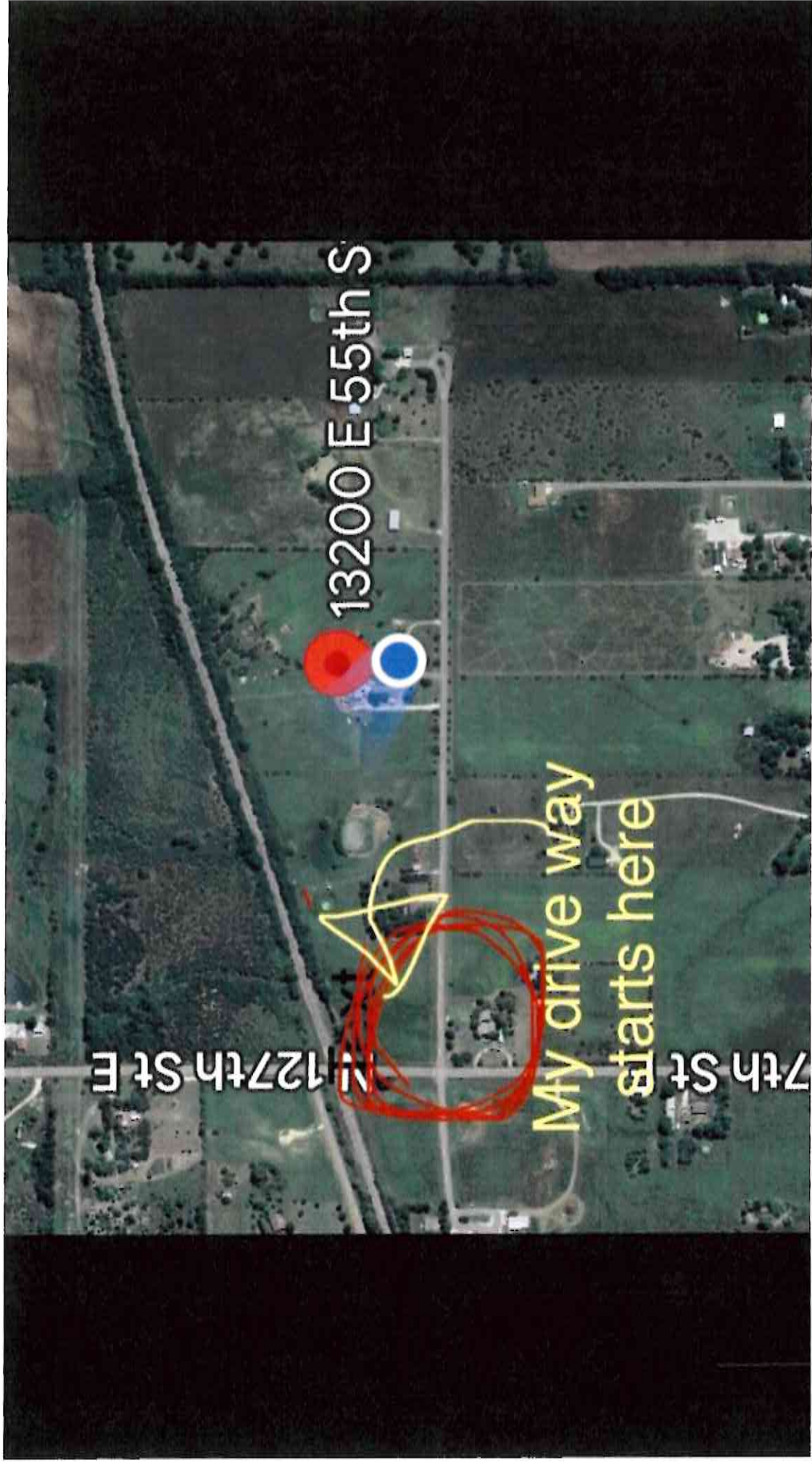
VIEW FROM 53RD Looking North



NONE OF THIS OPERATION IS SUPPOSE
TO BE IN RESIDENTIAL AREA
MUCH LESS VIEWED FROM THE ROAD

number of employees, equipment inventory, and annual revenue. We are even expanding our services to include plant health care, tree planting, land clearing, disaster relief, and other aspects of arboriculture. Furthermore, we have plans to establish a wood waste recycling center and open additional tree service branches in the future. *This is a Significant and lasting impact on the Physical Environment of the City of Wichita.* Throughout this journey, I have gained invaluable knowledge and experiences. Initially, I believed that simply doing things the right way was the key to success, but I soon realized that it requires unwavering dedication and hard work. Most importantly, it necessitates the support of people who believe in you and what you do. Our company wouldn't be where it is today without the incredible individuals who have helped us along the way—our loyal early customers who kept returning, investing their hard-earned money because they believed in us, as well as the employees and friends who have supported us throughout. I am forever grateful to all of them.

-Robert Phillips Should Have Bought Same Land Away from Any Community and or Residential Property
(ISA Certified Arborist, Kansas Certified Arborist, TCIA Certified Tree Care Safety Professional, Tree Risk assessment Qualified) No where does TCIA Approve of Dumping Tree's Full of insects in a Residential Area, Then Set it on Fire.
(New Edit 7/11/23)





Wichita Tree Company L.L.C

July 11, 2024 - Ronald Reagan Building Wichita, Ks

Thursday

1:30 PM

Please read and show up to support your community and voice your

Opinion.

We don't want this zoning changed in our neighborhood

NAME	SIGNATURE	ADDRESS	DATE
Michael M. Morn		13200 E. 55th N.	7/7/24.
Danma Wolfe		13504 E 55 th N	
Jan Henrich		13504 E. 55 th N	7/7/24
Russa Picken		13029 E 53 rd N	7/7/24
Shana Ann Pelen		N 127 th	7/7/24
Greg Thompson		5220 N 127 th St E	7/7/24
Greg Thompson		5220 N 127 th St E	7/7/24
Don Lay		5735 N 127 th St E	7/7/24
William Lay		5739 N. 127 th St E	7/7/24
Darwin Badley		12700 E. 56 th St. N	7/7/24
Madison M. Smith		12600 E. 53 rd St N.	7/7/24
John R. Walker		5445 N. 127 th St E.	07/07/24
Melody K. Walker		12901 E 53 rd St N	7/07/24
Jodi Rosenberry		17970 E 55 th N	7/07/24

Case no. Zon2024-00031

Hello, my name is Michael Moore. I reside at 13200 E. 55th St. N.

My driveway starts on what's called 55th st N for mailing purposes and 127 st. E. Which is 11 feet from Mr. Phillips driveway which is clearly posted private driveway. This is the entrance to Mr. Phillips R&R residence. His operation can be seen from 53 rd st N and 127 th st E.

April 23 2023 my son and I met Mr. Phillips when he drove up my marked private driveway , no outlet, permission only signs to my home.

Which is a violation.

He presented my opened mail to me and my son. It was a letter and a hat. He stated that he through away the box it came. The bill to the item was still on the box. So I paid a late fee.

Mr Phillips gave me the contents that were in the box and a letter. Thats how my son and I met Mr. Phillips. Getting into and opening other persons mail is a federal offense.

Mr Phillips bought 5601 N and 127 st E property from Bob Robertson as R&R Residential / Rual property which is adjacent to all his new neighbors that own R&R properties. Mr. Phillips asked me if I was the one that turned him in to the zoning commissioner.

I told him that I'm an American citizen and several members of the community also turned him in for violations in a R&R zone.

I told Mr Phillips if you would have presented a business plan to anyone you would not have bought this property for corporate use.

Operating a corporation, LC , GI with employees, trucks and large tracker trailers in a R&R zoned location is in direct violation as an owner of an R&R zone location.

My son and I were home at the time and witness Mr. Phillips asking us what it would take for us to go away.

To drop all charges and not attend any of the hearing.

He was suggesting trimming our trees and hauling brush away and doing anything that he needed to be done to help us maintain our property.

I told him I have maintained my R&R home stead for 30 years an I did not need his help. Mr. Phillips started asking us who he could pay off to lean in his favor with the zoning committee. Once he found out that we weren't going away he start telling me and my son that I was in violation zoning code. He said he was going to turn me in. I told him that he was on my private road. I told him that all he has to do is stop his corporate operations at 5601.

That is when Mr. Phillips told my son and I that the last guy that turned him into the county for dumping and burning trees they just simply beat him up and left him in the ditch for dead.

I told Mr. Phillips that my personal property starts at 127th and 55th St and he has trespassed on my property. Mr Phillips is sitting here in my home, threatening me to do bodily harm in front of a witness.

I told Mr. Phillips that he was to get back in his car and never come down this private driveway again. The posted sign at the beginning of our private driveway is very clear as to who can come down our driveway.

I've told ex law-enforcement officers this story and they told me that's a softline threat to do bodily harm and that I should fill out a police report on Mr. Phillips. Then I was told that I should be

carrying a firearm on my hip on my personal property. They told me due to the fact that Mr. Phillips is employing 25 or more employees that are coming and going on all hours of the day and night that will be personal effected by these hearings and violations.

The zoning commissioner called the inspection people and they inspected 5601 E 127 th st East and wrote Mr. Phillips violation citations. Mr. Phillips was summons to appear in court. He got an extension. Mr. Phillips had a 2 nd court date. Apparently the court has assigned this committee to come to a conclusion on the zoning for this area. If this court case is in litigation because of violations, I don't understand why it was assigned to this committee to come up with a recommendation for the Zoning in this area. Public records shows that he did not attend the first court date.

Mr Phillips did retaliate against me and turned me in to the zoning department for what he thought was violations on my property. I received the violation letter 4 days before the deadline line. The letter stated I had 14 days to clear up the violations. Mail coming from the city 10 days late is not normal. I moved an old truck I was trying to get running, dropped the insurance and sold it. The zoning commissioner in charge did determine that my driveway starts at 127th St. and 55th 11 feet from Mr. Phillips driveway. Therefore the next time the zoning commissioner came down to talk to me, he first called me at 127th St. and 55th to ask permission if he could come down my private road.

So Mr. Phillips just trespassed again on my private road to point out to the zoning commissioner of what he thought was a violations. Mr. Phillips trespassing on posted property is an again against the law. I even told him it is a private road.

Mr. Phillips went to the second court hearing. I learned from the first hearing last July 11 th that the court is waiting for this committee to make a decision.

I don't understand how a violator is allowed stand at this podium and have 10 minutes to fall on the sword and try to convince this committee what a great guy he is and now he's gonna work with the community that he has threatened and that he tried to bribe to get his way.

We want him out of our community. This is zoned R&R. He applied for a G.I. and then he tried to slip in an LC in the hearing process.

Mr. Phillips is in direct violation of the R&R zoning code.

The traffic is horrendous from all four directions. The wear and tear on the roads are terrible. The burn piles are 35 foot diameter and are at least 20 foot tall. These piles put off black flames 75 feet tall that burn for weeks. This is in total violation from the burn permit that is issued to people to burn brushfires in an R&R.

Green trees 24 inches in diameter and 6 to 10 foot long take more than a little diesel fuel to get blazing.

It takes 3 years for a green tree to dry up enough to be lite with a little diesel fuel. State does not not allow

Burn Permits on a R&R property. Permits state all open burns are to be put out 1 hour before sundown.

Diesel fuel is an accelerant which is against the burn permit to use.

A garden hose will not put this fire out when it burns for two weeks. These illegal burns fill peoples

homes with smoke. Pollute the airways not to mention the fire hazard of the debris that's floating in the air on fire. All four corners of his property butt up to neighboring R&R properties. We don't understand why we even have to be here with all the zoning laws that are in place.

The ISA certificate that Mr. Phillips works under has strict rules about unethical violations to the public and to their own workers per the ISA arbor association.

These listed operations are in direct violation of R&R zoning.

1. Parking employees vehicles not registered to the property.
2. Maintaining and parking of the business or corporate vehicles.
3. Bringing in full trees and limbs onto an R&R property is illegal. Setting these piles on fire using an accelerant to start the fire is against the law and against the wording written on the burn permit.
4. To use accelerant or any other means of starting green trees or limbs or any kind of debris that was brought into the permit area is against the law. R&R zoned property does not allow county permits or state permits at all. These are the laws in place.
5. To set fire to a burn pile larger than 35 feet in diameter and over 20 foot tall is against the law.
6. To continue to bring in trees and limbs and pile them up on an RR property after the laws in place have been reviewed is a direct violation and is against the laws that are in place with Sedgwick County.
7. To have corporate or business employees come and go of all hours of the day and night on an R&R property is against the law.
8. To be zoned as an R&R property means you have your residence plotted one plot and your rural land is a different plot.

Requirements for R&R zoning are as follows:

At least 5 acres of hay meadow or horse grazing, classified as Agricultural plot.

The other acres are to be plotted as residential for your home and outbuildings.

9. To make verbal threats of what happened to the last person that turned Mr Phillips in for zoning violations is against the law.
 10. To make Personal bodily threats to my well-being and my family members is against the law.
- Most all the concerns citizens that are here are in fear for their livelihood and well being knowing that the out come of these hearing will effect over 25 people and their families due to Mr. Phillips business plan or lack there of.

We dodge these green trucks that say Wichita tree service. They are simply disturbing the peace and tearing up the roads.

The culvert entering Mr. Phillips driveway was just replaced two years ago, now they have been here in full operation they had to replace it again with a larger culvert.

The railroad crossing was rebuilt on 127 th st about three years ago and they've already rebuild it again. We have great big trucks coming from all four directions. I don't understand when the business plan was presented to PanTownship why they allowed this to go on to operate as a dump on this R&R zoned property.

Who knows when Mr. Phillips is going to lit another pile. These fires are very black and very hot for green trees as you can see in the photos and video. Takes more than diesel to get them going.

We didn't move out here and build our homes for Mr. Phillips to show up with his corporation and

violate our zoning laws and persons.

The audacity of Mr. Phillips standing up here stating that all these residents will just move away from this area once it becomes commercial or G.I. or whatever.

We have poured our heart and soul in our properties and our land and what we do in our R&R district number one. M

The certificate of ISA which Mr. Phillips operates under has codes of conduct and regulations. Mr. Phillips will be investigated by the ISA Board Certified Master Arborist.

TRAQ allows him to train employees to climb trees in and on limited commercial, General industrial zoned properties. Not R&R zoned areas.

Insurance policies should be looked into due to corporate operations on a residential property zoned R&R.

CTSP is all bout professional model behavior skills.

Kansas Certified Arborist will be running a full investigation on this operation and the owner of Wichita Tree Service due to his unethical practices.

Mr. Phillips seems to be concerned about the well-being of his employee's. In the state of Kansas he should've looked after his employees and made sure that they would not lose their jobs due to his unbusiness like ethics and community threats.

By the way, the average tree cutter in California that works as hard as you guys do makes 80.000 a month.

I yield my remaining time and would like to thank this committee for their dedication and hard work.

Zon2024-00031

NOTICE OF PUBLIC HEARING
METROPOLITAN AREA PLANNING COMMISSION
271 West Third Street, 2nd Floor, Ste. #203, Wichita, Kansas 67202
316-268-4421 (T)

This letter serves to notify you that an application has been made to change zoning or land use regulations controlling land located in your general area. See map at the end of this notice for the specific property affected by this application.

PLEASE NOTE: The Wichita-Sedgwick County Metropolitan Area Planning Commission meeting will be held in person. Public participation is encouraged (see options and instructions below).

CASE NO: **ZON2024-00031**

REQUEST AND GENERAL LOCATION: Zone Change request in the County from RR Rural Residential to GI General Industrial; generally located on the west side of North 127th Street East and within one-quarter mile north of East 53rd Street North (5601 North 127th Street East).

APPLICANT: Robert Phillips, 5601 N. 127th St. E., Wichita, KS 67226, PH: 316-841-8734

A complete legal description is available for public inspection at the Metropolitan Area Planning Department, 271 West Third Street, 2nd Floor.

State law requires the Metropolitan Area Planning Commission to send you NOTICE OF PUBLIC HEARING to allow you an opportunity to comment on the application.

The **PUBLIC HEARING** will be held on the following date and with the following options for participation:

Thursday, July 11, 2024 at 1:30 PM

Options to participate:

1) **Attend In-Person** at the **Ronald Reagan Building, 271 West Third Street, 2nd Floor, Wichita, KS 67202.** Self-paid parking is available nearby. If you have any written or visual materials you wish to present, please contact Planning Department Graphics Staff (316-268-4464) by 5:00 PM, 3 days prior to the meeting.

2) **Submit Comments Ahead of Time** comments regarding items on the Planning Commission agenda to the Wichita-Sedgwick County Metropolitan Area Planning Department (Planning Department) – 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. Planning Departments staff make efforts to share all comments but may not be able to share those received after the deadlines below. Please be sure to provide ample time for delivery. **Written Comments** should be submitted by 5:00 PM the day before the meeting. **Video and Audio Comments** (mp3, etc.) formats should be submitted at least 3 days prior to the MAPC meeting. The comments should indicate which item they pertain to and be less than three (3) minutes in duration.

Email	Planning@wichita.gov
Mailing Address	Wichita-Sedgwick County Metropolitan Area Planning Department Attn: Brad Eatherly 271 W. 3 rd Street – Suite 201 Wichita, KS 67202
Phone	316.268.4421
Fax	316.858.7764

3) **If you need accommodations pursuant to the ADA, please contact Planning Staff within one week prior to the scheduled meeting.**

Option to View Remotely (Not Participate)

The meeting will be streamed live and recorded. Virtual comment is not available. To view the live stream or recording,

follow the link: <https://www.wichita.gov/Planning>.

NOTE: Citizen Advisory Board 1 (CAB) will consider this case at their meeting to be held at **5:30 p.m., Monday, July 15, 2024**. Additional information regarding the CAB meeting may be obtained by calling Sedgwick County Public Information Officer Sarah Harper at (316) 660-9382 or Sarah.Harper@sedgwick.gov.

If you have questions, comments, or concerns regarding this application prior to the public hearing, you may call the Planning Department staff member, **Brad Eatherly**, assigned to this case at 316-268-4421.

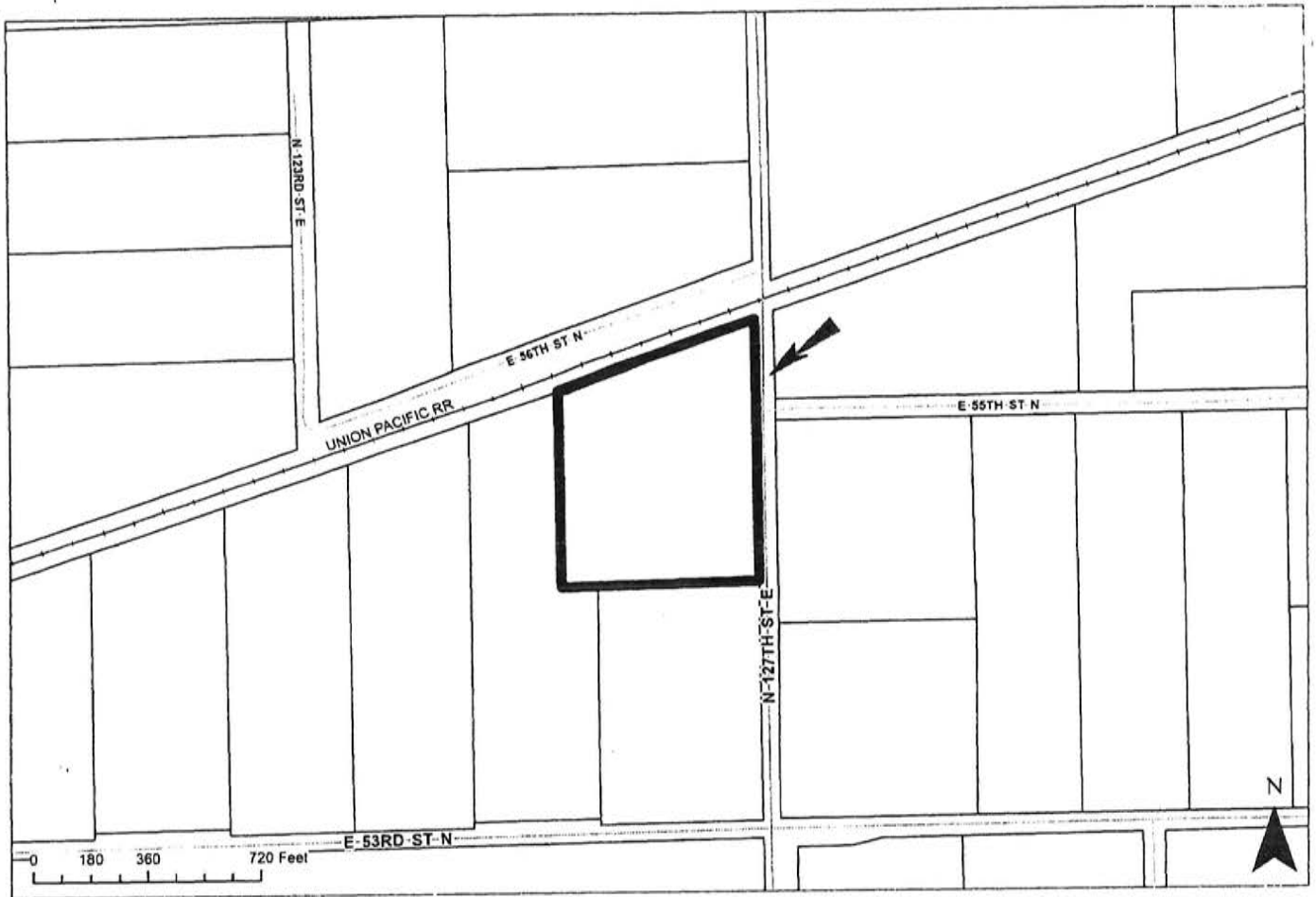
As an owner or occupant of property in the area, you have the right to participate in the Planning Commission public hearing to express your views regarding this application. You have no obligation to appear at the public hearing. If you have any written or visual materials you wish to present at the Planning Commission public hearing, please contact Planning Department Graphics staff (268-4464) by 5pm, 3 days prior to Planning Commission meeting. Please note these materials will be retained as part of the official record by the Planning Commission.

If you so choose, you may file a written protest petition in the office of the Sedgwick County Clerk, 100 N. Broadway, Ste # 620, Wichita, KS 67202. Protest petitions may force a supermajority vote of the governing body to override the protests. Protest petitions must be filed after the Public Commission public hearing but no later than the 14th day following the Planning Commission public hearing. Copies of the protest petitions are available at the Planning Department, 271 West Third St., 2nd Floor, Ste #201, Wichita, KS 67202, 316-268-4421, or online at www.wichita.gov.

If a development plan was required with this application, the plan is on file in the Planning Department and is available for public inspection.

In some cases, such as a Conditional Use or an amendment to a Community Unit Plan, the Planning Commission may have final approval authority unless the case is appealed or protested; otherwise (for zone changes and creation of Community Unit Plans) the Planning Commission is making a recommendation to the governing body who has final approval authority. Factors used by the Planning Commission in deciding what recommendation to make include: neighborhood support or opposition; character of the neighborhood; existing zoning and land use of nearby properties; the suitability of the application area for the uses for which it is currently zoned; detrimental impact, if any, on adjoining properties; conformance with adopted zoning policies or plans; and impact on community facilities.

Listed below are the various zoning districts. The "RR" Rural Residential district is the most restrictive. In ascending order the districts that follow allow increasingly more intensive uses until the "GI" General Industrial district, which is the least restrictive and allows the most intensive land uses by-right.



ZONING DISTRICTS

MOST RESTRICTIVE

RR	Rural Residential
SF-20	Single-Family
SF-10	Single-Family
SF-5	Single-Family
TF-3	Two-Family
MF-18	Multi-Family
MF-29	Multi-Family
B	Multi-Family
MH	Manufactured Housing
NO	Neighborhood Office
GO	General Office
NR	Neighborhood Retail
LC	Limited Commercial
OW	Office Warehouse
GC	General Commercial
IP-A	Industrial Park/Airport
CBD	Central Business District
IP	Industrial Park
LI	Limited Industrial

LEAST RESTRICTIVE/ SPECIAL DISTRICTS

GI	General Industrial
A.F.B	Air Force Base District
P.U.D.	Planned Unit Development
U	University District
OT-O	Old Town Overlay
A-O	Airport Overlay
P-O	Protective Overlay
H-O	Historic Landmark Overlay
D-O	Delano Neighborhood Overlay
AFBP-O	Air Force Base Protective Overlay District
CP-O	Corridor Preservation Plan

A detailed interpretation of the uses allowed in each zoning district may be obtained from the Planning Department. The Metropolitan Area Planning Commission may grant a more restrictive zoning district than requested.

Application area vicinity map on back page.



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[Sedgwick County](#) [Fire District 1](#) [Burn Permits](#)

Burn Permit Application Receipt

Navigate to Activate your Burn Permit.

<https://www.sedgwickcounty.org/fire/forms/burn-permits/burn-information/>

Or scan the QR code with your camera



The banner will display if burning is allowed or not allowed for the day.

If burning is allowed, fill out the form to activate your burn permit.

This permit expires at 11:59 PM on December 31, 2024.

[Print this page!](#)

Burn Details

Permit Number: 36017

Permit Date: 8/8/2024

Expiration Date: 12/31/2024 11:59 PM

Burn Address/Location:

13200 E. 55th N.

Wichita, 67228

Burn Type: Open

Number of Acres to be Burned: 0.00

Type(s) of Materials to be Burned:

Dead trees and limbs that were cut down on this property.

They have been piled up for 3 years so they will burn clean and controlled. I will call 911 to check for approval due to climate c

Applicant Information

Name: Michael Moore

Address:

13200 E 55TH ST NORTH

Wichita, 67228

Phone Number: 316-641-5426

Email Address: bigmo3259@icloud.com

Drivers License Number: K02-15-0690

Drivers License State: KS

Property Owner Information

Name: Michael Moore

Address:

13200 E 55TH ST NORTH

Wichita, 67228

Phone Number: 316-641-5426

BURN PERMIT REQUIREMENTS

By accepting a permit, you agree to abide by the following requirements:

1. I am in legal control of the lot or parcel of land herein described or have permission from the person with legal control of
2. A competent person of legal age will attend burning continuously from the time of ignition to the time of extinguishment.

3. Burning will not be permitted if the wind speeds exceed 15 miles per hour.
4. FOR FIELD TYPE FIRES: a fire break (plowed or disked) of a least 20 feet on all sides of the area to be burned shall be provided from the fire area.
5. FOR NON-FIELD FIRES: adequate clearance shall be provided from readily combustible materials. A minimum of 100 feet shall be provided from the fire area.
6. Burning shall not create a smoke nuisance or hazard to neighboring properties or persons. Precautions shall be taken to avoid such.
7. Burning of ANY HEAVY smoke-producing material is strictly prohibited. Per Kansas State regulations [K.A.R. 28-19-647\(e\)\(2\)](#), burning of lumber, plastics or rubber is illegal. When burning wood products only, "clean wood" shall be burned. (Garbage may be burned.)
8. A garden hose or other fire extinguishing equipment shall be available at the burn location.
9. Burning shall be conducted one hour after sunrise to one hour before sunset. (Exception: Agricultural crops or other special uses.)
10. The person doing the burning will be in possession of this permit during the burn for immediate inspection by authorities.
11. Starting fires with combustible or flammable liquids is prohibited unless special permission is obtained from the Sedgwick County Fire Department. Starting fires in this manner is extremely dangerous!

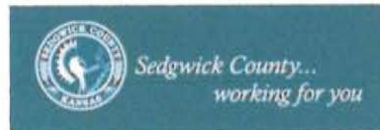
EXAMPLES OF AGRICULTURAL BURNS: (examples are not all inclusive)

- Removal of stubble from crops.
- Removal of brush and tree trimmings or other vegetation when done to control invasions of trees on croplands.
- Prescribed burning.
- Other approved agricultural related burning.

EXAMPLES OF OPEN BURNS: (examples are not all inclusive)

- Burning of brush and tree trimmings on residential or commercial property, brush and tree trimmings must be cut from the property and brought in from outside the permit property.)
- Burning that is considered to be necessary and in the public's interest as determined on a case-by-case basis (roadway clearing, etc.)
- Burning of cut trees, vegetation or other clean wood for recreational enjoyment, commonly known as a "bonfire".

It is mandatory that the permit holder activate their burn permit prior to conducting a permitted burn by navigating to the permit activation page. The banner will display if burning is allowed or not allowed for the day. If burning is allowed, fill out the form to activate the permit. If burning is not allowed, no form needs to be filled out. Check current weather conditions for wind speeds and other atmospheric conditions. Kansas Law states that a person shall not burn any material in a careless or negligent manner while burning. Kansas Law also states that open burning shall not be conducted during inclement weather, i.e. rainy conditions. Burning shall be conducted in accordance with all codes and laws as well as those listed herein. Fines for violations can be as much as \$1,000.



Mission: To assure quality public services that provide for the present and future of Sedgwick County.

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