

City of Sedgwick
Planning and Zoning/Board of Zoning Appeals Meeting
October 14, 2025

Date: October 14th, 2025

Present Zoning: Central Business District

Variance Request(s): The applicant, Rebecca Whistler, Truly You Midwifery, pursuant to section 10-107, is petitioning for a variance to establish two (2) parking stalls for restricted parking.

Applicant: Rebecca Whistler

Property Address: 501 N. Commercial Ave., Sedgwick, KS 67135 (outlined in red below)



Applicant's Reasons for Variance Request:

Per the City of Sedgwick's Zoning Code (5.101.B.9), off-street parking spaces accessory to the uses hereinafter designated shall be provided as follows, except no such spaces shall be required in the C-1 Central Business District except for dwelling units constructed in conjunction with business uses:
Medical and dental clinics or offices – one and on-half parking spaces for each examining or treatment room, plus one for each doctor and employee.

Review Standards for a Variance per 10.107.D (*standards in italics*):

1. *That the variance requested arises from such condition which is unique to the property in question, and which is not ordinarily found in the same zoning district, and is not created by an action or actions of the property owners or the applicant.*

This variance request is unique to this property, as the utilization of the building is considered a medical facility. Neighboring business types do not have the stated required number of parking spaces that would be mandated outside of the C-1 Central Business district.

2. *That granting of the variance will not adversely affect the rights of adjacent property owners or residents.*

The granting of this variance will not adversely affect the rights of adjacent property owners/residents. A public notice was published in the *Harvey County Now* and notice letters were mailed to all property owners within 200 feet of the applicant's property boundaries in the City limits. To date there has been one contact with City Staff to clarify the requested variance. Any further responses received after the creation of this staff report will be shared with the Board of Zoning Appeals during the October 14th, 2025, board meeting.

3. *That strict application of the provisions of these regulations from which a variance is requested will constitute unnecessary hardship upon the property owner represented in the application.*

The variance requested would allow patients of the midwife facility to have designated parking for their routine exams and births that is closer in proximity to the facility door, minimizing potential medical issues. If the variance is not approved, the property owner would not have restricted parking for access close to the facility door, which could increase potential medical issues for expecting mothers.

4. *That the variance desired will not adversely affect the public health, safety, morals, order, convenience, prosperity, or general welfare.*

The variance will not adversely affect the public health, safety, morals, order, convenience, prosperity, or general welfare of the surrounding neighbors or the community in general, if the variance request is approved.

5. *That granting the variance desired will not be opposed to the general spirit and intent of these regulations.*

The spirit and intent of the Zoning Regulations regarding required parking will generally be met except for the allowance of restricted parking in C-1 Central Business District, which would otherwise be required if located within a different zoning area. Because all the requirements but one are met, this variance would not be against the general spirit and intent of the regulations.

Staff Review: The property is located within the C-1 Central Business District, albeit it is not on the main thoroughfare of the district. The property owner is asking for a quantity of restricted parking stalls that is less than what would be required if the business was located outside of the C-1 Central Business District *(based on calculations the required number of stalls would be five (5) outside of C-1)*.

Staff Recommendation: Staff recommends approval of the variance for the restricted parking stalls to be two (2) stalls located near the primary entrance for 501 N. Commercial Ave., Sedgwick, KS 67135.



APPLICATION FOR A VARIANCE FROM THE ZONING REGULATIONS

This is an application for a variance before the City Board of Zoning Appeals. The form must be completed in accordance with directions on the accompanying instructions and filed with the Zoning Administrator at:

Sedgwick City Hall
520 N. Commercial / PO Box 131
Sedgwick, KS 67135

or FAX: 316-772-5592

(AN INCOMPLETE APPLICATION CANNOT BE ACCEPTED.)

1. Name of Applicant: Rebecca Whistler
Address: 501 N Commercial Ave Sedgwick KS 67135
Phone: 316-655-3787 Email: rebecca.whistler@fruityoumidwifery.com
Name of Agent, if any: NA
Address: _____
Phone: _____ Email: _____

Relationship of Applicant to property is that of: Owner
(Owner, Tenant, Lessee, etc.)

2. Application is made for a variance as provided for in Section 10-107 of the City Zoning Regulations to permit (describe request):

Restricted parking stalls

for property located at 501 N. Commercial Ave, Sedgwick, KS 67135

and legally described as S34, T24, R01W, E89, 17 LT125

in the City which is zoned as the C-1
Central Business District District.

3. The Applicant or his/her authorized agent, acknowledges:

- a. That he/she has received instruction material concerning the filing and hearing of this matter.
- b. That he/she has been advised of the established fee requirements, and that the fee has been paid.
- c. That he/she has been advised of his/her rights to bring action in the District Court of the County to appeal the decision of the Board of Zoning Appeals.
- d. That all required documents are attached to this Application for a Variance as noted in the instructions.
- e. That the Board of Zoning Appeals has the authority to require such conditions as are deemed necessary and reasonable in order to serve the public interest.

Signature: Rebecca Whister, ApplicantPrint name: Rebecca WhisterDate: 9-9, 2025

Signature: _____, Agent (if any)

Print name: _____

Date: _____, 20____

OFFICE USE ONLY

This application was received at 2:00 (am, pm)
on September 9, 2025
by the Zoning Administrator acting for the Board of Zoning Appeals.

It has been checked and found to be complete and accompanied by the required documents
and the fee of \$ 9.

Signature: Kyle Nordick, Zoning AdministratorPrint name: Kyle NordickDate: September 9, 2025**Provide copy to:**

- Applicant and/or Agent