



**Wichita-Sedgwick County Metropolitan Area Planning Department**

December 22, 2000

David Dauffenbach  
107 N. Rainbow Lakes Rd.  
Wichita, KS 67235

**FILE COPY**

**Re: BZA2000-00068: Administrative adjustment to waive the compatibility setback.**

**Legal Description: The north 85 feet of Lot 17, Weirick Addition to Wichita, Sedgwick County, Kansas. Generally located north of 13<sup>th</sup> St. N. and west of High St. (3580 W. 13<sup>th</sup> St. N.).**

Dear Mr. Dauffenbach:

We have reviewed your request for an Administrative Adjustment to waive the compatibility setback for a proposed fourplex on the aforementioned property. You state in your application that the limited size of your 8,500 square foot lot does not permit the construction of a fourplex in conformance with the code-required 25 foot compatibility setback along the north property line where your property abuts property zoned "SF-6" Single Family Residential.

The Unified Zoning Code allows an Administrative Adjustment that would waive the compatibility setback. We find that waiving the compatibility setback meets the four conditions required by Section V-I.6 of the Unified Zoning Code as set out below:

- 1) Impact on safety and convenience of vehicular and pedestrian circulation: This request is to waive the compatibility setback along the rear property line. Public vehicular and pedestrian circulation should not be affected.
  
- 2) Impact on existing uses in surrounding areas: There should be no negative impact on the existing uses in surrounding areas as a result of waiving the compatibility setback. Multi-family residential uses are an established use in the surrounding area with no apparent negative impacts on existing uses. Screening and landscaping of the proposed fourplex without the compatibility setback should be sufficient to limit negative impacts on the existing use on the abutting property to the north.

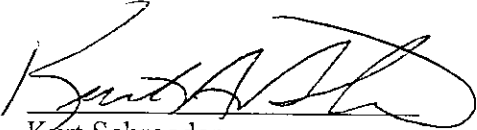
- 3) Compatibility with existing or permitted uses on abutting sites: Waiving the compatibility setback is within allowable adjustments and will not detract from the existing residential use on the abutting property to the north, as the building developed on the abutting property to the north is located towards the front of the lot and constructing a fourplex adjacent to the rear yard of the property to the north is a compatible use without the compatibility setback.
- 4) Effect on public health, safety or welfare: There will be no encroachment into public utility easements or right-of-way, therefore, there should not be a negative impact on the public health, safety or welfare nor will properties or improvements in the vicinity be materially injured.

Our signatures below indicate that an Administrative Adjustment to waive the compatibility setback for the aforementioned property is hereby granted, subject to the following conditions:

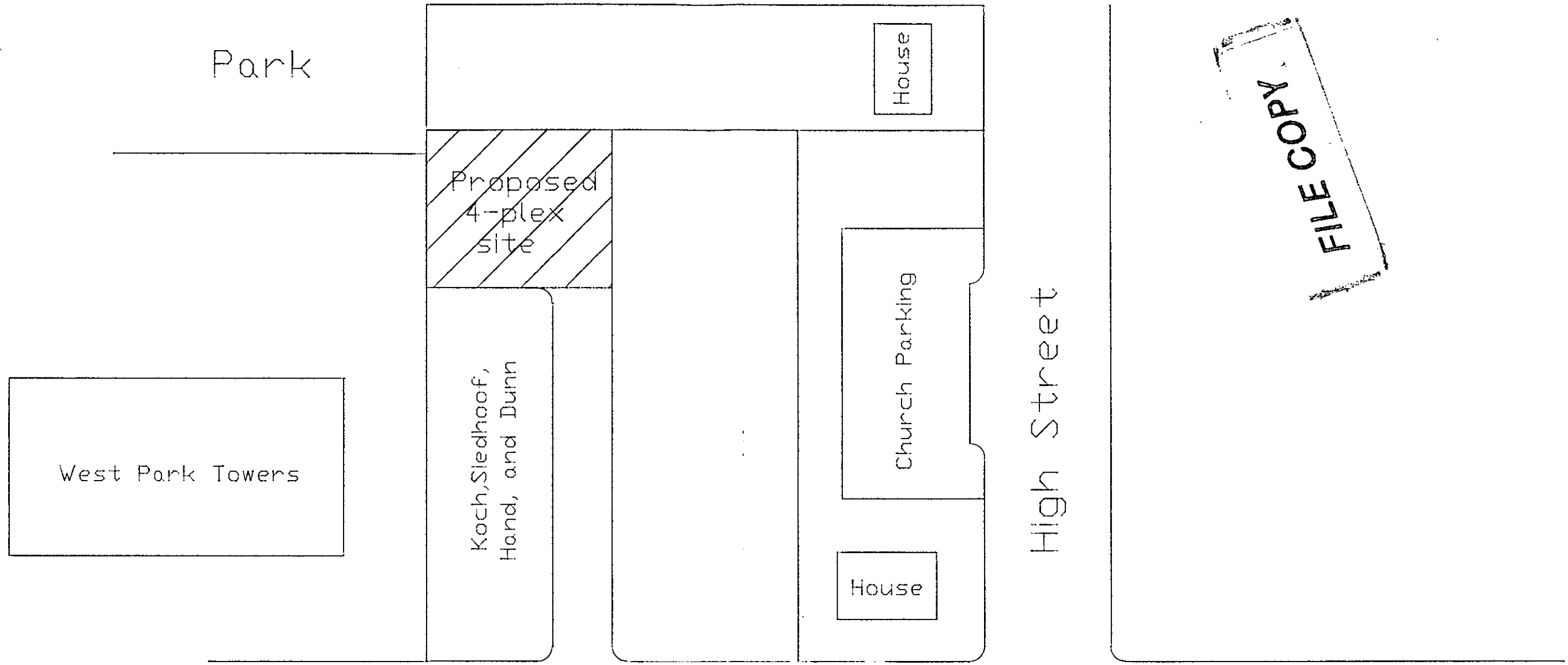
- 1) The compatibility setback shall only be waived if the property is developed with the proposed fourplex use.
- 2) The site shall be developed in general conformance with the site plan submitted as part of this application.
- 3) A screening and landscaping plan pursuant to Section IV.B of the Unified Zoning Code and Section 3 of the Landscape Ordinance shall be approved by the Planning Director prior to the issuance of a building permit.
- 4) Any violation of these conditions shall render the Administrative Adjustment null and void.

The zoning adjustment sign may now be removed from the property.

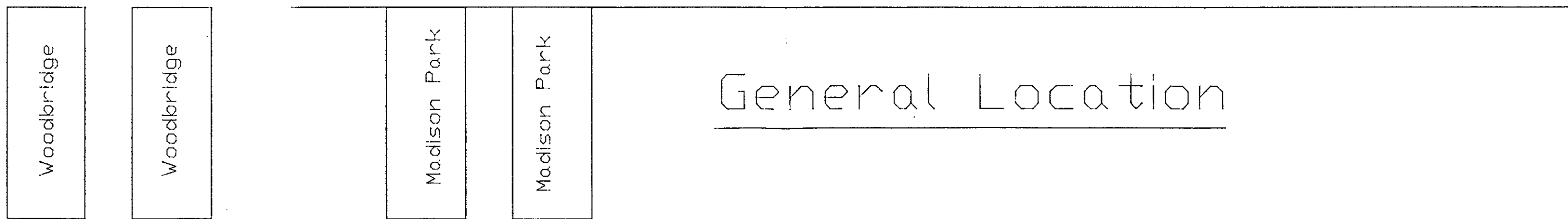
  
Marvin S. Krout  
Director of Planning

  
Kurt Schroeder  
Superintendent of Central Inspection

cc: Kurt Schroeder, Office of Central Inspection  
Paul Hays, Office of Central Inspection  
Randy Sparkman, Office of Central Inspection  
J.R. Cox, Office of Central Inspection  
Donna Goltry, MAPD  
Doug Morris, 1001 E. MacArthur #207, Wichita, KS 67213



13 th. Street North



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