FILE COPY

CITY OF WICHITA

Wichita-Sedgwick County Metropolitan Area Planning Department

June 12, 2002

Via Christi Property Services
1035 N. Emporia, Suite 195
Wichita, KS 67214

Re: **BZA2002-00036: Zoning Adjustment to reduce the compatibility setback for a dumpster along the west property line from 20 feet to 7 feet.**

Legal Description: All of Lot 2, Replat of Part of Pineridge Addition to Wichita, Sedgwick County, Kansas, TOGETHER with that part of Lot 3 in said Replat of Part of Pineridge Addition lying east of the west line of said Lot 2, as extended south to the south line of said Lot 3, except the east 5.00 feet thereof dedicated for street, TOGETHER with the south 140.00 feet of the north 276.53 feet of the east 80.00 feet of Lot 1 in said Replat of Part of Pineridge Addition. Generally located north of Harry and west of Clifton (1515 S. Clifton).

We have reviewed your request for a Zoning Adjustment to reduce the compatibility setback for a dumpster along the west property line from 20 feet to 7 feet. From reviewing your application, we understand that you desire to place the trash dumpster in the western-portion of the parking lot so that it is located away from the building and away from reserved physician parking areas. Since the property west of the subject property is zoned "TF-3" Two-Family Residential, Sec. IV-C.7.b. of the Unified Zoning Code requires a 20-foot compatibility setback for the dumpster along the west property line. Since the property to the west is not developed with low-density residential uses but with an institutional use, you requested a Zoning Adjustment to reduce the compatibility setback for a dumpster along the west property line from 20 feet to 7 feet.

Sec. V-I.2.d. of the Code allows an adjustment to reduce or waive the required compatibility setback, when the conditions required by Sec. V-I.6. of the Code are met. We find that the reduction of the compatibility setback for a dumpster along the west property line from 20 feet to 7 feet meets the four conditions required by Sec. V-I.6 of the Code as set out below:

1) Impact on safety and convenience of vehicular and pedestrian circulation: This request is for a reduction of the compatibility setback. Public vehicular and pedestrian circulation will 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 the reduction of the compatibility setback, as the dumpster will be screened and will be located adjacent to an open space for a church and school rather than a residential structure.

3) Compatibility with existing or permitted uses on abutting sites: The compatibility setbacks for dumpsters are intended to prevent dumpsters from being located in close proximity to low-density residential structures. A 13-foot reduction of the compatibility setback for a screened trash dumpster will not make the dumpster incompatible with an open space for a church and school.

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 a Zoning Adjustment to reduce the compatibility setback for a dumpster along the west property line from 20 feet to 7 feet for the aforementioned property is hereby granted, subject to the following conditions:

1) The site shall be developed in general conformance with the approved site plan.

2) The setback reduction shall apply only to the "Trash Enclosure" as illustrated on the approved site plan. All other structures or additions on the subject property shall conform to the compatibility setbacks permitted by the Unified Zoning Code unless a separate Zoning Adjustment is granted.

3) If the Zoning Administrator finds that there is a violation of any of the conditions of the Zoning Adjustment, 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 Zoning Adjustment is null and void.

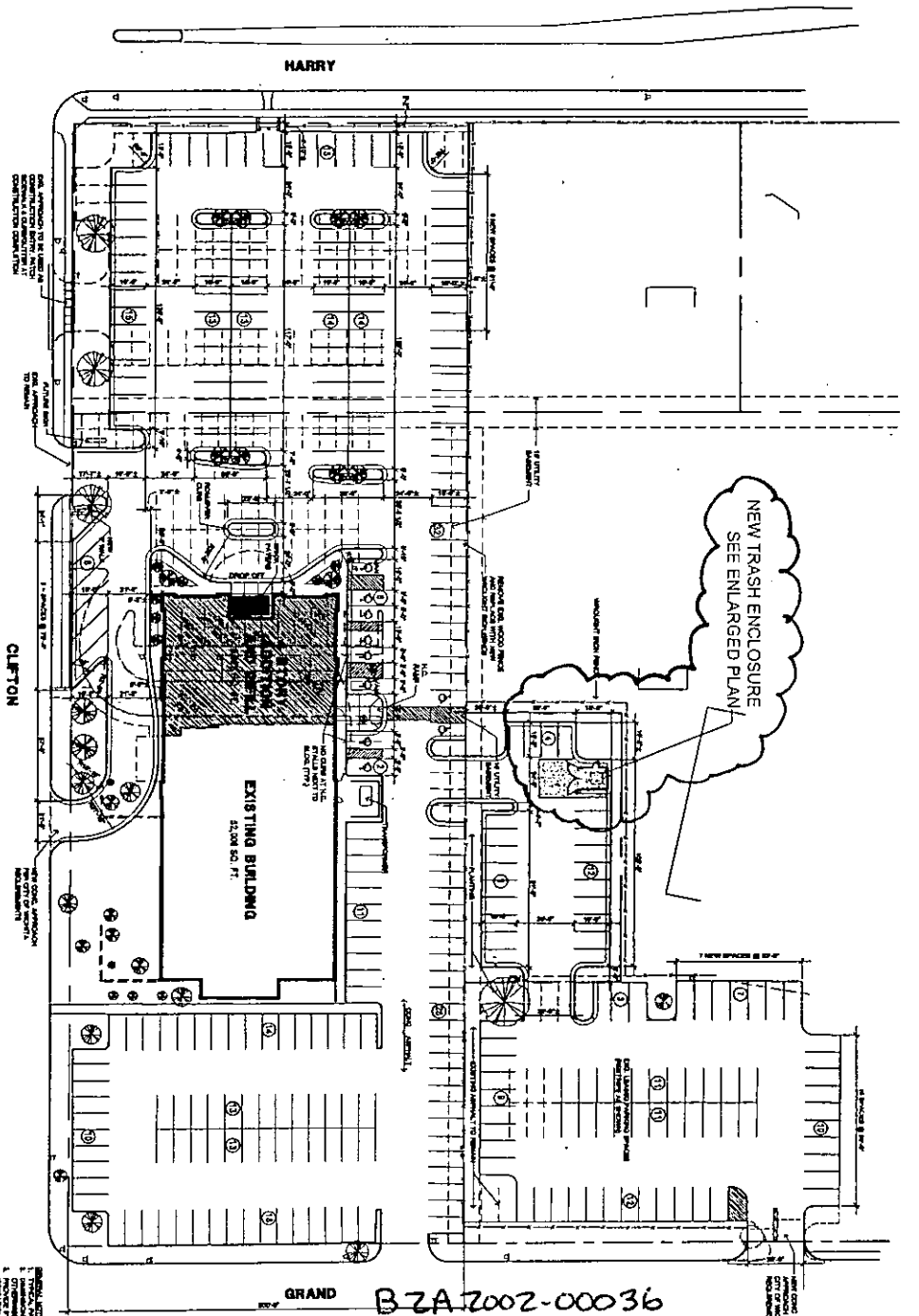
The zoning adjustment sign may now be removed from the property.

Marvin S. Krout
Planning Director

Kurt A. Schroeder
Superintendent of Central Inspection

Enclosure

cc: Spangenberg Phillips Architecture, 121 N. Mead, Suite 201, Wichita, KS 67202
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



SITE PLAN

BZA 2002-00036

SITE PLAN

APPROVED 6-12-02 BY SK

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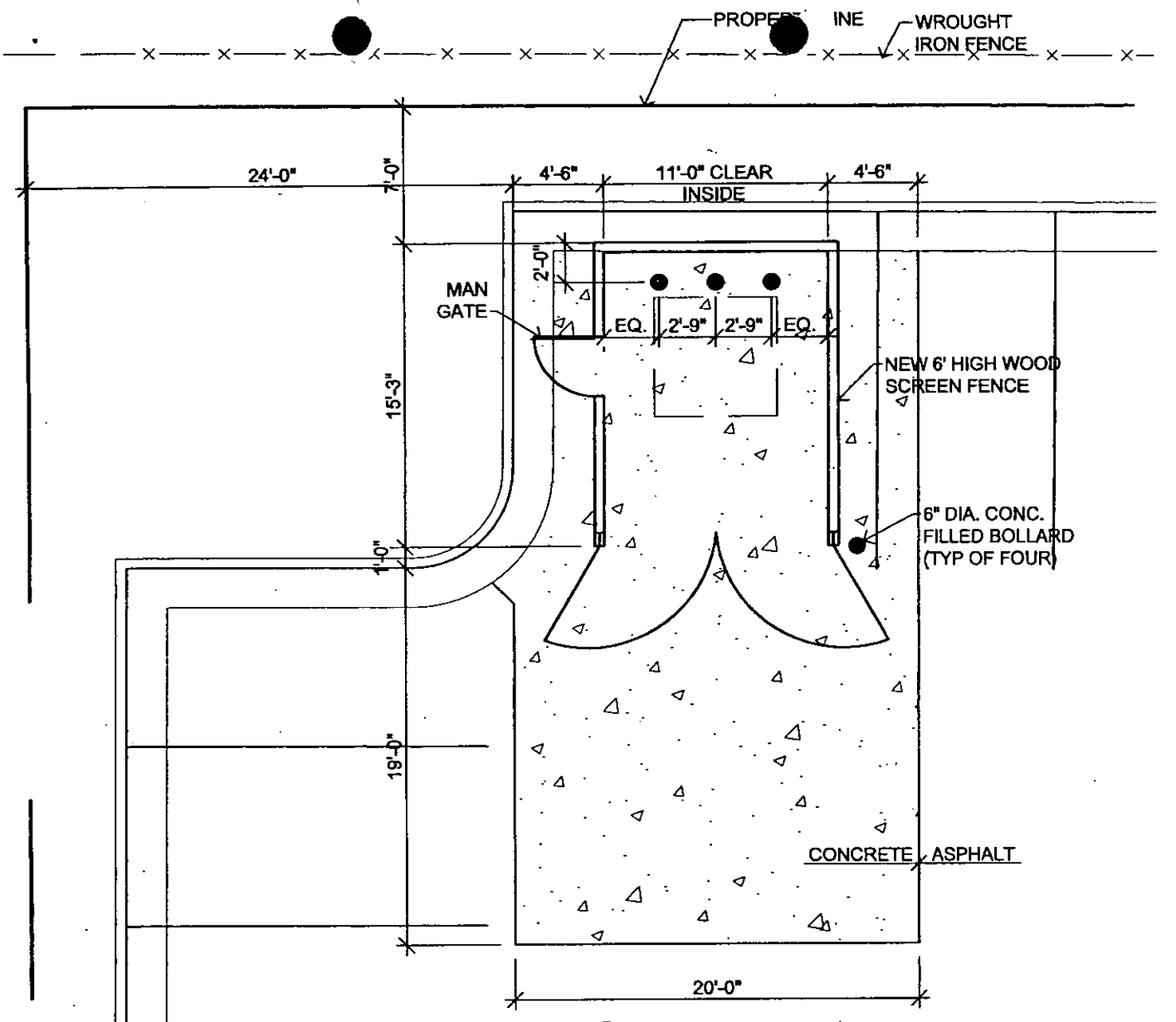
C1

SITE PLAN

VIA CHRISTI
OFFICE ADDITION - SHELL PACKAGE
1515 SOUTH CLIFTON
WICHITA, KS

SPANGENBERG • PHILLIPS
ARCHITECTURE
224 E. Douglas, Fifth Floor Wichita, KS 67202 T 316.267.4002 F 316.267.1609



BZA2002-00036

SITE PLAN

APPROVED 6-12-02 BY SK

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north 0 8'

ENLARGED TRASH ENCLOSURE PLAN

VIA CHRISTI OFFICE ADDITION

SPANGENBERG PHILLIPS ARCHITECTURE
121 N. Mead, Suite 201, Wichita, KS 67202 TEL 316.267.4002
www.spangenbergphillips.com FAX 316.267.1509

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