CITY OF WICHITA

FILE COPY

Wichita-Sedgwick County Metropolitan Area Planning Department

April 22, 2002

Greg Hiser
7605 W. O'Neil
Wichita, KS 67212

Re: BZA2002-00019: An administrative adjustment to reduce the compatibility setback.

Legal Description: Lot 2, N-F Addition, Wichita, Sedgwick County, Kansas. Generally located south of Taft and east of Illinois (508 S. Illinois).

Dear Mr. Hiser:

We have reviewed your request for an Administrative Adjustment to reduce the compatibility setback on the above-referenced property. You state in your application that you propose to construct a 60' x 100' building for your business, Hiser Homes, and that the building will be located within 10 feet of the south property line where the adjoining lot is zoned "SF-5" Single-Family Residential. Since Sec. IV-C.4. of the Unified Zoning Code requires a 20-foot compatibility setback from the adjoining property to the south, you have requested an Administrative Adjustment to reduce the compatibility setback from 20 feet to 10 feet.

Sec. V-I.2.d. of the Unified Zoning Code allows an Administrative Adjustment to reduce or waive the compatibility setback when the conditions required by Sec. V-I.6 are met. We find that reducing the compatibility setback from 20 feet to 10 feet on your property meets the four conditions required by Sec. 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 for a reduction of the compatibility setback along a side yard that does not provide vehicular or pedestrian access. 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. The nearest structure on the adjoining lot to the south is a detached garage that is located approximately 50 feet south of the common property line. The single-family residence on the adjoining lot to the south is approximately 90 feet south of the common property line. The approximately 100 feet of separation between habitable structures, supplemented by the screening and buffering requirements of City codes, should limit adverse impacts on surrounding areas.

3) Compatibility with existing or permitted uses on abutting sites: Reducing the compatibility setback is within allowable adjustments, and sufficient separation between residential and non-residential uses will remain to maintain compatibility between uses.

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 reduce the compatibility setback from 20 feet to 10 feet for the aforementioned property is hereby GRANTED, subject to the following conditions:

1) The compatibility setback shall be reduced only for the improvements shown on the approved site plan .
2) The site shall be developed in general conformance with the approved site plan.
3) Any violation of these conditions shall render the Administrative Adjustment null and void.

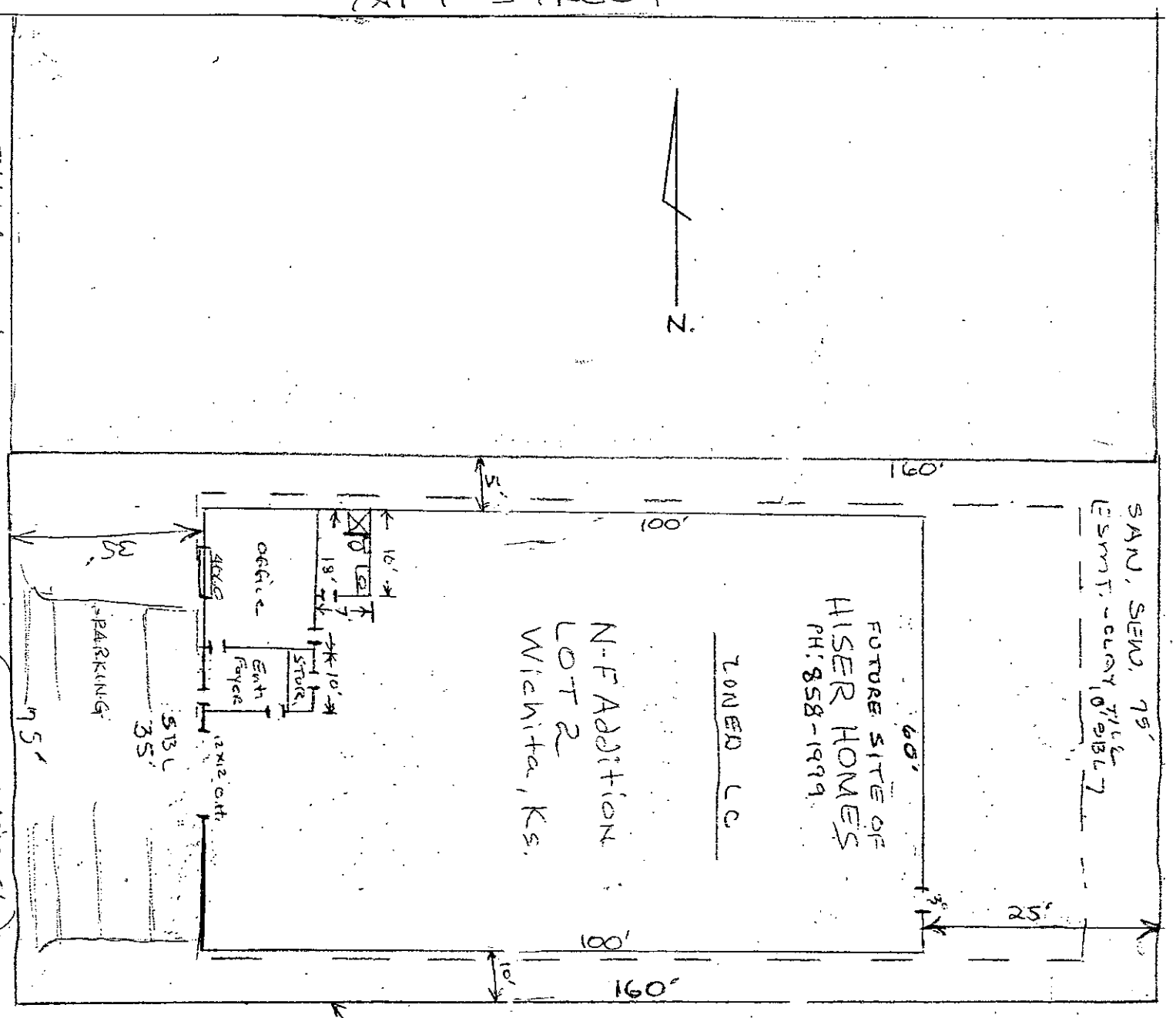
The zoning adjustment sign may now be removed from the property.

Marvin S. Krout
Planning Director

Kurt A. Schroeder
Superintendent of Central Inspection

Enclosure

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



BZA2002-00019

SITE PLAN

APPROVED 4-22-02 BY SK