



Wichita-Sedgwick County Metropolitan Area Planning Department

April 9, 2002

Joe Hoover
USD 259
201 N. Water
Wichita, KS 67202

FILE COPY

Re: BZA2002-00005: An administrative adjustment to reduce the compatibility setback.

Legal Description: Even Lots 2-32 on Market Street along with the east half of the vacated alley and odd Lots 1-23 on Main Street along with the west half of the vacated alley, English's 6th Addition, Wichita, Sedgwick County, Kansas. Generally located south of Harry and east of Main (107 E. Harry).

Dear Mr. Hoover:

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 an addition to Harry Street Elementary School on the property. You further state in your application that the southwest corner of the addition will be located within 7.6 feet of the northeast corner of an adjacent lot zoned "TF-3" Two-Family Residential. Since Sec. IV-C.4. of the Unified Zoning Code requires a 25-foot compatibility setback from the "TF-3" tract for non-residential structures on the subject property, you have requested an Administrative Adjustment to reduce the compatibility setback from 25 feet to 7.6 feet.

The Unified Zoning Code allows an Administrative Adjustment to reduce the compatibility setback from 25 feet to 7.6 feet. We find that reducing the compatibility setback on your property 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 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. The existing residential structure on the adjacent lot is located approximately 70 feet west of the corner of the lot where the school will encroach into the compatibility setback. The over 70 feet of separation between structures, supplemented by the screening and buffering requirements of City codes, should limit adverse impacts on surrounding areas.

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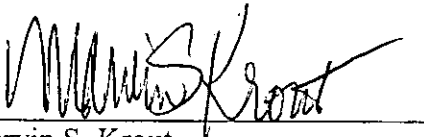
www.wichitagov.org

- 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: The 20-foot utility easement along the previously vacated alley has been vacated through VAC2001-00060. Therefore, there will be no encroachment into public utility easements or right-of-way, and 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.

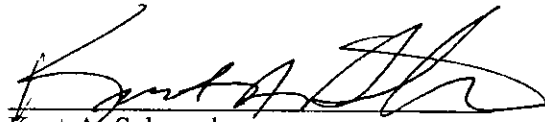
Our signatures below indicate that an Administrative Adjustment to reduce the compatibility setback from 25 feet to 7.6 feet for the aforementioned property is hereby GRANTED, subject to the following conditions:

- 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: Brett Prather, Architectural Innovations, 7701 E. Kellogg, Ste. 850, Wichita, KS 67207
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

