CITY OF WICHITA

FILE COPY

Wichita-Sedgwick County Metropolitan Area Planning Department

May 31, 2019

Car Par Property I LLC etal
2115 Linwood Avenue, Suite 110
Fort Lee, NJ 07024

O'Reilly Auto Enterprises, LLC
233 South Patterson Avenue
Springfield, MO 65802

Re: **BZA2019-23: City Administrative Adjustment to reduce the north side yard setback of the Compatibility Standards for building and site design in "LC" Limited Commercial zoning adjacent to "SF-5" Single-Family Residential zoning.**

Legal Description: LOTS 1 & 2 and half of vacated Exposition adjacent to N 3.01 feet, Block A, Simon Addition; and Lot 1 and S 30 feet vacated Exposition, Redburn Addition, Wichita, Sedgwick County, Kansas; generally located northwest of West Pawnee and South Seneca (2219 S. Seneca)

Dear Applicant,

We reviewed your request for an Administrative Adjustment to reduce the Compatibility Standards on the north side yard setback [Sec IV-C.4] from 25 feet to 14 feet to construct a 40-foot by 100-foot building addition, as shown on the submitted site plan.

Section V-I.2.d of the Unified Zoning Code allows an Administrative Adjustment to reduce or waive the required compatibility setback. We find that reducing the north side yard compatibility setback as proposed, meets the four criteria required by Section V-1.6 as set out below:

1) Impact on safety and convenience of vehicular and pedestrian circulation: The reduction of the compatibility setback should have no impact on the safety and convenience of vehicular and pedestrian circulation in the vicinity as right-of-way and driveways are not affected.

2) Impact on existing uses in surrounding areas: There will be no impact on the existing uses in surrounding areas as a result of the north side yard compatibility setback reduction; landscape buffering will be required per the City of Wichita Landscape Ordinance.

3) Compatibility with existing or permitted uses on abutting sites: The compatibility setback reduction with the landscape buffering separating the property on the north, will be compatible with existing and permitted uses on abutting SF-5 zoned site.

4) Effect on public health, safety or welfare: There will be no encroachment into public utility easements or right-of-way. There should be no 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 north side yard building compatibility setback from 25-feet to 14 feet is hereby granted, subject to the following conditions:

1) The site shall be developed in general conformance with the approved site plan and the City of Wichita Landscape Ordinance.

2) The adjustment shall apply only to the north side yard compatibility setback as illustrated on the approved site plan. All other structures or additions on the subject property shall conform to the locations and setbacks permitted by the Unified Zoning Code unless a separate Zoning Adjustment or Variance is granted.

3) The applicant shall obtain a permit and complete all improvements within one year of the Administrative Adjustment approval. The site shall conform to all codes including but not limited to building, health and fire.

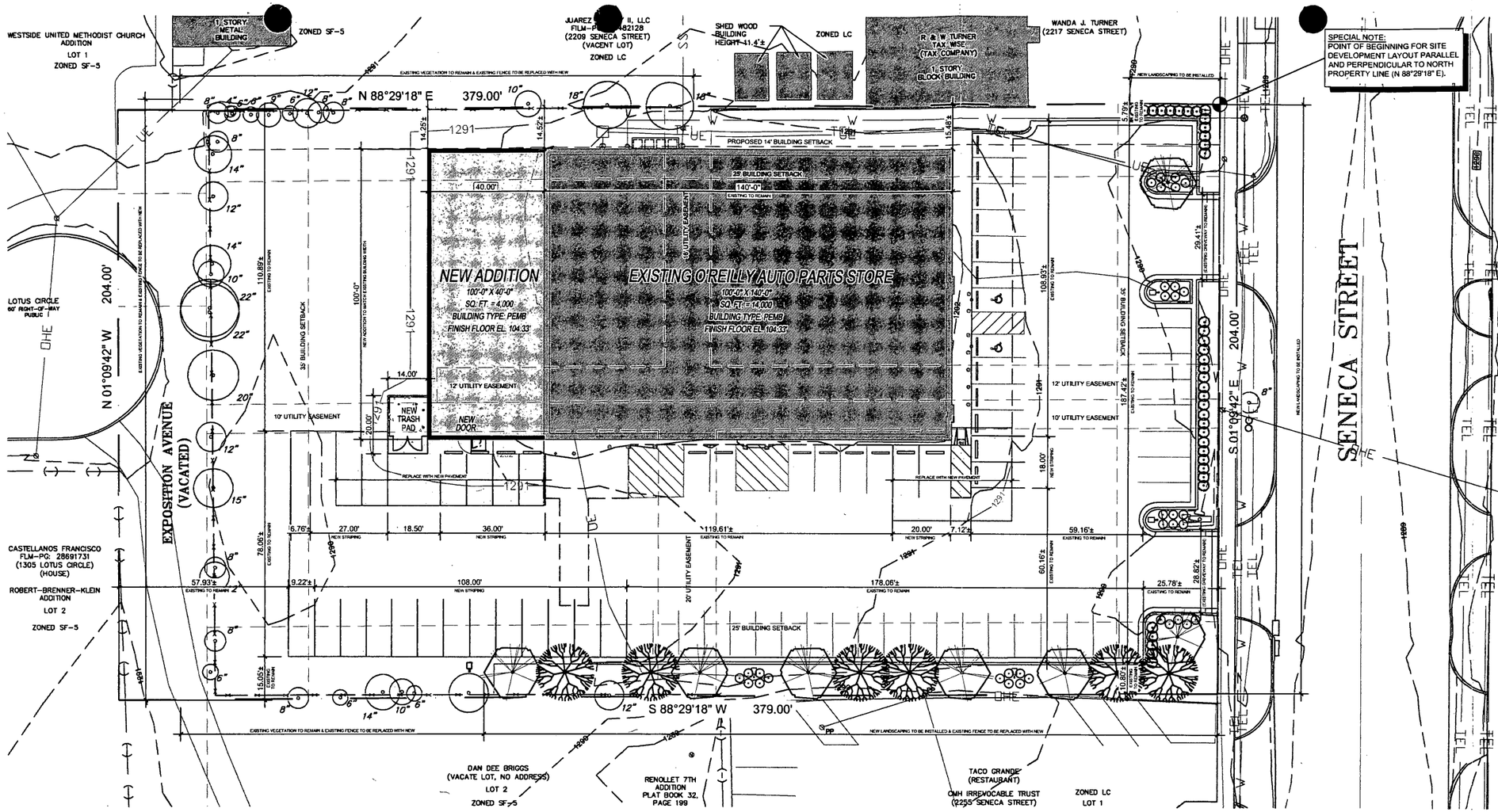
4) If the Zoning Administrator finds that there is a violation of any of the conditions of the Zoning Adjustment, the Zoning Administrator, in addition to enforcing the other remedies set forth in the Unified Zoning Code, may, with the concurrence of the Planning Director, declare that the Zoning Adjustment is null and void.

The "Development Application" sign should now be removed from the property.

Dale Miller, Director
Metropolitan Area Planning Department

Chris Labrum, Director
Metropolitan Area Building and Construction Department

cc: MABCD
Jeff Blubaugh, CM District IV
Rebecca Fields, Community Service Representative District IV



1 BUILDING SETBACK VARIANCE EXHIBIT

V1.1 SCALE: 1" = 40'-0"

SITE PLAN
APPROVED 5/31/19

DEED DESCRIPTION

PARCEL I:
LOT 1, REDBURN ADDITION TO WICHITA, SEDGWICK COUNTY, KANSAS, TOGETHER WITH THE EAST 30 FEET OF VACATED EXPOSITION AVENUE ADJOINING ON THE WEST.

PARCEL II:
LOTS 1 AND 2, BLOCK A, SIMON ADDITION TO WICHITA, SEDGWICK COUNTY, KANSAS, TOGETHER WITH THAT PART OF THE EAST 30 FEET OF EXPOSITION AVENUE ADJOINING ON THE WEST VACATED INSTRUMENTS FILED ON FILM 274, PAGE 1287 AND ON FILM 320, PAGE 1468.

NOTE: DESCRIPTIONS HAVE BEEN TAKEN FROM DEEDS ACQUIRED FROM THE SEDGWICK COUNTY REGISTER OF DEEDS DOCUMENT SEARCH WEB SITE. THE LIMITED WARRANTY DEEDS WERE FOUND AS FILED IN BOOK 2197, PAGE 840 AND BOOK 2197, PAGE 845. TITLE DOCUMENTS HAVE NOT BEEN PROVIDED BY THE CLIENT. RECORD DESCRIPTION, EASEMENTS, RIGHTS-OF-WAY, ETC, ARE SUBJECT TO INFORMATION THAT A TITLE COMMITMENT MAY DISCLOSE.

ZONING INFORMATON

ZONING: LC (LIMITED COMMERCIAL DISTRICT)

BUILDING HEIGHT AND SETBACK REQUIREMENTS:

FRONT SETBACK: 35'-0" (PLATTED SETBACK)

REAR SETBACK: 35'-0"(REDBURN ADDITION PLATTED SETBACK)

SIDE SETBACK: 25'-0"

MAXIMUM HEIGHT: 35'-0"

PROJECT INFORMATON

PROPERTY OWNER:
CARPAR PROPERTY I LLC ETAL
2115 LINWOOD AVENUE, SUITE 110
FORT LEE, NEW JERSEY 07024
PHONE: (201) 292-3531

TENANT / OWNER REPRESENTATIVE:
O'REILLY AUTO ENTERPRISES, LLC
233 SOUTH PATTERSON AVENUE
SPRINGFIELD, MISSOURI 65802
PHONE: (417) 862-2674

DESIGN PROFESSIONAL / TENANT REPRESENTATIVE:
BUDDY WEBB, NCARB, AIA – ARCHITECTS
3057 EAST CAIRO
SPRINGFIELD, MO 65802
PHONE: (417) 877-1385

VARIANCE DESCRIPTION

A VARIANCE IS REQUESTED TO ALLOW THE NORTH BUILDING SETBACK TO BE REDUCED FROM 25'-0" TO 14'-0" TO ALLOW FOR THE CONSTRUCTION OF A NEW BUILDING ADDITION TO THE REAR OF THE EXISTING O'REILLY AUTO PARTS STORE.

V1.1
SHEET NUMBER

DRAWN BY: RHV
CHECKED BY: LDG
DATE: 04/24/19
REVISION:
PROJECT NUMBER: WI1-224

Buddy Webb, NCARB, AIA
Architect - Consultant
3057 EAST CAIRO
SPRINGFIELD, MISSOURI 65802
(417) 877-1385 TELEPHONE
(417) 877-9736 FAX

PROJECT: (ADDITION)
O'REILLY AUTO PARTS STORE
2219 S. SENECA
WICHITA, KANSAS

BUILDING SETBACK VARIANCE EXHIBIT

O'Reilly AUTO PARTS
CORPORATE OFFICES
233 SOUTH PATTERSON
SPRINGFIELD, MISSOURI 65802
(417) 862-2674 TELEPHONE

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