Wichita-Sedgwick County Metropolitan Area Planning Department

August 11, 2020

Tim Stuhlsatz
9201 Suncrest
Wichita, KS 67212

Certified Engineering Design, P.A.
Attn: Logan Mills
1935 W. Maple
Wichita, KS 67213

Re: **BZA2020-00035: Administrative Adjustment to reduce the Compatibility Setback from 25-feet to 10-feet on property zoned LI Limited Industrial adjacent to a property zoned SF-5 Single-Family Residential.**

Legal Description: Lot 5, Block A, Osbeck Addition, Wichita, Sedgwick County, Kansas (9330 W. Harry)

Dear Applicant,

We have reviewed your request for a Zoning Adjustment to reduce the Compatibility Setback from 25-feet to 10-feet to allow a new commercial structure to be built on the aforementioned property 10-feet from the east property line. From reviewing the application, we understand that you desire to reduce the compatibility setback to allow redevelopment of the subject lot.

Section V-I.2.d of the Unified Zoning Code ("UZC") allows reducing or waiving the required Compatibility Setback. This adjustment is permissible when the provisions of the Zoning Adjustment Criteria of Section V-I.6 are met. We find that the reduction of the Compatibility Setback to allow for the redevelopment of the subject lot as proposed meets the provisions of Section V-I.2.d and the four criteria required by Section V-1.6 as set out below:

1) Impact on safety and convenience of vehicular and pedestrian circulation: Reduction of the Compatibility Setback from 25-feet to 10-feet will 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 Compatibility Setback reduction. The neighboring residential structure is setback approximately 60-feet from the shared property line. Street visibility will be unchanged for neighboring properties.

3) Compatibility with existing or permitted uses on abutting sites: The properties to the north are GC General Commercial, east of the property is zoned SF-5 and is developed with a single-family residence. The Compatibility Setback reduction will not have a negative impact on existing or permitted uses.

4) Effect on public health, safety or welfare: There will be no encroachment into public utility easements or rights-of-way. There will be no 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 from 25-feet to 10-feet is hereby **GRANTED** for the aforementioned property, subject to the following conditions:

1) The Compatibility reduction shall apply only to the location of the new commercial structure as illustrated on the approved site plan. All other structures or additions on the subject property shall conform to the setbacks permitted by the Unified Zoning Code unless a separate Zoning Adjustment or Variance is granted.

2) 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.

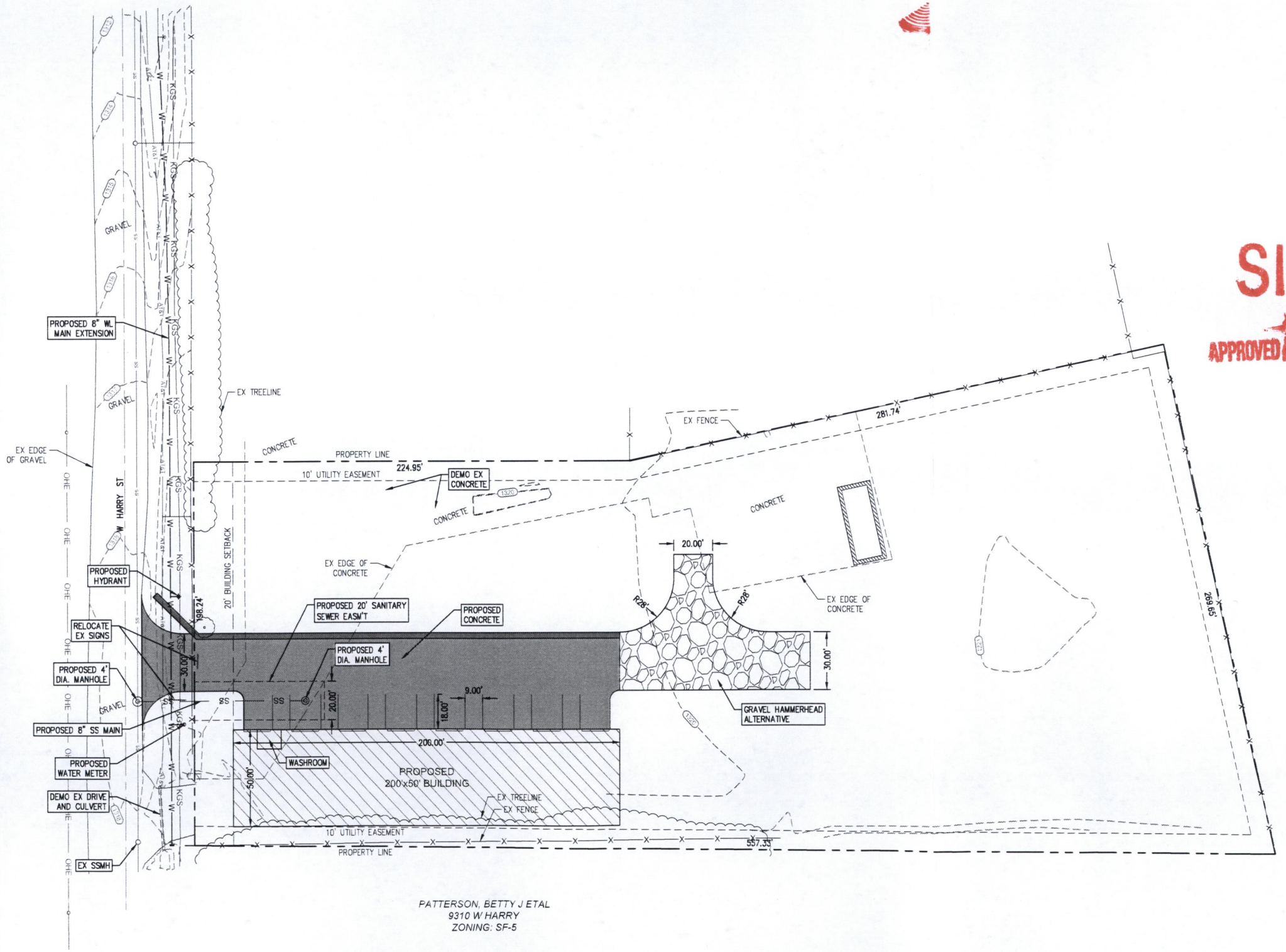
Scott Wadle, Director
Metropolitan Area Planning Department

Chris Labrum, Director
Metropolitan Area Building and Construction Department

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

Administrative Adjustment Request: To allow proposed building to be 10' off east property line.

APPLICANT: TIM STUHLSATZ
AGENT: LOGAN MILLS, P.E.



SITE PLAN

APPROVED 8/11/2020 BY

REV.	DESCRIPTION	DATE

GRAPHIC SCALE
30' 0 30'
(IN FEET)
1" = 30'

OSBECK ADDITION
LOT 5, BLOCK A

SW¼ OF THE SE¼, S29-T27S-R1W
CITY OF WICHITA
SEDGWICK COUNTY, KS

CERTIFIED ENGINEERING DESIGN, P.A.
CIVIL ENGINEERING SERVICES

1935 WEST MAPLE STREET
WICHITA, KANSAS 67213
PH.(316)262-8808 FAX.(316)262-1669

SURVEY DISCLAIMER:
TOPOGRAPHIC SURVEY USED IN PREPARING PLANS WAS DEVELOPED AND PROVIDED SOLELY FOR ENGINEER PLANS. ENGINEER DOES NOT GUARANTEE SURVEY ELEVATIONS FOR ACCURACY. CONTRACTOR SHALL VERIFY ELEVATIONS AND NOTIFY ENGINEER OF ANY DISCREPANCIES.

UTILITIES SHOWN REPRESENT THE BEST INFORMATION AVAILABLE FOR DESIGN. ADDITIONAL UTILITIES MAY BE PRESENT ON THIS PROJECT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR DETERMINING THE EXACT LOCATION, DEPTH AND SIZE OF ALL UNDERGROUND UTILITIES PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL BE LIABLE FOR ANY DAMAGE CAUSED BY THE FAILURE TO DO SO.

ONE CALL KANSAS

PROJECT NO.: 20202766
ISSUE DATE: 06/24/2020
CONTACT: H. FORAKER / L. MILLS
CHECKED BY: H. FORAKER / L. MILLS

SITE PLAN

1 OF 1

FILE LOCATION: C:\Users\cstew.w2\OneDrive - CED\Projects\2020\20202766\DWG\Site Plan - Admin Adjustment.dwg TAB NAME: Overall USER: cstewyer2 SAVED: 7/30/2020 9:51 AM PLOTTED: 7/30/2020 9:46 AM