**Wichita-Sedgwick County Metropolitan Area Planning Department**

Houlik Realty, LLC
Attn: Joseph Houlik
2759 North Tyler Rd.
Wichita, KS 67205

March 19, 2024

Thomas E. Bontrager
1540 North Broadway Ave., Ste. 200E
Wichita, KS 67214

**RE: BZA2024-00011:** Administrative Adjustment in the City to waive the compatibility setbacks for the side and rear property lines for a building addition on property zoned GO General Office District with PO #341; generally located on the west side of North Tyler Road and within one-quarter mile south of West 29th Street North (2759 North Tyler Road).

**Legal Description:** Lot 1, Block 1, Niles-Moore Addition, Wichita, Sedgwick County, Kansas.

Dear Applicant,

We have reviewed your request for a Zoning Adjustment to waive the compatibility setbacks for a proposed building addition on the northwest side of the property. Section IV-C.4 of the Unified Zoning Code (UZC) requires compatibility setbacks along the side and rear property lines for non-residential development on lots that abut property that is zoned TF-3 Two-Family Residential District (TF-3) or more restrictive. The abutting properties to the north are zoned NO Neighborhood Office District (NO) and SF-5 Single-Family Residential District (SF-5). Abutting properties to the west are zoned SF-5. Based on the requirements of Section IV-C.4 of the UZC, the compatibility setback along the north and west property lines would be 25 feet. The proposed building is shown to be 15 feet from the west line and 5 feet from the north line, which meet the standard zoning setback requirements for the GO General Office District.

Section V-I.2.d of the UZC allows reducing or waiving the required compatibility setbacks (required by the Section IV-C.4 of the UZC). This adjustment is permissible when the provisions of this section and the Zoning Adjustment Criteria of Section V-I.6 are met. We find that waiving the required compatibility setbacks as proposed meets the provisions of Section V-I.2.d and the four criteria required by Section V-I.6 as set out below:

1) Impact on safety and convenience of vehicular and pedestrian circulation: The proposed waiver of the north and west compatibility setbacks will have no impact on the safety and convenience of vehicular and pedestrian circulation in the right-of-way.

2) Impact on existing uses in surrounding areas: It is not anticipated that waiving the required compatibility setbacks will have a significant negative impact on surrounding uses in the area. The SF-5-zoned property to the north is a platted reserve. The SF-5-zoned property to the west is

developed with a single-family dwelling. However, the proposed building addition is shown to be setback 15 feet from the shared west property line due to the required landscape buffer and required screening fence. Additionally, the proposed elevation of the building addition shows a single-story building that is residential in character.

3) Compatibility with existing or permitted uses on abutting sites: Property to the north is zoned NO Neighborhood Office District (NO) and SF-5 and is developed with a single-family residence and a platted reserve. Properties to the east are zoned NO and SF-5 and are developed with single family residences. Properties to the south and west are zoned SF-5 and are developed with single-family residences. The proposed addition will be at least 15 feet from the rear (west) property line and at least 5 feet from the side (north) property line. The proposed addition is shown as a single-story building that is residential in character.

4) Effect on public health, safety, or welfare: There will be no encroachment into public utility easements or right-of-way. It is not anticipated that there will be any significant negative impacts on the public health, safety, or welfare, nor will properties or improvements in the vicinity be materially injured.

Our signatures below indicate that the Zoning Adjustment to waive the required compatibility setbacks along the north and west property lines is hereby GRANTED, subject to the following conditions:

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

2) The building shall be constructed in general conformance with the approved building elevations illustrating a single-story structure with residential character.

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

4) The waiver of the compatibility setbacks shall apply only to the area in which the proposed building addition encroaches as illustrated on the approved site plan. All other structures or additions on the subject property shall conform to the setbacks (standard and compatibility) required by the Unified Zoning Code unless a separate Zoning Adjustment or Variance is granted.

5) 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

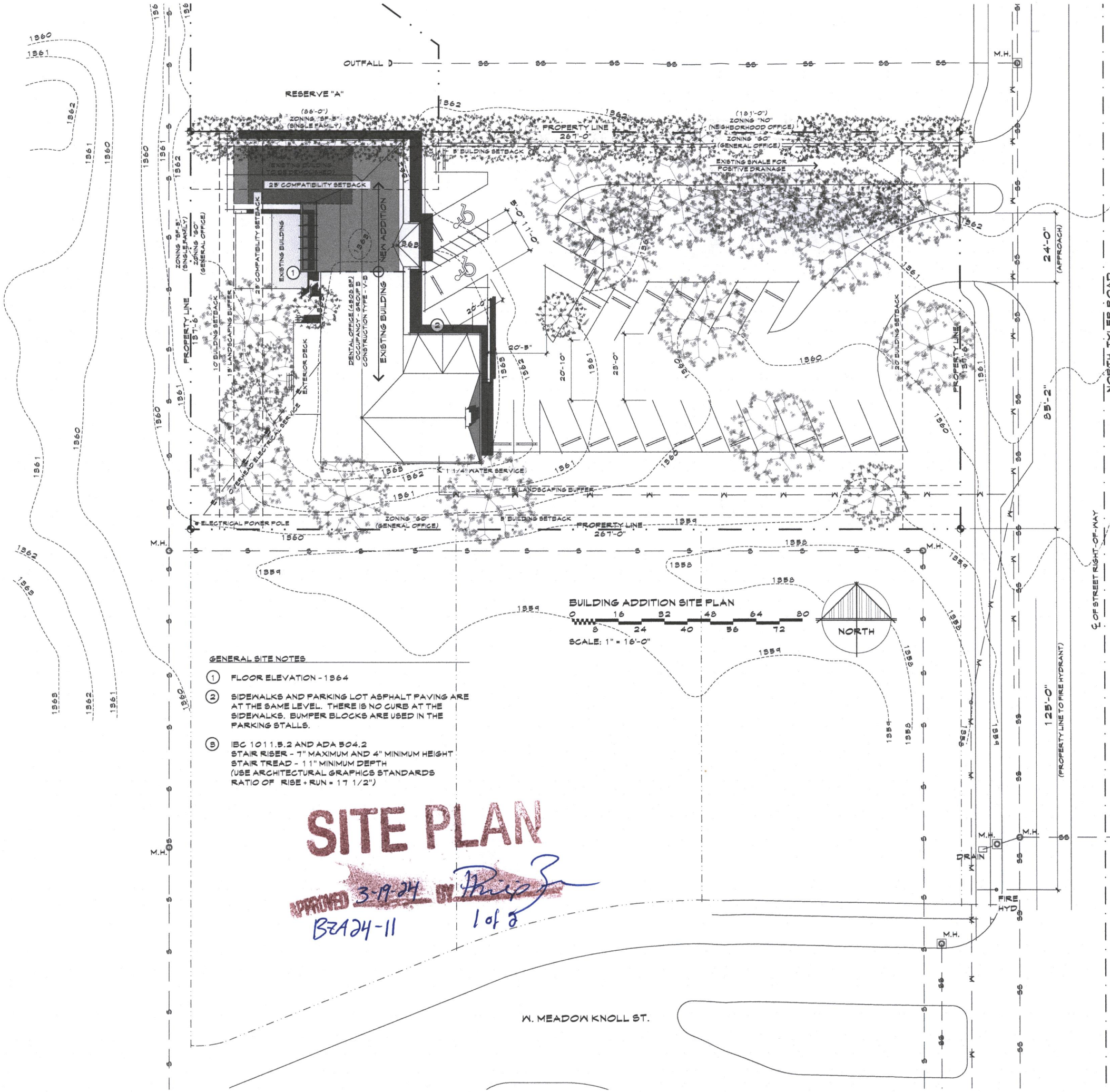
Metropolitan Area Planning Department

J.R. COX, JR.

Chris Labrum, Director

Metropolitan Area Building and Construction Department

cc: MABCD
J.V. Johnston, CM District V
Teresa Veazey, CSR District V




GENERAL SITE NOTES

1. FLOOR ELEVATION - 1364
2. SIDEWALKS AND PARKING LOT ASPHALT PAVING ARE AT THE SAME LEVEL. THERE IS NO CURB AT THE SIDEWALKS. BUMPER BLOCKS ARE USED IN THE PARKING STALLS.
3. IBC 1011.5.2 AND ADA 504.2
   STAIR RISER - 7" MAXIMUM AND 4" MINIMUM HEIGHT
   STAIR TREAD - 11" MINIMUM DEPTH
   (USE ARCHITECTURAL GRAPHICS STANDARDS RATIO OF RISE + RUN = 17 1/2")

SITE PLAN

APPROVED 3-19-24 BY

BZA24-11 1 of 8

LEGAL DESCRIPTION
LOT 1 BLOCK 1 NILES - MOORE ADDITION
DRAWER FC86-B (PLAT FILING DATE 5/6/1998)

1/4 SECTION NE 35-T27-R1W
QUARTER SECTION MAP DE-17

ZONING DISTRICT
ZONING CASE NO. ZON2019-00029
CHANGE ZONING FROM NO (NEIGHBORHOOD OFFICE) TO GO (GENERAL OFFICE)

CONDITIONAL USE CASE NO. CON2019-00027
PERMIT (PERSONAL CARE SERVICE) AND (PERSONAL IMPROVEMENT SERVICE) PER CONDITIONAL USAGE OF GO (GENERAL OFFICE) ZONING DISTRICT

SUBJECT TO PROTECTIVE OVERLAY NO. 341
1. ALL USES ALLOWED IN NO (NEIGHBORHOOD OFFICE) PERMITTED IN ADDITION CONDITIONAL USES IN GO (GENERAL OFFICE) LISTED CASE NO. CON2019-00027 ABOVE
2. ALL PROPERTY DEVELOPMENT SHALL CONFORM TO NO (NEIGHBORHOOD OFFICE) DISTRICT

(ADOPTED PER RESOLUTION NO. 19-359 ON 24 SEPTEMBER 2019

OCCUPANCY
BUSINESS GROUP B

CONSTRUCTION TYPE
TYPE V-B

SOIL CLASSIFICATION ON PROPERTY
5982 NALIM LOAM, 1 TO 3 PERCENT SLOPES

SITE AREA AND USAGE

| | | |
|---|---|---|
| LOT 1 NET AREA | 36,712.5 S.F. | (0.84 ACRE) |
| DENTAL OFFICE (EXISTING) | 2,280 S.F. | |
| EXISTING BUILDING | 448 S.F. | |
| DENTAL OFFICE ADDITION | 1690 S.F. | |
| CONNECTING HALLWAY | 86 S.F. | |
| TOTAL BUILDING AREA | 4,508 S.F. | (0.13 % USAGE) |
| IMPERVIOUS AREA | 13,842 S.F. | (0.38 % USAGE) |
| TOTAL USAGE AREA | 18,257 S.F. | (0.50 % USAGE) |

PARKING

| | |
|---|---|
| EXISTING PARKING STALLS | 18 |
| EXISTING ACESSIBLE STALLS | 1 |
| NEW ACESSIBLE STALLS | 1 |
| NEW PARKING STALLS | 8 |
| TOTAL PARKING STALLS | 28 |

NUMBER OF PARKING STALLS REQUIRED PER "WICHITA-SEDGWICK COUNTY UNIFIED ZONING CODE" - 1 PER 333 S.F.

(TOTAL BUILDING S.F.) 4,415 S.F. / 333 S.F. = 14 STALLS

ACCESSIBLE STALLS REQUIRED PER "TYPICAL STANDARDS FOR OFF-STREET PARKING" -
1 TO 25 STALLS TOTAL IN LOT - 1 ACCESSBILE STALL

LEGEND

- PROPERTY LINE
- CENTERLINE
- BUILDING SETBACK / EASEMENT
- BURIED UTILITY LINE C (CABLE) E (ELECTRICAL) G (GAS) S (SANITARY SEWER) SS (STORM SEWER) T (TELEPHONE) W (WATER)
- 100'-0" (NEW ELEVATION) 100'-0" (EXISTING ELEVATION)
- 1000 (EXISTING CONTOUR)
- 1000 (NEW CONTOUR)

THOMAS E. BONTRAGER
ARCHITECT

THE NORTHGARDEN BUILDING - SUITE 2002
1540 NORTH BROADWAY AVENUE
WICHITA, KANSAS 67214-1104
CELL: (316) 393-1559
email: tebarchitect@yahoo.com

ADDITION TO
HOULIK FAMILY DENTISTRY
2759 NORTH TYLER ROAD
WICHITA, KANSAS 67205-8711

29 FEBRUARY 2024

BUILDING ADDITION SITE PLAN (STUDY 9.0)

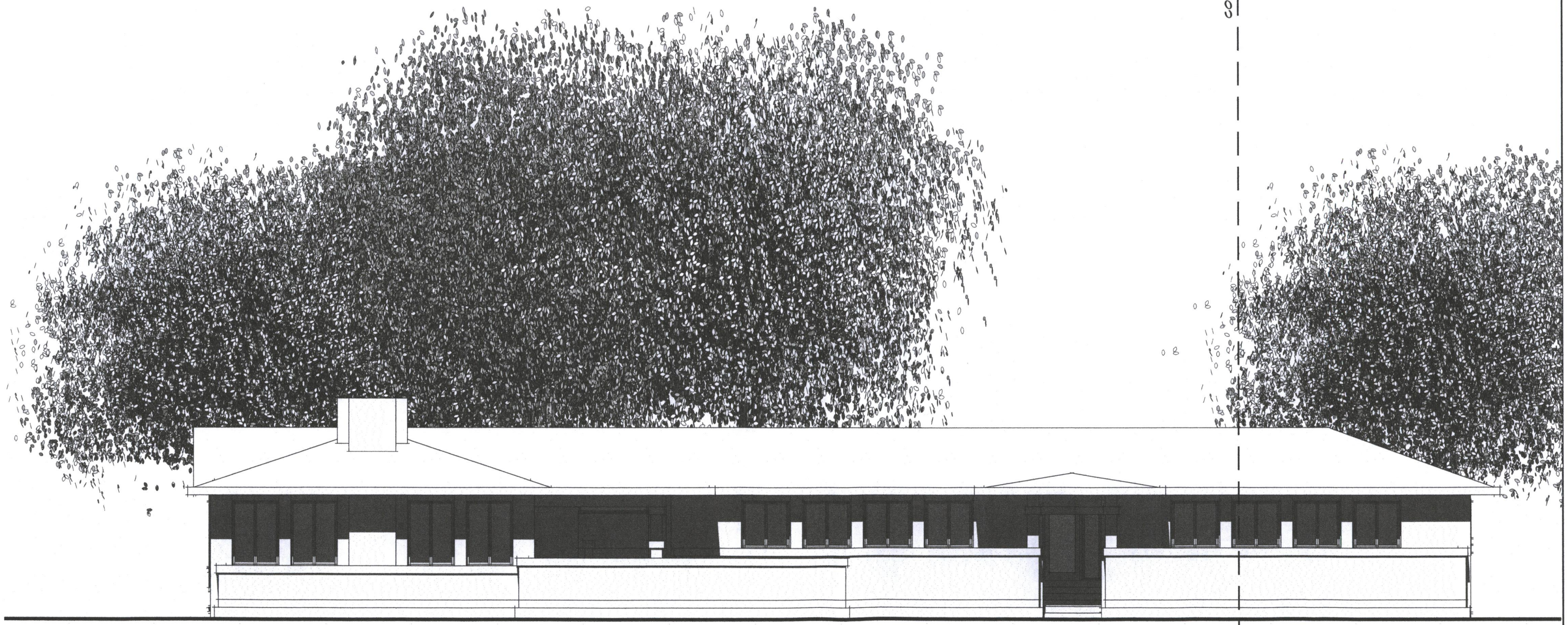
SHEET NUMBER

SP

(WORKSHEET)

# SITE PLAN

APPROVED 3-19-24 BY
BZA24-11 2 of 2



COMPATIBILITY SETBACK

EAST ELEVATION

0 2 4 6 8 12 16 20 24

SCALE: 1" = 4'-0"


THOMAS E. BONTRAGER
ARCHITECT

THE NORTHGARDEN BUILDING - SUITE 2005
1540 NORTH BROADWAY AVENUE
WICHITA, KANSAS 67214-1104
CELL: (316)393-1554
email: tebarchitect@gmail.com


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WORK SHEET
STUDY 9.0

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WS