



Wichita-Sedgwick County Metropolitan Area Planning Department

July 7, 2008

City of Wichita Water Utilities c/o Gerald T. Blain
455 N. Main
Wichita, KS 6721302

Re: BZA2008-32: Zoning Adjustment to increase the maximum building height from 35 feet to 40 feet in TF-3 Two-family residential zoning for a proposed Wichita Water Utility building.

Legal Description: PT OF ISLAND NO.6 IN SEC 17-18-19- 20 TWP.27-1E DESCR. AS BOUNDED ON N BY SIM PARK BLVD. ON E BY SENECA ST ON S BY ARKANSAS RIV. EXC PT FOR A-V-I RR & EXC PT TO CITY & EXC W 25A M-L LEASED TO CITY IN SE1/4 SEC 18-27-1E, in Wichita, Sedgwick County, KS. Generally located south of Museum and east of Seneca (1401 Museum Drive).

Dear Applicant,

We have reviewed your request for a Zoning Adjustment to increase the maximum building height from 35 feet to 40 feet in TF-3 Two-family residential zoning for a proposed Wichita Water Utility building. From reviewing the application, we understand that you desire to construct a building to house standby generators, and maintain them out of the 100 year flood plain.

Section V-I.2.f. of the Unified Zoning Code allows the maximum building height of a zoning district to be increased by up to 20%. We find that the increase in building height as proposed meets the provisions of Section V-I.2.f. 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: The increased building height should have no impact on the safety and convenience of vehicular and pedestrian circulation in the vicinity as no public right-of-way is affected, nor is traffic visibility 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 increased building height, as other buildings are over 400 feet away, and residential buildings are over 700 feet away.
- 3) Compatibility with existing or permitted uses on abutting sites: The proposed utility building is compatible with existing and permitted uses on abutting sites; the building height increase should not reduce compatibility with abutting and adjacent sites.

City Hall • 10th Floor • 455 North Main • Wichita, Kansas 67202-1688

T 316.268.4421 **F** 316.268.4390

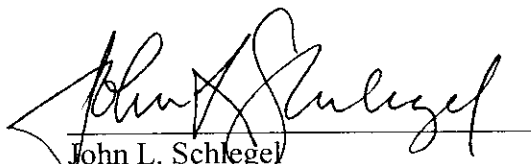
www.wichita.gov

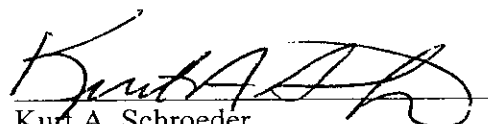
- 4) Effect on public health, safety or welfare: There will be no encroachment into public utility easements or right-of-way. Therefore, there should be no negative impact on the public health, safety or welfare nor will properties or improvements in the vicinity be materially injured.

Our signatures below indicate that a Zoning Adjustment to increase the maximum building height for the aforementioned property from 35 feet to 40 feet is hereby granted, subject to the following conditions:

- 1) The site shall be developed in general conformance with the approved site plan.
- 2) The site shall be developed in conformance with all applicable codes, including but not limited to building, fire, and health codes.
- 3) The building height increase shall apply only 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.
- 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.


John L. Schlegel
Planning Director


Kurt A. Schroeder
Superintendent of Central Inspection

Enclosure

cc: Kurt Schroeder, OCI
Paul Hays, OCI
Sharon Fearey, District VI, mailstop 1-13

