CITY OF WICHITA

Wichita-Sedgwick County Metropolitan Area Planning Department

December 8, 2008

Brandon Walsh
PO Box 13044
Wichita, KS 67213

RE: BZA2008-68 - City zoning administrative adjustment to reduce the front setback from 25 feet to 20 feet, and adjustment to reduce the compatibility setback on the north and east property lines from 25 to 20 feet, in MF-18 Multi-family Residential zoning, generally located northwest of McComas and 1st Street North (205 N McComas).

Legal Description: Lot 1, Block A, Walsh Addition to Wichita, Sedgwick County, Kansas.

Dear Applicant:

We have reviewed your request for a Zoning Adjustment to reduce the front setback and compatibility setbacks for the property described above. From reviewing your application, we understand that you propose to construct two apartment buildings on the subject property, with a 20-foot front setback and 20-foot setbacks to the north and east property lines as illustrated on the attached site plan.

Section V-I.2.a of the Unified Zoning Code allows an adjustment to reduce the front setback by up to 20%. Section V-I.2.d of the Unified Zoning Code allows an adjustment to reduce the compatibility setback. We find that the reduction of the setbacks as proposed meets the four conditions required by the Unified Zoning Code as set out below:

1) Impact on safety and convenience of vehicular and pedestrian circulation: The proposed setback reduction should have no impact on the safety and convenience of vehicular and pedestrian circulation in the vicinity, as no right of way is 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 setback reductions. Landscaping and screening requirements should mitigate any impact on the residential property to the north and east.
3) Compatibility with existing or permitted uses on abutting sites: The proposed buildings will comply with all other development standards. The setback reductions should not make the proposed buildings incompatible with the existing and permitted uses on abutting sites. The required landscape plan and screening should ensure compatibility with abutting sites.
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 reduce the front setback from 25 feet to 20 feet, and adjustment to reduce the compatibility setback on the north and east property lines from 25 to 20 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 zoning, landscape, building, fire, and health codes.

3) The setback reduction shall apply only to the front and compatibility setbacks 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 the Zoning Adjustment 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

attachment

cc: Kurt Schroeder, Office of Central Inspection
Paul Hays, Office of Central Inspection
Herb Shaner, Office of Central Inspection
Sharon Fearey, CM District VI, Mailstop 1-13

SITE PLAN

LOT 1, BLOCK A,
WALSH ADDITION
WICHITA, SEDGWICK COUNTY, KANSAS

201 N. McCOMAS
WICHITA, KANSAS

1" = 30'

LEGEND

G = GAS MAIN
W = WATER MAIN
SS = SANITARY SEWER
SWS = STORM WATER SEWER
UGE = UNDER GROUND ELECTRIC
UGT = UNDER GROUND TELEPHONE

E.B. . . . . ELECTRIC BOX
W.M. . . . . WATER METER
C.O. . . . . CLEAN OUT
F.H. . . . . FIRE HYDRANT

Site Contains 54,513.5 sq. ft.± or 1.258 Acres±
Disturbed Area = 39,620.0 sq. ft.± or 0.91 Acres±
Pervious Area = 27,670.0 sq. ft.±
None Pervious Area = 26,844.0 sq. ft.±

NOTE: Elevations are Existing Ground

Site Bench Mark N. Rim of Sanitary Sewer Manhole
Elevation = 1305.61 (M.S.L.)

Proposed 6' Board Fence
N88°38'21"E 219.50'
8" Sanitary Sewer
SS M.H.
10' Utility Easement
Overhead Elec.
287' NW. of Fire Hydrant
288' NW. of Fire Hydrant
Building #1
Firewall
Building #2
4' Sidewalk
11 Parking Spaces
13 Parking Spaces
Proposed Concrete Parking
Proposed 1 1/2" Water Service
10' Utility Easement 179.99'
Existing Garage to be Removed
Existing House to be Removed
20' Fire Lane
Fence 25' Taper From 6' to 3'
Proposed 6' Board Fence
N00°31'39"W 210.00'
10' Utility Easement
Proposed 12' X 12' Dumpster Enclosure
30' Drainage & Utility Easement
8'x5' RCBC
S88°38'21"W 80.92'
25' Setback
N88°38'21"E 101.00'
N00°31'39"W 30.00'
S88°38'21"W 300.00'
SS M.H.
SWS M.H.
W.M.
F.H.
Grass
First Street
McComas Avenue

REVISED NOVEMBER 6, 2008
OCTOBER 28, 2008
DWG FILE: Walsh Addition-Site Plan
PROJECT NO. 07HH08424 G

Savoy Company, P.A.
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