CITY OF WICHITA

Wichita-Sedgwick County Metropolitan Area Planning Department

January 28, 2008

Daniel Warren
601 N Doris
Wichita, KS 67212

RE: BZA2007-81 Zoning Administrative Adjustment to reduce the rear compatibility setback from 25 feet to 10 feet on "LC" Limited Commercial zoning.

Legal Description: Lot 22, Block 1, Orchard Park Addition to Wichita, Sedgwick County, Kansas. Generally located south of Central, east of Baehr (4625 W. Central).

Dear Applicant:

We have reviewed your request for a Zoning Adjustment to reduce the compatibility setback for the rear yard on the property described above. From reviewing your application, we understand that you propose to construct a building on the site that would be located 10 feet from the south/rear property line. The Unified Zoning Code requires an administrative adjustment to allow a compatibility setback reduction from 25 feet to 10 feet.

Section V-I.2.d and V-I.2.a of the Unified Zoning Code allows an adjustment to reduce the compatibility setback. We find that the reduction of the setback 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 encroachment should have no impact on the safety and convenience of vehicular and pedestrian circulation in the vicinity.
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 reduction of the setback. Landscaping and screening requirements should mitigate any impact the church property to the south.
3) Compatibility with existing or permitted uses on abutting sites: The proposed building will comply with all other development standards. The compatibility setback reduction should not make the proposed building incompatible with the existing and permitted uses on 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 compatibility setback for the aforementioned property from 25 feet to 10 feet is hereby granted, subject to the following conditions:

1) The site shall be developed in general conformance with the approved site.
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 site shall have a landscape plan, to be approved by planning staff, which is 1.5 times the code required landscape buffer along the south property line.
4) The setback reduction shall apply only to the rear setback 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.

5) The south building elevation shall not exceed 18 feet in height, and shall be predominantly an earthtone color.

6) 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
Paul Gray, CM District IV, Mailstop 1-13

4625 W. CENTRAL SITE PLAN

