CITY OF WICHITA

Wichita-Sedgwick County Metropolitan Area Planning Department

July 14, 2010

David Daniels
Daniels Properties
4814 Sullivan Road
Wichita, Kansas

Re: BZA2010-00032: City Administrative Adjustment to reduce compatibility side yard setback from 15 feet to 10 feet on property zoned GC, General Commercial generally located on the north side of 53rd Street North, 720 feet east of North Seneca (960 West 53rd Street)

Lot 1, Block 1, Algie L. Hall Addition, Wichita, Sedgwick County, Kansas.

Dear Mr. Daniels:

We have reviewed your request for a Zoning Adjustment to reduce the compatibility side yard setback from 15 feet to 10 feet on the aforementioned property, which is zoned GC General Commercial. From reviewing the application, we understand that you desire to construct an addition to your commercial building that current exists with a 10-foot side yard setback, and that you desire to have the addition line up with the existing structure. Therefore, you have requested an adjustment to reduce to 10 feet the required side yard setback.

Section V-I.2.d of the Unified Zoning Code allows the side setback to be reduced when the provisions of that section and the Zoning Adjustment Criteria of Section V-I.6 are met. We find that the reduction of the side yard setback as proposed meets the provisions of Section V-I.2.a 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 setback encroachment should not have any appreciable impact on the safety and convenience of vehicular and pedestrian circulation in the vicinity as no public right-of-way is affected and traffic volume is unchanged.

2) Impact on existing uses in surrounding areas: There should not be any additional impact on the existing uses in surrounding areas as a result of the setback reduction as a result of allowing an addition to the existing structure. The Code requires a 15-foot setback; however, given the fact that there is an existing building with a 10-foot setback, granting the adjustment will not introduce a setback that is not already present.

3) Compatibility with existing or permitted uses on abutting sites: The addition expands an existing building on a lot that is .78 acre in size. The new addition is 1,650 square feet in size compared to the existing 7,200 square-foot building that currently has a ten-foot setback. The addition should not be any less compatible with adjacent uses than the existing building.

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 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 rear setback for the aforementioned property by 20 percent 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 setback reduction shall apply only to the side yard 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.

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.

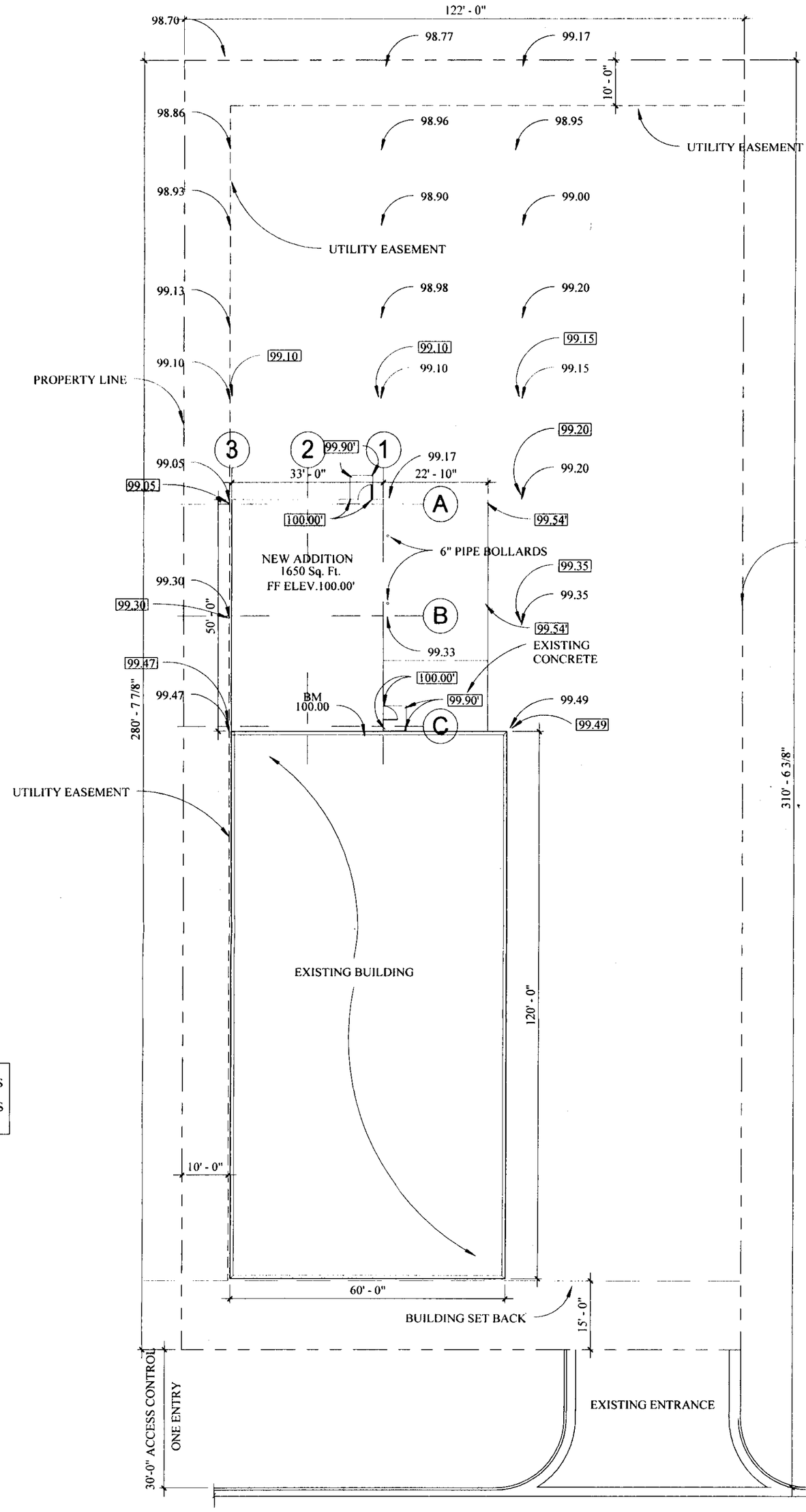
The "Development Application" sign should now be removed from the property.

John L. Schlegel
Planning Director

Kurt A. Schroeder
Superintendent of Central Inspection

Enclosure

cc: Kurt Schroeder, OCI
JR Cox, OCI
Mike Gable, OCI
Janet Miller, District VI, mailstop 1-13



1 SITE PLAN
1" = 20'-0"

APPROVED
for purposes of BZA 2010-22
Dale Miller for JLD
Date: 7-16-10

EVANS BUILDING CO. INC.
9801 W. YORK WICHITA, KANSAS 67277

A NEW BUILDING FOR AESI
960 W. 53rd St. N. WICHITA, KS

PROPERTY OF EVANS BUILDING COMPANY, INC. UNLAWFUL TO REPRODUCE

Wichita City License No. 26
Sedgwick Co. License No. 00046

REVISIONS		
NO.	DATE	DWN

WOLF & ASSOCIATES ARCHITECTURE
12225 DOVE HILL CT
DERBY, KANSAS 67037
TEL 1-316-7761110 CELL 1-316-305-6811

WILLIAM E. WOLF LICENSED 2991 KANSAS ARCHITECT
6-18-10
WILLIAM E. WOLF
REGISTERED ARCHITECT
KANSAS LICENSE NO. 2991

DATE: 06/18/10
DR. BY: EL
CK. BY: Checker

PROJECT NO. 10-

SHEET SA1.1