



Wichita-Sedgwick County Metropolitan Area Planning Department

November 15, 2010

Greenwich 13 LLC
150 N. Market
Wichita, KS 67202

Re: **BZA2010-00055**: Zoning Administrative Adjustment to reduce the street-side setback on the south by 20% from 15' to 12'.

Legal Description: Lot 1, Block 1, Greenwich Office Park 2nd Addition to Wichita, Sedgwick County, Kansas; generally located north and west of the intersection of North Greenwich and 13th Street East.

Dear Applicant:

We have reviewed your request for an Administrative Adjustment to reduce a street-side setback on the aforementioned property. From reviewing your application, we understand that a structure will be constructed on the property and that the structure will encroach into the street-side setback on the south by about two-feet.

Section V-I.2.a of the Unified Zoning Code allows an adjustment to reduce building setbacks by up to 20 percent when the four conditions required by Section V-I.6 of the Unified Zoning Code are met. We find that the reduction of the setback as proposed meets the four conditions required by Section V-I.6 of 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 because the street-side yard does not provide vehicular access and sufficient space remains for pedestrian access.
- 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, as sufficient separation between buildings is maintained.
- 3) **Compatibility with existing or permitted uses on abutting sites**: The proposed structure is compatible with abutting sites, which also are developing with commercial and industrial type uses. The encroachment into the street-side setback should not reduce compatibility with abutting sites.

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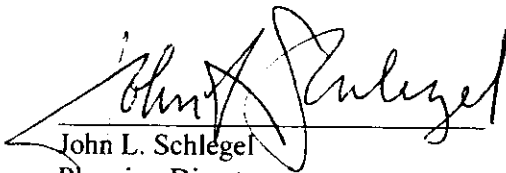
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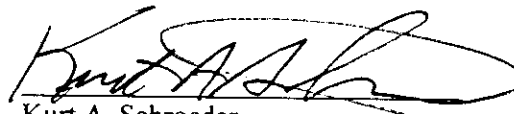
- 4) Effect on public health, safety or welfare: There will be no encroachment into public utility easements or right-of-way; therefore, there should not be a negative impact on the public health, safety or welfare nor will properties or improvements in the vicinity be materially injured.

Our signatures below indicate that an Administrative Adjustment to reduce the street-side setback on the south from 15' to 12' for the aforementioned property is hereby granted, subject to the following conditions:

- 1) The site shall be developed in general conformance with the approved site plan.
- 2) The setback reduction shall apply only to the street-side setback encroachment 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.
- 3) 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

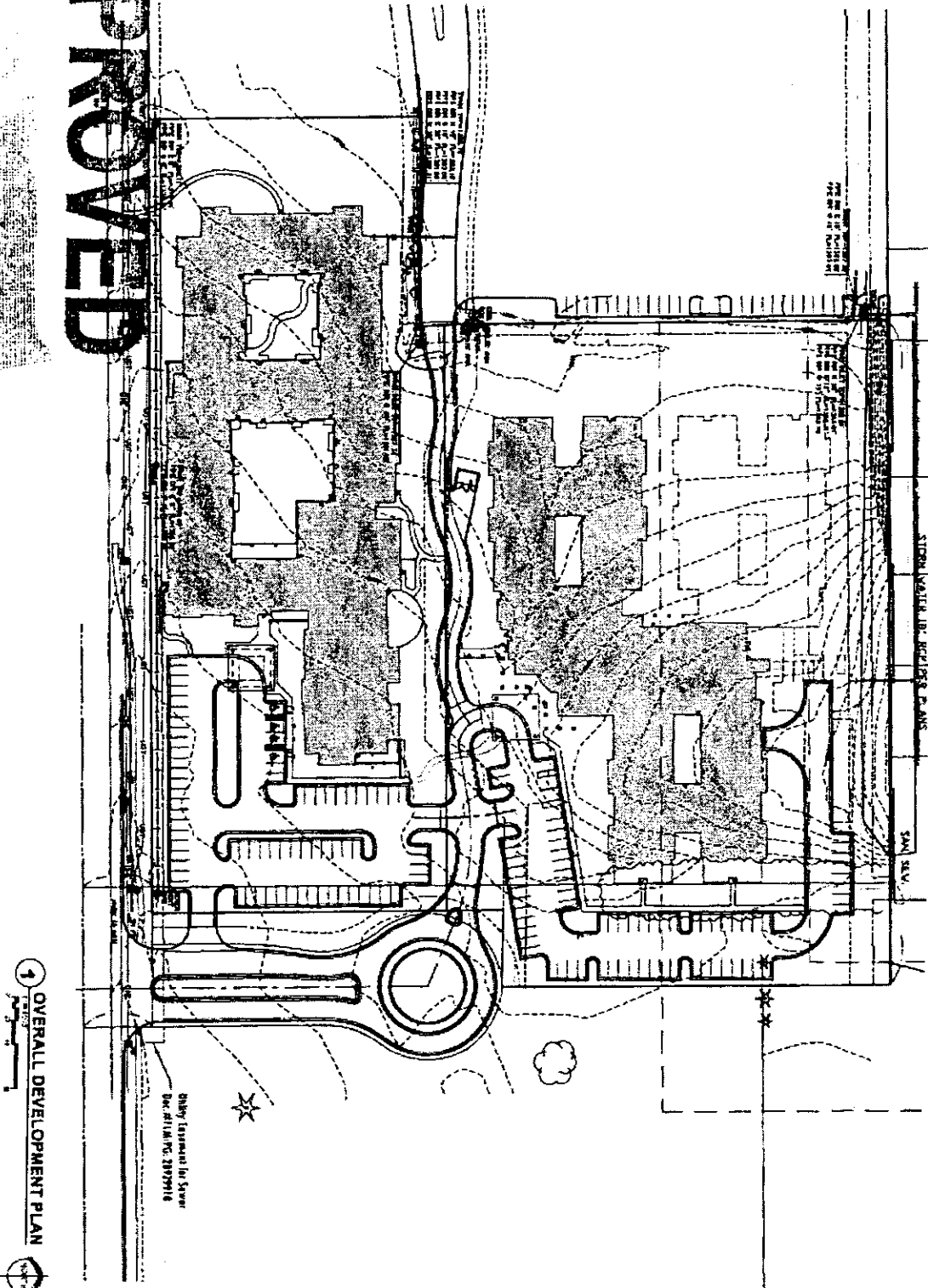
cc: MKEC Engineering, c/o Brian Lindebak, 411 N. Webb Rd., Wichita, KS 67206
Kurt Schroeder, Office of Central Inspection
Paul Hays, Office of Central Inspection
J.R. Cox, Office of Central Inspection
Dale Miller, Current Plans Manager, MAPD

APPROVED

BZA 2010-00055

Date:

11/17/10



Regent Park Assisted Living

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