



Wichita-Sedgwick County Metropolitan Area Planning Department

January 17, 2012

Six Pack LLC, attn Craig Burns
#15 Stonebridge
Wichita, KS 67230

Quentin Moeder
4700 W. Irving
Wichita, KS 67209

Re: BZA2012-03: City Administrative Zoning Adjustment to reduce the compatibility setback on property zoned GC General Commercial ("GC").

Legal Description: E 7 FT LOT 41-ALL LOTS 43-45 STANTON'S ADD., Wichita, Sedgwick County, Kansas; generally located north of Maple and west of Walnut (1002 W. Maple).

Dear Applicants:

We reviewed your request for a Zoning Adjustment to reduce the compatibility setback for a proposed storage building on the above-referenced property. You propose to build a storage shed on the above referenced property with a four-foot setback from the north, or rear, property line. The property to the north, across the alley, is zoned SF-5 Single-family Residential ("SF-5"), therefore Sec. IV-C.4 of the Unified Zoning Code requires a 20-foot compatibility setback along the north property line. A 15-foot alley separates the subject property from the residential property to the north; therefore the compatibility setback is measured to the center of the alley. The Zoning Adjustment request is to reduce the compatibility setback along the north property line from 20 feet to 11.5 feet.

Sec. V.I.2.d of the Unified Zoning Code allows a Zoning Adjustment to reduce the compatibility setback when the conditions required by Sec. V.I.6 of the Code are met. We find that reducing the compatibility setback along the north property line from 20 feet to 11.5 feet meets the four conditions required by Section V-I.6 of the Code as set out below:

- 1) Impact on safety and convenience of vehicular and pedestrian circulation: This request is to reduce the compatibility setback along the rear property line. Public vehicular and pedestrian circulation should not be affected.
- 2) Impact on existing uses in surrounding areas: A building previously stood at the same

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approximate location without any apparent negative effect on the residential area to the north. A screening fence on the north property line is required by the Unified Zoning Code, and should mitigate any potential negative effects on the residential properties to the north.

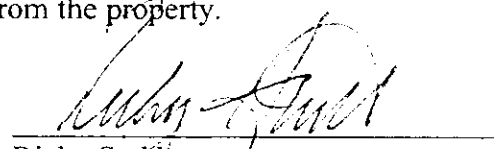
- 3) Compatibility with existing or permitted uses on abutting sites: The proposed building is compatible with other commercial developments fronting Maple in this area. The alley has formed the traditional boundary between the commercial uses along Maple and the residential uses to the north. Several other commercial uses along this portion of Maple also encroach into the required compatibility setback along this alley.
- 4) Effect on public health, safety or welfare: There will be no encroachment into public utility easements or right-of-way; 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 compatibility setback along the north property line from 20 feet to 11.5 feet measured to the center of the alley 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 compatibility setback reduction shall apply only to the "storage" building as illustrated on the approved site plan. All other structures or additions on the subject property shall conform to the compatibility setbacks required by the Unified Zoning Code unless a separate Zoning Adjustment is granted.
- 3) The site shall conform to the Unified Zoning Code requirement for screening along the subject site north property line.
- 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 Article VIII of the Unified Zoning Code, may, with the concurrence of the Planning Director, declare that the Zoning Adjustment is null and void.

The zoning adjustment sign may now be removed from the property.


John Schlegel
Planning Director


Ricky Stubbs
Co-assistant Director of Central Inspection

cc: Ricky Stubbs, Office of Central Inspection
Paul Hays, Office of Central Inspection
J.R. Cox, Office of Central Inspection



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APPROVED

TECHNICAL B2H

Date:

East 7' of Lot 41

Building is on Property Line

Fence is 0.5' W.
of property line

$$1'' = 20'$$

LEGEND:

P = Plotted
M = Measured
C = Calculated
D = Described
Pro = Prorated
RR = Resurvey Record

Overhang on house is
0.9' W. of property line.
Adjoiner's house is
2.5' W. of property line.

- 1/2" IF 1/2" IRON PIPE (FOUND)
- TH CITY OF MICHITA CONTROL (FOUND)
- CROSS CHISELED CROSS (SET)
- VN CHISELED V-NOTCH (SET)
- SAV 1/2" REBAR W/SAVOY CAP (SET)

- | | |
|--------|------------------------|
| ← | GUY ANCHOR |
| ■ | POWER POLE |
| d | SIGN |
| W.M. | WATER METER |
| ○ T.S. | TRAFFIC SIGNAL MANHOLE |

House
#1006

TABLE 2

Building is on Property Line

Building overhang is —
0.1'S. of property line.

Maple Street

PROJECT NO. 11LL12665 B

Mark A. Savoy

Land Surveyors

Brian N. Savoy