CITY OF WICHITA

Wichita-Sedgwick County Metropolitan Area Planning Department

October 10, 2013

Bethany Baptist Church
of Prairie View, Kansas
20801 W 117th Street North
Bentley, KS, 67016

Re: **BZA2013-00035** - County Administrative Adjustment to reduce an RR Rural Residential (RR) zoned tract size by 25%, based on its reduced size as a result of the dedication of 117th Street North right-of-way, as a requirement of approval of SUB2013-00032, the Bethany Baptist 1st Addition; generally located on the south side of 117th Street North, midway between 199th Street West and 215th Street West. (20801 West 117th Street North)

Legal Description: BEG NE COR NW 1/4 TH W 209 FT S 209FT E 209 FT N TO BEG SEC 7-25-2W EXEMPT 3699-0 & BEG NW COR NE 1/4 E 209 FT S 209 FT W 209 FT N 209 FT TO BEG SEC 7-25-2W. After approval of SUB2013-00032, the legal will be the Bethany Baptist 1st Addition

Dear Applicant,

We have reviewed your request for a Zoning Adjustment to reduce the Rural Residential zoning district's 2-acre minimum tract/lot size; Unified Zoning Code (UZC), Sec.III-B.2.d.(1). We understand that a condition of approval of SUB2013-00032, the Bethany Baptist 1st Addition (subject site), by the Wichita-Sedgwick County Metropolitan Area Planning Commission's (MAPC) Subdivision Committee (SD) was the dedication of 60-foot of public street right-of-way along the subject site's 117th Street frontage. The result was a reduction of the original 2-acre site to 1.43-acres.

Sec.V-I.2.i of the UZC allows an administrative adjustment to reduce the lot area by 25% when there are remodeling/expansion projects and all redevelopment of an existing site with new construction, when the provisions of that section and the Zoning Adjustment Criteria of Section V-I.6 are met. The applicant acquired additional land for the purpose of building an additional non-residential structure on the subject/church site and was required to plat to obtain a building permit; Subdivision Regulations Art.III, 3-104. We find that by applying Sec.V-I.2.i to the 1.43-acre lot area as proposed (and as a remedy to the reduction of the lot size by the County acquiring the 60-foot of public street right-of-way) meets 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 1.43-acre site should have no impact on the safety and convenience of vehicular and pedestrian circulation in the vicinity as the dedication of the additional 60-foot of 117th Street West right-of-way (as a condition of approval of SUB2013-00032) will improve the vehicular and pedestrian circulation in the vicinity.

2) Impact on existing uses in surrounding areas: There will be no impact on the existing uses in surrounding areas as a result of the reduction of the subject site to 1.43-acres.

3) Compatibility with existing or permitted uses on abutting sites: The abutting properties are all zoned RR and if they are platted for future development with 117th Street North frontage, they will be required to dedicate additional right-of-way for 117th Street North, unless the needed right-of-way is already in place.

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 RR Rural Residential (RR) zoning district's 2-acre minimum tract/lot size to 1.43-acres is hereby granted, subject to the following conditions:

1) The site shall be developed in general conformance with the approved SUB2013-00032, the Bethany Baptist 1st Addition.

2) All other standards of the Unified Zoning Code are in effect unless a separate application is made for a Zoning Adjustment or Variance is granted. All other standards of the Subdivision Regulations are in effect unless an appeal, waiver, or modification is granted.

3) The applicant shall obtain a building permit within one year of the administrative adjustment approval. The site shall conform to all codes including but not limited to building, health and fire.

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.

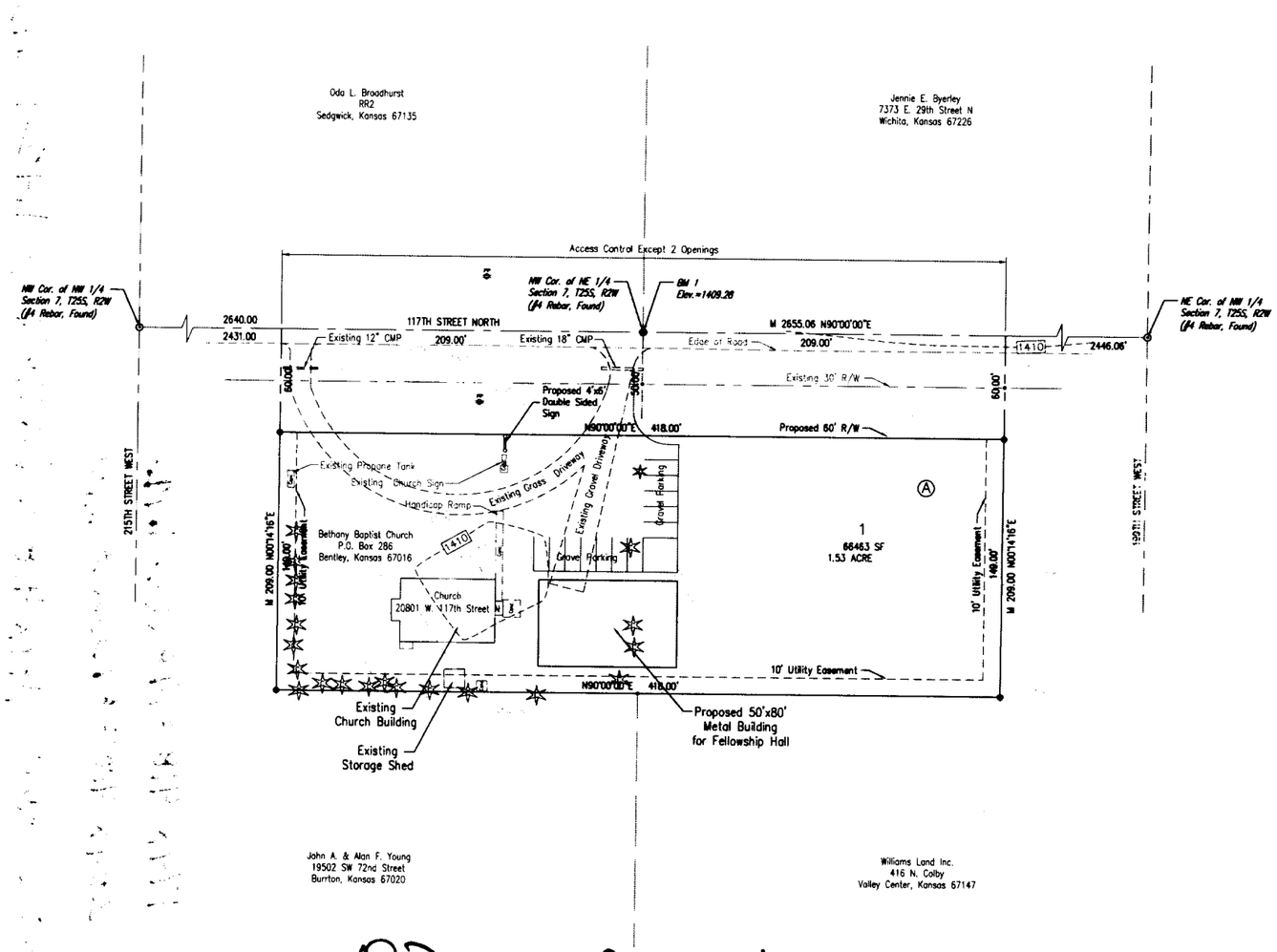
The "Development Application" sign should now be removed from the property.

John L. Schlegel
Planning Director

Tom J. Stolz
MABCD Director

cc: JR Cox, MABCD
Bud Lett, MABCD
Kelly Dixon, MABCD
Jim Weber, Sedgwick County Public Works Engineer, 1144 S Seneca, Wichita, KS, 67213

SITE PLAN
FOR
PRELIMINARY PLAT
BETHANY BAPTIST 1ST ADDITION
NW 1/4 & NE 1/4, Sec. 7, Township 25 South, Range 2 West
Sedgwick County, Kansas



GRAPHIC SCALE

(IN FEET)
1 inch = 40 ft.

LEGAL DESCRIPTION:

That part of the Northeast (NE1/4) quarter of Section 7, Township 25 South, Range 2 East of the 6th p.m., Sedgwick County, Kansas, described as beginning at the northwest corner thereof; thence N90°00'00"E along the north line of said NE1/4, 209 feet; thence S0°14'16"W, 209 feet; thence S90°00'00"W parallel with the north line of said Northeast Quarter, 209 feet to the west line of said NE1/4; thence N0°14'16"E along said the west line, 209 feet to the point of beginning.

along with:

That part of the Northwest (NW1/4) quarter of Section 7, Township 25 South, Range 2 West of the 6th p.m., Sedgwick County, Kansas, described as beginning at the northeast corner thereof; thence S0°14'16"W along the east line of said NW1/4, 209 feet; thence S90°00'00"W parallel with the north line of said NW1/4, 209 feet; thence N0°14'16"E parallel with the east line of said NW1/4, 209 feet to the north line of said NW¼; thence N90°00'00"E along the north line of said NW1/4, 209 feet to the point of beginning.

BENCHMARK:
Top of Rebar at the North Quarter Corner
of Section 7, T25S, R2W of the 6th P.M.
Sedgwick County, Kansas
Elev. = 1409.28 NAVD

ZONING:
RR-Rural Residential

AREA OF PLAT:
1.43 Acres(Net)
2.00 Acres(Gross)

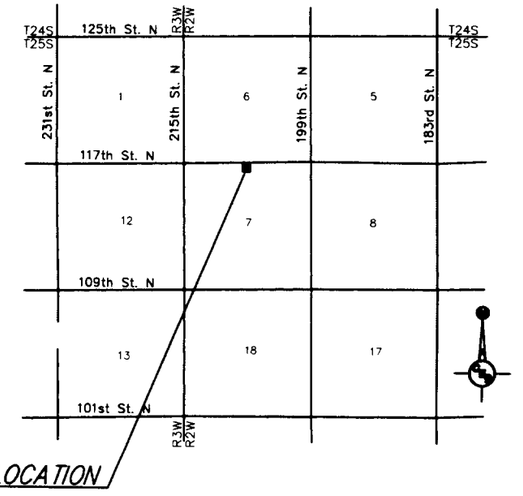
DATE SURVEYED:
July 23, 2013

SURVEYOR:
Donald C. Armstrong LS #780
Armstrong Land Survey P.A.
1601 E Harry
Wichita, KS 67211
(316) 263-0082

ENGINEER:
Harlan Foraker, P.E.
Certified Engineering Design, P.A.
1935 W. Maple
Wichita, KS 67213
(316) 262-8808

OWNER AND SUBDIVIDER:
Bethany Baptist Church of Prairie View Kansas
20801 West 117th Street North,
P.O. Box 286
Bentley, KS 67016
(316) 796-0408

CONTROL NO:
259274, 30002625



● – "Armstrong" capped rebar set
⊙ – 1/2" iron pipe found
◘ – #4 rebar found
M – measured distance
P – plat distance

⊕ Reduction of 2.00 Acre property
(–) 60' of ROW = 1.43-acre property
⊕

SURVEY DISCLAIMER.
TOPOGRAPHIC SURVEY AND CONTOUR MAP USED IN PREPARING PLANS WAS PROVIDED BY ARMSTRONG LAND SURVEYING PA 601 E. HARRY STREET, WICHITA, KS. ENGINEER DOES NOT GUARANTEE SURVEY ELEVATIONS FOR ACCURACY. CONTRACTOR SHALL VERIFY ELEVATIONS AND NOTIFY ENGINEER OF ANY DISCREPANCIES.