CITY OF WICHITA

Wichita-Sedgwick County Metropolitan Area Planning Department

MJC Architecture
Attn: David B. Beaver
450 North 159th Street East
Wichita, KS 67230

October 8, 2014

RE: BZA2014-00058: Administrative Adjustment to allow a structure to exceed 25 feet in height on property zoned LI Limited Industrial and subject to the Air Force Base Protection Overlay District (AFBP-O). The application area is located at 8401 East Oak Knoll generally located east of South Rock Road and south of East Pawnee Street and is occupied by Beran Concrete.

Legal Description: Lot 1, Block A, Bray Lines 2nd Addition to Wichita, Sedgwick County, Kansas.

Dear Applicant:

We have reviewed your request for a Zoning Adjustment to permit a building addition that will have a height of 28 feet 3 inches to the top of the parapet. The property on which the building addition is to be located is described above. The proposed addition will not have windows, walkways, catwalks or other features or openings that will allow a person to gain access to a height above 25 feet.

The property is located within the Air Force Base Protection Overlay (AFBP-O) district that limits the maximum height of a building to 25 feet (Article III, Section III-C.9 of the Wichita-Sedgwick County Unified Zoning Code (UZC)). Unified Zoning Code Article V, Section V-I.2.o permits building height to be increased by administrative adjustment provided the requested height does not exceed the height permitted in the base zoning district and a line of sight analysis is provided that demonstrates that the proposed structure height does not provide a view of any portion of the air force base for a person located at any point on the structure that exceeds the height permitted by this overlay district given existing topography and the location and height of existing structures and/or vegetation and when the conditions required by Sec. V-I.6 of the Code are met.

We find that permitting a maximum building height of 28 feet 3 inches for the building addition as shown and described in the attachments on your property meets the four conditions required by Sec. V-I.6 of the Unified Zoning Code as set out below:

1) Impact on safety and convenience of vehicular and pedestrian circulation: This request is to increase maximum building height of 28 feet 3 inches for the building addition as shown and described in the attachments and on building plans submitted to MABCD on June 27, 2014 and paid for on July 22, 2014. Public vehicular and pedestrian circulation will not be affected nor will the proposed addition above 25 feet pose a threat to the mission of the air force base given: the building's location, over a mile away from runways and plane storage areas; taller structures

and hedgerows located between the base and the proposed addition; and the fact that the addition will not provide any openings, walkways, catwalks, etc. above 25 feet.

2) Impact on existing uses in surrounding areas: There should be no negative impact on the existing uses in surrounding areas as the addition is to an existing use and building. Further the proposed addition has been found to not pose a threat to the security of the air force base due to its distance from the base and the intervening structures and hedgerow located between the base and the proposed addition.

3) Compatibility with existing or permitted uses on abutting sites: Again, the proposed addition is to an existing structure and use and has been found to not pose a threat to the security of the air force base due to its distance from the base and the intervening structures and hedgerow located between the base and the proposed addition.

4) Effect on public health, safety or welfare: There will no encroachment into public utility easements or right-of-way and the use has no openings above 25 feet; therefore, there should be no negative impact on the public health, safety or welfare nor will properties or improvements in the vicinity, including the mission of the air force base, be materially injured.

Our signatures below indicate that a Zoning Adjustment to permit an accessory structure to be placed in front of the principal structure on less than five acres of land 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 plans, building plans or diagrams submitted to MABCD and/or MAPD, and all permits necessary to construct the improvements shall be acquired. Only the proposed addition (as shown on the building plans submitted to MABCD on June 27, 2014 and paid for on July 22, 2014) is permitted to exceed the 25-foot height limit.
2) 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

J.R. Cox, Jr.

Thomas J. Stolz, Director of MABCD

cc: Deb Shauers and J.R. Cox, OCI and Pete Meitzner, District II



OBSTRUCTION GRAPHIC PAGE