

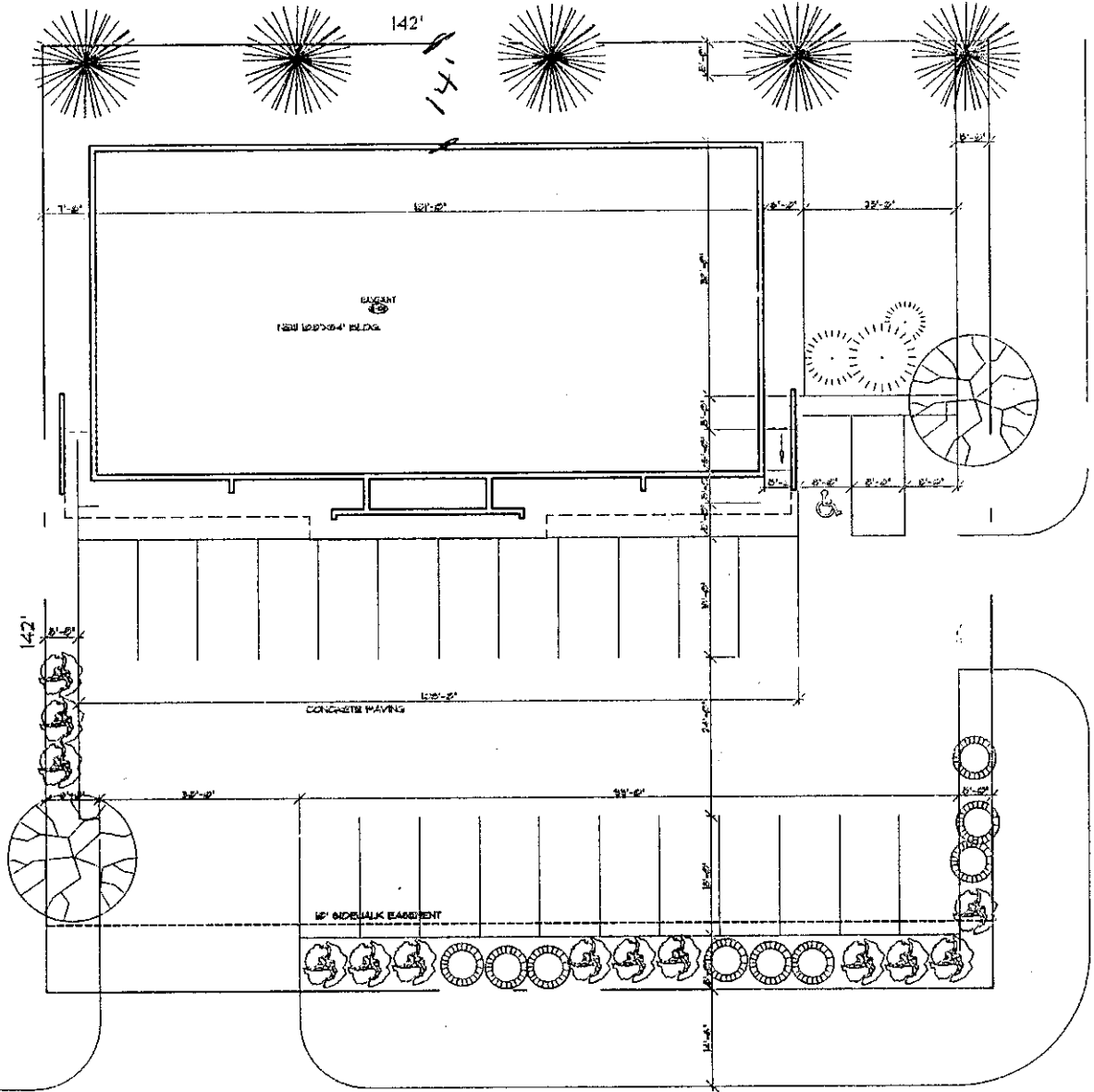
APPROVED

SITE PLAN FOR 2006-20

William J. Van Dine

Date:

3-27-06



SITE PLAN

SCALE

1\"=30'-0\"

W. CENTRAL

GILDA STREET

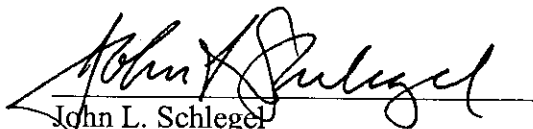
setback reduction should not make the proposed building incompatible with the existing and permitted uses on abutting sites.

- 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 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 a Zoning Adjustment to reduce the compatibility setback for the aforementioned property from 25 feet to 14 feet is hereby granted, subject to the following conditions:

- 1) The applicant shall submit a landscape plan to be approved by planning staff prior to issuing building permits. The landscape plan shall require 1.5 times the code required landscape buffer, along the north property line, consisting of six coniferous trees, installed at a minimum height of eight feet.
- 2) The site shall be developed in general conformance with the approved site plan and landscape plan.
- 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 the Zoning Adjustment 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: David Udden, 57 Via Verde, Wichita, KS, 67230
Kurt Schroeder, OCI
Paul Hays, OCI
Randy Sparkman, OCI



FILE COPY

Wichita-Sedgwick County Metropolitan Area Planning Department

March 20, 2006

Homer Morgan
2110 Industrial
Wichita, KS 67216

RE: BZA2006-20 Zoning Administrative Adjustment to reduce the 25-foot compatibility setback to 14 feet between LC Limited Commercial and SF-5 Single-family Residential zoning.

Lot 5, Block C, West Central Gardens Addition, Wichita, Sedgwick County, Kansas. Generally located north of Central and west of Gilda (5800 W Central).

Mr. Morgan:

We have reviewed your request for a Zoning Adjustment to reduce the compatibility setback on the property described above. From reviewing your application, we understand that you propose to construct a 101 by 49-foot retail building on the site, 14 feet from the north property line, where the Unified Zoning Code would require a 25-foot compatibility setback.

Section V-I.2.d of the Unified Zoning Code allows an adjustment to reduce or waive a compatibility setback 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 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 rear yard is not used for public circulation.
- 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, increased landscaping on the site should mitigate any impact on residential neighbors to the north.
- 3) Compatibility with existing or permitted uses on abutting sites: The proposed building will comply with all other development standards, the compatibility



CONSTITUTION

FRANK W. GENTHAL
WILLIAM A. KATZ

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