



Wichita-Sedgwick County Metropolitan Area Planning Department
February 28, 2008

Key South LLC c/o Jim Ashcraft
1424 S Maize Rd.
Wichita, KS 67209

RE: BZA2008-02 - City zoning adjustment on property zoned "GO" General Office to reduce the side compatibility setback from 25 feet to 10 feet for a storage building and from 25 feet to 20 feet for a drive-through canopy.

Legal Description: Lot 1, Block A, Kansas State Bank Addition to Wichita, Sedgwick County, Kansas; generally located east of Maize Rd approx. 1/10 mile north of Kellogg.

Dear Applicant:

We have reviewed your request for a Zoning Adjustment to reduce the compatibility setback for the side yard on the property described above. From reviewing your application, we understand that you propose to construct a building on the site that would be located 10 feet from the north/side property line, and a drive-through canopy that would be located 20 feet from the same north/side property line. The Unified Zoning Code requires an administrative adjustment to allow a compatibility setback reduction from the required 25 feet.

Section V-I.2.d and V-I.2.a of the Unified Zoning Code allows an adjustment to reduce the compatibility setback. 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.
- 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. Landscaping and screening requirements should mitigate any impact on the residential property to the north.
- 3) Compatibility with existing or permitted uses on abutting sites: The proposed buildings will comply with all other development standards. The compatibility setback reduction should not make the proposed building incompatible with the existing and permitted uses on abutting sites. CON2007-09 requires a landscape plan, and prohibits metal building facades on this site, further ensuring compatibility with 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 10 feet for a storage building and 20 feet for a drive-through canopy is hereby granted, subject to the following conditions:

- 1) The site shall be developed in general conformance with the approved site plan.
- 2) The site shall be developed in conformance with all applicable codes, including but not limited to zoning, landscape, building, fire, and health codes.

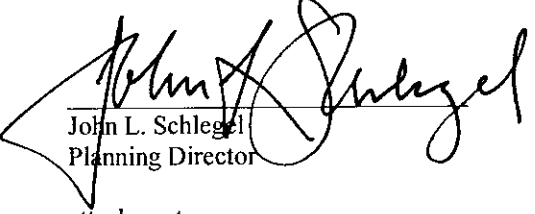
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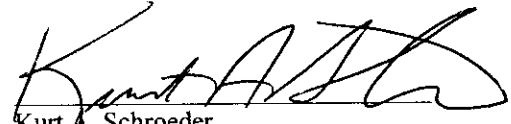
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- 3) The setback reduction shall apply only to the side setback as illustrated on the approved site plan. All other structures or additions on the subject property shall conform to the setbacks permitted by the Unified Zoning Code unless a separate Zoning Adjustment or Variance is granted.
- 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 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

attachment

cc: Kurt Schroeder, Office of Central Inspection
Paul Hays, Office of Central Inspection
Jeff Longwell, CM District V, Mailstop 1-13
Baughman Company, PA (attn Russ Ewy), 315 Ellis, Wichita, KS 67211

VERDA VISTA

8 (A)

MAIZE ROAD

2655.86'(N)

N08°21'15"E

210.0'

258.89'

N07°18'15"W

280.12'

S07°22'48"E

N RIM 1318.32
INVERT PER
CITY RECORD
1311.61
SSWH

Sign

N88°21'15"E(C-P)
N88°23'24"E

220'(P)
219.82'(N)

N88°21'15"E(C-P)
N88°23'24"E

205'(C-D)
205.78'(N)

S88°23'24"W

210.00'

30'

40'

50'

60'

70'

80'

90'

UTILITY PLAN

Scale 1"= 20'0"



QUICKTRIP 8TH ADDITION

(A)

0'(C-D)
2.89'(N)

239.73'(N)

240'(P)