



Wichita-Sedgwick County Metropolitan Area Planning Department

July 5, 2023

BGR Holdings, LLC
Attn: Andrew Reese
5219 N Hampton St.
Bel Aire, KS 67226

MKEC Engineering, Inc.
Attn: Brian Lindebak
411 N Webb Road
Wichita, KS 67206

Re: ZON2023-00041: Administrative Adjustment in the City to PO-405 to reduce the required setback along East 63rd Street South from 35 feet to 20 feet on property zoned GC General Commercial District; located on the south side of East 63rd Street South, within one-quarter mile east of South Clifton Avenue.

Legal Description: That part of the Southeast quarter of Section 26, Township 28 South, Range 1 East of the 6th P.M., Sedgwick County, Kansas, lying south of the south line of the right-of-way as established on Film 265, Page 1276.

Dear Applicants:

We have reviewed your request for a Zoning Adjustment to Condition #5 of PO-405 to reduce the required building setback on the south side from 35 feet to 20 feet because additional land is being dedicated for right-of-way during the platting process. The original 35-foot setback would place a building a minimum of 55 feet north of the middle of right-of-way (section line), and that distance shall be retained.

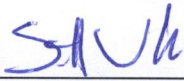
On the basis of our review, we find that adjusting the PO as requested is consistent with the approved PO and the GC General Commercial zoning district and will not have an adverse effect on the PO or on adjacent properties, nor will it be a substantial deviation of the original PO. The establishment of PO-405 was in lieu of a Community Unit Plan for a commercially zoned property over six acres in size. The requested 20-foot front setback is consistent with the minimum front setback in the GC General Commercial District. This requested Administrative Adjustment has not had any questions or concerns raised by any surrounding property owners.

Our signatures below indicate that PO-405 shall be adjusted as stated below. This PO adjustment shall not be deemed to alter any other provisions of PO except as expressly stated herein. This PO does not alter any other applicable codes including but not limited to zoning, building, health or fire.

5. A 35-foot building setback shall be provided from the north property line. ***A 20-foot building setback shall be provided from the south property line.*** A 25-foot building setback shall be provided from the west property line if the abutting property is zoned MF-18 Multi-Family Residential or more restrictive.

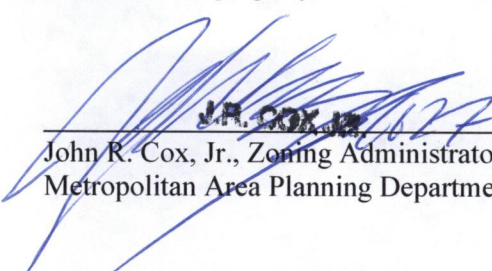
Section V-C.14 of the Unified Zoning Code ("UZC") allows the Planning Director, with the concurrence of the Zoning Administrator, to approve minor adjustments to an approved PO. We find that modifying Condition #5 to reduce the south building setback from 35 feet to 20 feet meets the conditions required by Sec. V.I.6 of the UZC.

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



Scott Wadle, Planning Director
Metropolitan Area Planning Department

cc: MABCD
Jim Howell, BoCC District 5


J.R. COX JR.

John R. Cox, Jr., Zoning Administrator
Metropolitan Area Planning Department