



Wichita-Sedgwick County Metropolitan Area Planning Department

October 22, 2014

Seneca Properties, LLC
Brad Saville
156 N. Emporia
Wichita, KS 67202

Kaw Valley Engineering
Tim Austin
200 N Emporia, Ste. 100
Wichita, KS 67202

Re: BZA2014-59: City Administrative Adjustment of to reduce Compatibility Site Design Standards for dumpsters and trash receptacles within 20 feet for "LC" – Limited Commercial zoning adjacent to "SF-5" – Single-family Residential zoning.

Legal Description: LOT 1 AND LOT 2 EXC S 30 FT THEREOF & EXC N 12 FT S 42FT W 232.74 FT, MEYERS GARDENS ADDITION, Wichita, Sedgwick County, Kansas. The property is generally located at the southwest corner of S. Seneca and W. Haskell (2301 S. Seneca.)

Dear Applicant,

We reviewed your request for an Administrative Adjustment to reduce the Compatibility Standards from 20-feet to 16-feet to build a trash enclosure as required by Section IV.C.7.b. We also understand that there is an existing screening wall on the west property line between LC and SF-5 zoned property.

Section V-I.2.d of the Unified Zoning Code allows an Administrative Adjustment to reduce or waive the required compatibility Setback. We find that reducing the Compatibility Site Design Standards for dumpsters and trash receptacles from 20-feet to 16-feet 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 location of the trash enclosure should have no impact on the safety and convenience of vehicular and pedestrian circulation in the vicinity as right-of-way and driveways are not affected.
- 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 trash enclosure located near the west property line; required screen wall will be maintained on the west property line.

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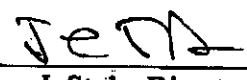
- 3) Compatibility with existing or permitted uses on abutting sites: The compatibility setback reduction for the trash enclosure located on the west property line with the screen wall maintained on the west property line, will be compatible with existing and permitted uses near abutting SF-5 zoned sites.
- 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 an Administrative Adjustment to reduce the compatibility site design standards for dumpsters and trash receptacles setback from 20-feet to 16-feet is hereby granted, subject to the following conditions:

- 1) The site shall be developed in general conformance with the approved site plan.
- 2) The adjustment shall apply only to the trash enclosure as illustrated on the approved site plan. All other structures or additions on the subject property shall conform to the locations and setbacks permitted by the Unified Zoning Code unless a separate Zoning Adjustment or Variance are granted.
- 3) The applicant shall obtain a building permit and complete construction 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, Director
Metropolitan Area Planning Department


Thomas J. Stolz, Director
Metropolitan Area Building and Construction
Department

cc: J.R. Cox, MABCD
Jeff Blubaugh, CM District IV
Case Bell, NA District IV

