

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

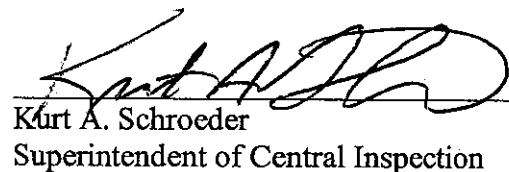
- 4) Effect on public health, safety or welfare: There will be no encroachment into public utility easements or right-of-way; therefore, there should be no negative impact on the public health, safety or welfare nor will properties or improvements in the vicinity be materially injured.

Our signatures below indicate that a Zoning Adjustment to reduce the compatibility setback for the aforementioned property from 25 feet to 11 feet is hereby granted, subject to the following conditions:

- 1) The site shall be developed in general conformance with the approved site plan and elevation drawings.
- 2) The applicant shall submit a revised site plan, to be approved by planning staff, which demonstrates a minimum of one ornamental tree on the east side of the proposed building.
- 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: Robert Collins, Collins Architecture, 250 N Rock Road, Suite 300, Wichita, KS,
67206-2243
Kurt Schroeder
Paul Hays



FILE COPY

Wichita-Sedgwick County Metropolitan Area Planning Department

January 6, 2006

Joseph Chang
404 S. Edgmoor
Wichita, KS 67218

RE: BZA2005-00086 Zoning Administrative Adjustment to reduce the 25-foot compatibility setback to 11 feet between GO General Office and SF-5 Single-family Residential zoning.

Lot 1, Block A, Chang and Arensberg Second Addition, Wichita, Sedgwick County, Kansas. Generally located south of Orme and east of Hillside (630 S Hillside).

Mr. Chang:

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 70 by 100-foot medical office building on the site, 11 feet from the east 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 side 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, landscaping on the site should mitigate any impact on residential neighbors to the east.
- 3) Compatibility with existing or permitted uses on abutting sites: The proposed building will comply with all other development standards, the compatibility

