



FILE COPY

**Wichita-Sedgwick County Metropolitan Area Planning Department**

December 14, 2000

Anderson Properties, LLC  
Attn: Thomas M. Anderson  
P.O. Box 4348  
Wichita, KS 67203

**Re: BZA2000-00047: An administrative adjustment to waive the screening requirements along the east property line on property zoned "LC" Limited Commercial and "OW" Office Warehouse.**

**Legal Description: Lot 1, Block A Anderson Properties Addition to Wichita, Sedgwick County, Kansas. Generally located north of 13<sup>th</sup> Street North and east of Sheridan (3242 W. 13<sup>th</sup> Street North).**

Dear Mr. Anderson:

We have reviewed your request for an administrative adjustment to waive the screening requirements along the east property line of the aforementioned property. You state in your application that the residentially-zoned property abutting your property to the east is developed with a parking lot and provides a screening fence that screens your property from the properties developed with residential uses to the north and east.

The Unified Zoning Code allows an administrative adjustment to waive the screening requirements specified in Sec. IV-B.3.(a) of the Code when the adjacent residential property is developed with institutional or multi-family uses and the location of improvements on one or both properties provides adequate screening. We find that waiving the screening requirements along the east property line of the subject property meets the four conditions required by Section V-1.6 of the Unified Zoning Code as set out below:

- 1) Impact on safety and convenience of vehicular and pedestrian circulation: The proposed elimination of screening requirements and compatibility setbacks would have no impact on safety and convenience of vehicular and pedestrian circulation in the vicinity of the application area.

- 2) Impact on existing uses in surrounding areas: The existing screening fence on the abutting property to the east provides the Code required screening from residentially-developed properties to the north and east. Providing an additional screening fence on the subject property would be an unnecessary duplication of screening.
- 3) Compatibility with existing or permitted uses on abutting sites: The abutting property to the east is developed with a parking lot, which is compatible with the uses on the subject property does not necessitate the need for a screening fence on the subject property. The abutting property to the east provides a screening fence that screens the subject property from residentially-developed properties to the north and east and provides compatibility among the commercial, institutional, and residential uses in the area.
- 4) Effect on public health, safety or welfare: There will be no encroachment into public utility easements or right-of-way; therefore, there should not be a negative impact on the public health, safety or welfare nor will properties or improvements in the vicinity be materially injured.

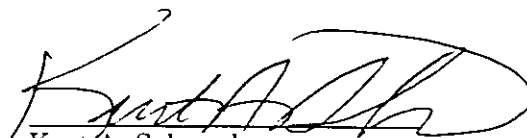
Our signatures below indicate that an administrative adjustment to waive the required screening on the east property line of the subject property is hereby granted subject to the following conditions:

- 1) If the screening fence on the abutting property to the east is removed, screening in conformance with Sec. IV-B.3.(a) of the Unified Zoning Code shall be provided along the east property line of the subject property.
- 2) If the abutting property to the east is developed with a residential use, screening in conformance with Sec. IV-B.3.(a) of the Unified Zoning Code shall be provided along the east property line of the subject property.

The zoning adjustment sign may now be removed from the property.



Marvin S. Krout  
Director of Planning



Kurt A. Schroeder  
Superintendent of Central Inspection

MK/KS/sk

cc: Paul Hayes, Office of Central Inspection  
Randy Sparkman, Office of Central Inspection  
J.R. Cox, Office of Central Inspection



1" = 40'  
o = IRON

C.A.C. = Complete Access Control

5' South of True Corner

P.O.B.

S. 89°29'00" E.  
103.43'

10' Util. Esm't.

N. 00°00'00" W.  
246'

8' Util. Esm't.

(A)

413'  
S. 00°00'00" E.

"+" ON WALK S. 89°29'00" E.  
137.07'

40'

42'

35' Bldg. Setback

Lot

1

16' Util. Esm't.

40'

125'

N. 89°29'00" W.

N. 00°00'00" W.  
125'

8' Util. Esm't.

20' BLDG. SETBACK

115.5'  
N. 89°29'00" W.

50'

50'

165'

13TH

ST.

85.5'  
C.A.C.

N. 00°00'00" W.

SHERIDAN

175'

S.W. COR., S.E. 1/4,  
SEC. 12-27-1W.,  
SEDGWICK CO., KS.