



FILE COPY

Wichita-Sedgwick County Metropolitan Area Planning Department

July 3, 2003

Joe Hoover
USD 259
3850 N. Hydraulic
Wichita, KS 67219

Re: BZA2003-00033: Zoning Adjustment to reduce the street side setback along Edgemoor.

**Legal Description: Lot 1, Southeast High Addition, Wichita, Sedgwick County, Kansas.
Located at the southwest corner of Lincoln and Edgemoor (903 S. Edgemoor).**

Dear Mr. Hoover:

We have reviewed your request for a Zoning Adjustment to reduce the street side setback along Edgemoor for the aforementioned property. From reviewing your application, we understand that you propose to construct an addition to Southeast High School, and the addition has an open canopy with an eave that covers an entry and is proposed to encroach 6'9-1/4" into the 15' street side setback along Edgemoor required by the "TF-3" Two Family zoning district. Section III-E.2.e.(1)(g) of the Unified Zoning Code allows a 2' encroachment into the street side setback for an open canopy. Section III-E.2.e.(1)(f) of the Unified Zoning Code allows an additional 2'6" encroachment into the street side setback for an eave, thus allowing a 4'6" total encroachment into the street side setback for an open canopy with an eave. Therefore, you are requesting to reduce the street side setback along Edgemoor by 20 percent from 15' to 12' so that the encroachment of the proposed open canopy with an eave will be only 3'9-1/4" feet, which is below the 4'6" total encroachment allowed by the Unified Zoning Code.

Section V-I.2.a. of the Unified Zoning Code allows an adjustment to reduce building setbacks by up to 20 percent 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 Section V-I.6. of 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 street side yard is not used for vehicular circulation and the open canopy permits pedestrian 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, as a small encroachment into the

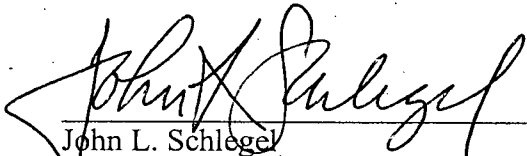
street side setback for the open canopy is minor in comparison to the scale of the Southeast High School building.

- 3) Compatibility with existing or permitted uses on abutting sites: The proposed school addition will comply with all development standards except for the minor setback encroachment for an open canopy; therefore, the minor setback encroachment should not reduce the compatibility of the proposed school addition with 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 not be a negative impact on the public health, safety or welfare nor will properties or improvements in the vicinity be materially injured.

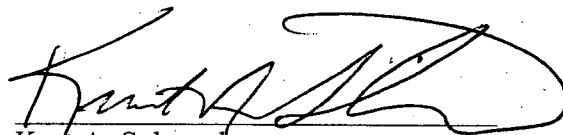
Our signatures below indicate that a Zoning Adjustment to reduce the street side setback along Edgemoor for the aforementioned property from 15' to 12' is hereby granted, subject to the following conditions:

- 1) The site shall be developed in general conformance with the approved site plan.
- 2) The setback reduction shall apply only to "New Canopy" 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.
- 3) The canopy shall not be enclosed.
- 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 Article VIII of the Unified Zoning Code, may, with the concurrence of the Planning Director, declare that the Zoning Adjustment is null and void.

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



John L. Schlegel
Planning Director



Kurt A. Schroeder
Superintendent of Central Inspection

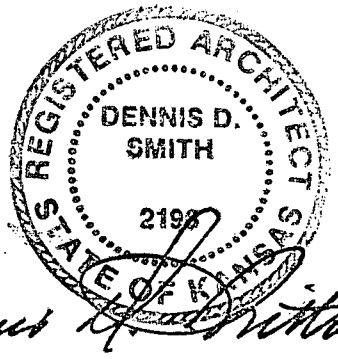
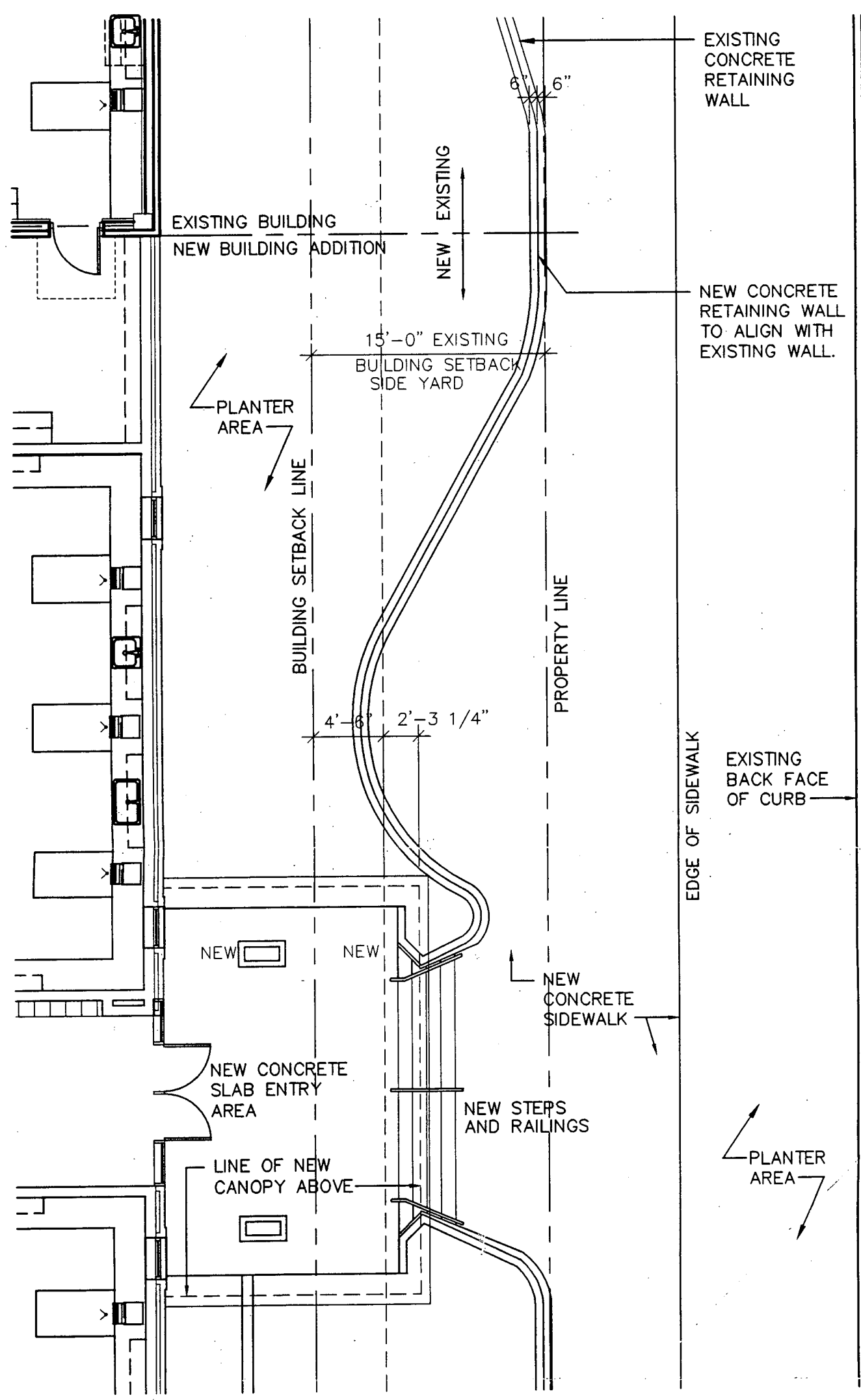
Enclosure

cc: Greg Wilhite, Law Kingdon, Inc., P.O. Box 1094, Wichita, KS 67201-1094
Kurt Schroeder, Office of Central Inspection
Paul Hays, Office of Central Inspection
Randy Sparkman, Office of Central Inspection
J.R. Cox, Office of Central Inspection

BZA2003-00033

SITE PLAN

APPROVED 7-3-03 BY *SK*



A EDGEMOOR STREET PARTIAL FLOOR PLAN & SITE PLAN

1/4" = 1'-0"

REQUEST FOR AN ADMINISTRATIVE ADJUSTMENT



LAW/KINGDON, INC.
 Architects - Engineers - Planners
 345 Riverview
 Wichita, KS. 67201-1094
 P.O. Box 1094
 Phone 316-268-0230

PROJECT SOUTHEAST HIGH SCHOOL BY DR
Wichita, KS DATE 06/16/03
 PROJECT NO. 74640 PAGE 1 OF 1
 PURPOSE ADMINISTRATIVE ADJUSTMENT REQUEST