



Wichita-Sedgwick County Metropolitan Area Planning Department

February 6, 2025

SRB Kansas, LLC
1720 N. Webb Rd., Ste. 102
Wichita, KS 67206

Baughman Company, P.A.
Attn: Jay Cook
315 S. Ellis Ave.
Wichita, KS 67211

RE: BZA2025-00005: Administrative Adjustment in the City to waive the compatibility setback for the north interior side property line for a building addition on property zoned LI Limited Industrial District; generally located on the east side of North Webb Road, within one-quarter mile north of East 13th Street North (1720 North Webb Rd.).

Legal Description: Lot 1, Block 2, Waterfront Addition, Wichita, Sedgwick County, Kansas.

Dear Applicant,

We have reviewed your request for a Zoning Adjustment to waive the compatibility setback for a proposed building addition on the north side of the property. Section IV-C.4 of the Unified Zoning Code (UZC) requires compatibility setbacks along the side and rear property lines for non-residential development on lots within 500 feet of property that is zoned TF-3 Two-Family Residential District (TF-3) or more restrictive. The adjacent property to the north is zoned SF-5 Single-Family Residential District (SF-5) with CUP DP-154 and is developed with a church. Between the subject site and church property to the north is former railroad right-of-way that is now a shared-use path for bicycles and pedestrians. The width of that right-of-way is approximately 100 feet across.

Based on the requirements of Section IV-C.4 of the UZC, the compatibility setback along the north property line would be 25 feet. The proposed building is shown to be 6 feet from the north line, which exceeds the standard zoning setback requirements for the LI Limited Industrial District (LI). The LI District permits an interior side setback of either zero or 5 feet. We understand that though the site plan shows a 6-foot setback, you desire the opportunity to take advantage of up to a zero-foot setback as needed.

Section V-I.2.d of the UZC allows reducing or waiving the required compatibility setback (required by the Section IV-C.4 of the UZC). This adjustment is permissible when the provisions of this section and the Zoning Adjustment Criteria of Section V-I.6 are met. We find that waiving the

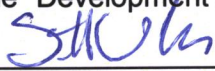
required compatibility setback as proposed meets the provisions of Section V-I.2.d and the four criteria required by Section V-I.6 as set out below:

- 1) Impact on safety and convenience of vehicular and pedestrian circulation: The proposed waiver of the north compatibility setback will have no impact on the safety and convenience of vehicular and pedestrian circulation in the right-of-way. The width of the right-of-way for bicycles and pedestrians is 100 feet.
- 2) Impact on existing uses in surrounding areas: It is not anticipated that waiving the required compatibility setback will have a significant negative impact on surrounding uses in the area. The SF-5-zoned property to the north is a large church property with large parking areas being closest to the proposed development. In between the subject site and the church property is a 100-foot-wide right-of-way with a shared-use path.
- 3) Compatibility with existing or permitted uses on abutting sites: Properties to the east and south are zoned LI. Property to the east is undeveloped. Properties to the south, across North Waterfront Parkway, are developed with commercial uses. Properties to the west, across North Webb Road, are zoned SF-5 and developed with single-family dwellings. Property abutting to the north is a 100-foot-wide right-of-way. North of the right-of-way is zoned SF-5 with CUP DP-154 and developed with a church.
- 4) Effect on public health, safety, or welfare: There will be no encroachment into public utility easements or right-of-way. It is not anticipated that there will be any significant negative impacts on the public health, safety, or welfare, nor will properties or improvements in the vicinity be materially injured.

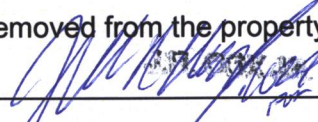
Our signatures below indicate that the Zoning Adjustment to waive the required compatibility setback along the north property line is hereby GRANTED, subject to the following conditions:

- 1) The site shall be developed in general conformance with the approved site plan, provided that the setback along the north property line can be zero feet or 5 feet as permitted by the Development Standards in the LI District.
- 2) 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 zoning, building, health, and fire.
- 3) The waiver of the compatibility setback shall apply only to the area in which the proposed building addition encroaches as illustrated on the approved site plan, provided that the setback along the north property line can be zero feet or 5 feet as permitted by the Development Standards in the LI District. All other structures or additions on the subject property shall conform to the setbacks (standard and compatibility) required by the Unified Zoning Code unless a separate Zoning Adjustment or Variance is granted.
- 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.



Scott Wadle, Director
Metropolitan Area Planning Department



Chris Labrum, Director
Metropolitan Area Building and Construction
Department

cc: MABCD
Becky Tuttle, CM District II
Teresa Veazey, CSR District II

