



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

Green Gate Childrens School, LLC
2098 N. Westridge Ct.
Wichita, KS 67235

May 2, 2025

K.E. Miller Engineering, P.A.
Attn: Kirk Miller
117 E. Lewis St.
Wichita, KS 67202

RE: BZA2025-00026: Administrative Adjustment in the City to reduce the compatibility setbacks for the rear and side property lines and reduce the rear standard setback from 20 feet to 16 feet to permit construction of four school buildings on property zoned SF-5 Single-Family Residential District; generally located on the north side of West 13th Street North and one-quarter mile east of North 135th Street West (13100 W. 13th Street North).

Legal Description: E 355 FT S 275 FT LOT 1 EXC S 10 FT DEEDED FOR ST, WEST MEADOWS ADD., Wichita, Sedgwick County, Kansas.

Dear Applicant,

We have reviewed your request for Zoning Adjustments to reduce the compatibility setbacks for the rear and side property lines from 25 feet to 20 feet (rear, Buildings A & B) and 6 feet (side, Building D) and reduce the rear standard setback from 20 feet to 16 feet (for Building C) to permit construction of four new school buildings. The construction of these new buildings requires the site to come into compliance with the solid screening standard of Section IV-B of the Unified Zoning Code and the Wichita Landscape Ordinance.

Compatibility Setback

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 that abut property that is zoned TF-3 Two-Family Residential District (TF-3) or more restrictive. The abutting properties to the north and east are zoned SF-5 Single-Family Residential District (SF-5). Based on the requirements of Section IV-C.4 of the UZC, the compatibility setback along the north and east property lines would be 25 feet. The proposed buildings are shown to be 16 and 20 feet from the north property line and 6 feet from the east property line.

Section V-I.2.d of the UZC allows reducing or waiving the required compatibility setbacks (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 reducing the required compatibility setbacks as proposed meets the provisions of Section V-I.2.d and the four criteria required by Section V-I.6 as set out in the findings section.

Rear Setback Adjustment

The proposed building along the east property line would be located at 6 feet, which meets the minimum interior side setback requirement in the SF-5 District. Building A & B along the north property line would be located 20 feet from the rear property line, meeting the minimum rear setback in the SF-5 District. Building C in the northeast corner of the site would be the only building located at 16 feet, which is a 20 percent reduction of the minimum 20-foot rear standard setback in the SF-5 District.

Section V-1.2.a of the Unified Zoning Code (“UZC”) allows reducing the minimum rear setback (required by the property development standards of the zoning district) by up to 20 percent. This adjustment is permissible when the provisions of this section and the Zoning Adjustment Criteria of Section V-1.6 are met. We find that the reduction of the setback as proposed meets the provisions of Section V-1.2.a and the four criteria required by Section V-1.6 as set out in the findings section.

Findings

- 1) Impact on safety and convenience of vehicular and pedestrian circulation: The proposed reduction of the north and east compatibility setbacks and the proposed reduction of the rear building setback for Building C to 16 feet will have no impact on the safety and convenience of vehicular and pedestrian circulation in the right-of-way.
- 2) Impact on existing uses in surrounding areas: It is not anticipated that reducing the required compatibility setbacks will have a significant negative impact on surrounding uses in the area. The SF-5 zoned properties to the north are single-family dwellings. The proposed setback for Building C along the north property would be 16 feet, which is one foot greater than the minimum compatibility setback of 15 feet.

The SF-5 zoned property to the east is 4.5-acre property developed with a single-family dwelling. The dwelling is located approximately 50 feet north of the north property line of the subject site. The location of the proposed building along the east property line would be directly adjacent to open space on this abutting residential site.

Reducing the compatibility setbacks and reducing the rear standard setback to 16 feet for one building is not anticipated to have significant negative impacts on the existing dwellings abutting to the north and east. The site is screened with a six-foot screening fence. Furthermore, the addition of the four proposed buildings requires the site to come into compliance with the Wichita Landscape Code. The north and east property lines will also include required landscape buffers. The conditions of approval of this Administrative Adjustment require the landscape buffer along the north property line to be 1.5 times the standard and to require conifer trees to be planted between Building C and the screening fence.

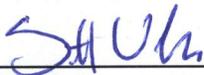
- 3) Compatibility with existing or permitted uses on abutting sites: The site plan illustrates that the proposed structures are not large in scale. In addition to required screening and required landscaping, the conditions of approval of this Administrative Adjustment require the new buildings to be residential in character with hip or gabled roofs. These required elements will help the proposed buildings be compatible with the surrounding and permitted uses on abutting sites. Furthermore, the site has been used as a school for some time. The addition of new buildings is not a change in use.
- 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 Adjustments to reduce the required compatibility setbacks along the north and east property lines and reduce the rear setback to 16 feet for Building C are hereby **GRANTED**, subject to the following conditions:

- 1) The site shall be developed in general conformance with the approved site plan.
- 2) The applicant shall submit a revised landscape plan illustrating a landscape buffer along the north property line at 1.5 times the standard with conifer trees planted north of Building C.
- 3) The new buildings shall be constructed in substantial conformance with the elevations submitted and approved with this Administrative Adjustment illustrating the buildings having a residential character with hip or gabled roofs.
- 4) 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.
- 5) The reduction of the rear setback to 16 feet only applies to Building C in the northeast corner of the site as illustrated on the approved site plan. All other structures or additions on the subject property shall conform to the setbacks (standard) required by the Unified Zoning Code unless a separate Zoning Adjustment or Variance is granted.
- 6) 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


J.R. COX JR

Chris Labrum, Director
Metropolitan Area Building and Construction
Department

cc: MABCD
J.V. Johnston, CM District V
Teresa Veazey, CSR District V



1 COMPOSITE ELEVATION - SOUTH
Scale: 1/8" = 1'-0"



2 COMPOSITE ELEVATION - NORTH
Scale: 1/8" = 1'-0"



3 COMPOSITE ELEVATION - EAST
Scale: 1/8" = 1'-0"

SITE PLAN

APPROVED *Steps*

BZA25-26

[Signature]

2022

GREEN GATE CHILDRENS SCHOOL

13100 W 13TH STREET N WICHITA KS

COMPOSITE ELEVATIONS

