



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

March 30, 2012

Landon Langston – Optimal Performance  
8111 E 32<sup>nd</sup> Street South Ste 100  
Wichita, KS 67226

Spangenberg Philips Tice Architecture c/o Greg Tice  
121 N. Meade Ste 201  
Wichita, KS 67202

**Re: BZA2012-12: Administrative adjustment to reduce the compatibility setback from 25 to 10 feet on LC Limited Commercial zoned property abutting an SF-5 Single-family Residential zoned platted reserve, generally located north of Central and east of Greenwich.**

**Legal Description: Lot 12 Block 1 Balthorp Addition, Wichita, Sedgwick County, Kansas.**

Dear Applicants:

We reviewed your request for a Zoning Adjustment to reduce the compatibility setback for a proposed building on the above-referenced property. You propose to build on the above referenced property with a 10-foot setback from the east, or side, property line. The property to the east is zoned SF-5 Single-family Residential ("SF-5") and is a platted reserve. Sec. IV-C.4 of the Unified Zoning Code requires a 25-foot compatibility setback along the east property line; the requested Zoning Adjustment is to reduce the compatibility setback along the east property line from 25 feet to 10 feet.

Sec. V.I.2.d of the Unified Zoning Code allows a Zoning Adjustment to reduce the compatibility setback when the conditions required by Sec. V.I.6 of the Code are met. We find that reducing the compatibility setback along the east property line from 25 feet to 10 feet meets the four conditions required by Section V-I.6 of the Code as set out below:

- 1) Impact on safety and convenience of vehicular and pedestrian circulation: This request is to reduce the compatibility setback along the side property line. Public vehicular and pedestrian circulation should not be affected.
- 2) Impact on existing uses in surrounding areas: The property to the east is a platted reserve open

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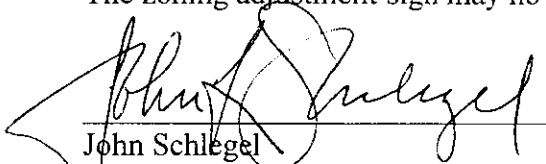
space. A screening wall on the east property line is required by the Unified Zoning Code, and should mitigate any potential negative effects on the residential properties to the east.

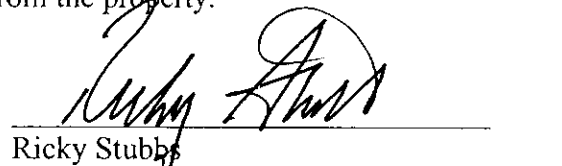
- 3) Compatibility with existing or permitted uses on abutting sites: The proposed building is compatible with other commercial developments fronting Central in this area. The setback reduction will be compatible with the platted reserve open space to the east.
- 4) Effect on public health, safety or welfare: There will be no encroachment into public utility easements or right-of-way; there should be no 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 along the east property line from 25 feet to 10 feet for the aforementioned property is hereby granted, subject to the following conditions:

- 1) The site shall be developed in general conformance with the approved site plan.
- 2) The compatibility setback reduction shall apply only to the building as illustrated on the approved site plan. All other structures or additions on the subject property shall conform to the compatibility setbacks required by the Unified Zoning Code unless a separate Zoning Adjustment is granted.
- 3) The site shall conform to the Unified Zoning Code requirement for a screening wall along the subject site and east property lines.
- 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 Schlegel  
Planning Director

  
Ricky Stubbs  
Co-assistant Director of Central Inspection

cc: Ricky Stubbs, Office of Central Inspection  
Paul Hays, Office of Central Inspection  
Pete Meitzner, CM District II  
Antione Sherfield, NA District II

