



Wichita-Sedgwick County Metropolitan Area Planning Department

July 11, 2012

James Barnum
530 E. MacArthur
Wichita, KS 67216

Meridian Construction c/o Darell Leffew
1803 S. Pattie
Wichita, KS 67211

Re: BZA2012-38: Administrative adjustment to reduce the compatibility setback from 25 to 20 feet on GC General Commercial zoned property abutting SF-5 Single-family Residential zoning, generally located north of East MacArthur and west of I-135 (530 E. MacArthur).

Legal Description: Lot 2 Barnum Addition, Wichita, Sedgwick County, Kansas.

Dear Applicants:

We reviewed your request for a Zoning Adjustment to reduce the compatibility setback for proposed self-storage units on the above-referenced property. You propose to build on the above referenced property with a 20-foot setback from the east, or side property line. The property to the east is zoned SF-5 Single-family Residential ("SF-5"). 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 20 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 20 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 developed with a single-family residence approximately 30 feet from the subject property line. A screening wall on the

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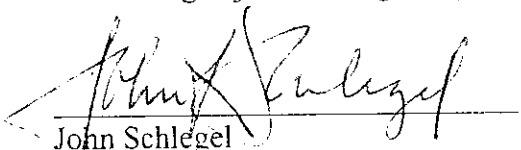
east property line is required by the Unified Zoning Code, and should mitigate any potential negative effects on the residential properties to the east.

- 3) Compatibility with existing or permitted uses on abutting sites: The proposed building is compatible with other commercial developments fronting MacArthur in this area. The five-foot setback reduction with code required screening will be compatible with the residential property 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 20 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 fence 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
James Clendenin, CM District III
Janet Johnson, NA District III

