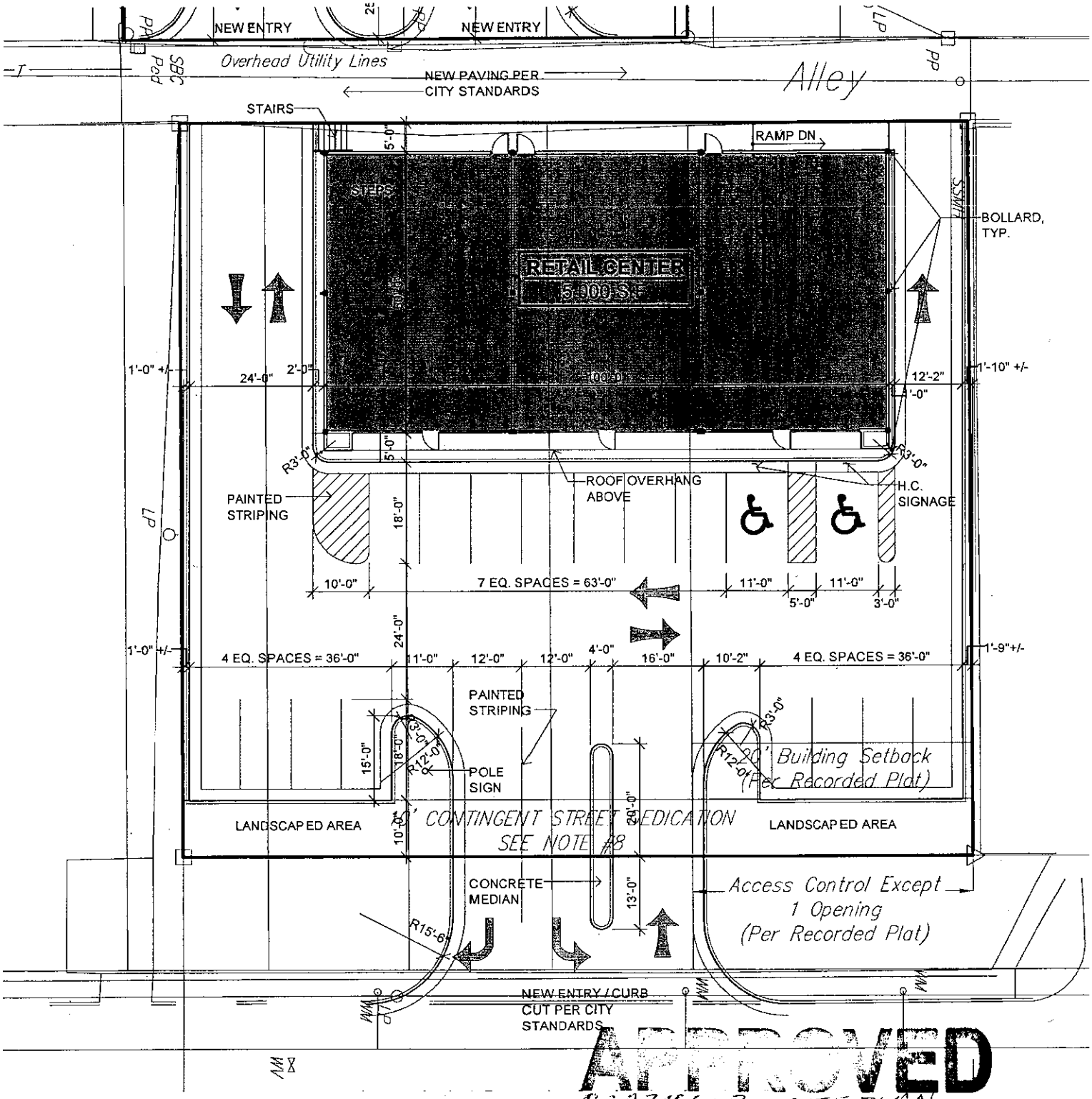

APPROVED

T.C. A2006-2 SITE PLAN

1 SITE PLAN

0 20'

SITE NOTES

1. DEMINSIONS ARE TO FACE OF CURB UNLESS OTHERWISE NOTED.

Date: 3-10-06

limits.

3) Compatibility with existing or permitted uses on abutting sites: The proposed retail structure is compatible with existing and permitted uses on abutting sites, the encroachment into the rear setback should not reduce compatibility with abutting and adjacent 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 be no 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 rear setback for the aforementioned property from ten feet to five feet 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 the rear setback 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) Building height on the site shall be limited to 60% of the height permitted in the NR zoning district.

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.

John L. Schlegel
Planning Director

Kurt A. Schroeder
Superintendent of Central Inspection

Enclosure

cc: Gennifer Glenn, Spangenberg Phillips, 121 N. Mead Ste. 201, Wichita, KS, 67202
Kurt Schroeder, Office of Central Inspection
Randy Sparkman, Office of Central Inspection
Herb Shaner, Office of Central Inspection

CITY OF WICHITA

Wichita-Sedgwick County Metropolitan Area Planning Department

March 1, 2006

Medical Arts Partnership
911 N. Linden
Wichita, KS 67206

Steve Barret
151 N. Market
Wichita, KS 67202

Re: BZA2006-12: Zoning Adjustment to reduce the rear setback to five feet.

Legal Description: Lot 1, Bruce Meeker 2nd Addition, Wichita, Sedgwick County, Kansas; and Lots 55, 57, 59, and the north 15' of lot 61 except the east 20' on Hillside, Maple Grove Addition, Wichita, Sedgwick County, Kansas. Generally located west of Hillside and south of Third Street (315 N Hillside).

Dear Applicants,

We have reviewed your request for a Zoning Adjustment to reduce the rear setback on the aforementioned property. From reviewing the application, we understand that you desire to construct a retail building at more than half the depth of the lot, five feet from the rear lot line, without eliminating any required parking.

Section V-I.2.c. of the Unified Zoning Code allows a rear setback reduction down to five feet when all parts of the principal structure are located more than one-half the depth of the lot behind the front property line, when the structure does not eliminate required off-street parking, and when the structure is not more than 60 percent of the maximum height allowed by the property development standards of the zoning district. We find that the reduction of the front setback as proposed meets the provisions of Section V-I.2.c. and the four criteria required by Section V-1.6. as set out below:

1) Impact on safety and convenience of vehicular and pedestrian circulation: The setback encroachment should have no impact on the safety and convenience of vehicular and pedestrian circulation in the vicinity because right-of-way, the driveway, and sidewalk will not be affected.

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 rear setback reduction, as sufficient