





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

January 23, 2023

Caleb and Cassidy Kesler  
2215 N. Stoneybrook Ct.  
Wichita, KS 67226

**Re: CUP2023-00005: Administrative Adjustment in the City to the Tallgrass East Residential Community Unit Plan CUP DP-163 to reduce the northwest interior side yard setback from six feet to four feet and ten inches on property zoned SF-5 Single-Family Residential and CUP DP-163 to allow construction of a garage addition.**

**Legal Description: LOT 27, BLOCK 1, TALLGRASS EAST 2nd ADDITION, Wichita, Sedgwick County, Kansas; generally located on the Northwest corner of East 21<sup>st</sup> Street North and North Clubhouse Street (2215 N. Stoneybrook Ct.)**

Dear Applicants,

We have reviewed your request for an Administrative Adjustment to reduce the interior side setback on the aforementioned property. From reviewing the application, we understand that you desire to reduce this setback from 6-feet to 4 feet and 10 inches to allow construction of a garage addition as proposed in the attached site plan.

On the basis of our review, we find that adjusting the CUP in the manner stated above is consistent with the approved CUP and will not have an adverse effect on the CUP or adjacent properties, nor will it be a substantial deviation of the original plan.

Our signatures below indicate that the CUP shall be adjusted as stated in this letter. This CUP adjustment shall not be deemed to alter any other provisions of the CUP except as expressly stated herein.

The “Development Application” sign should now be removed from the property. Please submit four (4) copies of the revised CUP drawing within 60 days in order for this adjustment to be considered final.

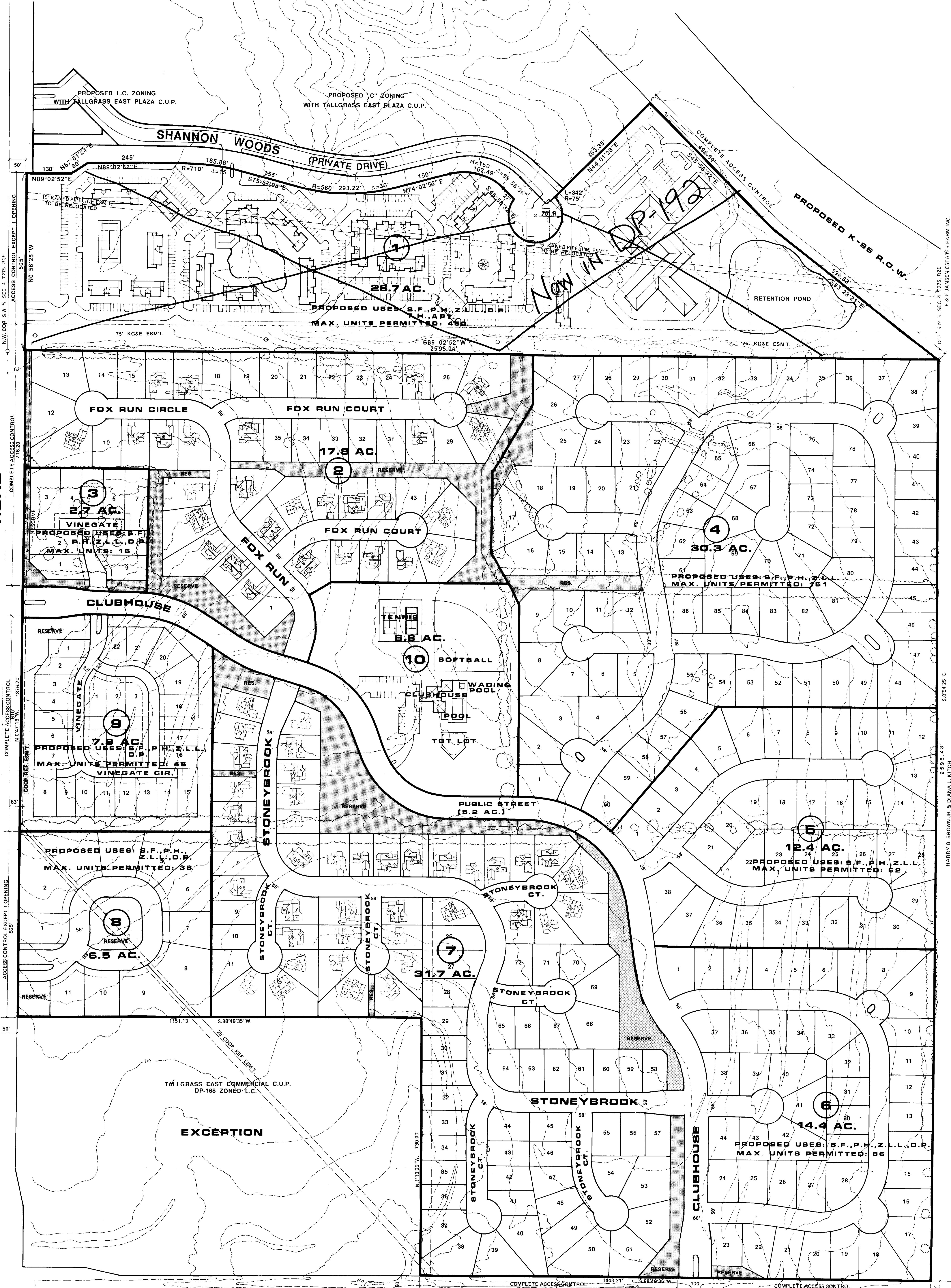
The “Development Application” sign should now be removed from the property.

Scott Wadle, Director  
Metropolitan Area Planning Department

John R. Cox, Jr., Zoning Administrator  
Metropolitan Area Planning Department

cc: MABCD  
Becky Tuttle, CM District II  
Cory Buchta, CSR, District II

PLUMTHICKET  
DEER RUN  
WOODSPRING  
WOODSFRING  
PLUMTHICKET  
BENT TREE  
WATER DEPT.



DP-163 Amdt #1  
Tallgrass East Residential

FRED L. HANLEY  
ZONED LC

COMMUNITY UNIT PLAN DP-163 (AMENDMENT NO. 1)

**APPROVED CUP**

MAPC 6-8-89 DM  
BCC 7-11-89 DM

**TALLGRASS II**

OWNER: RITCHIE ASSOCIATES, 8100 E. 22ND ST. NO. BLD. 500, WICHITA, KS. 67226 PH. 684 7300

GYANCHAND J. KHICHA  
ZONED R 1

TOTAL ACRES: 162.4 GROSS  
157.2 NET

SCALE: 1" = 100'  
CONTOUR INTERVAL = 2'

AUG. 9, 1988    AUG. 26, 1988    OCT. 15, 1988    APRIL 21, 1989    MAY 10, 1989

# GENERAL PROVISIONS

- THIS PROJECT IS PROPOSED TO CONTAIN 162.4 GROSS ACRES OR 157.2 NET ACRES. NET ACRES ARE DETERMINED BY SUBTRACTING THE PUBLIC STREET (CLUBHOUSE STREET) R.O.W. FROM THE OVERALL DEVELOPMENT.
- THE PROPOSED DEVELOPMENT, AS ILLUSTRATED, IS TO CONTAIN THE FOLLOWING TYPES OF HOUSING. THE HOUSING TYPES ILLUSTRATED ARE ENCLOSED WITHIN A BOX IN THE PARCEL DESCRIPTIONS UNDER GENERAL PROVISION NUMBER 21. HOWEVER, THE ILLUSTRATED USE MAY NOT SHOW THE MAXIMUM NUMBER OF DWELLING UNITS PERMITTED.

### ILLUSTRATED UNITS

369	SINGLE FAMILY UNITS
13	PATIO HOME UNITS
39	ZERO LOT LINE UNITS
38	DUPLEX UNITS
450	APARTMENT UNITS
909	TOTAL UNITS

THERE ARE OPTIONAL USES AS DESCRIBED UNDER PARCEL DESCRIPTIONS (GENERAL PROVISION NUMBER 21) WHICH MAY INCREASE THIS COUNT BUT WILL NOT EXCEED THE MAXIMUM OVERALL DENSITY OF 6.29 DU/ACRE AS REQUESTED UNDER GENERAL PROVISION NUMBER 3 BELOW.

- NET DENSITY CALCULATION: IF THE PARCELS ARE DEVELOPED AS ILLUSTRATED, THE OVERALL DENSITY OF THE SITE WOULD BE 5.78 DU/ACRE. IF THE SITE IS DEVELOPED WITH THE MAXIMUM NUMBER OF UNITS PERMITTED 999, THE OVERALL DENSITY WOULD BE 6.29 DU/ACRE.
- SETBACKS ARE TO BE DETERMINED AT THE TIME OF PLATTING DEPENDING ON LAND USE OR GENERALLY THE MINIMUM SETBACKS SHALL BE AS SHOWN ON THE CHART BELOW.

### FRONT YARD

	DIMENSION FROM ROW LINE			
	50' ROW 21' BB	32' ROW <sup>1</sup> 29' BB	58' ROW 29' BB	64.70' ROW 35.41' BB
SINGLE FAMILY	20'	20'	20'	25'
ZERO LOT LINE	20'	20'	20'	25'
DUPLEX HOMES	20'	20'	20'	25'
PATIO HOMES	20'	20'	20'	25'
TOWNHOUSE	20'	20'	20'	25'
GARDEN APARTMENTS	20'	20'	20'	25'

	PRIVATE <sup>2</sup> STREET FROM CL	CUL DE SAC AT BULB 50' (ROW) 58'	CORNER LOT	REAR <sup>4</sup> YARD	SIDE YARD	SB GARAGE FACE ALL STREET ROW
	SINGLE FAMILY	32'	10'	20'	15'	20'
ZERO LOT LINE	32'	10'	20'	15'	20'	0' & 12" 2
DUPLEX HOMES	32'	10'	20'	15'	20'	6'
PATIO HOMES	32'	10'	20'	15'	20'	6'
TOWNHOUSE	32'	10'	20'	15'	20'	6'
GARDEN APARTMENTS	42'	10'	20'	20'	20'	10'

FRONT REAR AND SIDE YARD SETBACKS FROM ARTERIAL STREETS SHALL NOT BE LESS THAN 25' FOR SPECIAL CONDITIONS ON PARCEL 1. SEE GENERAL PROVISION NUMBER 16.

<sup>1</sup>ON STREETS HAVING A 32' ROW WITH 29' BB PAVEMENT, THERE SHALL ALSO BE PLATTED A 15' STREET, DRAINAGE AND UTILITY EASEMENT ON EITHER SIDE OF ROW LINE, WHERE PARKING SHALL BE PERMITTED BUT LANDSCAPING LIMITED TO TURF AND STREET TREES APPROVED BY CITY FORESTER.

<sup>2</sup>SIDE YARD SETBACKS MAY BE REDUCED TO 10' FOR GARAGES ONLY. THERE SHALL BE 12' SEPARATING ALL OTHER ELEMENTS OF THE DWELLING UNITS EXCEPT FOR THE GARAGES.

<sup>3</sup>ON CORNER LOTS ON PRIVATE STREETS, THE SIDE YARD SETBACK CAN BE REDUCED FROM 32' TO 27' PROVIDING THAT THE GARAGE FACE SHALL BE SETBACK A MINIMUM OF 20' FROM BACK OF CURB.

<sup>4</sup>REAR YARD SETBACKS MAY BE REDUCED TO 10' WHEN ADJACENT TO A PLATTED OPEN SPACE OR RESERVE.

- ALL UTILITIES SHALL BE INSTALLED UNDERGROUND.
- SIGNS DESIGNATING THE NAME OF THE DEVELOPMENT SHALL BE PERMITTED AT THE ENTRANCES TO THE PROPOSED PARCELS IF THEY FOLLOW IN ACCORDANCE WITH THE PROVISIONS OF SECTION 28.04.139 OF THE CODE OF THE CITY OF WICHITA PROVIDED THAT THOSE PARCELS WITH GARDEN APARTMENTS AND TOWNHOUSES MAY HAVE SIGNS AS PERMITTED IN THE R-6 ZONING DISTRICT.
- A HOMEOWNERS ASSOCIATION SHALL BE FILED WITH THE PLAT OF EACH PARCEL TO PROVIDE FOR THE MAINTENANCE OF NON-PUBLIC OPEN SPACE, PARKING AREAS, PRIVATE STREETS OR DRIVES, BUFFER AREAS, DRAINAGE CHANNELS, SWALES, ETC. TWO OR MORE OF THE HOMEOWNERS ASSOCIATIONS MAY JOIN TOGETHER TO FORM A MASTER HOMEOWNERS ASSOCIATION.  
  
FAILURE OF THE HOMEOWNERS ASSOCIATION(S) TO PROPERLY MAINTAIN THE PRIVATE STREETS OR OPEN DRAINAGE SYSTEMS, SHALL CONSTITUTE A VIOLATION OF THE BUILDING PERMIT AUTHORIZING THE CONSTRUCTION OF THE PROPOSED DEVELOPMENT AND SHALL GIVE THE CITY THE RIGHT TO PROPERLY MAINTAIN THE AREAS PREVIOUSLY LISTED AND TO ASSESS THE COST OF MAINTENANCE TO THE PROPERTY OWNER.
- MINIMUM LOT SIZES FOR SINGLE FAMILY DETACHED UNITS SHALL BE 6,000 SQ. FT. EXCEPT FOR ZERO LOT LINE AND PATIO HOME UNITS WHICH SHALL BE 4,500 SQ. FT. MINIMUM LOT SIZES FOR DUPLEXES SHALL BE 8,000 SQ. FT. MINIMUM LOT FRONTAGES SHALL BE 60' FOR SINGLE FAMILY, 45' FOR PATIO HOME AND ZERO LOT LINE UNITS AND 80' FOR DUPLEXES; MEASURED AT THE SETBACK LINE.
- ANY PROPOSED DRAINAGE FACILITIES, LAKES, DETENTION FACILITIES, DRAINAGE WAYS, SWALES, ETC. SHALL BE DESIGNED IN CONFORMANCE WITH THE HYDROLOGY STUDY AS PREPARED INDEPENDENTLY FROM THIS DOCUMENT. RESULTS OF THIS STUDY AND PROPOSED DRAINAGE FACILITIES SHALL BE SUBMITTED FOR APPROVAL AT THE TIME OF PLATTING. THE OWNERSHIP AND MAINTENANCE OF SAID FACILITIES SHALL BE DETERMINED AT THE TIME OF PLATTING.
- FINAL DETERMINATION OF STREET RIGHT-OF-WAY AND PAVEMENT WIDTHS AS WELL AS ACCESS CONTROLS WILL BE RESOLVED AT THE TIME OF PLATTING.
- SHOULD AN ALTERNATE LAND USE, PERMITTED UNDER PARCEL DESCRIPTIONS BELOW (GENERAL PROVISION 21), BE DEVELOPED INSTEAD OF THE PARCEL PLAN AS ILLUSTRATED, A CONCEPTUAL SITE PLAN SHALL BE SUBMITTED FOR APPROVAL TO THE DIRECTOR OF PLANNING. THE APPROVAL OF THIS CONCEPTUAL PLAN SHALL BE SUBJECT TO THE CONDITIONS OF PLATTING.
- BUILDING SETBACK LINES FROM ALL EXISTING PIPELINE EASEMENTS SHALL BE ESTABLISHED AT THE TIME OF PLATTING AND ALL PAVING OVER THE EASEMENT SHALL BE WITH THE APPROVAL OF THE AFFECTED PIPELINE COMPANY. ANY CHANGE IN ELEVATION OR RELOCATION OF THE PIPELINES SHALL BE WITHOUT COST TO THE CITY OF WICHITA.
- ANY CROSSING OF THE 75' KG&E EASEMENT SHALL REQUIRE APPROVAL OF THE UTILITY COMPANY.
- FIRE HYDRANT INSTALLATION AND PAVED ACCESS TO ALL BUILDING SITES SHALL BE PROVIDED FOR EACH PHASE OF CONSTRUCTION PRIOR TO THE ISSUANCE OF BUILDING PERMITS. TURN AROUNDS SHALL BE PROVIDED ON ALL DEAD END FIRE LANES WHICH ARE LONGER THAN 150'.
- OFF-STREET PARKING: APARTMENT USES SHALL PROVIDE FOR 1.5 SPACES PER DWELLING UNIT WHILE ALL OTHER USES SHALL PROVIDE 2.0 SPACES PER DWELLING UNIT. PARKING SHALL BE PROVIDED IN ACCORDANCE WITH SECTION 28.04.140 ET SEQ OF THE CODE OF THE CITY OF WICHITA. IF THE STREET IS DESIGNED WITH PARKING RESTRICTIONS, A RESTRICTIVE COVENANT REQUIRING 4 SPACES PER DWELLING UNIT WILL BE SUBMITTED AT THE TIME OF PLATTING.
- SPECIAL CONDITIONS FOR PARCEL 1 WITH TOWNHOUSE AND APARTMENT USES ONLY.
  - FRONT, REAR AND SIDE YARD SETBACKS ILLUSTRATED ON CHART IN GENERAL PROVISIONS NUMBER 4 ABOVE APPLY TO ALL ELEMENTS OF THE DWELLING UNIT AND ACCESSORY STRUCTURES EXCEPT FOR GARAGES AS HERE-BELOW PROVIDED FOR.
  - SETBACK REQUIREMENTS FOR GARAGES SHALL BE AS FOLLOWS:
    - SETBACKS FROM WEBB ROAD OR DEER RUN SHALL BE A MINIMUM OF 5'.
    - SETBACKS ON MAJOR ENTRANCES INTO EACH PARCEL SHALL BE 5' IF CONSTRUCTED AS A PUBLIC STREET OR SHALL BE 10' BACK OF CURB IF CONSTRUCTED AS A PRIVATE STREET.
  - SETBACKS AS WRITTEN ABOVE ARE AUTHORIZED ONLY IF THE FOLLOWING ADDITIONAL CONDITIONS ARE MET, OTHERWISE SETBACKS AS ESTABLISHED IN GENERAL PROVISION NUMBER 4 ABOVE SHALL APPLY.
    - GARAGE STRUCTURES SHALL BE INTEGRAL WITH A CONTINUOUS MASONRY WALL NOT LESS THAN 5' NOR MORE THAN 8' IN HEIGHT FOR ALL STREET FRONTAGES AFFECTED.
    - MASONRY WALL AND GARAGE PLACEMENT SHALL BE DESIGNED TO PROVIDE A MODULATION OF SPACES ALLOWING FOR LANDSCAPING TO OCCUR BOTH INSIDE AND OUTSIDE OF WALL.
    - GARAGES BUILT ON THE REDUCED SETBACK LINE SHALL NOT BE CONSTRUCTED FOR MORE THAN 35% OF THE TOTAL STREET FRONTAGE AFFECTED. ON THE BALANCE OF THE FRONTAGE, ONLY MASONRY WALL WILL BE ALLOWED.
    - NO GARAGE WINDOW OR DOOR OPENINGS SHALL BE ALLOWED TO FACE ONTO WEBB ROAD, DEER RUN OR THE MAJOR ENTRIES INTO EACH PARCEL.
    - GARAGE ROOFS SHALL NOT EXCEED A 7:12 PITCH ON THE MAIN SPAN FOR A MAXIMUM HEIGHT OF 15' FROM THE GROUND LINE.
    - ARCHITECTURAL DETAILING SHALL BE PROVIDED IN THE FORM OF GABLE END SECTIONS, RAFTER DETAIL AND ROOF OVERHANG. HOWEVER, ROOF OVERHANG MAY NOT EXTEND MORE THAN 12" BEYOND SETBACK LINES ESTABLISHED.
    - MASONRY WALLS SHALL BE EITHER BRICK OR BRICK TEXTURED CONCRETE, PAINTED TO ELIMINATE NATURAL CONCRETE APPEARANCE. WROUGHT IRON PANELS CAN BE USED TO PROVIDE VIEWS INTO THE PROJECT AREA IF THEY DO NOT EXCEED 10% OF THE TOTAL WALL LENGTH.
    - A MORE EXTENSIVE LANDSCAPE TREATMENT SHALL BE PROVIDED IN FRONT OF WALLS, GARAGES, AND IN SPACES WHERE WALL MODULATION OCCURS. THIS TREATMENT SHALL PROVIDE FOR TREES (8'10" IN HEIGHT OR TALLER), SHRUBS AND TURF AREAS. ALL LANDSCAPED AREAS OUTSIDE OF WALLS SHALL BE MAINTAINED BY THE HOMEOWNERS ASSOCIATION AND SHALL BE CONSTRUCTED WITH AN AUTOMATIC IRRIGATION SYSTEM.
    - ALL SURFACES OF PROPOSED WALL AND GARAGES SHALL BE MAINTAINED BY THE HOMEOWNERS ASSOCIATION.
    - PRIOR TO THE ISSUANCE OF BUILDING PERMITS FOR WALLS AND GARAGES, CONSTRUCTION AND LANDSCAPE PLANS SHALL BE SUBMITTED TO THE DIRECTOR OF PLANNING FOR REVIEW AND APPROVAL TO INSURE THAT ALL CONDITIONS HEREIN CONTAINED ARE MET.
- THE TRANSFER OF TITLE ON ALL OR ANY PORTION OF THE LAND INCLUDED IN THE C.U.P. DOES NOT CONSTITUTE A TERMINATION OF THE PLAN OR ANY PORTION THEREOF, BUT SAID PLAN SHALL RUN WITH THE LAND FOR DEVELOPMENT AND BE BINDING UPON THE PRESENT OWNERS, THEIR SUCCESSORS AND ASSIGNS AND THEIR LESSEES UNLESS AMENDED.
- THE APPLICANT SHALL GUARANTEE AT THE TIME OF PLATTING, THE CONSTRUCTION OF DECELERATION LANES ADJACENT TO 21ST STREET NORTH AND WEBB ROAD WHERE DETERMINED TO BE NECESSARY.
- PARCEL NUMBER 10 IS TO BE DEVELOPED AS A COMMUNITY RECREATION CENTER FOR THE ENTIRE DEVELOPMENT. THE PROPOSED USES WOULD INCLUDE A CLUBHOUSE WITH RELATED FACILITIES, SWIMMING POOLS, EXERCISE FACILITY, BATHHOUSE, OUTDOOR COURT GAMES, FIELD GAMES, PLAYGROUNDS, OUTDOOR LIGHTING FOR COURT GAMES, GAZEBO'S, TEMPORARY PROJECT SALES OFFICE AND CHILD CARE CENTER SUBJECT TO B.Z.A. APPROVAL. PRIOR TO THE ISSUANCE OF ANY BUILDING PERMITS, A SITE DEVELOPMENT PLAN FOR PARCEL 10 SHALL BE SUBMITTED FOR REVIEW AND APPROVAL TO THE DIRECTOR OF PLANNING WHICH INDICATES THE LOCATION OF BUILDINGS, PARKING AND ACTIVITY AREAS, PRIVATE SIDEWALKS (IN CONFORMANCE WITH APPROVED SIDEWALK PLAN), AND SHALL ALSO IDENTIFY SETBACKS, SCREENING AND LANDSCAPING TO ADJACENT RESIDENTIAL LOTS.
- AN AMENDED OVERALL SIDEWALK PLAN SHALL BE SUBMITTED AT THE TIME OF PLATTING FOR ANY PROPERTY IN PARCELS 1, 4, 5, AND 6 TO REPLACE THE SIDEWALK PLAN APPROVED IN ASSOCIATION WITH TALLGRASS EAST ADDITION AND TALLGRASS EAST 2ND ADDITION.
- PARCEL DESCRIPTIONS:
 

PROPOSED USES AND MAX. DUs PERMITTED	PARCEL DENSITIES							MAX. BLDG. HT.							
	S.F.	P.H.	Z.L.L.	D.P.	T.H.	A.P.T.	ACRES								
*1	108	134	134	161	334	450	26.9	4	5	5	6	12.4	16.7	35'	
2	49						17.8	2.75							35'
3	10	13	13	16			2.73	4	5	5	6			35'	
4	121	151	151				30.3	4	5	5				35'	
5	50	62	62				12.4	4	5	5				35'	
6	58	72	72	86			14.4	4	5	5	6			35'	
7	91						31.7	2.87						35'	
8	26	32	32	38			6.5	4	5	5	6			35'	
9	31	39	39	46			7.9	4	5	5	6			35'	
10	RECREATION CENTER (SEE G.P. 19)						6.8								35'
NET TOTALS							157.4								
COLLECTOR STREET ROW							5.2								
GROSS TOTALS							162.6								
ILLUS. TOTALS	369	13	39	38		450									

TOTAL UNITS ILLUSTRATED - 909  
 ILLUSTRATED DENSITY - 5.77 DU/ACRE  
 MAXIMUM UNITS PERMITTED - 989  
 MAXIMUM DENSITY - 6.28 DU/NET ACRE

☐ DENOTES ILLUSTRATED LAND USE

\* ADDITIONAL USES FOR PARCEL NO. 1:

CHURCH  
 RETIREMENT COMMUNITY  
 NURSING HOME WITH "B" ZONE CHANGE



**BILL G. YUNG DESIGN**  
 4912 E. 29TH STREET NORTH WICHITA, KS 67210