



Wichita-Sedgwick County Metropolitan Area Planning Department

July 7, 2008

David Lies Plumbing Inc.
1420 S Sabin
Wichita, KS 67209

Anthony Strunk
2600 S 183rd Street West
Goddard, KS 67052

RE: BZA2008-33 - City zoning administrative adjustment to reduce the compatibility setback to 14' on property zoned LI Limited Industrial, generally located on the east side of Sabin Avenue two blocks north of Harry Street (1420 S Sabin).

Legal Description: Lot 12; Windover Addition to Wichita, Sedgwick County, Kansas.

Dear Applicant:

We have reviewed your request for a Zoning Adjustment to reduce the compatibility setback for the side yard on the property described above. From reviewing your application, we understand that you propose to construct a building addition on the site that would be located 14 feet from the south/side property line. The Unified Zoning Code requires an administrative adjustment to allow a compatibility setback reduction from the required 25 feet.

Section V-I.2.d of the Unified Zoning Code allows an adjustment to reduce the compatibility setback. We find that the reduction of the setback as proposed meets the four conditions required by the Unified Zoning Code as set out below:

- 1) Impact on safety and convenience of vehicular and pedestrian circulation: The proposed encroachment should have no impact on the safety and convenience of vehicular and pedestrian circulation in the vicinity.
- 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 reduction of the setback. Landscaping and screening requirements should mitigate any impact on the residential property to the south.
- 3) Compatibility with existing or permitted uses on abutting sites: The proposed building will comply with all other development standards. The compatibility setback reduction should not make the proposed building incompatible with the existing and permitted uses on abutting sites. The required landscape plan and screening should ensure compatibility with abutting 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 compatibility setback for the aforementioned property from 25 feet to 14 feet for a building addition is 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 landscape plan to be approved by planning staff.
- 3) The site shall be developed in conformance with all applicable codes, including but not limited to zoning, landscape, building, fire, and health codes.

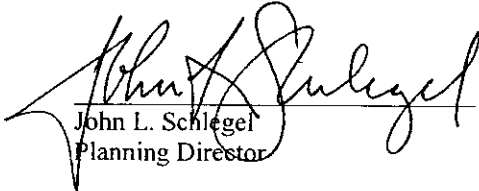
City Hall • 10th Floor • 455 North Main • Wichita, Kansas 67202-1688

T 316.268.4421 F 316.268.4390

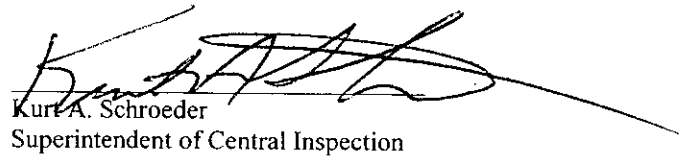
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- 4) The setback reduction shall apply only to the side setback as illustrated on the approved site plan. All other structures or additions on the subject property shall conform to the setbacks permitted by the Unified Zoning Code unless a separate Zoning Adjustment or Variance is granted.
- 5) 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 the Zoning Adjustment 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

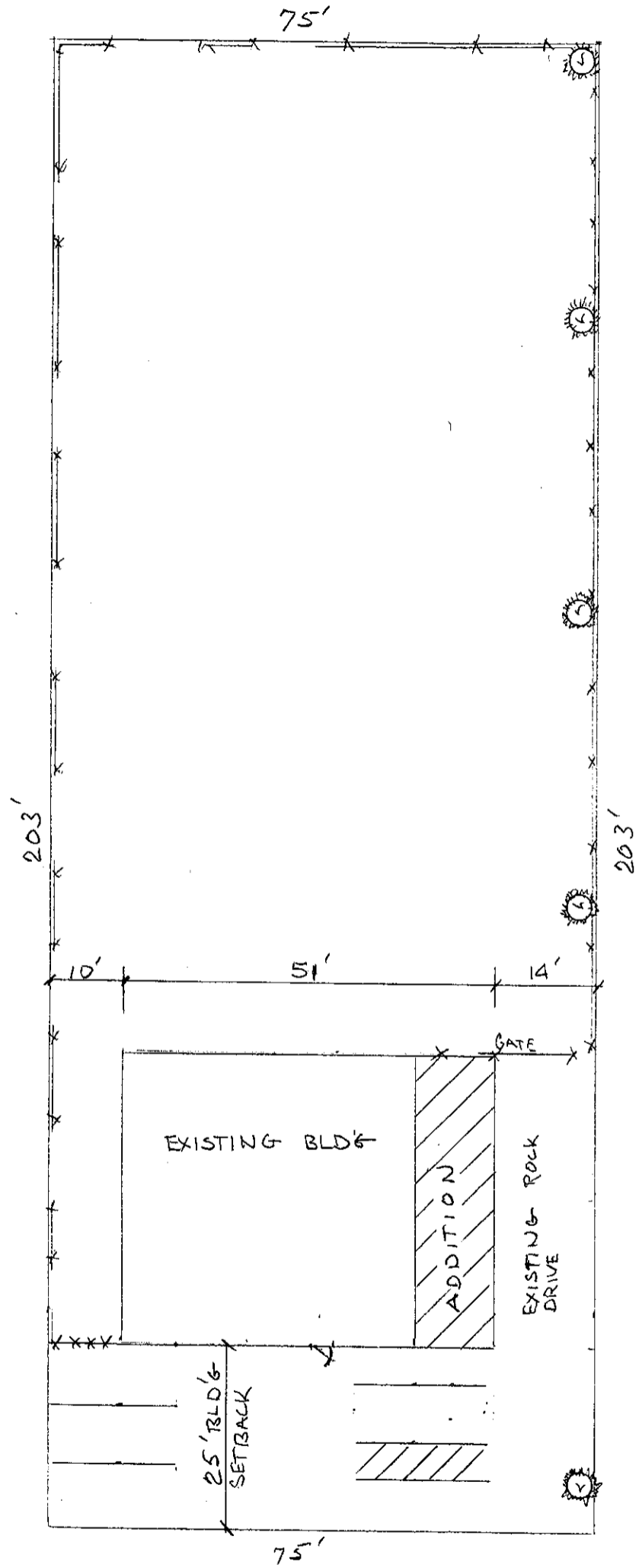
attachment

cc: Kurt Schroeder, Office of Central Inspection
Paul Hays, Office of Central Inspection
Paul Gray, CM District IV, Mailstop 1-13

DAVID LIES PLUMBING, INC.
 1420 S. SABIN
 LEGAL: LOT 12 WINDOVER ADDITION
 WICHITA, SEDGWICK COUNTY, KANSAS
 ZONING: LT
 PHONE: 316-945-0117
 PROJECT NUMBER BLD 2008-03092

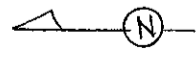
Date: 7-7-08

APPROVED
 SITE PLAN FOR 2008-33
William W. Van Duzer



PROVIDE A LIVING SCREEN OF CANARY JUNIPERS 40' o.c. OR EQUAL. REMOVE CHAIN LINK FENCE AND INSTALL 6' SOLID WOOD FENCE ALONG SOUTH PROPERTY LINE. FOR SOLID SCREENING.

SCALE: 1" = 20'-0"



SO. SABIN STREET
 (UNPAVED)

CONTRACTOR: ANTHONY STRUNK
 316-794-2527
 LIC # 613