

WICHITA BOARD OF ZONING APPEALS

AGENDA

Thursday, August 20, 2015

1:30 p.m.

The regular meeting of the Wichita Board of Zoning Appeals will be held on **Thursday, August 20, 2015**, in the Planning Department Conference Room, 10th Floor, Wichita City Hall, 455 North Main, Wichita, Kansas **no earlier than 1:30 p.m.**

1. **BZA2015-00035** - City BZA variance request to reduce the front setback from 20 feet to 6 feet for a proposed canopy on property generally located north and east of the intersection of North Hillside Avenue and East Central Avenue (550 N. Hillside Ave.)
Planner: Derrick Slocum

SECRETARY'S REPORT

CASE NUMBER: BZA2015-00035

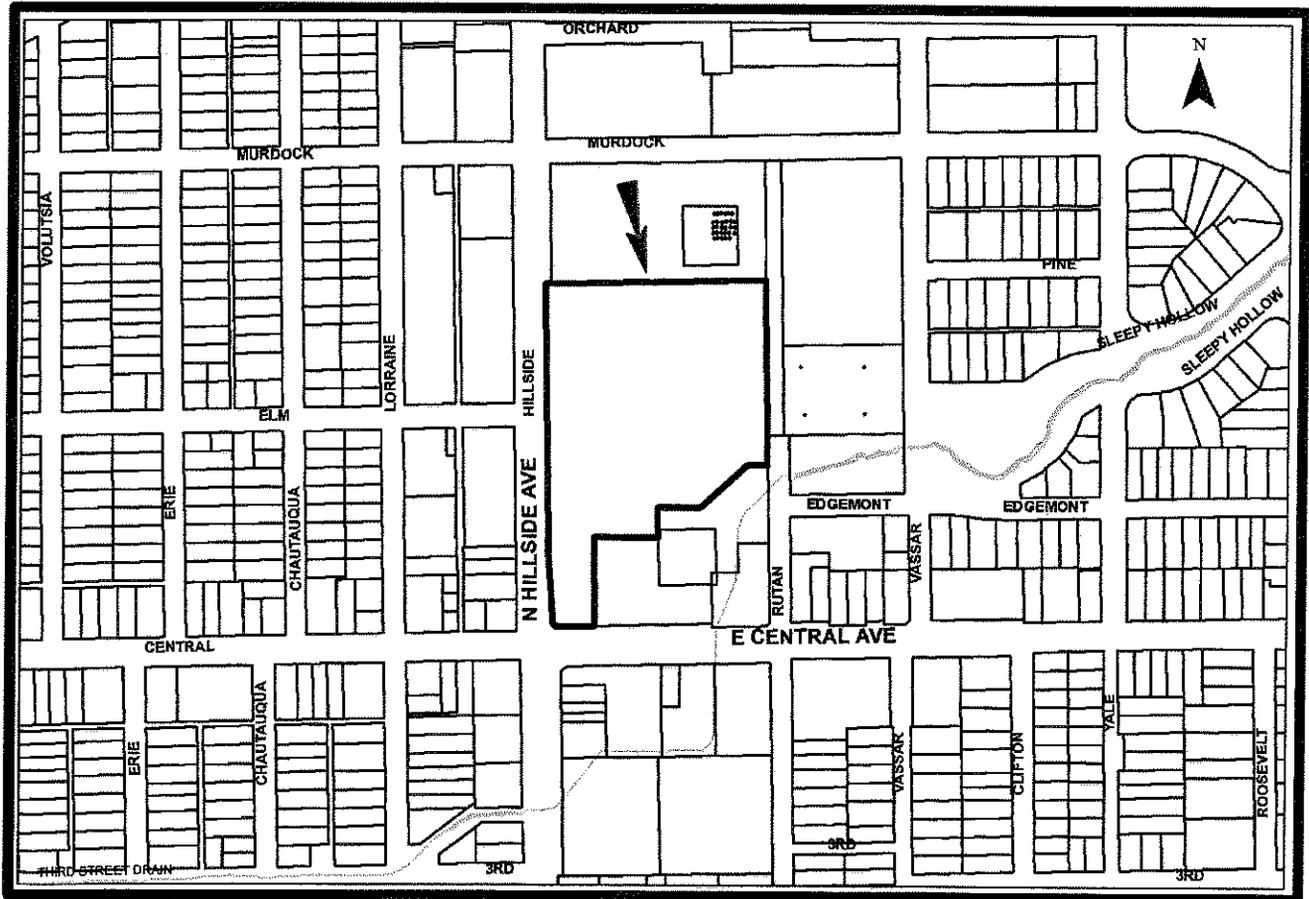
APPLICANT/AGENT: Wesley Medical Center (Applicant)
City of Wichita, c/o John Philbrick (Owner)
George Huddleston (Agent)

REQUEST: Variance to reduce the front side setback from 20 feet to 6 feet for a proposed canopy.

CURRENT ZONING: GO General Office ("GO")

SITE SIZE: 9.47 acres

LOCATION: Generally located north and east of the intersection of North Hillside Avenue and East Central Avenue (550 N. Hillside Ave.)



JURISDICTION: The Board has jurisdiction to consider the Variance request under the provisions outlined in Section 2.12.590.B, Code of the City of Wichita. The Board may grant the request when all five conditions, as required by State Statutes, are found to exist.

BACKGROUND: Wesley Medical Center is requesting a variance to reduce the 20 foot front yard setback along Hillside to allow for a proposed new canopy to be located in the setback. Currently, as shown on the existing site plan, there is a circular drive with openings to Hillside Avenue and an existing canopy. In 1998, BZA26-98 was approved to provide a setback reduction from 20 feet to 9 feet for the existing canopy.

The existing pediatric unit is proposing a massive overhaul, and one of the elements of the renovation will be to provide a larger canopy at the pediatric entrance. This canopy is needed to be larger in order to adequately provide cover for the patient drop-off area. According to the site plan, very little will change in regards to the new canopy, except for the additional three feet to provide increased coverage to patients.

Property to the north of the site is zoned GO General Office and is developed with related hospital facilities. Property to the south is zoned GO and PUD Planned Unit Development and is developed with hospital parking and a retail area. The property to the east is zoned GO and is developed with additional hospital facilities and parking, while the properties to the east is zoned LC Limited Commercial, B Multi-family Residential and GC General Commercial and is developed with restaurants and additional hospital facilities.

ADJACENT ZONING AND LAND USE:

NORTH	GO	Hospital Facilities
SOUTH	GO and PUD	Retail
EAST	GO	Hospital Facilities
WEST	LC, B and GC	Restaurants and Hospital Facilities

The five criteria necessary for approval as they apply to Variances requested.

UNIQUENESS: It is the opinion of staff that this property is unique, inasmuch the applicant was attempting to alleviate traffic and pedestrian problems in this area with the original variance. The hospital is located in an area which is highly developed with little room for expansion, therefore there is no other location which the applicant could build upon to relieve those problems. This request is to improve upon the existing canopy and the 6 foot setback is needed to complete this improvement.

ADJACENT PROPERTY: It is the opinion of staff that the granting of the variance requested will not adversely affect the rights of adjacent property owners, inasmuch as the property is surrounded by commercial and related hospital facilities. The 6 foot setback will not interfere with the surrounding uses or public right-of-way.

HARDSHIP: It is the opinion of staff that the strict application of the provisions of the zoning regulations may constitute an unnecessary hardship upon the applicant, inasmuch as it would require a significant reconfiguration of the existing hospital building and site in order to provide adequate cover for the drop-off area.

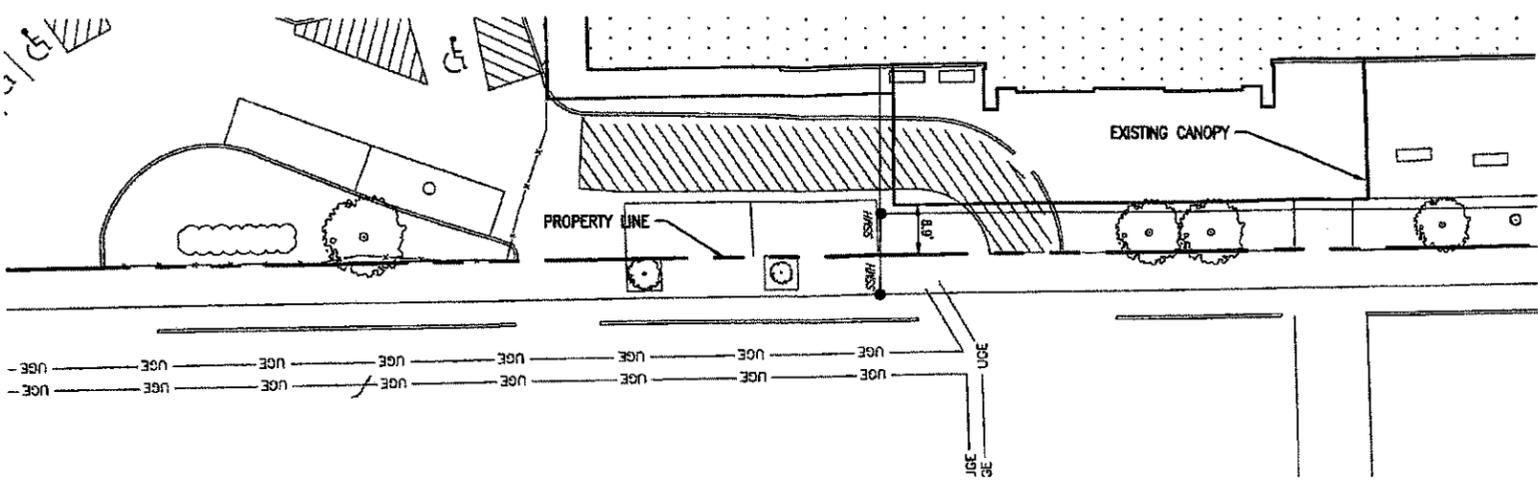
PUBLIC INTEREST: It is the opinion of staff that the requested variance would not adversely affect the public interest, inasmuch as there will be no encroachments into public utility easements or street right-of-way as a result of this reduction in the building setback and therefore there will be no effect on the general public.

SPIRIT AND INTENT: It is the opinion of staff that the granting of the variance would not be opposed to the general spirit and intent of the zoning regulations, inasmuch the code requirements provide setbacks in order to provide buffer distance between buildings, properties and the public right-of-way. This allows for pedestrian accommodations and provides sight-lines for vehicles at intersections. The proposed canopy does not limit sight-distance or pedestrian circulation, and thus is not opposed to the general spirit and intent of the code.

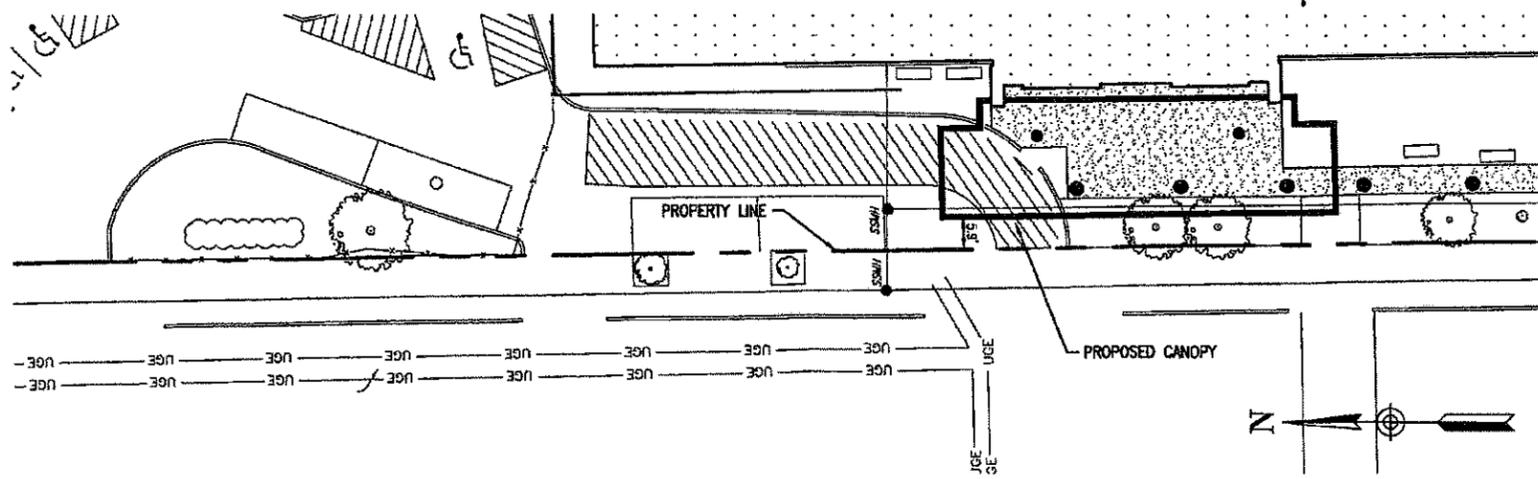
RECOMMENDATION: It is staff's opinion that the requested variance meets the five criteria necessary to grant a variance, and recommends that the variance be APPROVED. Should the Board determine that the conditions necessary for the granting of a variance exist; the Secretary then recommends that the variance for front setback reduction from 20 feet to 6 feet be GRANTED, subject to the following conditions:

1. The site shall be developed in conformance with the approved site plan.
2. The applicant shall obtain all permits necessary for any improvements, and any improvements shall be completed within one year of the granting of the variance.
3. The above conditions are subject to enforcement by any legal means available to the City of Wichita.

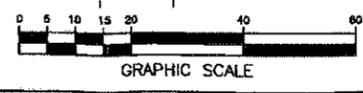
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EXISTING CONDITIONS



PROPOSED PLAN



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WESLEY MEDICAL CENTER
 WICHITA, KANSAS

NO.	REVISION	DATE	PRG. NO.

C1.1
 SITE LAYOUT

