CITY OF WICHITA

FILE COPY

Wichita-Sedgwick County Metropolitan Area Planning Department

November 1, 2002

William T. & Fay S. Terrell
7447 Oxford Ct.
Wichita, KS 67226

Re: BZA2002-00066: Zoning Adjustment to reduce the rear setback from 20 feet to 16 feet.

Legal Description: Lot 27, Block 1, Waterford North Addition, Wichita, Sedgwick County, Kansas. Generally located south of 26th Street North and west of Rock Road (7447 Oxford Ct.).

Dear Mr. & Mrs. Terrell:

We have reviewed your request for a Zoning Adjustment to reduce the rear setback on the above-referenced property. From reviewing your application, we understand that you desire to construct an addition to the single-family residence on the property. From reviewing your site plan, we have determined to you intend to add a 12-foot x 14-foot room near the southeast corner of the house and that the addition will be setback from the rear property line only 16 feet. Therefore, you have requested a Zoning Adjustment to reduce the rear setback required by the "SF-5" Single-Family zoning district from 20 feet to 16 feet.

Sec. V-I.2.a. of the Unified Zoning Code allows an adjustment to reduce the rear setback by up to 20 percent when the conditions required by Sec. V-I.6. of the Code are met. We find that the reduction of the rear setback from 20 feet to 16 feet meets the four conditions required by Sec. V-I.6 of the Code as set out below:

1) Impact on safety and convenience of vehicular and pedestrian circulation: The proposed encroachment into the setback should not detrimentally impact the safety and convenience of vehicular and pedestrian circulation in the vicinity, as the rear yard is not used for circulation and the code-required off-street parking spaces will still be provided on the property.

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, as the addition will match the character, materials, and color of the existing single-family residence.

3) Compatibility with existing or permitted uses on abutting sites: The design of the room addition is compatible with abutting sites, which are developed in a similar fashion with single family residences. Reducing the setback will not diminish the compatibility of the existing single-family residence with uses on 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 not be a 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 from 20 feet to 16 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 setback reduction shall apply only to the "Proposed Addition" 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) The addition shall match the character of the existing single-family residence in terms of wall and roof materials and color and roof pitch.

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.

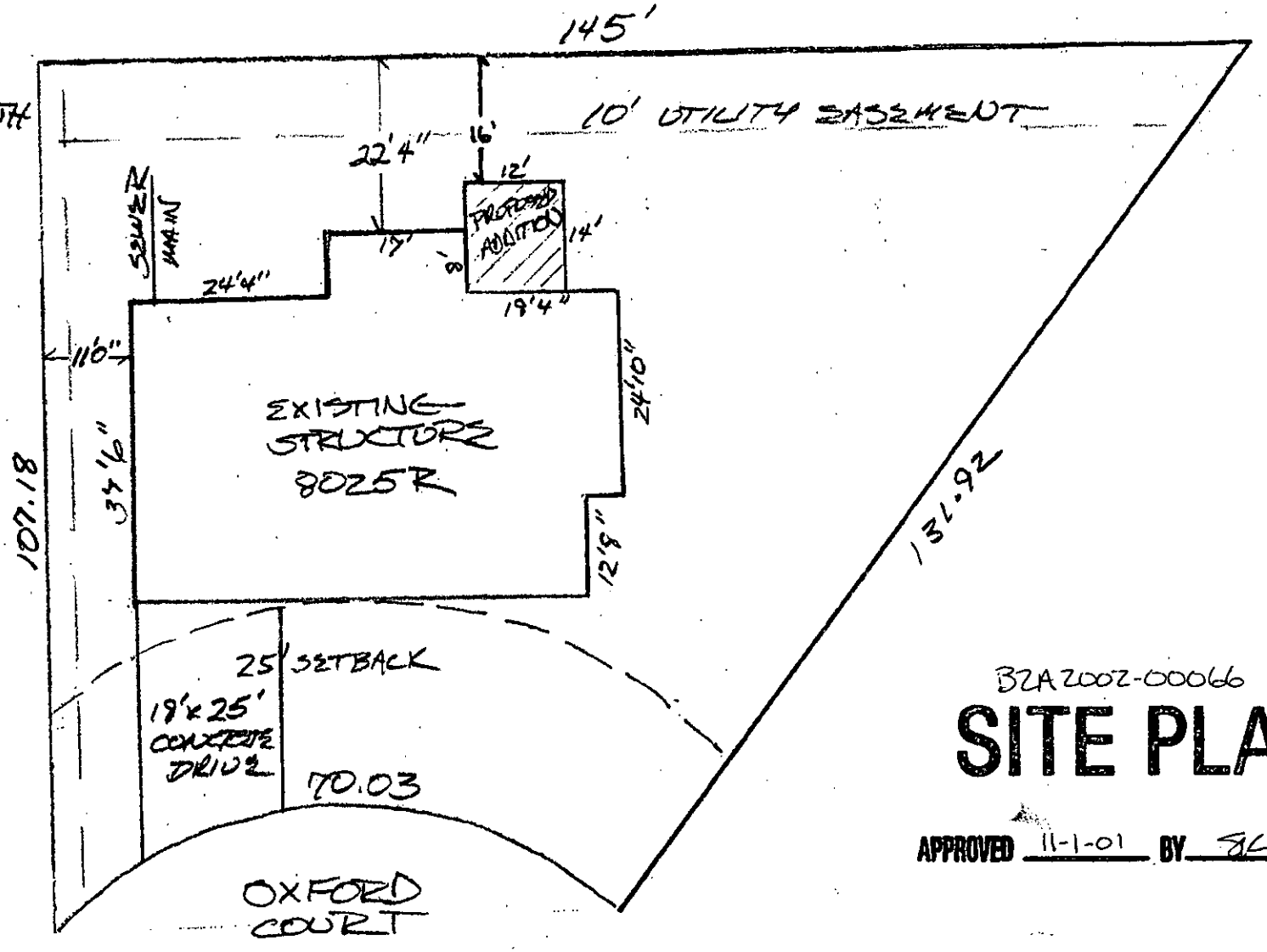
Michael E. Lindebak
Planning Director

Kurt A. Schroeder
Superintendent of Central Inspection

Enclosure

cc: Martin Beatty, Custom Home Improvement, 3108 S. 143rd St. E., Wichita, KS 67232
Kurt Schroeder, Office of Central Inspection
Paul Hays, Office of Central Inspection
Randy Sparkman, Office of Central Inspection
J.R. Cox, Office of Central Inspection

LOT 27
BLK 1
WATERFORD NORTH



BZA2002-00066

SITE PLAN

APPROVED 11-1-01 BY SC

← N

SCALE
1"=20'

WILLIAM & FAY TERRELL
7447 OXFORD CT.