



Wichita-Sedgwick County Metropolitan Area Planning Department

September 10, 2002

Sharon Zenner
Don Klausmeyer Construction, L.L.C.
10008 W. York
Wichita, KS 67215

Re: BZA2002-00058: Zoning Adjustment to reduce the rear setback from 20 feet to 18 feet.

Legal Description: Lot 87, Block 1, Harrison Park 2nd Addition, Wichita, Sedgwick County, Kansas (713 S. Lindberg Cir.).

Dear Ms. Zenner:

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 new house on the property. We further understand that the new house will need to be setback 18 feet from the rear lot line due to the configuration of the cul-de-sac lot. A rear setback of 18 feet is a two-foot encroachment into the required 20' rear setback for the "SF-5" Single-Family zoning district.

Sec. V-2.a. of the Unified Zoning Code allows an adjustment to reduce the rear yard setback by up to 20 percent. We find that the reduction of the rear yard setback from 20 feet to 18 feet meets the four conditions required by Section V-1.6 of the Unified Zoning Code as set out below:

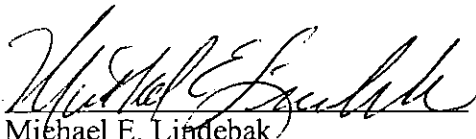
- 1) Impact on safety and convenience of vehicular and pedestrian circulation: The proposed encroachment should have no impact on the safety and convenience of vehicular and pedestrian circulation in the vicinity because the rear yard provides no vehicular access and sufficient space will remain for pedestrian access.
- 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 rear yard setback, as sufficient separation between buildings is maintained and the rear yard setback reduction is within allowable limits.
- 3) Compatibility with existing or permitted uses on abutting sites: The proposed new house is compatible with existing and permitted uses on abutting sites, and the additional two-foot encroachment into the rear yard setback should not reduce the compatibility of the house with abutting sites, which also have been developed with reduced rear yard setbacks.

- 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.

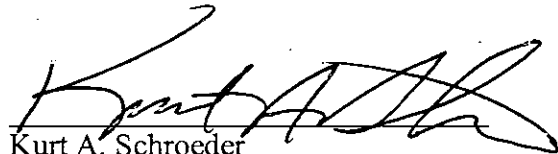
Our signatures below indicate that a Zoning Adjustment to reduce the rear setback for the aforementioned property from 20 feet to 18 feet is hereby granted, subject to the following conditions:

- 1) The site shall be developed in general conformance with the approved site plan.
- 2) The setback reduction shall apply only to the single-family residence illustrated on the approved site plan. All other structures or additions to the single-family residence 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) 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



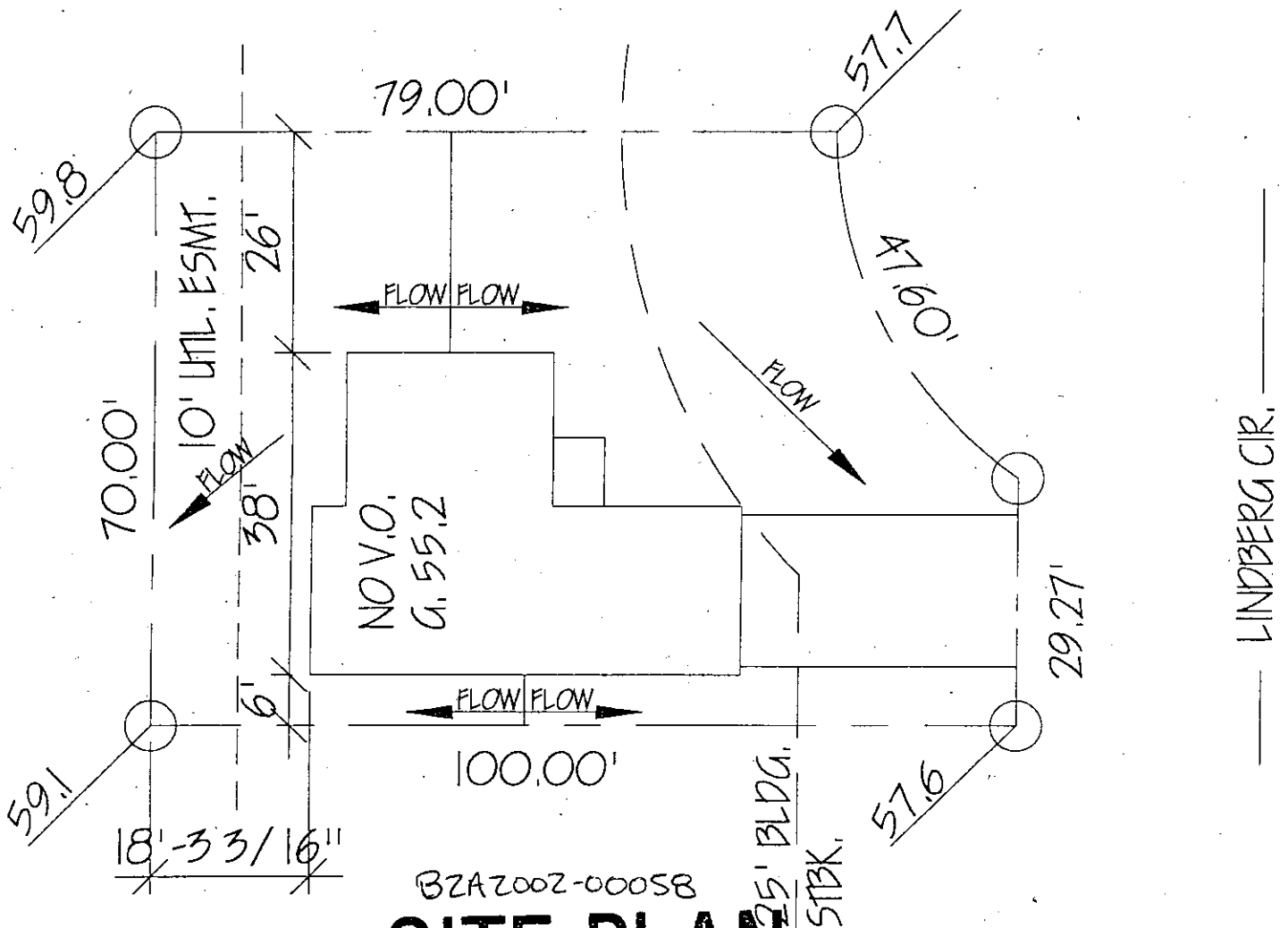
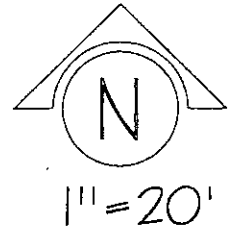
Kurt A. Schroeder
Superintendent of Central Inspection

Enclosure

cc: Steve Miller, 527 N. Forestview, Wichita, KS 67235
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

DONALD A. MEYER CONST. 1-5

LOT 87, BLK. 1
HARRISON PARK 2ND ADD'N.
713 S. LINDBERG CIR.



BZA2002-00058
SITE PLAN

APPROVED 9-10-02 BY

Sara Shattley 8-1-0.