CITY OF WICHITA

FILE COPY

Wichita-Sedgwick County Metropolitan Area Planning Department

May 1, 2002

Phil & Heather Petty
8414 W. Northridge Ct.
Wichita, KS 67205

Re: BZA2002-00023: Administrative Adjustment to reduce side setbacks.

Legal Description: Lot 41, Block 4, Northridge Lakes Addition, Wichita, Sedgwick County, Kansas. Generally located north of 21st Street North and east of Tyler (8414 W. Northridge Ct.).

Dear Mr. & Mrs. Petty:

We have reviewed your request for an Administrative Adjustment to reduce the side setbacks on the aforementioned property. From reviewing your application, we understand that a single family residence was recently constructed on the property and that it encroaches in to the side setbacks by 0.4 feet on the north and 0.2 feet on the south. From reviewing the site plan submitted with your application, we understand that the encroachments into the side setbacks are for corners of the structure rather than for entire building walls.

Sec. V-I.2.a. of the Unified Zoning Code allows an adjustment to reduce setbacks 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 side setback on the north from 6 feet to 5.6 feet and the side setback on the south from 6 feet to 5.8 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 encroachments should have no impact on the safety and convenience of vehicular and pedestrian circulation in the vicinity because the side yard does not provide vehicular access and sufficient space remains 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 side setbacks, as sufficient separation between buildings is maintained and the encroachments into the setbacks are minor since they are the corner of a the structure rather than entire building walls.

3) Compatibility with existing or permitted uses on abutting sites: The single-family residence is compatible with abutting sites, which also are developed with single-family residences. The encroachments into the side setbacks should not reduce 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 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 an Administrative Adjustment to reduce the side setback on the north from 6 feet to 5.6 feet and the side setback on the south from 6 feet to 5.8 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) Upon a determination that a violation of these conditions has occurred, the Administrative Adjustment may be declared null and void.

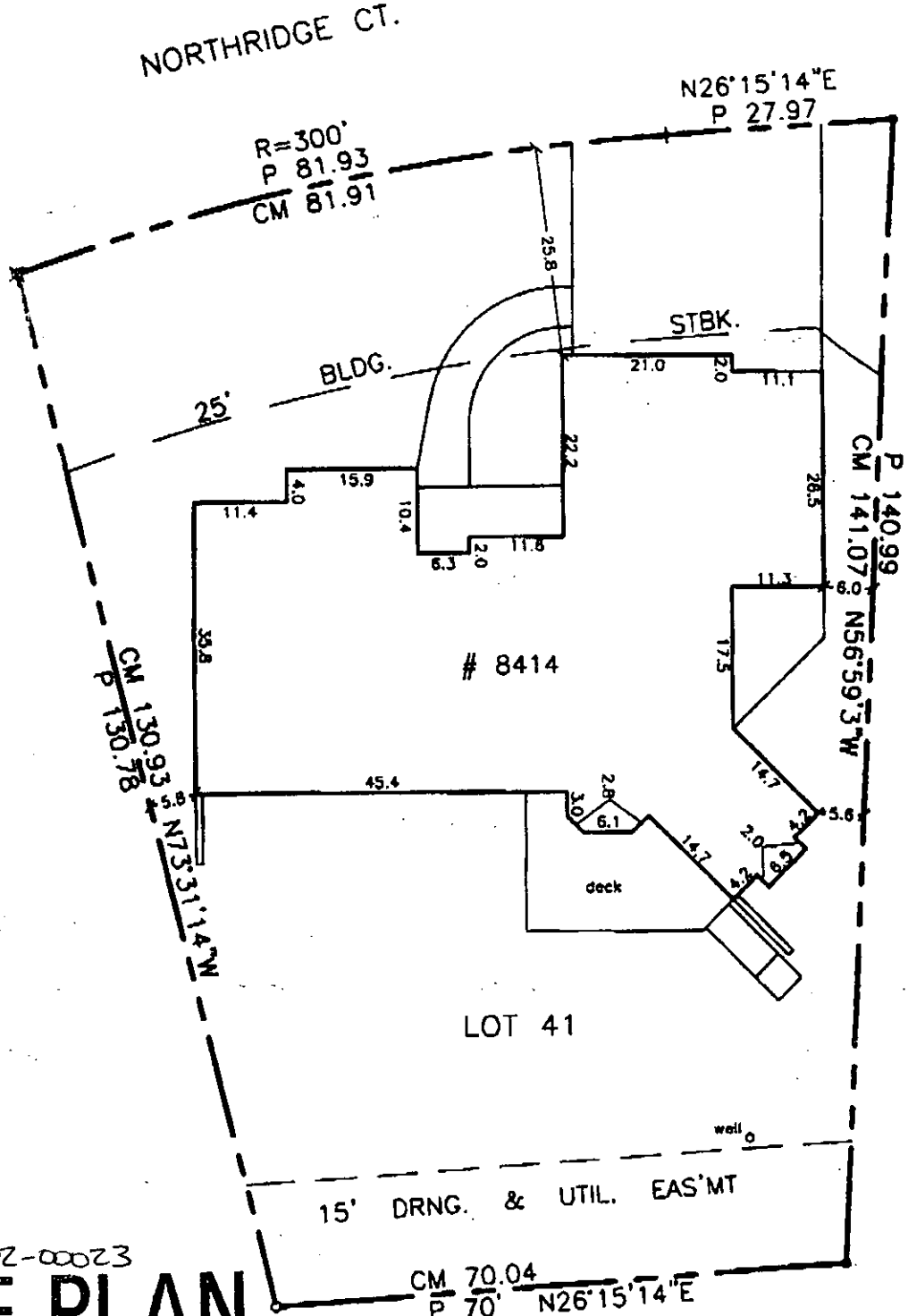
The zoning adjustment sign may now be removed from the property.

Marvin S. Krout
Planning Director

Kurt A. Schroeder
Superintendent of Central Inspection

Enclosure

cc: Randy Harder, Robl Construction, 5842 W. 21st St. N., Wichita, KS 67205
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



B2A2002-00023

SITE PLAN

APPROVED 5-1-02 BY SK

● – 5/8" "Armstrong LS 780" capped rebar found
O – "PEC" capped rebar found
⊠ – 5/8" rebar found
CM – calculated from measurements
P – plat distance

W.O. #28076-5
Page 2 of 2

SCALE 1"=20'