CITY OF WICHITA

Wichita-Sedgwick County Metropolitan Area Planning Department

October 20, 2009

Jeff Dalke
PO Box 176
Goddard, KS 67052

Oak Construction LLC
13660 W 117th N
Sedgwick, KS 67135

Re: **BZA2009-47: Zoning Administrative Adjustment to reduce the 20-foot rear yard setback to 16 feet in SF-5 zoning for a deck addition.**

Legal Description: LOT 12 & E 15 FT LOT 13 BLOCK 3 The Moorings Addition, Wichita Sedgwick County, Kansas; generally located northwest of Timbercreek and Baja (2602 W Timbercreek).

Dear Applicants:

We have reviewed your request for a Zoning Adjustment to reduce the rear yard setback on the property described above. From reviewing your application, we understand that you propose a covered deck, 16 feet from the rear property line where the Unified Zoning Code would require a 20-foot rear yard setback.

Section V-I.2.a of the Unified Zoning Code allows up to a 20% adjustment to the rear setback when the four conditions required by Section V-I.6 of the Unified Zoning Code are met. We find that the reduction of the setback as proposed meets the 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 because the rear yard is not used for public circulation and required off-street parking is not eliminated.

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 adequate separation between structures will be maintained.

3) Compatibility with existing or permitted uses on abutting sites: The proposed deck will comply with all other development standards, the rear yard setback reduction should not make the site incompatible with the existing and permitted uses on abutting sites as adequate separation between structures will be maintained.

4) Effect on public health, safety or welfare: There will be no encroachment into public utility easements or right-of-way; there should be no 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 yard setback for the aforementioned property from 20 feet to 16 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 rear setback reduction shall apply only to the "deck" illustrated on the approved site plan. All other structures or additions on the subject property shall conform to the development standards of 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 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.

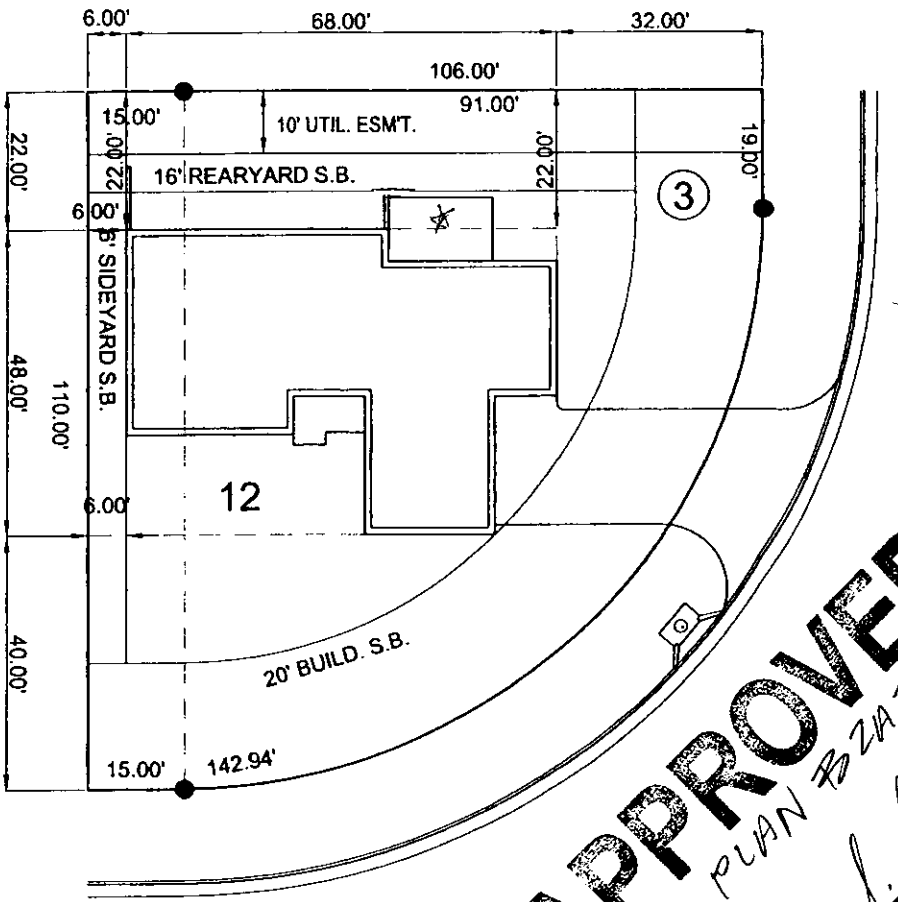
John L. Schlegel
Planning Director

Kurt A. Schroeder
Superintendent of Central Inspection

Enclosure

cc: Kurt Schroeder, Office of Central Inspection
Mike Gable, Office of Central Inspection
J.R. Cox, Office of Central Inspection
Janet Miller, CM District 6

Call Before You Dig!
1-800-DIG SAFE
or 687-2470 In Wichita
Call Kansas One-Call at Least Two (2) Working Days Before Work Begins



A Deck has not attached to principle structure

APPROVED
SITE PLAN BZA 2009-47
10-20-09
Date:

General Notes:

1. Staking dimensions are shown for representation only.
2. This drawing does not represent a boundary survey or mortgage title inspection (MTI). Easements and setbacks shown have been taken from the recorded plat or other known sources. It shall be the Builder's responsibility to ensure that the final location of the house conforms to all applicable setbacks.
3. Any changes in elevations shown on this plan must be approved by the Developer or his Authorized Representative.
4. The Builder or their subcontractor(s) shall contact the Engineer immediately with any discrepancies.

Legend:			
VO	View- Out	BF	Basement Floor
PVO	Partial View- Out	℄	Flow Line
WO	Walk- Out	FG	Finished Grade
TF	Top of Foundation		Flow Arrow

LOT GRADING PLAN

1" = 30'

Benchmark:

Location:
Lot 12, Part of Lot 13, Block 3
Moorings Addition

Prepared For:
Chirs Groth
Phone: 648-3738 Fax: N/A

File Location:
F:\\Grade\Moorings\Lot12Blk3.dwg

Drawn By:	DML
Date Drawn:	09.03.09
Project Number:	09-09-G013
Reviewed By:	
Approved By:	

Baughman