CITY OF WICHITA

Wichita-Sedgwick County Metropolitan Area Planning Department

June 23, 2009

Sedgwick County
Attn: Robert Lawrence
538 N. Main St.
Wichita, KS 67203

Re: BZA2009-00024: **Zoning Administrative Adjustment to reduce the 20-foot rear yard setback to 16 feet (20% Reduction) in B Multi-family Residential ("B") zoning.**

Legal Description: Lots 2, 4, 6 and 8; Beal and Berrys Subdivision, Tarltons 2nd Addition and Lots 19, 21 and 23 of the Kaufman Subdivision, Tarlton's 2nd Addition, Wichita, Sedgwick County, Kansas; generally located northwest of 10th Street and Minneapolis Avenue. (1109 N. Minneapolis)

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 to connect a new structure with an existing structure, on the west end of the existing structure on the site, 12 feet from the rear alley centerline, where the Unified Zoning Code would require a 15-foot rear yard setback.

Section V-I.2.a of the Unified Zoning Code allows an adjustment to reduce a rear setback by 20% 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 four 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.

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 addition will comply with all other development standards, the rear yard setback reduction should not make the proposed building 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; therefore, there should be no 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 yard setback for the aforementioned property from 15 feet to 12 feet is hereby granted, subject to the following conditions:

1) The site shall be developed in general conformance with the approved site plan.

2) 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.

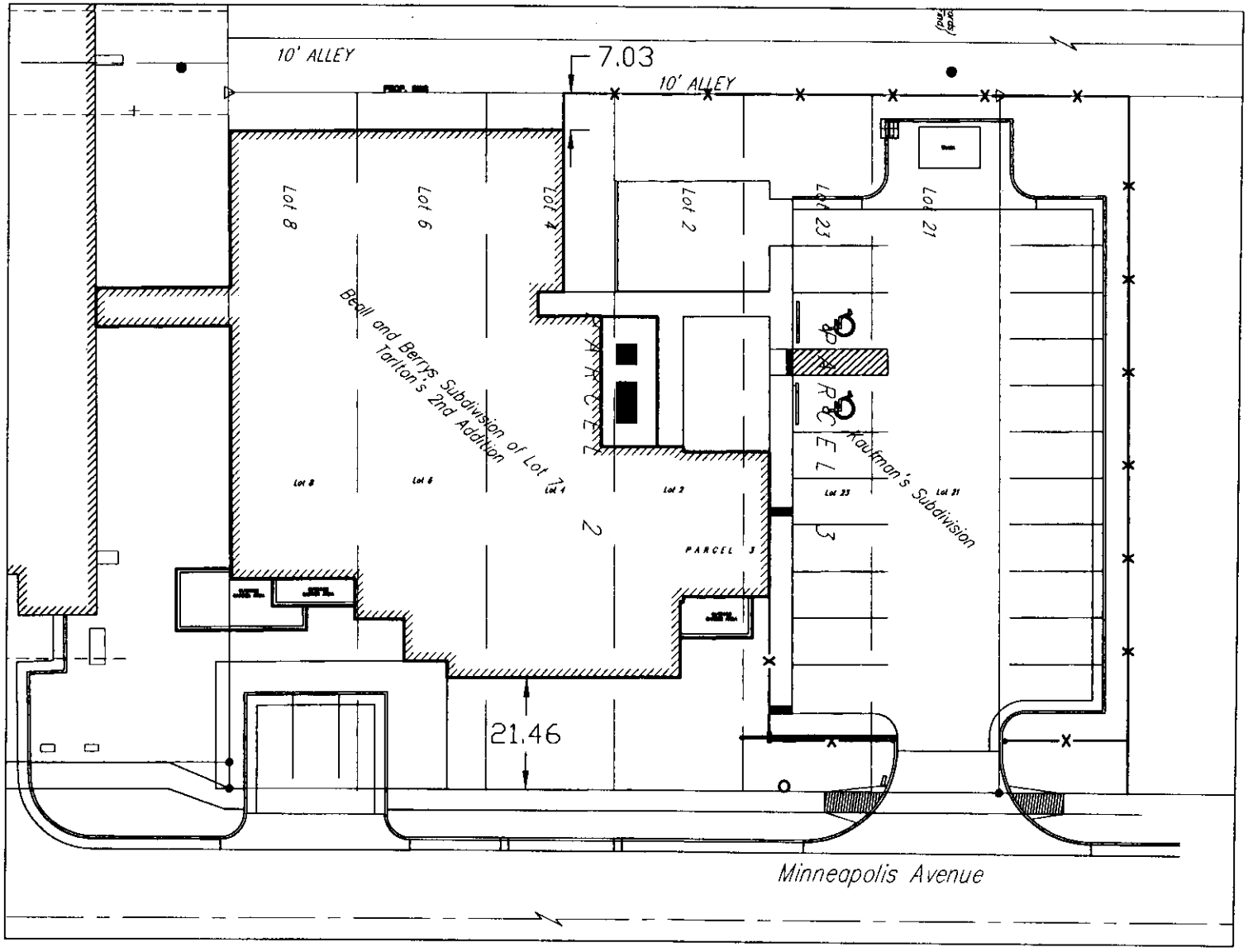
The development application sign should now be removed from the property.

John L. Schlegel
Planning Director

Kurt A. Schroeder
Superintendent of Central Inspection

Enclosure

cc: Kurt Schroeder, Office of Central Inspection
Paul Hays, Office of Central Inspection
J.R. Cox, Office of Central Inspection
Dale Miller, Current Plans Manager, MAPD



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WICHITA, KANSAS

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04 JUNE 2008

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drawn: ejl
checked: ejl

site

site setback