CITY OF WICHITA

Wichita-Sedgwick County Metropolitan Area Planning Department

November 17, 2008

Mennonite Housing c/o Lou Confessori
2154 N Topeka
Wichita, KS 67214

Re: BZA2008-63/64/65: Zoning Adjustment to reduce the front, side and rear setback on Lot 1; the side setback on Lot 2, and the side setback on Lot 3 by up to 20% in SF-5 Single-family Residential zoning.

Lots 1, 2, and 3 Block B, Woodland North Addition, Wichita, Sedgwick County, Kansas. Generally located east of Jeanette and south of 29th Street North (2936, 2932, & 2928 N Jeanette).

Dear Applicant,

We have reviewed your request for a Zoning Adjustment to reduce the above mentioned setbacks for residences on the aforementioned properties. From reviewing the application, we understand that on Lot 1 you desire to construct a residence within 20 feet of the front property line, 18.95 feet of the rear property line, and 5.57 feet of the side property line; on Lot 2 you desire to build a residence within 5.75 feet of the side property line; and on Lot 3 you desire to build a residence within 4.8 feet of the side property line. The proposed setbacks are all within a 20% reduction of the Zoning Code required setbacks.

Section V-I.2.c. of the Unified Zoning Code allows the front, rear, and side setbacks to be reduced by up to 20% when the provisions of that section and the Zoning Adjustment Criteria of Section V-I.6. are met. We find that the reduction of the setback as proposed meets the provisions of Section V-I.2.a. and the four criteria required by Section V-1.6. as set out below:

1) Impact on safety and convenience of vehicular and pedestrian circulation: The setback encroachment should have no impact on the safety and convenience of vehicular and pedestrian circulation in the vicinity as no public right-of-way is affected, nor is traffic affected.

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 setback reduction, provided that sufficient separation between buildings is maintained. The side setback reduction is within allowable limits.

3) Compatibility with existing or permitted uses on abutting sites: The proposed residences are compatible with existing and permitted uses on abutting sites; the encroachment into

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 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 requested setbacks is granted, subject to the conditions listed below in this letter. The approved setback reductions are for: Lot 1 – front setback reduction from 25 to 20 feet, rear setback reduction from 20 to 18.95 feet, and side setback reduction from 6 to 5.57 feet; Lot 2 - side setback reduction from 6 to 5.57 feet; and Lot 3 - side setback reduction from 6 to 4.8 feet.

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

2) The site shall be developed in conformance with all applicable codes, including but not limited to building, fire, and health codes.

3) The setback reduction shall apply only to the setbacks as illustrated on the approved site plans. 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.

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 the Unified Zoning Code, may, with the concurrence of the Planning Director, declare that the Zoning Adjustment is null and void.

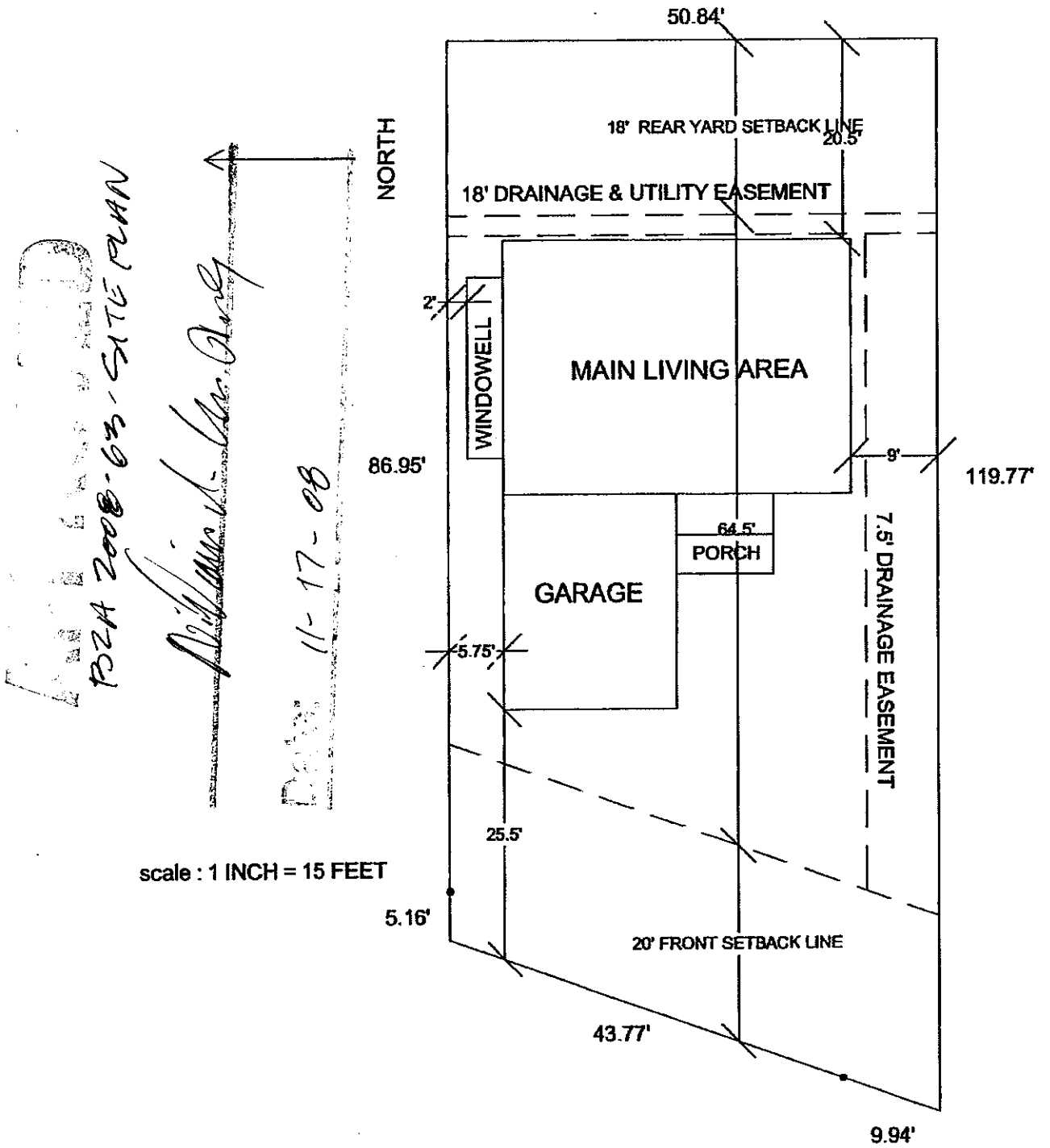
The "Development Application" sign should now be removed from the property.

John L. Schlegel
Planning Director

Kurt A. Schroeder
Superintendent of Central Inspection

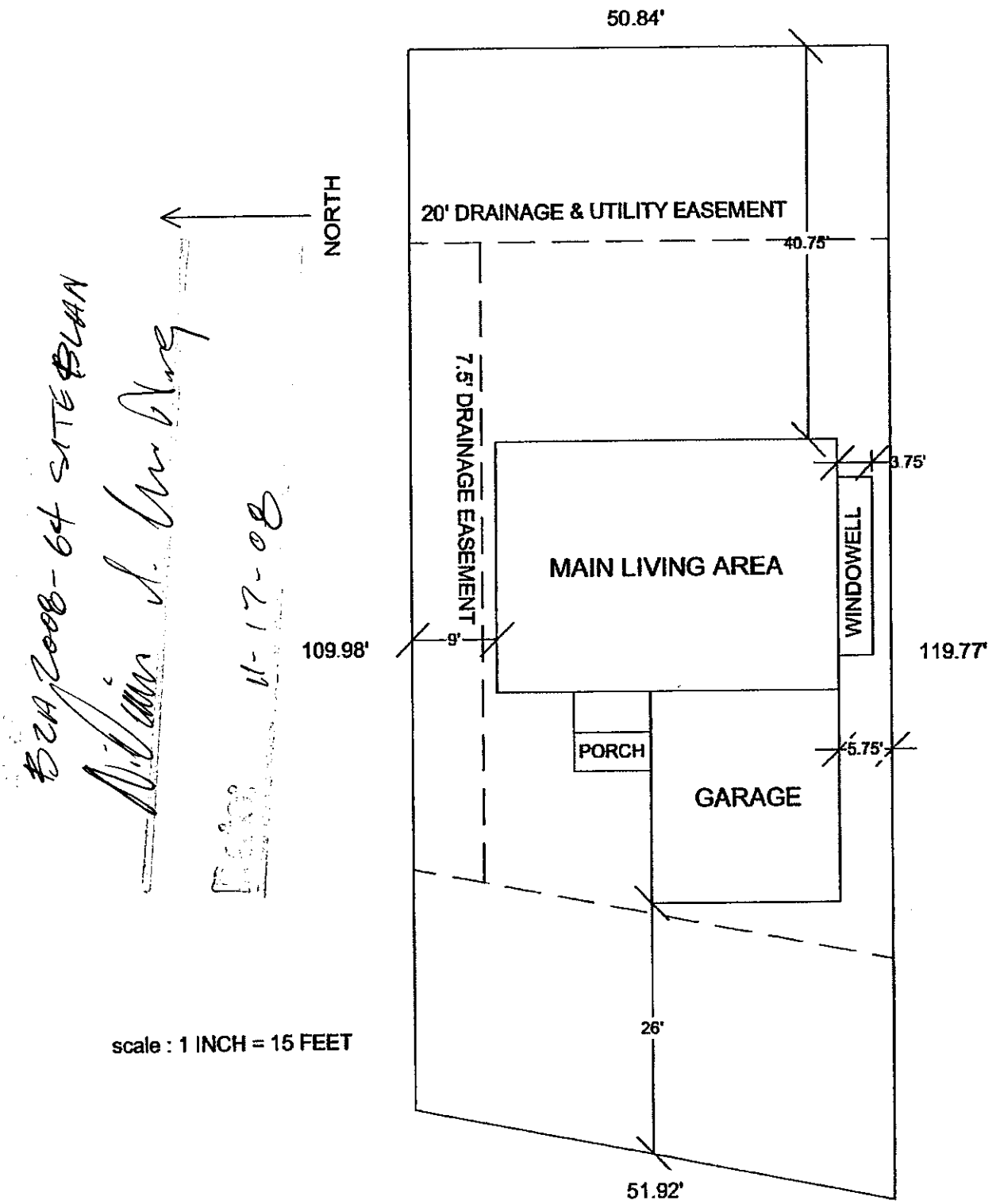
Enclosure

cc: Kurt Schroeder, OCI
Mike Gable, OCI
Herb Shaner, OCI
Sharon Fearey, District VI, mailstop 1-13

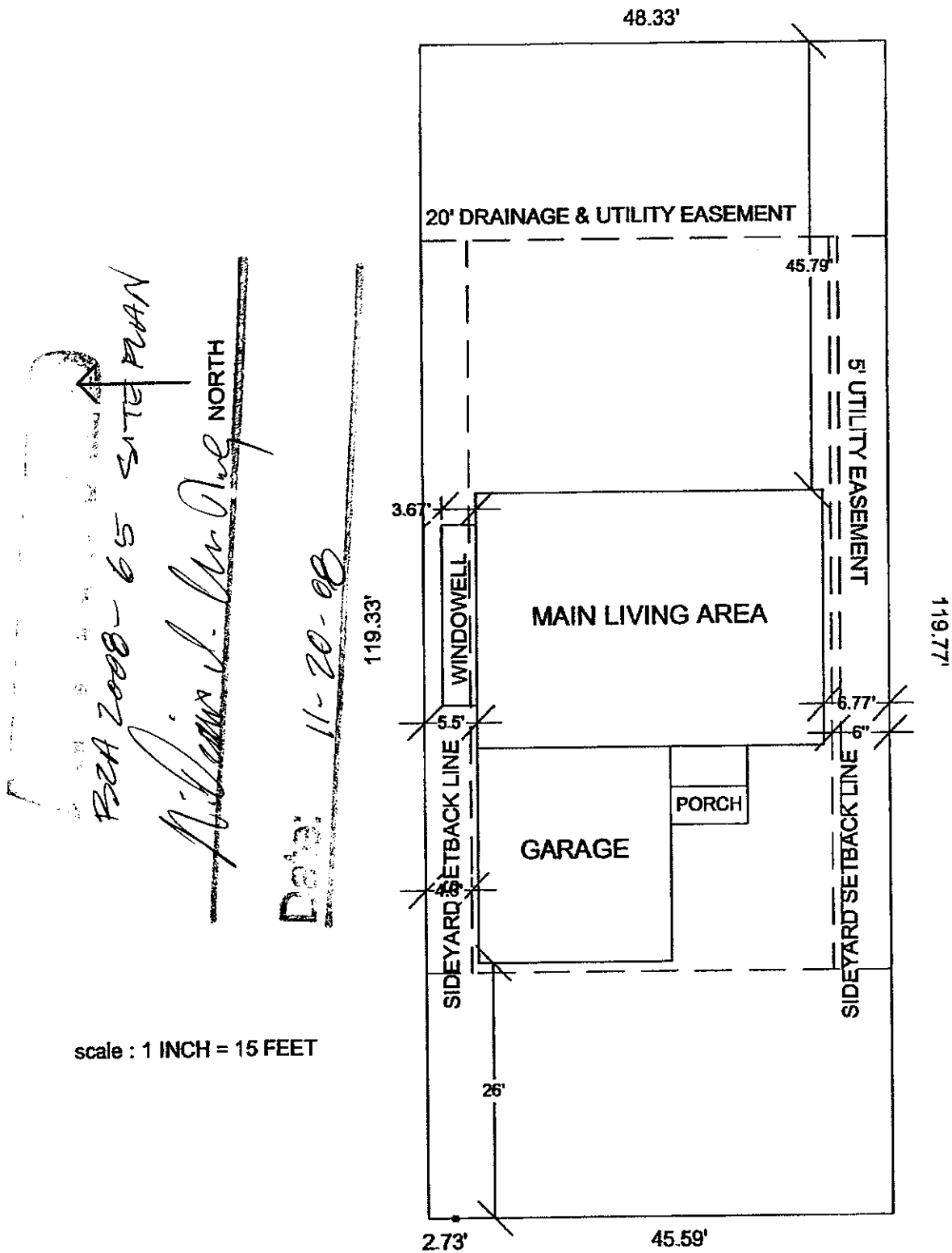


scale : 1 INCH = 15 FEET

Lots 1, Woodland North Addition
2936 N. Jeanette Ave.



Lots 2, Woodland North Addition
2932 N. Jeanette Ave.



Lots 3, Woodland North Addition
2928 N. Jeanette Ave.