CITY OF WICHITA

Wichita-Sedgwick County Metropolitan Area Planning Department

November 27, 2006

Jeffery Niedens
5211 W. 81st Street
Valley Center, KS 67147

Re: BZA2006-84: Zoning Adjustment to reduce the lot width from 50 to 48 feet, and reduce the interior side setbacks from 6-feet to 5-feet in "SF-5" Single-family Residential zoning.

Lots 4, Olivia's 1st Addition to Wichita, Sedgwick County, Kansas. Generally located west of Hoover and north of 8th Street N.

Dear Applicant,

We have reviewed your request for a Zoning Adjustment to reduce the lot width and side setbacks on the aforementioned property. From reviewing the application, we understand that you desire to complete the platting of this property and construct a house on the lot. Your desire to plat a 48-foot wide lot is two feet less than the 50 food width required, and your desired 5-foot interior side setbacks are each 1-foot less than required by the zoning code in SF-5 zoning. Therefore you have requested an adjustment to reduce the required lot width and required side setbacks.

Section V-I.2.i. of the Unified Zoning Code allows up to a 10% reduction of the lot width when the provisions of that section and the Zoning Adjustment Criteria of Section V-I.6. are met. Also, section V-I.2.a. of the Unified Zoning Code allows up to a 20% reduction of the side setback for a principle structure 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 lot width and side setbacks 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 because right-of-way and the driveway will not be 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 side setback reduction, as sufficient separation between buildings is maintained and the side setback reduction is within allowable

limits.

3) Compatibility with existing or permitted uses on abutting sites: The residential building is compatible with existing and permitted uses on abutting sites, the encroachment into the side setback should not reduce compatibility with abutting and adjacent 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 lot width from 50 to 48 feet, and to reduce the side setbacks for the aforementioned property from 6-feet to 5-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 side setback as illustrated on the approved site plan. 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.

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 that the Zoning Adjustment is null and void.

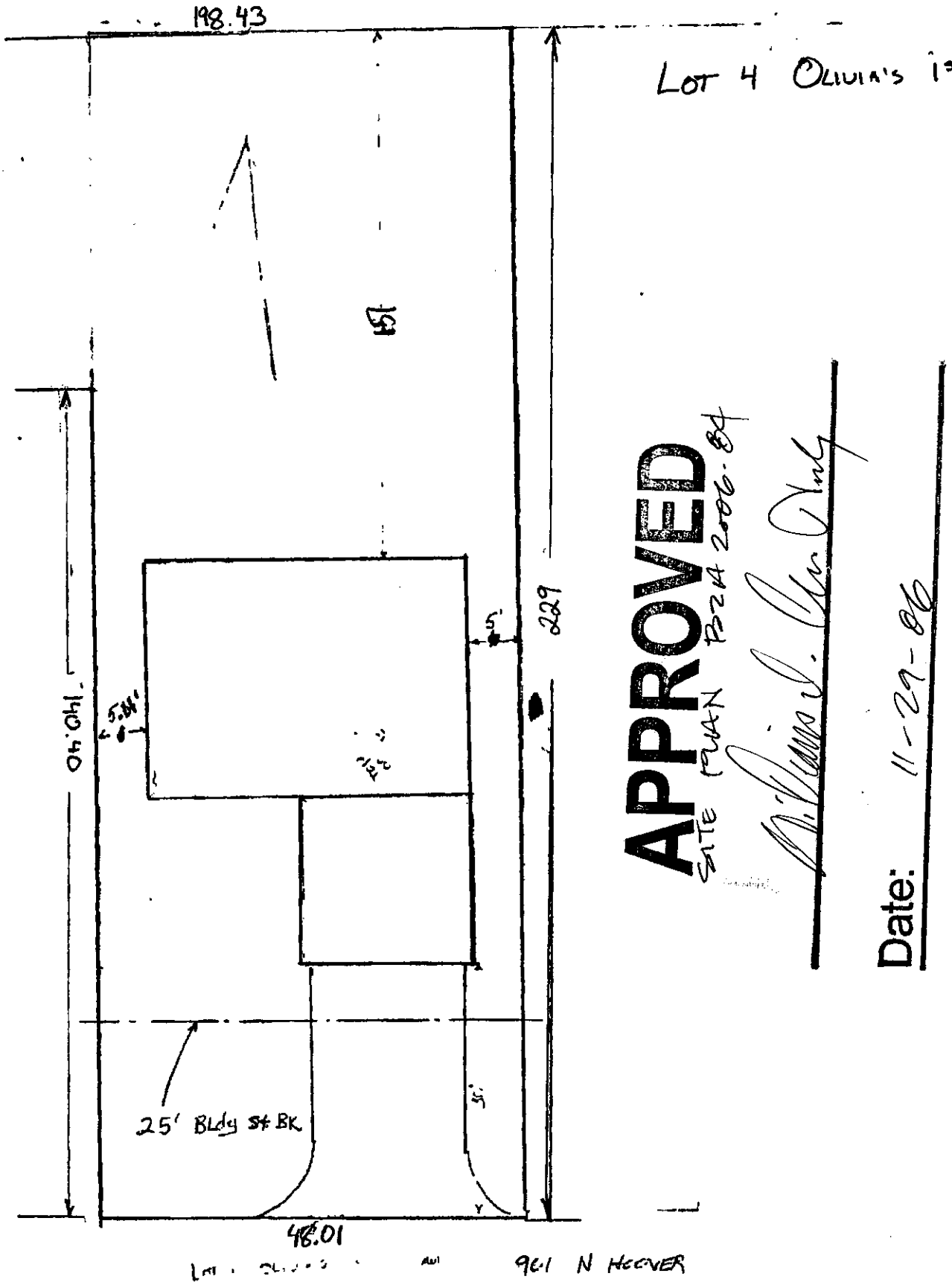
The "Development Application" sign should now be removed from the property.

John L. Schlegel
Planning Director

Kurt A. Schroeder
Superintendent of Central Inspection

Enclosure

cc: Kurt Schroeder, OCI
Mike Gable, OCI
Neil Strahl, MAPD



APPROVED
SITE PLAN
PZ14 2006-84

Date: 11-29-06