CITY OF WICHITA

Wichita-Sedgwick County Metropolitan Area Planning Department

August 7, 2007

Daniel Warren
601 N. Doris
Wichita, KS 67212

Re: **BZA2007-00034: Administrative Adjustment to reduce front and rear zoning building setback associated with a lot split on property zoned SF-5 Single-family, generally located on the southwest corner of Elder and Newell (557 North Elder).**

Legal Description: Lot 1; Block 12, Fruitvale Park Addition, Wichita Sedgwick County, KS.

Dear: Mr. Warren:

We have reviewed your request for an Administrative Adjustment to reduce the front and rear setbacks. From reviewing your application, we understand that you desire to construct a single-family residence on the aforementioned property. We further understand that the single-family residence is 32 feet wide, and the 25-foot front setback and the 20-foot rear setback leave only 15 feet of buildable area on the property. Therefore, you request to reduce both the front and rear setbacks.

Article V Section I.2 (a) of the Unified Zoning Code allows for the reduction of the minimum front, side, and rear setbacks (required by the property development standards of the zoning district) by up to 20 percent, except that a side or rear setback adjacent to a golf course, open space or reserve or in which the area of the required yard to be adjusted does not exceed 300 square feet may be reduced by up to 50 percent. Article V Section I.2 (c) allows for the reduction of the minimum rear setback for a principal structure to five feet when all parts of the principal structure that are extending into the rear yard setback are located more than one-half the depth of the lot behind the front property line, and when the addition does not obstruct or eliminate the required off-street parking. Extended portions of the principal structure shall not occupy more than one-half of any required rear yard nor be more than 60 percent of the maximum height allowed by the property development standards of the district. We find that the reduction of the front setback from 25 feet to 20 feet and the rear setback from 20 feet to eight (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

encroachment should have no impact on the safety and convenience of vehicular and pedestrian circulation in the vicinity because sufficient property will remain in the side yard for vehicular 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 front and rear yard setbacks, as sufficient separation between buildings is maintained and sight lines of existing structures will not be obstructed.

3) Compatibility with existing or permitted uses on abutting sites: The proposed single-family residence is compatible with abutting sites, which also are developed with single-family residences. The additional encroachment into the front and rear setbacks should not reduce compatibility 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 front setback from 25 feet to 20 feet and the rear setback from 20 feet to eight (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) Any violation of these conditions shall render the Administrative Adjustment null and void.

The zoning adjustment sign may 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
Randy Sparkman, Office of Central Inspection
J.R. Cox, Office of Central Inspection

ADJUSTMENTS TRACT A SF5

3.4 a. FRONT SET BACK, 20% REDUCTION FROM 25' TO 20'

3.C b. REDUCE REAR SET BACK TO 8'

ADMINISTRATIVE ADJUSTMENT SITE PLAN

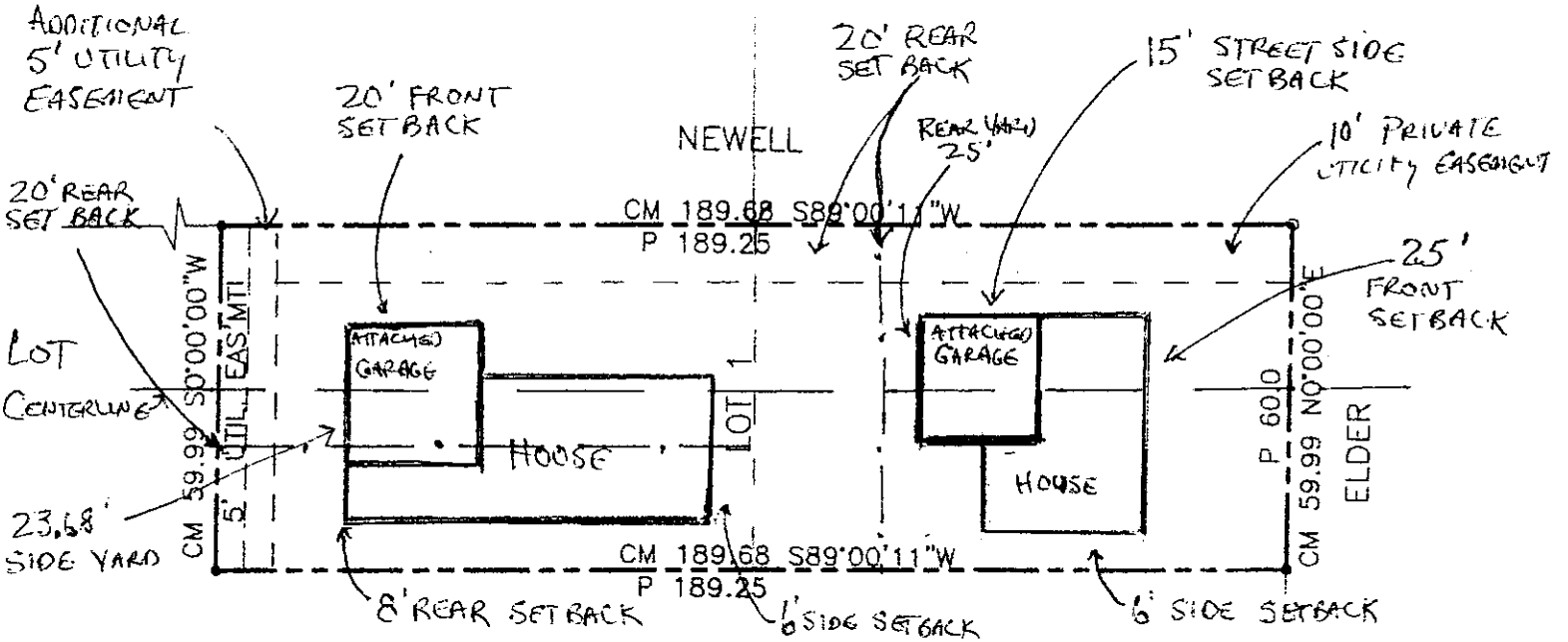
LOT 1 BLOCK 12 FRUITVALE PARK

TRACT A
WEST 94.68 FEET
INTERIOR LOT

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TRACT B
EAST 95 FEET
KEY CORNER LOT

LOT SPLIT

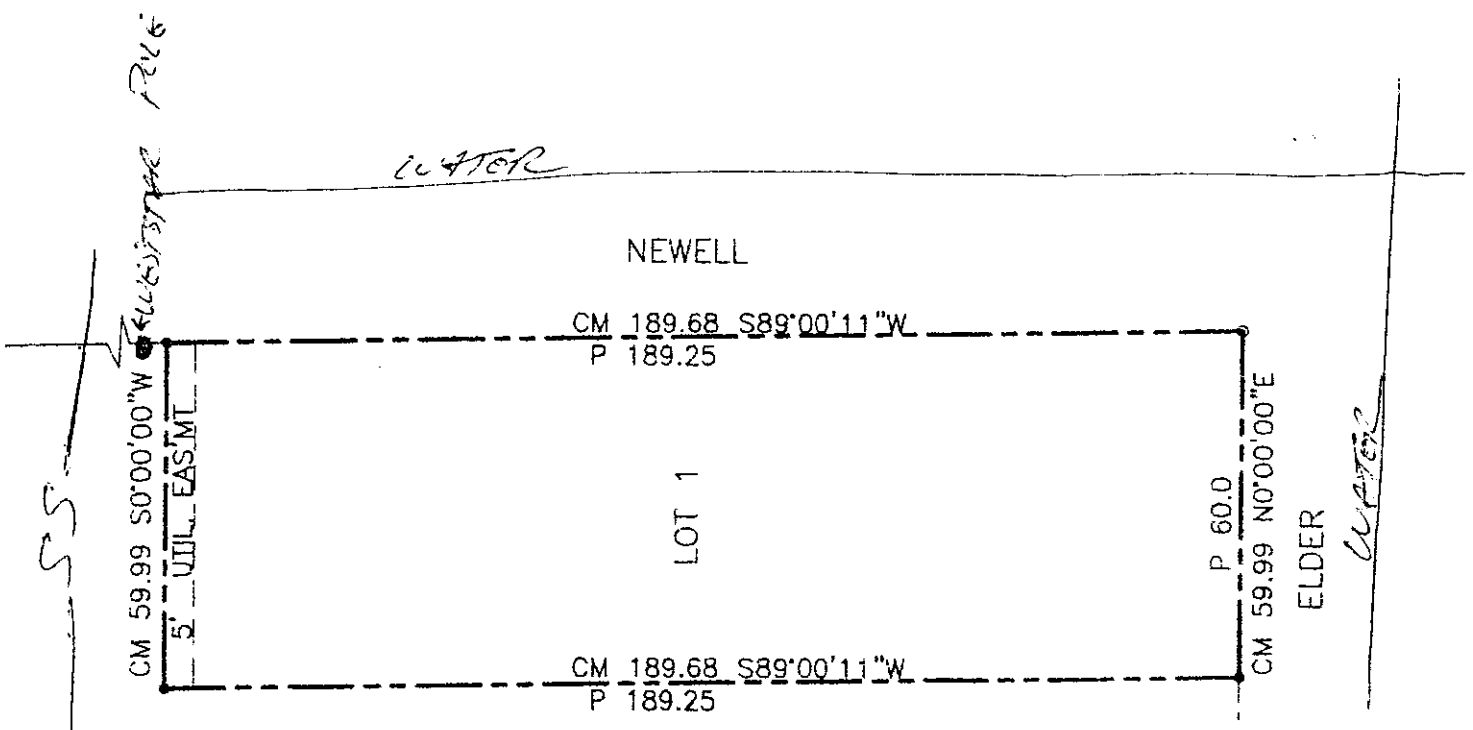


UTILITIES

LOT 1 BLOCK 12

FRUITVALE PARK

SPLIT TO TWO LOTS OF APPROX. 5700 SQFT



LOT SPLIT

LOT 1 BLOCK 12 FRUITVALE PARK
SEDGWICK COUNTY, KANSAS

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