CITY OF WICHITA

**Wichita-Sedgwick County Metropolitan Area Planning Department**

April 8, 2010

Leonel Manzanera
170 North Woodland Avenue
Wichita, KS 67203

Homes by Bishop
Attn: Sylvia Bishop
PO Box 161008
Wichita, KS 67216

**Re: BZA2010-00015: City Administrative Adjustment to reduce rear setback by 20 percent on property zoned TF-3 Two-Family Residential, generally located on the northwest corner of Woodland Avenue and 16th Street North. (1703 North Woodland Avenue).**

**South 50 feet of the East 100 feet, Lot 3, Block E Ferrell's 4th Addition, Wichita, Sedgwick County, Kansas.**

Dear Applicants:

We have reviewed your request for a Zoning Adjustment to reduce the rear setback for an addition to the rear of your house on the aforementioned property. From reviewing the application, we understand that you desire to construct a house within 16 feet of the rear property line. Therefore, you have requested a 20 percent adjustment to reduce the required rear setback.

Section V-I.2.a of the Unified Zoning Code allows the side setback to be reduced by up to 20 percent 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 rear 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 and traffic volume is unchanged.

2) Impact on existing uses in surrounding areas: There should be no impact on the existing uses in surrounding areas as a result of the setback reduction for allowing a slightly larger home addition to replace an existing addition. The encroachment is four feet into the rear setback (20 percent), but the orientation of the lot is such that it abuts the side yard setback of the abutting residence.

Side setbacks are six feet, well below the 16 feet requested for the rear yard by this adjustment.

3) Compatibility with existing or permitted uses on abutting sites: The home addition expands and replaces an existing addition on a very small lot that is 5,000 square feet in size. Originally the lot was 7,500 square feet but a second lot 50 feet x 50 feet (2,500 square feet) was divided off and the two existing residences were built upon it in the 1940s. The setback from which the abutting residence is reduced 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 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 setback for the aforementioned property by 20 percent is hereby granted, subject to the following conditions:

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 rear 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.

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

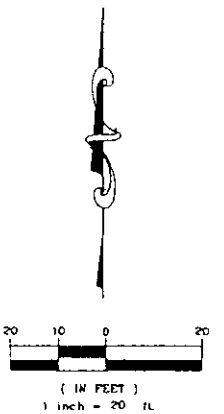
Kurt A. Schroeder
Superintendent of Central Inspection

Enclosure

cc: Kurt Schroeder, OCI
JR Cox, OCI
Mike Gable, OCI
Janet Miller, District VI, mailstop 1-13

2. ½ bathrooms

2. bedrooms
New addition




D=Deeded

M=Measured

C=Calculated

Closet
new addition.

Tree on calculated corner

1/2" Rebar (set) 5.00' East on line

S 90°00'00" E 100.00' (C) 3/4" Iron Pipe (found)

6.2' 100' (D) 6.1'

25' R/W

22.7'

30'
28' TO MEET
SETBACK

1703 N. Woodland
1 Story Block

27.6'

3'4"

2.6'

N 0°12'12" E 49.87' (C)

50' (D)

22.5'

S 0°12'12" W 49.87' (M)

50 (D)

Woodland Avenue

15.6'

19.7'

100.0' (D)

1/2" Rebar (set)
KEMPA CLS#157

N 90°00'00" W 100' (C) X Cut (found)

25' R/W

25' R/W

25' R/W

24.93' (M)

S 89°15'33" E

N 90°00'00" W (Assumed) 324.96' (M)

16th Street North

3/4" Iron Pipe in Thimble (found)

3/4" Iron Pipe in Thimble (found)