CITY OF WICHITA

Wichita-Sedgwick County Metropolitan Area Planning Department

August 5, 2010

Gerald L. Reeves
2510 Valley Park
Wichita, KS 67204

FILE COPY

Re: BZA2010-00034 Zoning Administrative Adjustment to reduce the interior side setback on the north by 20% from 6' to 4'-10" on property zoned TF-3 Two-Family Residential ("TF-3").

Legal Description: Lot 31, Block 3, Lake Ridge Second Addition to Wichita, Sedgwick County, Kansas; generally located north and east of the intersection of West 21st Street North and North Ridge Road (2346 N. Sand Plum).

Dear Mr. Reeves:

We have reviewed your request for an Administrative Adjustment to reduce a side setback on the aforementioned property. From reviewing your application, we understand that a single-family residence will be constructed on the property and that the structure will encroach into the side setback on the north by about a foot. From reviewing the site plan submitted with your application, we understand that the encroachment into the setback is for the east property line. The setback on the west property line will be at least 10 feet due to an easement, which is the reason for the requested east setback reduction.

Section V-I.2.a of the Unified Zoning Code allows an adjustment to reduce building setbacks by up to 20 percent 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 Section V-I.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 the side yard does not provide vehicular access and sufficient space remains for pedestrian 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 setback, as sufficient separation between buildings is maintained.

3) Compatibility with existing or permitted uses on abutting sites: The residence is compatible with abutting sites, which also are developing with residences. The encroachment into the side setback should not reduce compatibility with 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 side setback on the north from 6' to 4'-10" 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) The setback reduction shall apply only to the side yard setback encroachment 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.

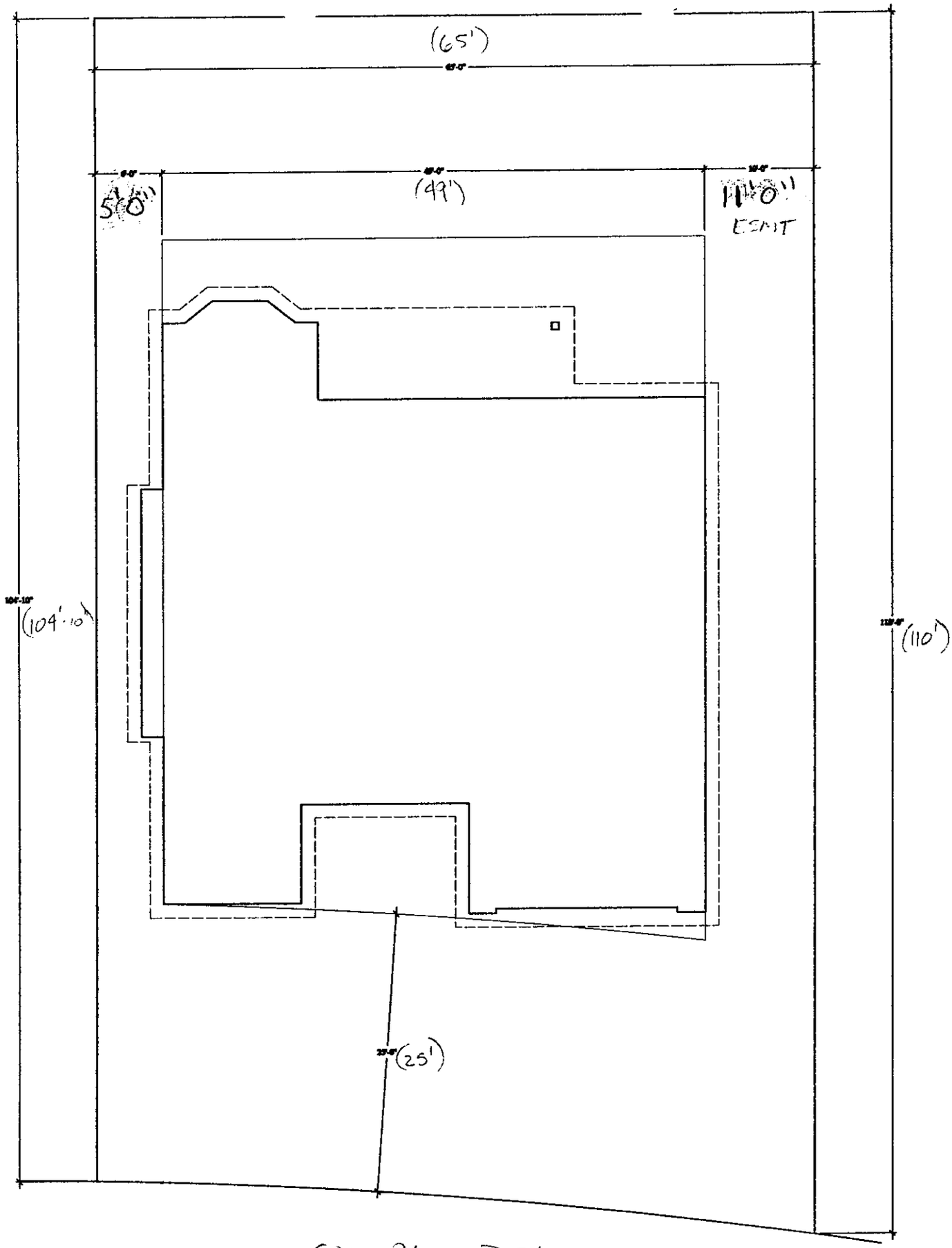
The "Development Application" sign should now be removed from the property.

John L. Schlegel
Planning Director

Kurt A. Schroeder
Superintendent of Central Inspection

Enclosure

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



Site Plan BZA 2010-00034