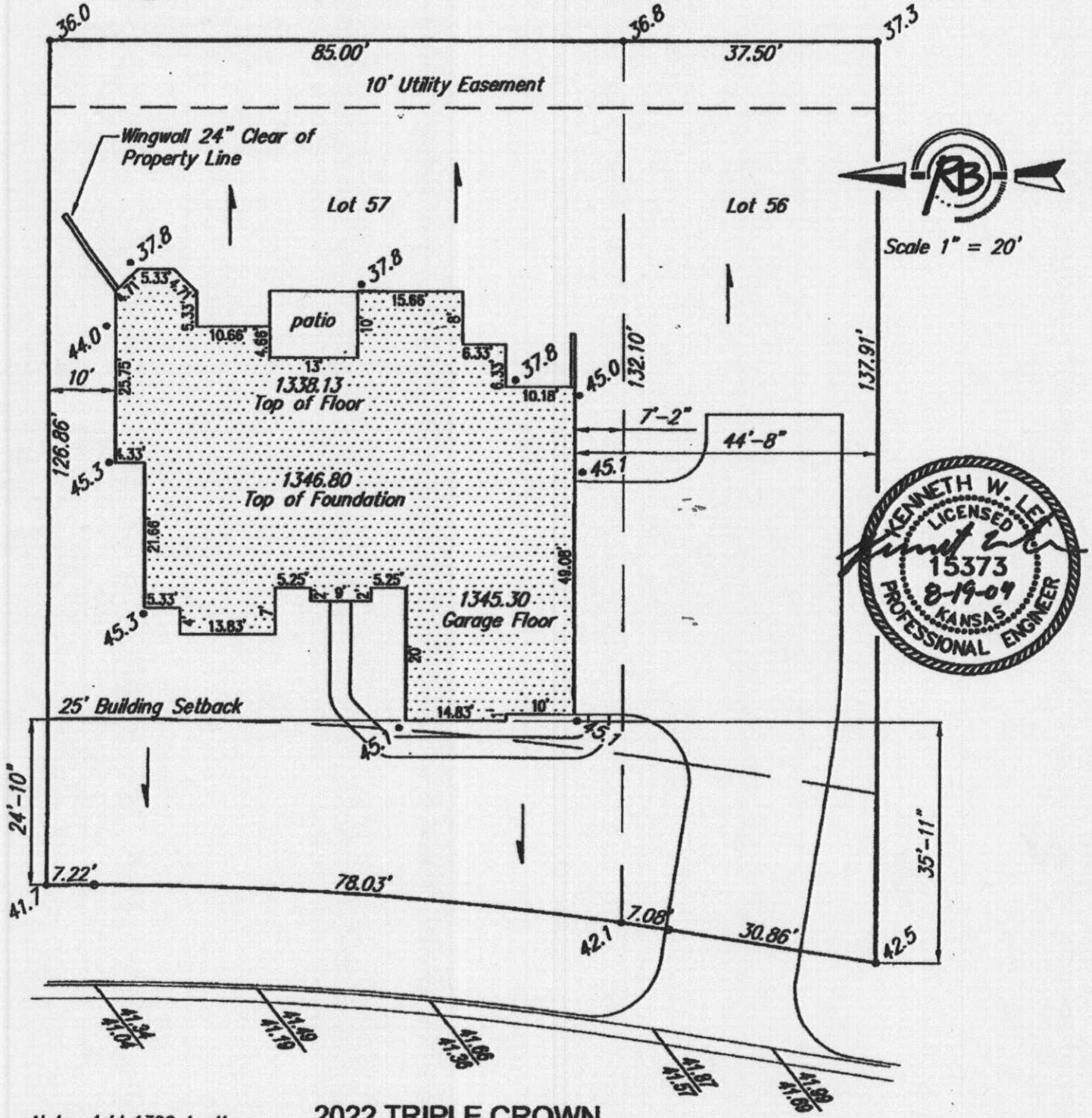
Ruggles & Bohm, P.A.
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2546E16
June 22, 2004
Rev. 8-19-04



KENNETH W. LEE
LICENSED
15373
8-19-04
KANSAS
PROFESSIONAL ENGINEER

Note: Add 1300 to the spot elevations shown on this plan for M.S.L. datum.

2022 TRIPLE CROWN

BZA2004-00066

SITE PLAN

APPROVED 9-8-04 BY SK

SITE PLAN
Part of Lots 56 and 57, Block 5
Sierra Hills Addition
Wichita, Kansas

3) Compatibility with existing or permitted uses on abutting sites: The proposed wingwall is compatible with existing and permitted uses on abutting sites, and the additional two-foot encroachment into the side yard setback should not reduce the compatibility of the improvements 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 a Zoning Adjustment to reduce the side yard setback on the north from six feet to four 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) The setback reduction shall apply only to the "Wingwall" 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, Office of Central Inspection
Paul Hays, Office of Central Inspection
Randy Sparkman, Office of Central Inspection
J.R. Cox, Office of Central Inspection

CITY OF WICHITA

FILE COPY

Wichita-Sedgwick County Metropolitan Area Planning Department

September 8, 2004

Bill Otten
Otten Homes, Inc.
P.O. Box 157
Rose Hill, KS 67133

Re: BZA2004-00066: Zoning Adjustment to reduce the side yard setback on the north for a wingwall from six feet to four feet.

Legal Description: Lot 57, and the north 37.5 feet of Lot 56, Block 5, Sierra Hills Addition, Wichita, Sedgwick County, Kansas. Generally located north of Pawnee and east of 127th St. E. (2022 Triple Crown).

Dear Mr. Otten:

We have reviewed your request for an Administrative Adjustment to reduce your side yard setback. From reviewing your application, we understand that you propose to construct a wingwall for a single family residence and that the wingwall will be set back only two feet from the north property line. Since Section III.E.2.e.(1)(g) the Unified Zoning Code allows a wingwall to encroach into the side yard setback by only two feet, you are requesting to reduce the side yard setback from six feet to four feet so that the two-foot encroachment for the wingwall can be two feet from the north property line.

Section V-I.2.b. of the Unified Zoning Code allows an adjustment to reduce the side yard setback to as little as three feet when the conditions of that section and Section V-I.6. are met. We find that the reduction of the side yard setback as proposed meets the conditions of Section V-I.2.b. and 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 provides no vehicular access and sufficient space will remain 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 side yard setback, as the setback encroachment is for a wingwall only and sufficient separation between buildings is maintained.