CITY OF WICHITA

FILE COPY

Wichita-Sedgwick County Metropolitan Area Planning Department

November 12, 2003

Raymond F. Winter
14938 Sandwedge Ct.
Wichita, KS 67235

Re: **BZA2003-00060: Administrative Adjustment to reduce the rear setback from 25 feet to 24.5 feet and to reduce the north side setback from 6 feet to 5.7 feet.**

Legal Description: Lot 3, Block A, Auburn Hills 10th Addition, Wichita, Sedgwick County, Kansas. Generally located south of Maple and east of 135th Street West (617 S. Limuel Circle).

Dear Mr. Winter:

We have reviewed your request for an Administrative Adjustment to reduce the rear and north side setback on the aforementioned property. From reviewing your application, we understand that a single family residence was recently constructed on the property that encroaches into the rear setback by 0.5 feet and the north side setback by 0.3 feet. From reviewing the site plan submitted with your application, we understand that the encroachments into the setbacks are for corners of the structure rather than for entire building walls.

Sec. V-I.2.a. of the Unified Zoning Code allows an adjustment to reduce setbacks by up to 20 percent when the conditions required by Sec. V-I.6. of the Code are met. We find that the reduction of the setbacks as proposed 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 encroachments should have no impact on the safety and convenience of vehicular and pedestrian circulation in the vicinity because the side and rear yards do 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 setbacks, as sufficient separation between buildings is maintained and the encroachments into the setbacks are minor and involve only corners of the structure rather than entire building walls.

3) Compatibility with existing or permitted uses on abutting sites: The single-family residence is compatible with abutting sites, which also are developed with single-family residences. The encroachments into the side setbacks 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 rear setback from 25 feet to 24.5 feet and the north side setback from 6 feet to 5.7 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) 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 zoning adjustment sign may now be removed from the property.

John L. Schlegel
Planning Director

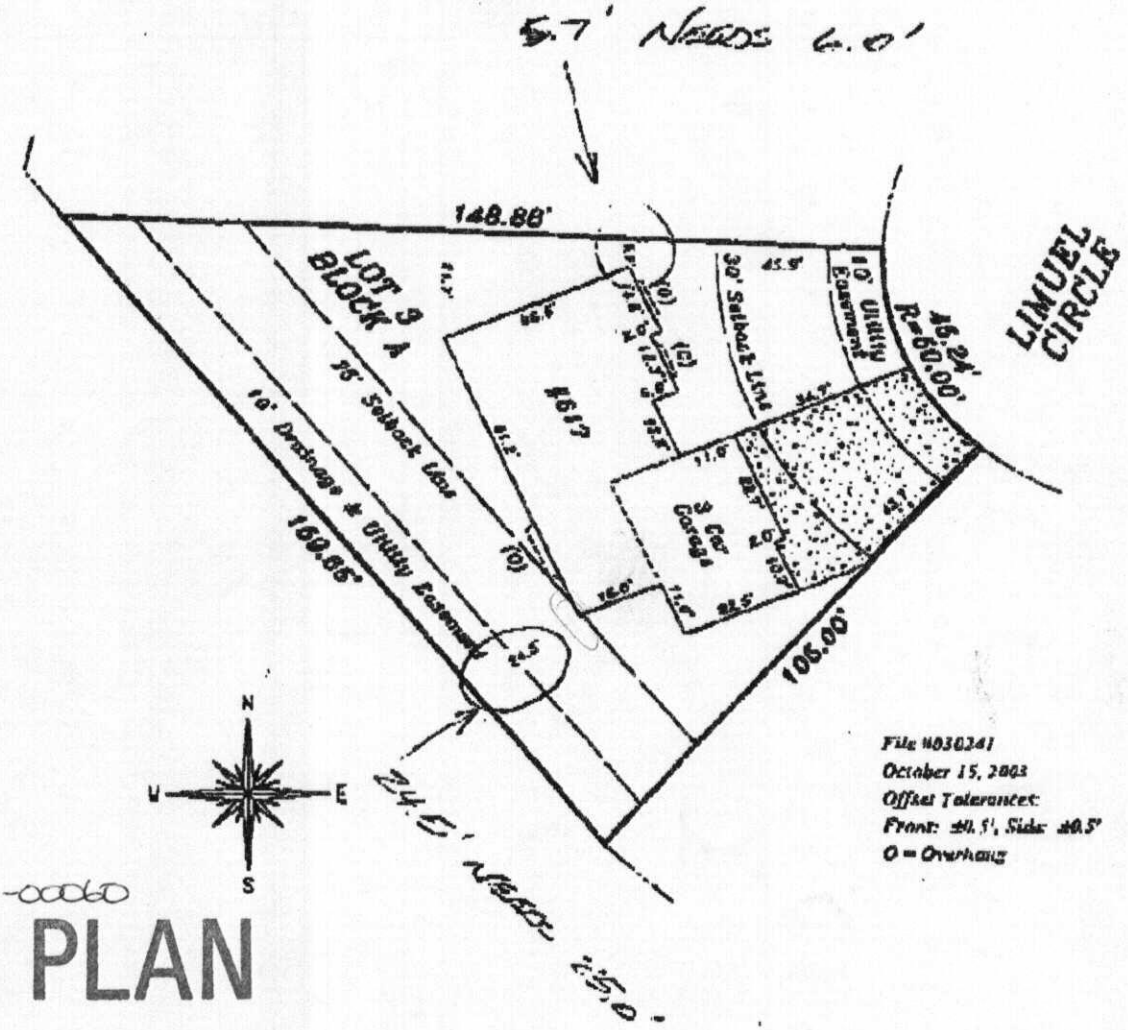
Kurt A. Schroeder
Superintendent of Central Inspection

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

MORTGAGEE TITLE INSPECTION
(this does not constitute a boundary survey)

5.7' NEEDS 6.0'



File #030241
October 15, 2003
Offset Tolerances:
Front: ±0.5', Side: ±0.5'
O = Overhang

BZA2003-00060

SITE PLAN

APPROVED 11-12-03 BY SK

Assigned Minimum Pad Elevation (Lowest Opening):	*148.0 City Datum*
Lowest Opening Elevation:	*148.44*
(Not for use with Letter of Map Amendment)	

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