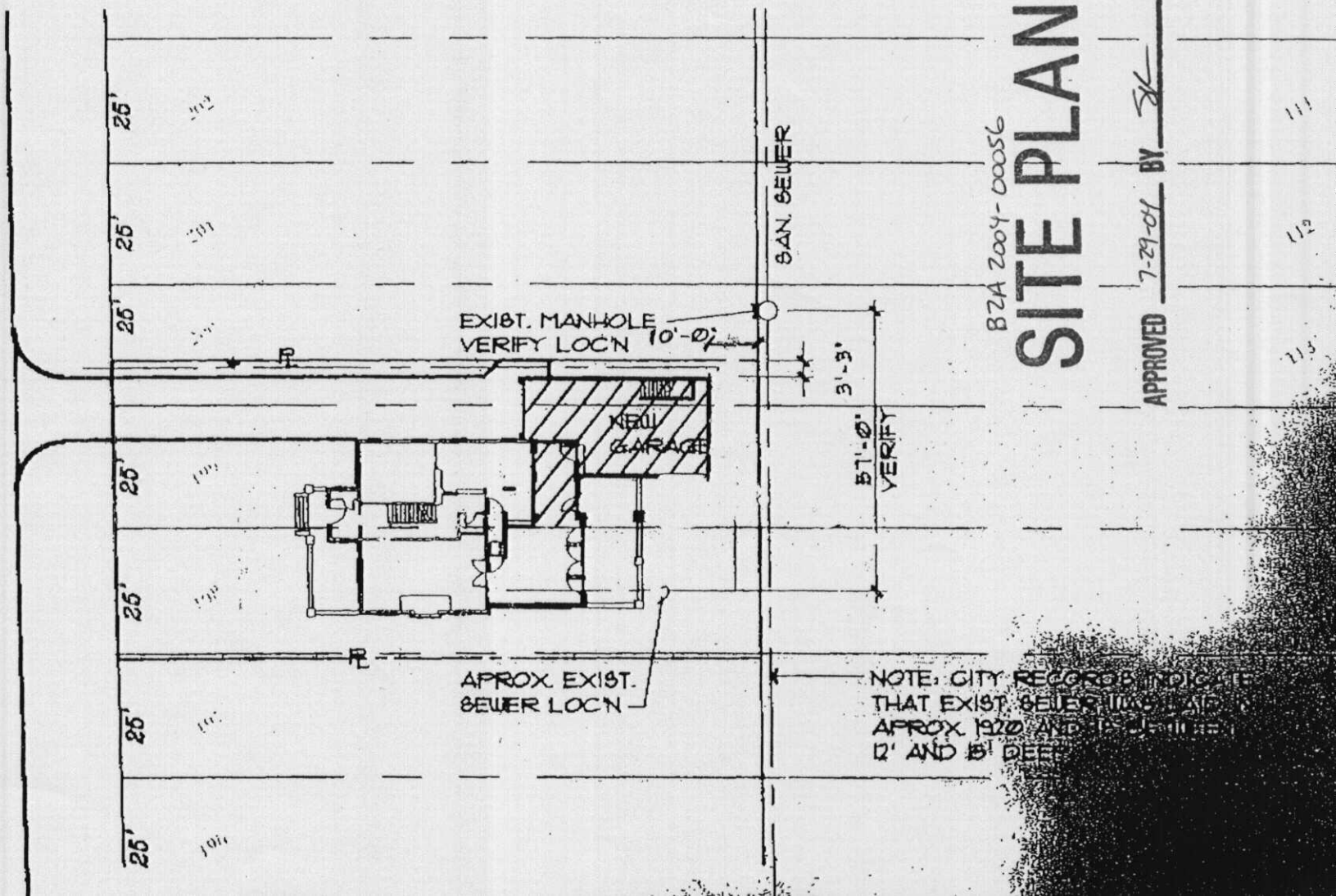
310 N. PERSHING AVENUE

Seiwert

N
1" = 30'



B2A 2004-00056

SITE PLAN

APPROVED 7-29-04 BY SK

3) Compatibility with existing or permitted uses on abutting sites: The proposed attached garage is compatible with existing and permitted uses on abutting sites, and the encroachments into the interior side and rear setback should not reduce the compatibility of the improvements with abutting sites, especially since abutting sites also contain structures that encroach into the zoning setbacks.

4) Effect on public health, safety or welfare: There will be sufficient setback from the sewer line, 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 3'3" and the rear setback from 20' to 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 addition shall match the character of the house in terms of wall and roof materials and color and roof pitch.

3) The addition shall be limited to 21 feet in height.

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: Doug Dwyer, 323 N. Parkdale Ct., Wichita, KS 67212
Mike Seiwert, WDM, 105 N. Washington, Wichita, KS 67202
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

Wichita-Sedgwick County Metropolitan Area Planning Department

August 2, 2004

Kerry Seiwert
310 N. Pershing
Wichita, KS 67208

Re: **BZA2004-00056: Administrative Adjustment to reduce the rear setback to 10' and the side setback on the north to 3'3" for an addition to the principal structure.**

Legal Description: The north 1' of Lot 197, Lots 198 & 199, & the south 9' of Lot 200, East Lawn Addition, Wichita, Sedgwick County, Kansas. Generally located north of Douglas and west of Oliver (310 N. Pershing).

Dear: Mrs. Seiwert:

We have reviewed your request for an Administrative Adjustment to reduce the rear setback and the side setback on the north. From reviewing your application, we understand that you desire to construct an addition to your single-family residence consisting of an attached garage. We understand that you proposed a 6' rear setback and 3'3" side setback; however, due to an existing sewer line running along the rear of the property, the Water and Sewer Department requires a 10' setback to avoid damaging structures on your property should the sewer line need to be excavated.

Sec. V-I.2.b. and Sec. V-I.2.c. of the Unified Zoning Code allow an adjustment to reduce the interior side setback to as little as 3' and the rear setback to as little as 5' for a principle structure when the provisions of those sections and the Zoning Adjustment Criteria of Section V-I.6. are met. We find that the reduction of the setbacks as proposed meets the provisions of Sec. V-I.2.b. and Sec. V-I.2.c. 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 proposed encroachment should not impact the safety and convenience of vehicular and pedestrian circulation in the vicinity as a driveway of sufficient width for vehicular access to proposed garage is provided.

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 interior side setback and rear setback, as the structure on the property abutting to the encroachment into the interior side yard is located approximately the same distance from the property line as the proposed addition.