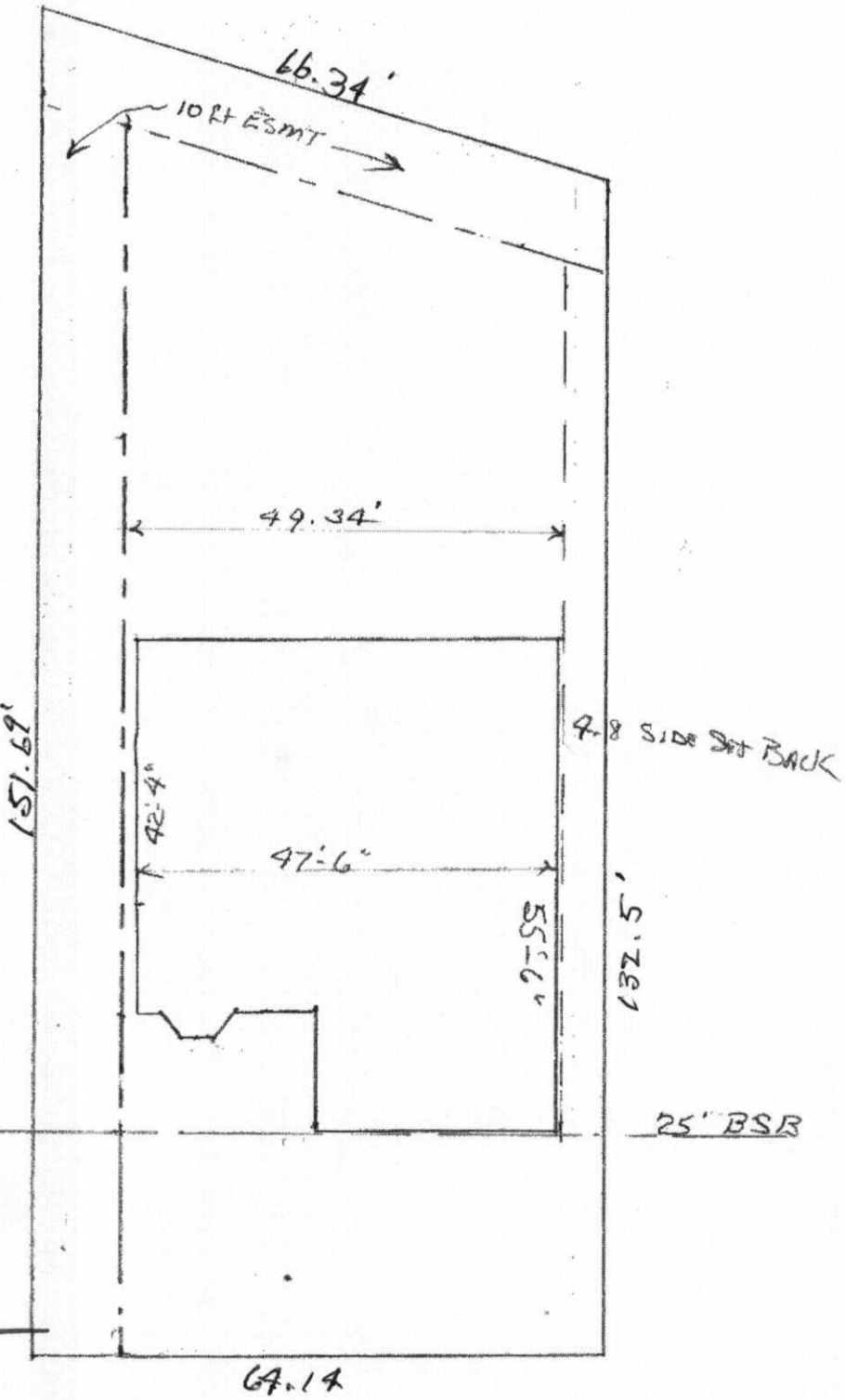



BZA2004-00047

# SITE PLAN

APPROVED 6-28-04 BY SK

LOT 8 BLOCK 4
WHITE ROCK @ MAPLE DUNES

SITE PLAN SCALE 1" = 20'

3) Compatibility with existing or permitted uses on abutting sites: The proposed single-family residence will comply with all development standards except for the minor setback encroachment; therefore, the compatibility of the proposed single-family residence with existing and permitted uses on abutting sites should not be reduced.

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 interior side setback on the east from 6 feet to 4.8 feet 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 "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**

June 28, 2004

Paul Penner
273 Maple Dunes Ct.
Wichita, KS 67235

**Re: BZA2004-00047: Zoning Adjustment to reduce the interior side setback on the east from 6 feet to 4.8 feet.**

**Legal Description: Lot 8, excluding the east 11 feet, Block 4, White Rock at Maple Dunes Addition, Wichita, Sedgwick County, Kansas. Generally located north of Maple and east of 135th Street West (231 Maple Dunes Ct.).**

Dear Mr. Penner:

We have reviewed your request for a Zoning Adjustment to reduce a setback for the aforementioned property. From reviewing your application, we understand that you propose to construct a single-family residence that encroaches 1.2 feet into the 6-foot interior side setback required by the "SF-5" Single Family zoning district. We further understand that the proposed single-family residence would fit within the required setbacks were it not for a 10-foot utility easement along the west property line. Therefore, you are requesting to reduce the interior side setback on the east from 6 feet to 4.8 feet.

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 will not be used for vehicular circulation and sufficient space will remain in the side yard for pedestrian circulation.

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 the reduced setback area is adjacent to the garage of the house to the east and there are no windows for the house to the east that directly face the reduced setback area.