Property Line

85'

Property Line

Property Line

19' 21' 10' 14'

Bird

Garage 22'

32'

16'

Proposed Garage

63½

32'

32½'

295'

Scale
1 ft. = .053"

← N

BZA2004-00032

SITE PLAN

APPROVED 5-3-04 BY

Property Line

160'

3) Compatibility with existing or permitted uses on abutting sites: The proposed addition will comply with all development standards except for the minor setback encroachment; therefore, the minor setback encroachment should not reduce the compatibility of the proposed addition with existing and permitted uses on 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 setback on the north for an attached garage addition on the aforementioned property from 20 feet to 16 feet 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 "Proposed Garage" 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

Glen Wiltse
Code Enforcement Director

Enclosure

cc: Glen Wiltse, Code Enforcement

CITY OF WICHITA

FILE COPY

Wichita-Sedgwick County Metropolitan Area Planning Department

May 4, 2004

Charles Powell
6201 S. 143rd St. E.
Derby, KS 67037

Re: BZA2004-00032: Zoning Adjustment to reduce the side setback on the north for an attached garage from 20 feet to 16 feet.

Legal Description: The E 325' of the N 160' of the S 1412' of the SE 1/4 of Sec. 26, Twp. 28 S, R2E, of the 6th P.M., Sedgwick County, Kansas, excluding the E 30' for road. Generally located north of 63rd St. S. and west of 143rd St. E. (6201 S. 143rd St. E.).

Dear Mr. Powell:

We have reviewed your request for a Zoning Adjustment to reduce the side setback on the north for the aforementioned property. From reviewing your application, we understand that you propose to construct a attached garage addition to your single family residence. The "RR" Rural Residential zoning district requires a 20-foot side setback; however, the 15-foot width that would be allowed for the addition by the setback requirement is insufficient for the proposed garage. Therefore, you are requesting to reduce the side setback on the north by 20 percent from 20 feet to 16 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 as the remaining side yard will continue to provide sufficient space for circulation to the rear of the property.

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 proposed encroachment into the side setback is minor nature and should not be noticeable.