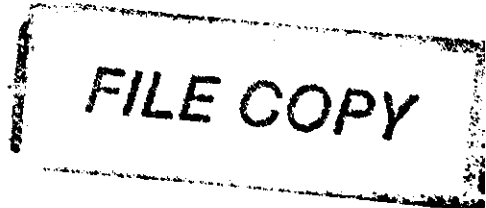




Wichita-Sedgwick County Metropolitan Area Planning Department

January 13, 2005

Warren Cargill
Masterpiece Homes, Inc.
15569 S.W. Butler Rd.
Rose Hill, KS 67133



Re: BZA2005-00001: Administrative Adjustment to reduce the side setback on the north from 10 feet to 8.5 feet for a single-family residence.

Legal Description: Lots 4, Block 1, Savannah at Castle Rock Ranch 7th Addition, Sedgwick County, Kansas. Generally located north of 13th Street North and east of 143rd Street East.

Dear Mr. Cargill:

We have reviewed your request for an Administrative Adjustment to reduce the side setback on the aforementioned property. From reviewing your application, we understand that you propose to construct a single family residence on the property and that a small portion of the northwest corner of the house encroaches into the side setback on the north by 1.5 feet.

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 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 not negatively impact the safety and convenience of vehicular and pedestrian circulation as the side yard will not be used for 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 sufficient separation between buildings will be maintained and the encroachment into the setback is minor and involves only a small portion of the northwest corner of the house.
- 3) Compatibility with existing or permitted uses on abutting sites: The proposed single-family residence is compatible with abutting sites, which also are developing with single-family

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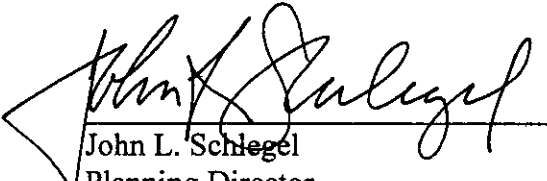
residences. The minor encroachment into the side setback should not reduce compatibility with abutting sites.

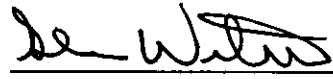
- 4) Effect on public health, safety or welfare: There will be no encroachment into public utility easements or right-of-way; therefore, there should not be a negative impact on the public health, safety or welfare nor will properties or improvements in the vicinity be materially injured.

Our signatures below indicate that an Administrative Adjustment to reduce the interior side setback on the north from 10 feet to 8.5 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 side yard setback encroachment 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
Director of Code Enforcement

Enclosure

cc: Glen Wiltse, County Code Enforcement

SECRET

LEGEND

LEGEND

- T.F. = TOP FOUNDATION
- PAD = ELEVATION AT GARAGE DOOR OPENING
- = STEP BRICK LEDGE
- S.S. = SANITARY SEWER
- WTR. = WATER LINE
- = FLOW ARROW
- X 0.0 = POINT ELEVATION
- 0.0 T.C. = TOP CURB

14'-6"

47'-2"

41'-3"

37'-0"

43'-10"

77'-5"

63'-1"

217.24'

201.01'

258.10'

20' Utility Easement

25' B.S.L.

20'

20'

FREEDOM ROAD COURT

BZA2005-00001

SITE PLAN

APPROVED 1-13-05 BY SK

SITE PLAN

APPROVED 1-13-05 BY SR