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 rear setback for the aforementioned property from 20 feet to 18 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 "Addition" 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) The addition shall match the character of the existing residence in terms of materials and colors.

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: 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

October 21, 2004

Scott Moser
2310 Stoneybrook Ct.
Wichita, KS 67226

Re: BZA2004-00075: Zoning Adjustment to reduce the rear setback from 20 feet to 18 feet.

Legal Description: Lot 2, Block 2, Tallgrass East 2nd Addition, Wichita, Sedgwick County, Kansas. Generally located north of 21st St. N. and east of Webb Rd. (2310 Stoneybrook Ct.).

Dear Dr. Moser:

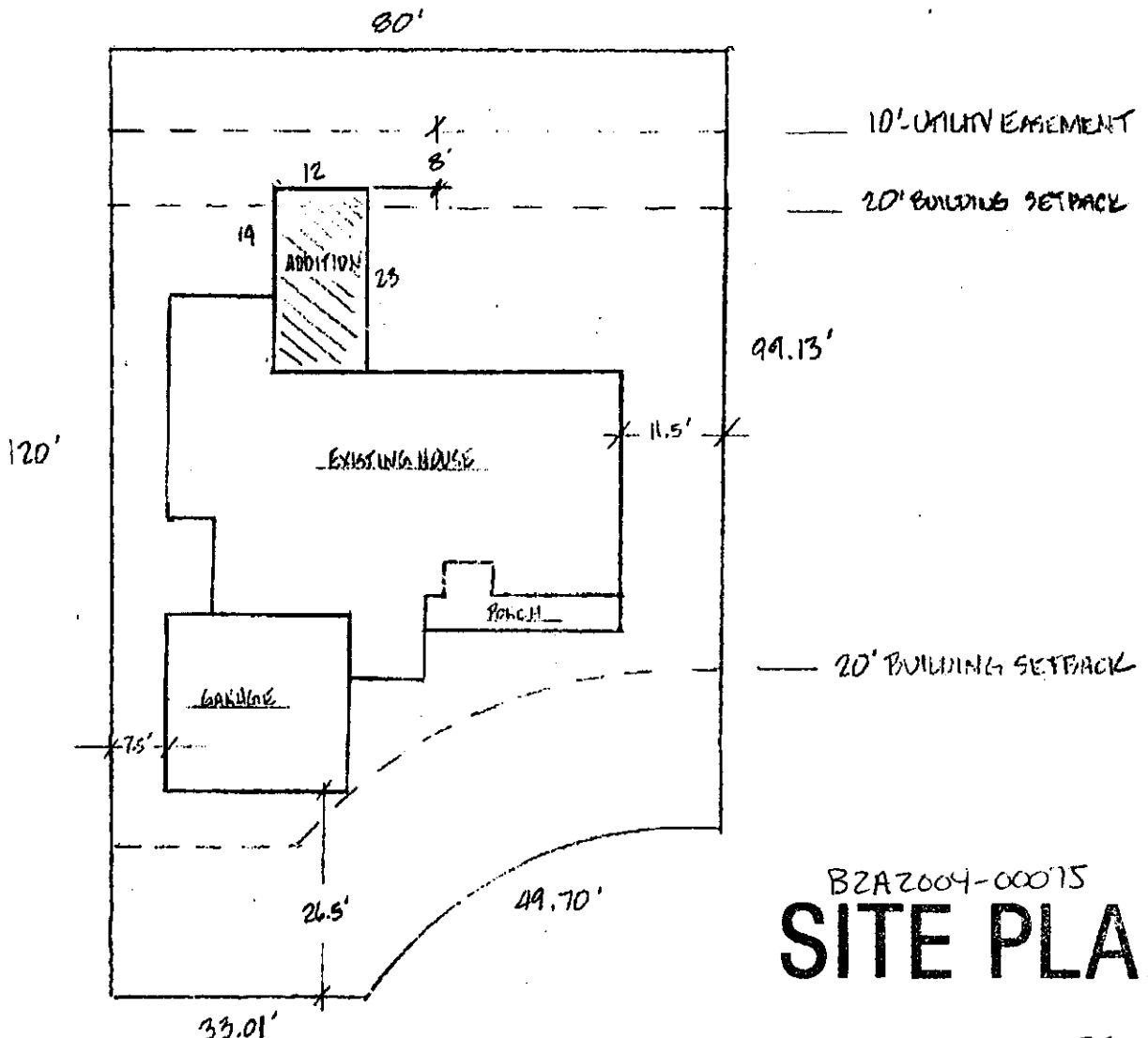
We have reviewed your request for a Zoning Adjustment to reduce the rear setback for the aforementioned property. From reviewing your application, we understand that you propose to construct a 12-foot by 23-foot room addition to your single family residence. The "SF-5" Single Family zoning district requires a 20-foot rear setback; however, the 23-foot depth of the proposed room addition provides only an 18-foot rear setback. Therefore, you are requesting to reduce the rear setback from 20 feet to 18 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 rear yard is not 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 the proposed encroachment into the rear setback is minor nature and should not be noticeable.

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. Additionally, the proposed addition will match the character of the existing structure in terms of materials and colors;



BZA2004-00075

SITE PLAN

APPROVED 10-21-04 BY SK

DR. & MRS. SCOTT MOSER

2310 N. STONEYBROOK CT.

LOT 2 BLOCK 2 TALLGRASS EAST SECOND ADDITION