

- 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 adjoining property to the north is under the same ownership as the application area.
- 3) Compatibility with existing or permitted uses on abutting sites: The proposed addition will comply with all development standards except for the setback encroachment, therefore, the setback encroachment should not reduce the compatibility of the proposed development 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.

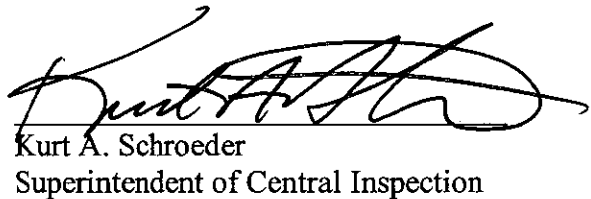
Our signatures below indicate that a Zoning Adjustment to reduce the rear setbacks for the aforementioned property from to 10 and 8 feet, and reduce the front setback from 25 to 20 feet, in accordance with the submitted site plan, is hereby granted, subject to the following conditions:

- 1) The site shall be developed in conformance with the approved site plan.
- 2) A lot split on the property shall be completed, in conformance with the approved site plan, prior to the issuance of building permits.
- 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 the Zoning Adjustment 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

Kurt Schroeder
Paul Hays
Mike Gable
Randy Sparkman



FILE COPY

Wichita-Sedgwick County Metropolitan Area Planning Department

December 27, 2005

Daniel and Shirley Warren
607 N Doris
Wichita, KS 67212

RE: BZA2005-00088 Zoning Administrative Adjustment to reduce rear setbacks to 8 and 10 feet, and reduce a front setback by 20% to 20 feet.

**Lot 10, Block 10, Fruitdale Park Addition, Wichita, Sedgwick County, Kansas.
Generally located at the northwest corner of Doris and Newell.**

Mr. and Mrs. Warren:

We have reviewed your request for a Zoning Adjustment to reduce the rear setbacks and front setback on the property described above. From reviewing your application, we understand that you propose to split the referenced lot, and construct two residences, as depicted on the site plan submitted with your application. The "TF-3" Two-family Residential zoning district requires a 20-foot rear setback which can be administratively reduced to 5 feet. The "TF-3" Two-family Residential zoning district also requires a 25-foot front setback which can be administratively reduced by up to 20%, or 5 feet. According to your site plan, you propose a rear setback of 8 feet for one residence, and 10 feet for the other; you also propose to encroach 5 feet into the 25-foot front setback of one residence.

Section V-I.2.c of the Unified Zoning Code allows adjustment of rear-building setbacks down to 5 feet when the conditions of Section V-I.2.c and Section V-I.6 of the Unified Zoning Code are met. Likewise, Section V-I.2.a of the Unified Zoning Code allows an adjustment to reduce a building front setback 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 setbacks as proposed meets the four conditions required by 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 neither yard is used for public circulation.

APPROVED

SITE PLAN

BZA 2005-88

Date: 1-10-05

□ = 6'

LOT 10 BLK 10
FRUITVALE PK

↑
N
ZONING TF3

BORIS

TRACT A

WEST 94.09 FT

LOT 10 BLK 10
FRUITVALE PARK

5645.40
SQ FT

REQUIRED TF3 SETBACKS

TRACT B

EAST 95 FT

LOT 10 BLK 10
FRUITVALE PARK

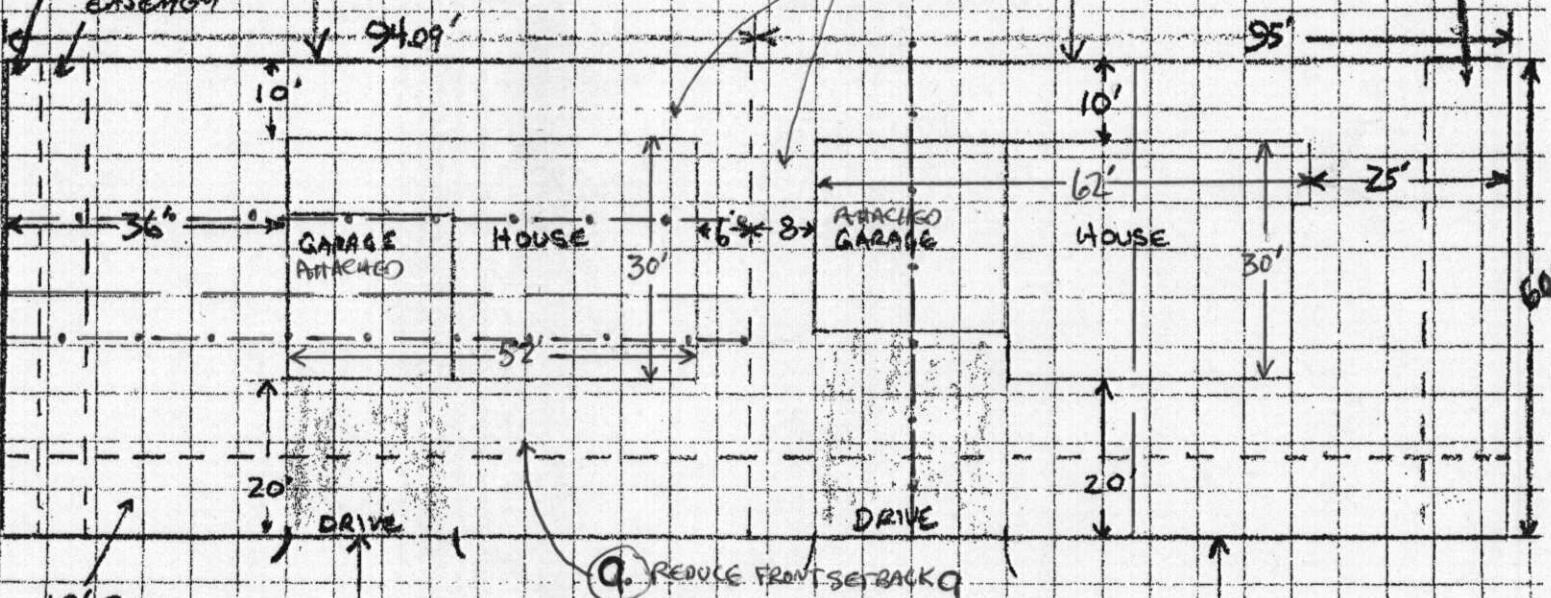
5700 SQ FT

PUBLIC
5' EXISTING UTILITY
EASEMENT
ADDITIONAL 5'
EASEMENT

LOT CENTER LINE

REDUCE REAR
SETBACKS C.

10' PRIVATE
EASEMENT



NEWELL ST.

INTERIOR LOT

KEY CORNER LOT