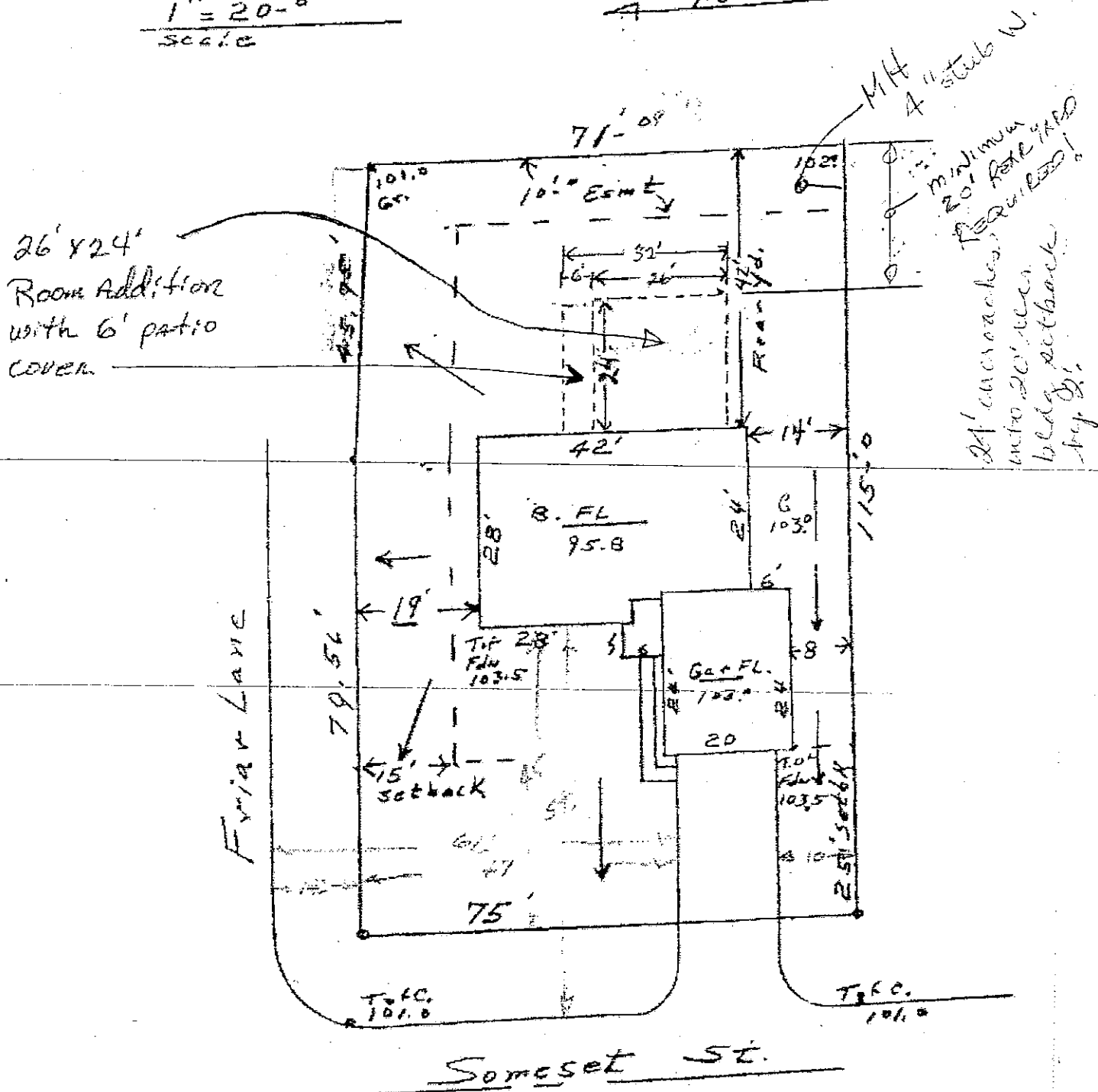


Zone AA

BLD2005
-07160

North

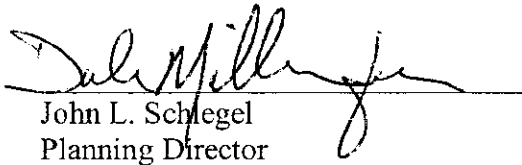


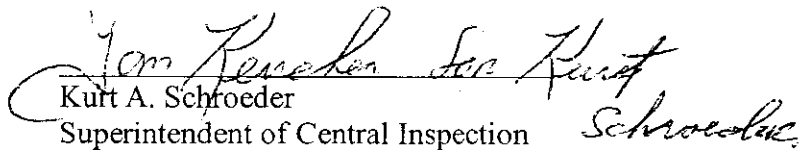
- 2) Impact on existing uses in surrounding areas: There should be no negative impact on the existing uses in surrounding areas as a result of the reduction of the setback, as the proposed encroachment into the rear setback is minor in nature and should not be noticeable.
- 3) Compatibility with existing or permitted uses on abutting sites: The proposed addition will comply with all development standards except for the minor setback encroachment, 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 "room 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) 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. Schegel
Planning Director


Kurt A. Schroeder
Superintendent of Central Inspection

Enclosure

Kurt Schroeder
Paul Hays
Randy Sparkman
J.R. Cox



FILE COPY

Wichita-Sedgwick County Metropolitan Area Planning Department

December 27, 2005

Allen Graham
3940 Somerset
Wichita, KS 67204

Bryan Chapman
514 Ashton
Sedgwick, KS 67135

RE: BZA2005-00084 Zoning Administrative Adjustment to reduce the rear setback from 20 feet to 18 feet.

Lot 1, Block 4, Sherwood Glen Fourth Addition, Wichita, Sedgwick County, Kansas. Generally located at the southeast corner of Friar Lane and Somerset (3940 Somerset).

Mr. Graham:

We have reviewed your request for a Zoning Adjustment to reduce the rear setback on the property described above. From reviewing your application, we understand that you propose to construct a 24 by 26-foot addition to the rear of your single-family residence, as depicted on the site plan submitted with your application. The "SF-5" Single-family Residential zoning district requires a 20-foot rear setback; however the rear facade of the existing home sets 42 feet from the rear property line, leaving 22 feet between the 20-foot setback and the rear of the building. According to your site plan, you propose to encroach two-feet into the 20-foot setback.

Section V-I.2.a of the Unified Zoning Code allows an adjustment to reduce a rear-building 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 setback 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 the rear yard is not used for public circulation.