

separation between buildings is maintained and the setback reductions are within allowable limits.

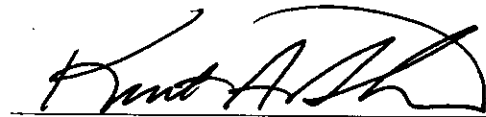
- 3) Compatibility with existing or permitted uses on abutting sites: The single-family residence is compatible with existing and permitted uses on abutting sites, the encroachment into the setbacks should not reduce compatibility with abutting and adjacent sites.
- 4) Effect on public health, safety or welfare: There will be no encroachment into public utility easements or right-of-way. Therefore, there should be no 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 and rear setbacks for the aforementioned property to five and eight 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 side and rear setbacks 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


Kurt A. Schroeder
Superintendent of Central Inspection

Enclosure

cc: Donald Redington, PO Box 2836, Wichita, KS, 67201
Kurt Schroeder, Office of Central Inspection
Randy Sparkman, Office of Central Inspection
Herb Shaner, Office of Central Inspection



FILE COPY

Wichita-Sedgwick County Metropolitan Area Planning Department

March 20, 2006

Leah McGeeney
6500 E 21st Unit 46
Wichita, KS 67201

Re: BZA2006-21: Zoning Adjustment to reduce the side and rear setbacks to five feet and eight feet.

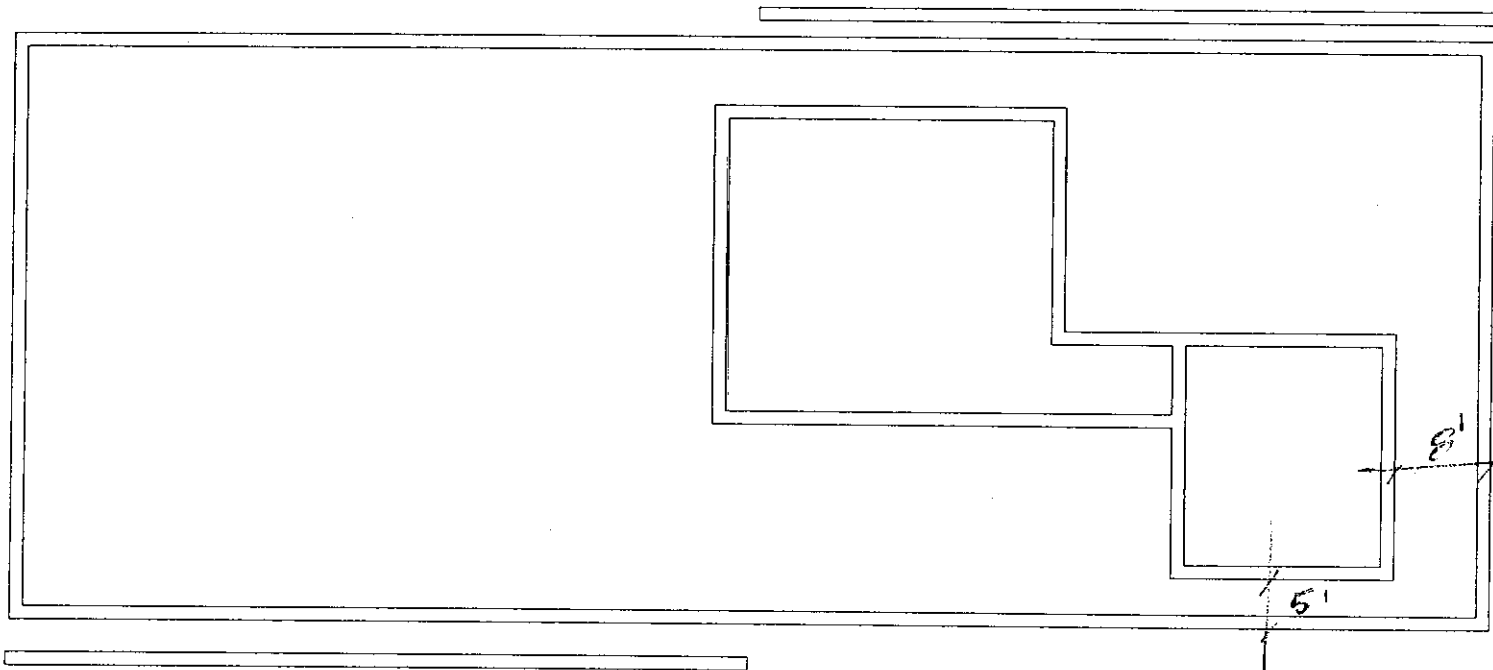
Legal Description: W 150 ft Lot 4 Exc N 60 ft, Block 18, Parkwilde Addition, Wichita, Sedgwick County, Kansas. Generally located east of N Tracy Street and south of W 2nd Street (238 N Tracy).

Dear Applicant,

We have reviewed your request for a Zoning Adjustment to reduce the side and rear setbacks on the aforementioned property. From reviewing the application, we understand that you desire to construct a single-family residence, attached to an existing garage, with a five-foot side setback and an 8-foot rear setback. The "SF-5" Single-Family zoning district requires a six-foot side setback and 20-foot rear setback for primary structures. Therefore, you have requested an adjustment to reduce the required setbacks.

Section V-I.2.b. and section V-I.2.c. of the Unified Zoning Code allow side setback reductions to three feet, and rear setback reductions to five feet when all parts of the structure extending into the side and rear yards are located more than one-half the depth of the lot behind the front property line, and when the addition does not obstruct or eliminate required off-street parking. These adjustments are permissible when the provisions of those sections and the Zoning Adjustment Criteria of Section V-I.6. are met. We find that the reduction of the front setback as proposed meets the provisions of Section V-I.2.b., section V-I.2.c., and the four criteria required by Section V-1.6. as set out below:

- 1) Impact on safety and convenience of vehicular and pedestrian circulation: The setback encroachments should have no impact on the safety and convenience of vehicular and pedestrian circulation in the vicinity because right-of-way, the driveway, and sidewalk will not be affected.
- 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 setback reductions, as sufficient



LIVING AREA 558 sq ft
LIVING AREA 114 sq ft

APPROVED

SITE

PLAN

PZA 2006-21

Michael J. McNally

Date:

3-23-06