



Wichita-Sedgwick County Metropolitan Area Planning Department

November 15, 2001

Power CDC
c/o James Arbertha
1802 N. Hydraulic
Wichita, KS 67214

Re: BZA2001-00058: Administrative Adjustment to reduce the street side setback.

Legal Description: Lots 94 & 96, Eleventh St. Addition, Wichita, Sedgwick County, Kansas (1201 N. Ash).

Dear Mr. Arbertha:

We have reviewed your request for an Administrative Adjustment to reduce the street side setback on the above-referenced property. From reviewing your application, we understand that you desire to construct a single-family residence; however, the structure is 36 feet wide but the 15 foot street side setback and the 6 foot interior side setback leave only 33.3 feet of buildable area on the property. Therefore, your request to reduce the street side setback by 3 feet.

The Unified Zoning Code allows an adjustment to reduce setbacks by up to 20 percent. We find that the reduction of the street side setback from 15 feet to 12 feet meets the four conditions required by Section V-1.6 of the Unified Zoning Code as set out below:

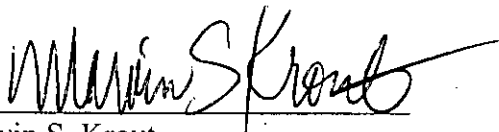
- 1) Impact on safety and convenience of vehicular and pedestrian circulation: The proposed encroachment should have no impact on the safety and convenience of vehicular and pedestrian circulation in the vicinity as the street side yard will not be used for a vehicle parking area.
- 2) Impact on existing 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 street side setback, as sufficient separation between buildings is maintained and sight lines of existing structures will not be obstructed.
- 3) Compatibility with existing or permitted uses on abutting sites: The proposed single-family residence is compatible with abutting sites, which also are developed in a similar fashion including street side setbacks of less than 15 feet.

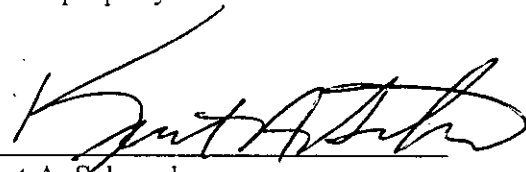
- 4) Effect on public health, safety or welfare: There will be no encroachment into public utility easements or right-of-way, therefore, there should not be a negative impact on the public health, safety or welfare nor will properties or improvements in the vicinity be materially injured.

Our signatures below indicate that an Administrative Adjustment to reduce the street side setback from 15 feet to 12 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) Any violation of these conditions shall render the Administrative Adjustment null and void.

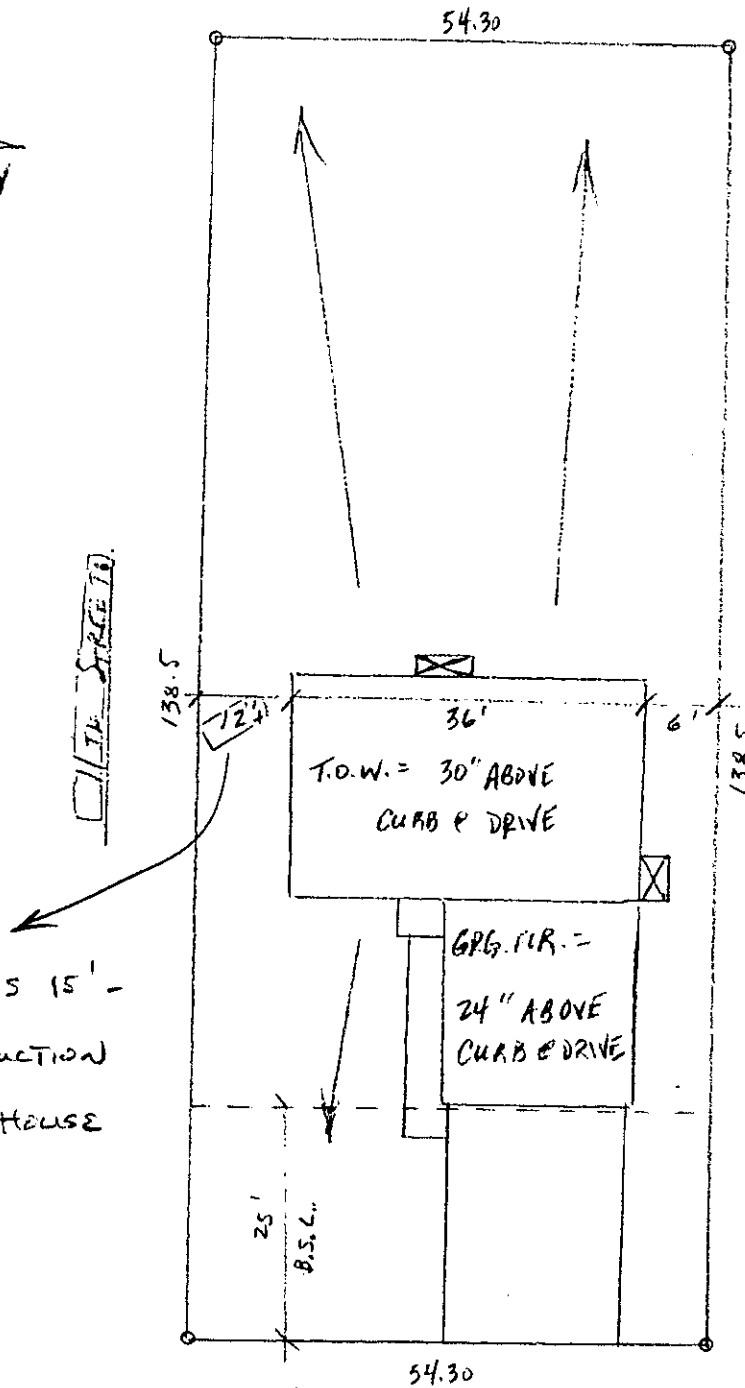
The zoning adjustment sign may now be removed from the property.


Marvin S. Krout
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



TF3 ZONING REQUIRES 15' -
REQUEST 20% REDUCTION
T.O 12' TO ALLOW HOUSE
TO FIT ON SITE

BZA2001-00058

SITE PLAN

APPROVED 11-8-01 BY SK

ASH STREET

1201 N. ASH

LOTS 94 & 96

ELEVENTH STREET ADDITION

WICHITA, KS 67214

KEY #: C-00949

SCALE: 1" = 20'

Zimbelman Homes
1344 Pine Grove Ct.
Wichita, KS 67212
Tony Zimbelman, Builder
Lic. # 2474