



FILE COPY

Wichita-Sedgwick County Metropolitan Area Planning Department

November 6, 2001

Leonel Manzanera
3120 W. 9th St. N.
Wichita, KS 67203

Re: BZA2001-00057: Administrative Adjustment to reduce the rear setback and the minimum lot size.

Legal Description: The east 64 feet of the west 210 feet of Lot 12, Sroade Acres Addition, Wichita, Sedgwick County, Kansas (3120 W. 9th St. N.).

Dear Mr. Manzanera:

We have reviewed your request for an Administrative Adjustment to reduce the rear setback on the aforementioned property. From reviewing your application, we understand that you desire to construct a 15'6" x 22' addition to your single-family residence and that the addition will be setback only 11 feet from the rear property line. The site plan included with your application indicates that the addition will be located in the rear half of the lot, does not eliminate required off-street parking, and does not occupy more than one-half of the required rear yard. Also from reviewing your application, we have determined that your lot contains only 4,654 square feet, which is below the 5,000 square foot minimum lot size permitted by the "SF-5" Single-Family Residential zoning district.

Sec. V-I.2.c. of the Unified Zoning Code allows an adjustment to reduce the rear setback to *as little as* 5 feet for a principle structure when the provisions of that section and the Zoning Adjustment Criteria of Section V-I.6. are met. Sec. V-I.2.i. allows an adjustment to reduce the lot size by *as much as* 10% when the Zoning Adjustment Criteria of Section V-I.6. are met. We find that the reduction of the rear setback from 20 feet to 11 feet for an addition to the principal structure and the reduction of the lot size from 5,000 square feet to 4,654 square feet meets the provisions of Sec. V-I.2.c., as applicable, and the four criteria required by Section V-I.6 as set out below:

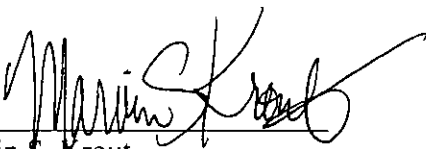
- 1) Impact on safety and convenience of vehicular and pedestrian circulation: The proposed encroachment into the rear setback should have no impact on the safety and convenience of vehicular and pedestrian circulation in the vicinity because the rear yard provides no vehicular access and sufficient space will remain for pedestrian access. The reduction in lot size should have no impact on the safety and convenience of vehicular and pedestrian circulation in the vicinity because sufficient land area is provided for an existing two-car garage and an existing double-width drive way.

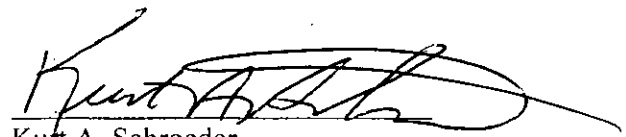
- 2) Impact on existing uses in surrounding areas: There should be no negative impact on the existing uses in surrounding areas as a result of the reduction of the rear setback, as the nearest structure on the property abutting the encroachment into the rear yard is located approximately 35 feet north of the rear property line. There should be no negative impact on the existing uses in surrounding areas as a result of the reduction in lot size, as sufficient separation between buildings is maintained and an existing screening fence and landscaping will screen the addition from surrounding properties.
- 3) Compatibility with existing or permitted uses on abutting sites: The proposed addition to the single-family residence is compatible with existing and permitted uses on abutting sites, and the encroachment into the rear setback and the reduction in lot size should not reduce the compatibility of the improvements with 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 an Administrative Adjustment to reduce the rear setback from 20 feet to 11 feet and the minimum lot size from 5,000 square feet to 4,654 square 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) The addition shall match the character of the house in terms of wall and roof materials and color.
- 3) The addition shall be limited to 21 feet in height.
- 4) 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



BZA2001-00057

SITE PLAN

APPROVED 11-6-01 BY SK

I certify that the above plat complies with applicable zoning setbacks and subdivision covenants and restrictions.

Signed: _____
(Applicant)

White Copy - File

Yellow Copy - Applicant