



**Wichita-Sedgwick County Metropolitan Area Planning Department**

June 23, 2008

Susan Havener  
7406 E Norfolk  
Wichita, KS 67206

Harlan Foraker  
Certified Engineering Design, PA  
810 W Douglas Ste C  
Wichita, KS 67203

**Re: BZA2008-30: County zoning adjustment to reduce the required lot sizes on four lots from 2 acres to 1.96 – 1.99 acres, on property zoned RR Rural Residential.**

**Lots 2,3,4,5; Block 3, Imbler Estates 2nd Addition, Sedgwick County, Kansas. Generally located on the northeast corner of 69th Street North and 151st Street West.**

Dear Applicant,

We have reviewed your request for a Zoning Adjustment to reduce the required lot sizes on the aforementioned property. From reviewing the application, we understand that you desire to replat lots 2, 3, 4, and 5 at 1.96, 1.97, 1.97, and 1.99 acres respectively, a two percent reduction of the required 2 acres.

Section V-I.2.i. of the Unified Zoning Code allows the lot size to be reduced by up to 10% when the provisions of that section and the Zoning Adjustment Criteria of Section V-I.6. are met. We find that the requested lot size reduction meets the provisions of Section V-I.2.i. 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 lot size reduction should have no impact on the safety and convenience of vehicular and pedestrian circulation in the vicinity as no public right-of-way is 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 lot size reduction. The surrounding lots are all approximately 2 acres in size; the requested reduction is within allowable limits.

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- 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 lot size reduction. The surrounding lots are all approximately 2 acres in size; the requested reduction is within allowable limits.
- 3) Compatibility with existing or permitted uses on abutting sites: The proposed lots will be only 2% smaller than surrounding lots; the proposed reduction should not affect compatibility 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 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 required lot sizes on four lots from 2 acres to 1.96 – 1.99 acres, on property zoned RR Rural Residential, is hereby granted, subject to the following conditions:

- 1) The site shall be developed in general conformance with the approved site plan.
- 2) The site shall be developed in conformance with all applicable codes, including but not limited to building, fire, and health codes.
- 3) The lot size reduction shall apply only to lots 2, 3, 4, and 5 as illustrated on the approved site plan. All other lots shall conform to the Unified Zoning Code unless a separate Zoning Adjustment or Variance is granted.
- 4) 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

Enclosure

cc: Glen Wiltse, County Code Enforcement



Glen Wiltse  
Director of Code Enforcement