



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

Sept 9, 2008

James Gillespie  
616 N Tara Ct.  
Wichita, KS 67206

DL Van Buskirk  
260 N Rock Rd #120  
Wichita, KS 67206

**Re: BZA2008-45: Zoning Adjustment to reduce the rear setback from 20 from to 16 feet in SF-5 zoning for an addition to a single-family residence.**

THAT PART LOTS 3-4 BEG NE COR LOT 3S 360.6 FT WLY TO PT 62.05 FT WLY OF SE COR LOT 4 N 101.92 FT NW 127.4 FT TO NE COR LOT 4 NLY ALG CUR 80 FT NE 198 FT TO BEG VICKERS SUB. Generally located NE of the Rock and Central intersection (616 N Tara).

Dear Applicant,

We have reviewed your request for a Zoning Adjustment to reduce the rear setback for an addition to a residence on the aforementioned property. From reviewing the application, we understand that you desire to construct an addition within 16 feet of the rear property line, a 4-foot encroachment into the required 20 foot rear building setback for the SF-5 zoning district. Therefore, you have requested an adjustment to reduce the required setback.

Section V-1.2.c. of the Unified Zoning Code allows the rear setback to be reduced by 20% when the proposal meets the provisions of Section V-1.2.c. and the four criteria required by Section V-1.6.

We find that the reduction of the side setback as proposed meets the provisions of Section V-1.2.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 encroachment 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, nor is traffic 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 reduction, provided that sufficient separation

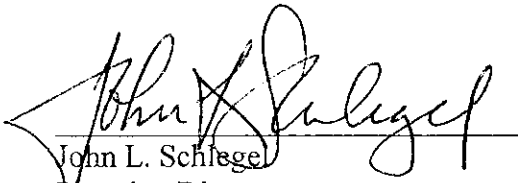
between buildings is maintained. The rear setback reduction is within allowable limits.

- 3) Compatibility with existing or permitted uses on abutting sites: The proposed residence is compatible with existing and permitted uses on abutting sites; the encroachment into the rear setback 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 rear setback for the aforementioned property from 20 feet to 16 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 site shall be developed in conformance with all applicable codes, including but not limited to building, fire, and health codes.
- 3) The setback reduction shall apply only to the rear setback 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.
- 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

  
Kurt A. Schroeder  
Superintendent of Central Inspection

Enclosure

cc: Kurt Schroeder, OCI  
Mike Gable, OCI  
Sue Schlapp, District II, mailstop 1-13

$\frac{8}{7} \frac{40}{117}$   
 $\frac{7}{7} \frac{62}{12}$   
 $\frac{7}{7} \frac{12}{12}$

NORTH  
 SCALE 1"=20'

20  
 11  
 31  
 #23598  
 Thompson

LOT-4

1359.5  
 1358.1  
 1.4

$\frac{12}{12} \frac{4}{4} \frac{8}{8}$

SCALE 1"=20'-0"



& MRS. W.B. THOMPSON

DRAWINGS REV.

DATE  
 OCT 3, 1969  
 NOV 5, 1969

SHEET  
 1  
 OF



09 AUG 08  
11 JUN 07  
01 JUN 07  
29 MAY 07