



Wichita-Sedgwick County Metropolitan Area Planning Department

August 20, 2012

Chris Garrison
102 S. Bleckley
Wichita, KS 67218

Re: **BZA2012-47**: City Administrative Adjustment to reduce the side yard setback by 20%, from 15 to 12 feet for a swimming pool on SF-5 Single-family Residential ("SF-5") zoned property, generally located south of E. Douglas and east of S. Bleckley (102 S. Bleckley).

Legal Description: N 65' LOTS 3-4, BLOCK 2, ROSECREST ADD, Wichita, Sedgwick County, Kansas.

Dear Applicants,

We reviewed your request for a Zoning Adjustment to reduce the side setback by 20% for a swimming pool on the aforementioned property. From reviewing the application and site plan, we understand that you wish to build a pool within 12 feet of the north property line, the same distance as the existing house from the north property line. The Zoning Code requires a 15-foot street side building setback in SF-5 zoning.

Section V-1.2.a of the Unified Zoning Code allows an administrative adjustment to reduce the side setback by 20%. This adjustment is permissible when the provisions of that section and the Zoning Adjustment Criteria of Section V-1.6 are met. We find that reducing the side setback by 20% as proposed meets 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 pool location should have no impact on the safety and convenience of vehicular and pedestrian circulation in the vicinity as right-of-way and driveways are not affected.
- 2) Impact on existing uses in surrounding areas: There will be no impact on the existing uses in surrounding areas as a result of the pool location: sufficient separation between the pool and right-of-way will be maintained.
- 3) Compatibility with existing or permitted uses on abutting sites: The setback reduction for a pool will be compatible with existing and permitted uses on abutting sites.
- 4) Effect on public health, safety or welfare: There will be no encroachment into public utility easements or right-of-way. There should be no 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 allow a 20% side setback reduction for a pool is hereby granted, subject to the following conditions:


City Hall • 10th Floor • 455 North Main • Wichita, Kansas 67202-1688

T 316.268.4421 **F** 316.268.4390

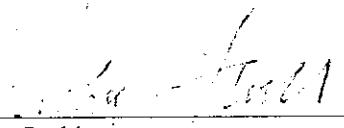
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- 1) The site shall be developed in general conformance with the approved site plan.
- 2) The adjustment shall apply only to the pool as illustrated on the approved site plan. All other structures or additions on the subject property shall conform to the locations and 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



Ricky Stubbs
Interim Co-superintendent of Central Inspection

cc: Rick Stubbs, Office of Central Inspection
Mike Gable, Office of Central Inspection
Pete Meitzner, CM District II
Antione Sherfield, NA District II

82 S. Bleckley
Wichita 67218

↑
North

APPROVED
SITE PLAN PB2H 2012-47
Neil David Landberg
8-20-12

Douglas



Bleckley