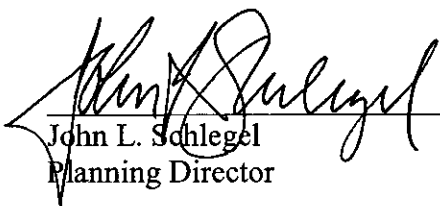



- 3) Compatibility with existing or permitted uses on abutting sites: The proposed addition will comply with all development standards except for the minor setback encroachment, therefore, the minor setback encroachment should not reduce the compatibility of the proposed addition with existing and permitted 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; 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 a Zoning Adjustment to reduce the side setback for the aforementioned property from six feet to five 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 setback reduction shall apply only to the "1' kickout wall to widen garage" 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.
- 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 the Zoning Adjustment 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

Kurt Schroeder
Randy Sparkman



FILE COPY

Wichita-Sedgwick County Metropolitan Area Planning Department

January 25, 2006

Clarence Chasey
239 N. Richmond
Wichita, KS 67203

RE: BZA2005-90 Zoning Administrative Adjustment to reduce the interior side setback from 6 feet to 5 feet.

Lots 15, 17, and the North 10.88 feet of Lot 19, T. L. Hutchinson's Addition, Wichita, Sedgwick County, Kansas. Generally located west of Richmond Street and south of North 2nd Street (239 N Richmond Street).

Mr. Chasey:

We have reviewed your request for a Zoning Adjustment to reduce the side setback on the property described above. From reviewing your application, we understand that you propose to construct a one-foot addition to the north side of your existing attached garage, as depicted on the site plan submitted with your application. The "TF-3" Two-family Residential zoning district requires a six-foot side setback. According to your site plan, you propose to encroach one-foot into the six-foot setback.

Section V-I.2.a of the Unified Zoning Code allows an adjustment to reduce a side-building setback by up to 20 percent when the four conditions required by Section V-I.6 of the Unified Zoning Code are met. We find that the reduction of the setback as proposed meets the four conditions required by 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 because the side yard is not used for public circulation.
- 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 setback, as the proposed encroachment into the side setback is minor in nature and should not be noticeable.

END OF DESC

View Property Information

TXRP0602

Function 06

Legal Description

LKILBOUR

Key No.: D -03939-0001

Pin: 136240410202100

Level 01

Page: 2

Name: CHASEY, CLARENCE A ETUX

Legal Description

LOTS 15-17 & N 10.88 FT LOT 19 PERCY NOW RICHMOND AVE
T L HUTCHISON'S ADD.

239 N. RICHMOND.



PF7-Backward PF8-Forward PF19-Prev Parcel PF20-Next Parcel

APPROVED

SITE PLAN BZA 2005-90

William J. McNulty

Date: 1-31-06

