



Wichita-Sedgwick County Metropolitan Area Planning Department

April 6, 2007

Clyde Looney
7804 W Prestwick
Wichita, KS 67212

Re: BZA2007-17: Zoning Adjustment to reduce the rear setback for an attached garage from 20 feet to 13 feet in SF-5 Single-family Residential zoning.

Lot 1 Block 5 Gleneagles 2nd Addition to Wichita, Sedgwick County, Kansas. Generally located west of the Muirfield and Prestwick intersection (7804 Prestwick).

Dear Applicant,

We have reviewed your request for a Zoning Adjustment to reduce the rear setback for an attached garage on the aforementioned property. From reviewing the application, we understand that you desire to construct a garage addition within 13 feet of the rear property line, a 7 foot encroachment into the required 20 foot rear building setback for the SF-5 Single-family Residential zoning district. Therefore, you have requested an adjustment to reduce the required setback.

Section V-I.2.c. of the Unified Zoning Code allows the rear setback to be reduced down to 5 feet when the provisions of that section and the Zoning Adjustment Criteria of Section V-I.6. are met. We find that the reduction of the rear setback as proposed meets the provisions of Section V-I.2.a. and the four criteria required by Section V-1.6. as set out below:

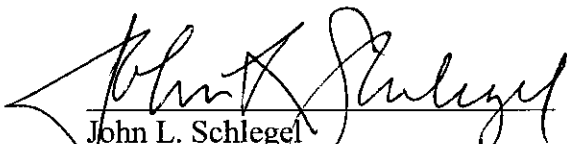
- 1) Impact on safety and convenience of vehicular and pedestrian circulation: The setback encroachment should have no impact on the safety and convenience of vehicular and pedestrian circulation in the vicinity as no public right-of-way is affected.
- 2) Impact on existing uses in surrounding areas: 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 attached garage 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.

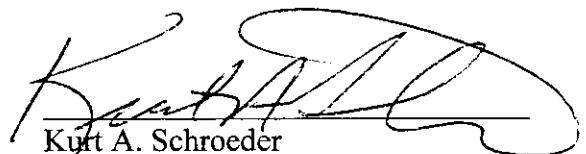
Our signatures below indicate that a Zoning Adjustment to reduce the rear setback for the aforementioned property from 20 feet to 13 feet is hereby granted, subject to the following conditions:

- 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

