



FILE COPY

Wichita-Sedgwick County Metropolitan Area Planning Department

May 16, 2000

Ricky and Cynthia Fuller
543 S. Limuel Court
Wichita, KS 67235

Re: Administrative Adjustment BZA2000-00009: An Administrative Adjustment to reduce a portion of side yard setback by 10 percent.

Legal Description: That part of Lot 8, Block A, Auburn Hills 2nd Addition, Wichita, Sedgwick County, Kansas described as follows: Commencing at the northeasterly corner of said Lot 8; thence S52°40'41"W along the northerly line of said Lot 2, 21.35 feet; thence S37°19'19"E, 4.8 feet, for a point of beginning; thence S52°40'41"W parallel to the northerly line of said Lot 8, 4.40 feet; thence S37°19'19"E, 1.20 feet; thence N37°19'19" parallel to the northerly line of said Lot 8, 4.40 feet; thence N37°19'19"W, 1.20 feet to beginning.

Dear: Mr. & Mrs. Fuller:

We have reviewed your request for an Administrative Adjustment to reduce a portion of your side yard setback from 6 feet to 5.4 feet. You state in your application that a portion of the existing home on this property encroaches into the setback, and that it was there prior to your purchase of this property. You only became aware of the encroachment when a survey of the property and structures was made during the transfer of title.

The Unified Zoning Code allows an adjustment to reduce the side yard setback by up to 20 percent. We find that the reduction of the side yard setback meets the four conditions required by Section V-1.6 of the Unified Zoning Code as set out below:

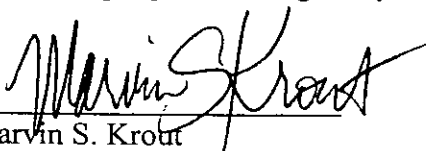
- 1) Impact on safety and convenience of vehicular and pedestrian circulation: The proposed encroachment would have no impact on safety and convenience of vehicular and pedestrian circulation in the vicinity of the application area; the encroachment is on a cul-de-sac and is minimal.
- 2) Impact on existing uses in surrounding areas: There should be no negative impact on the

existing uses in surrounding areas as a result of the reduction of this setback, as sufficient separation between buildings is maintained.

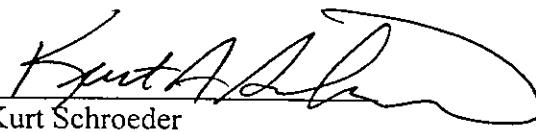
- 3) Compatibility with existing or permitted uses on abutting sites: The reduction of a portion of the side yard setback is compatible with the existing residential uses.
- 4) Effect on public health, safety or welfare: There will be no encroachment into public utility easements or right-of-way, therefore, there should not be a negative impact on the public health, safety or welfare nor will properties of improvements in the vicinity be materially injured.

Our signatures below indicate that an Administrative Adjustment to reduce the side yard setback by 0.6 feet as indicated on the site plan is hereby granted.

The zoning adjustment sign may now be removed from the property.



Marvin S. Krout
Director of Planning



Kurt Schroeder
Superintendent of Central Inspections

Cc: Kurt Schroeder, Office of Central Inspections

