



FILE COPY

Wichita-Sedgwick County Metropolitan Area Planning Department

February 6, 2002

Richard I. Darge
1317 N. Cardington
Wichita, KS 67212

Re: BZA2001-00062: Administrative Adjustment to reduce side setback.

Legal Description: Lot 12, Block 3, Briarwood Estates Addition, Wichita, Sedgwick County, Kansas (1317 N. Cardington).

We have reviewed your request for an Administrative Adjustment to reduce the side setback on the above-referenced property. From reviewing your application, we understand that you desire to construct a 21' x 21' addition to the north side of your residence, and the addition will encroach 1.2 feet into the 6-foot side setback required by the "SF-5" Single-Family zoning district.

The Unified Zoning Code allows an adjustment to reduce setbacks by up to 20 percent. We find that the reduction of the side setback from 6 feet to 4.8 feet 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 should have no impact on the safety and convenience of vehicular and pedestrian circulation in the vicinity, as the addition encroaching into the side setback will not occupy required off-street parking areas and sufficient space for pedestrian circulation will remain.
- 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 side setback, as the residence adjacent to side yard to the north is located on a double lot and is setback over 100 feet from the common property line. Also, mature evergreen vegetation on the adjacent lot to the north will screen the addition from view for the adjacent residence.
- 3) Compatibility with existing or permitted uses on abutting sites: The proposed addition to the residence is compatible with abutting sites, and a reduction of the side setback should not reduce the compatibility of the addition with abutting sites.

- 4) Effect on public health, safety or welfare: The 10-foot utility easement along the north property line of the subject property has been vacated through VAC2001-00061. Therefore, there will be no encroachment into public utility easements or right-of-way, and 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.

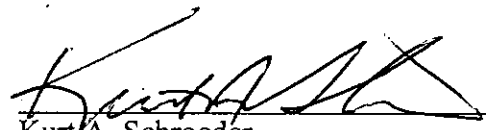
Our signatures below indicate that an Administrative Adjustment to reduce the side setback from 6 feet to 4.8 feet for the aforementioned property is hereby granted, subject to the following conditions:

- 1) The site shall be developed in general conformance with the approved site plan.
- 2) Any violation of these conditions shall render the Administrative Adjustment null and void.

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



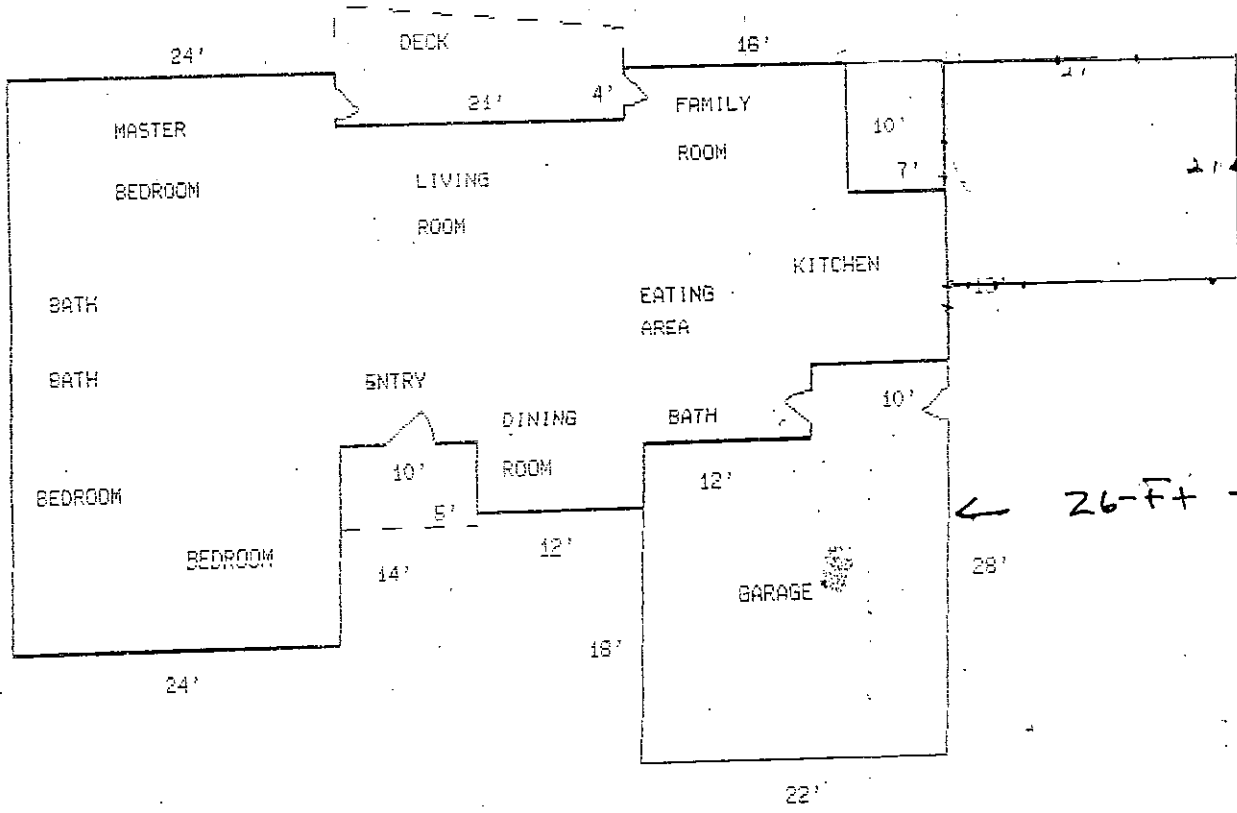
Marvin S. Krout
Planning Director



Kurt A. Schroeder
Superintendent of Central Inspection

Enclosure

cc: Kurt Schroeder, Office of Central Inspection
Paul Hays, Office of Central Inspection
Randy Sparkman, Office of Central Inspection
J.R. Cox, Office of Central Inspection



1317 N. CARDINGTON

BZA2001-00062
SITE PLAN

APPROVED 2-6-02 BY SK