



**FILE COPY**

**Wichita-Sedgwick County Metropolitan Area Planning Department**

June 7, 2001

Jesse LeRoy Leep  
1739 Ferrell  
Wichita, KS 67203

**Re: BZA2001-00032: Administrative Adjustment to reduce interior side setback.**

**Legal Description: Lots 167-179 Odd on Heiserman (now Ferrell) Rich's Addition, Wichita, Sedgwick County, Kansas (1739 Ferrell).**

Dear: Mr. Leep:

We have reviewed your request for an Administrative Adjustment to reduce your interior side setback. From reviewing your application, we understand that you desire to construct an addition to the side of your house consisting of a walk-in closet. We further understand that you desire for the addition to maintain a common east-west wall line with the existing structure, which is located only 5 feet south of your north property line. The result is a 1 foot encroachment into the required 6 foot interior side setback for the "SF-5" Single-Family zoning district.

The Unified Zoning Code allows an adjustment to reduce the interior side setback by up to 20 percent. We find that the reduction of the interior side setback from 6 feet to 5 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 because the side yard provides no vehicular access and sufficient space will remain for pedestrian access.
- 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 interior setback, as sufficient separation between buildings is maintained and the addition is located adjacent to a rear yard on an abutting site that does not contain any structures..
- 3) Compatibility with existing or permitted uses on abutting sites: The proposed addition is compatible with existing and permitted uses on abutting sites, and the additional 1 foot encroachment into the interior side setback should not reduce the compatibility of the addition with abutting sites.

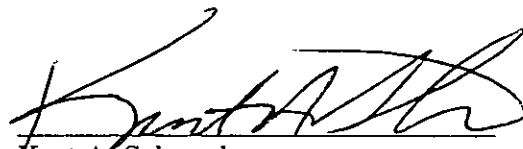
- 4) Effect on public health, safety or welfare: There will be no encroachment into public utility easements or right-of-way, therefore, there should not be a negative impact on the public health, safety or welfare nor will properties or improvements in the vicinity be materially injured.

Our signatures below indicate that an Administrative Adjustment to reduce the interior side setback for the aforementioned property from 6 feet to 5 feet 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

  
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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

BAUGHMAN CO.

SURVEYORS

2512 EAST WILSON  
WICHITA, KANSAS 67211  
PHONE 257431

State of Kansas }  
County of Sedwick }

SS

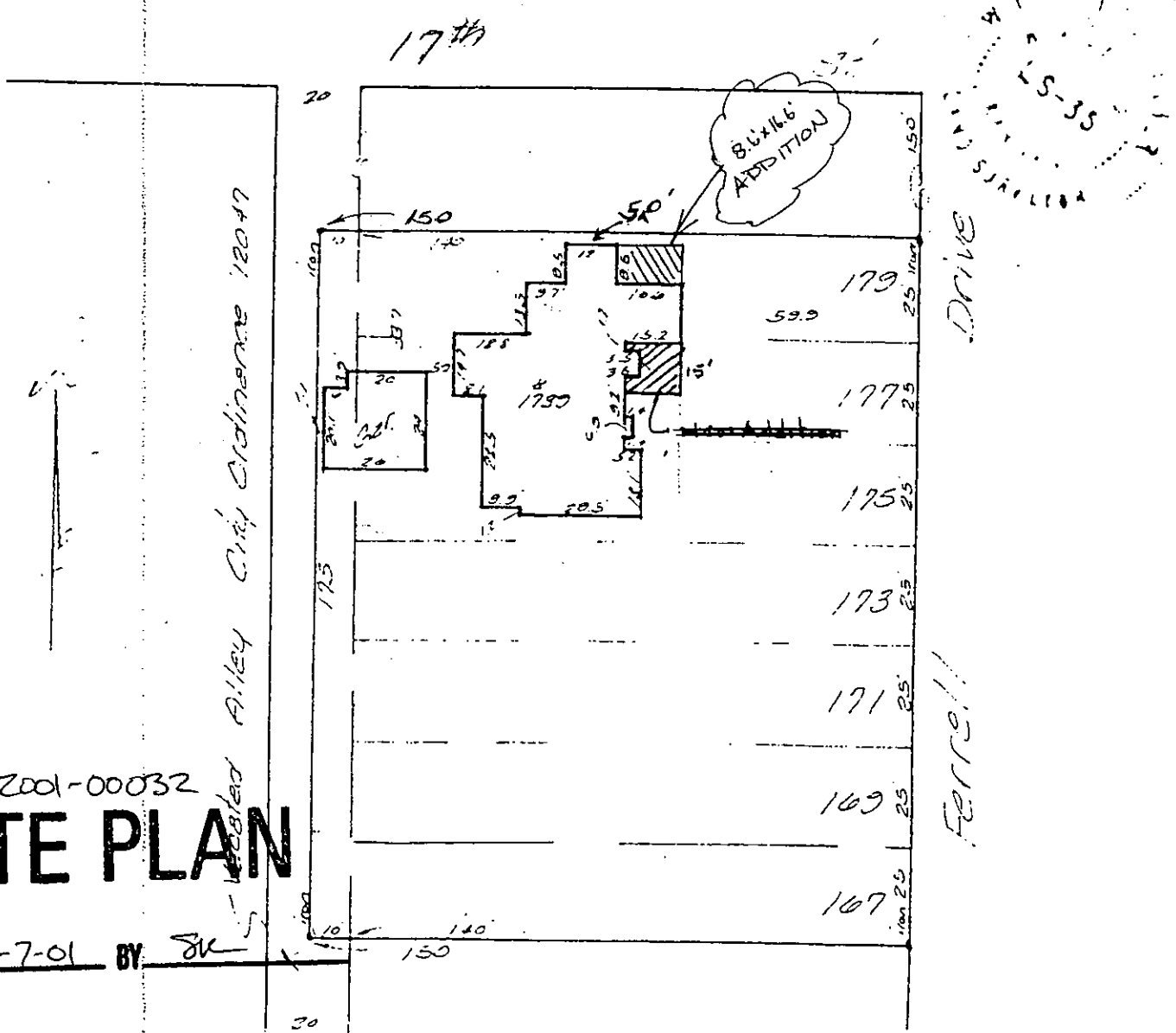
August 6, 1971

We, Baughman Company, Surveyors in aforesaid county and state do hereby certify that we did on this 6th day of August, 1971 survey lots 167-169-171-173-175-177-179 on Heiserman (now Ferrell) in Rich's Addition to Wichita, Kansas.

On said lot is house No. 1739 which is in the clear of all boundary lines and a garage which is as shown on the accompanying plat. There are no encroachments on said lot by buildings on the adjacent lots.

The accompanying plat is a true and correct exhibit of said survey for mortgage title insurance.

*William L. Koehler*  
Surveyor



BZAZ001-00032

**SITE PLAN**

APPROVED 6-7-01 BY *SK*