



FILE COPY

Wichita-Sedgwick County Metropolitan Area Planning Department

April 13, 2001

Alfred E. Pressnell
1503 N. Gow
Wichita, KS 67203

Re: BZA2001-00015: Administrative Adjustment to reduce setbacks.

Legal Description: Lot 10, Meadowvale 2nd Addition, Wichita, Sedgwick County, Kansas (1503 N. Gow).

Dear: Mr. Pressnell:

We have reviewed your request for an Administrative Adjustment to reduce your side setback. From reviewing your application, we understand that you desire to construct a carport and that the carport will be setback only 5 feet from the north side property line. Also from reviewing your application, we have determined that the existing house on your property encroaches into the front setback by 0.2 feet and the south side setback by 0.9 feet.

The Unified Zoning Code allows an adjustment to reduce setbacks by up to 20 percent. We find that reducing the north side setback from 6 feet to 5 feet, the south side setback from 6 feet to 5.1 feet, and the front setback from 25 feet to 24.8 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 encroachments should have no impact on the safety and convenience of vehicular and pedestrian circulation in the vicinity because proposed carport will be a drive-through that provides vehicular access to the garage in the rear of the lot and sufficient space will remain in the side yards 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 setbacks, as sufficient separation between buildings is maintained and the existing house has encroached into the setbacks since it was constructed in 1955 with no negative impacts on surrounding areas.
- 3) Compatibility with existing or permitted uses on abutting sites: The proposed carport is compatible with existing and permitted uses on abutting sites, and the additional one foot

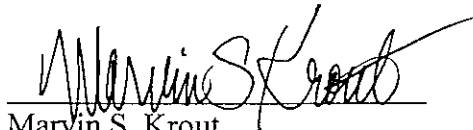
encroachment into the side yard setback should not reduce the compatibility of the improvements with abutting sites. The existing house has encroached into the setbacks since it was constructed in 1955 and will remain compatible with abutting sites in its existing location.

- 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.

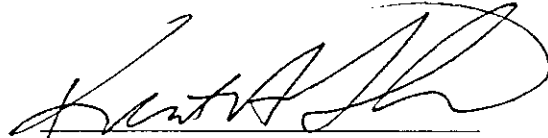
Our signatures below indicate that an Administrative Adjustment to reduce the north side setback from 6 feet to 5 feet, the south side setback from 6 feet to 5.1 feet, and the front setback from 25 feet to 24.8 feet is hereby granted, subject to the following conditions:

- 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



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

[illegible]

Off-set Tolerance:
 $\pm 0.3'$

SITE PLAN

APPROVED 4-13-01 BY SK