



Wichita-Sedgwick County Metropolitan Area Planning Department

March 7, 2001

Robert Conner
833 N. Colorado
Wichita, KS 67212

FILE COPY

Re: BZA2001-00010: Administrative Adjustment to reduce a side yard setback.

Legal Description: Lot 26, Block 2, Galyardts 1st Addition, Wichita, Sedgwick County, Kansas (833 N. Colorado).

Dear: Mr. Conner:

We have reviewed your request for an Administrative Adjustment to reduce your side yard setback. From reviewing your application, we understand that you desire to construct an open outside stairway to a screened deck and that the stairway will be setback only three feet from the side property line. Since the Unified Zoning Code allows open outside stairways to encroach into the side yard setback by only two feet, you are requesting to reduce the side yard setback from six feet to five feet so that the two foot encroachment for the stairway can be three feet from the side property line.

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 from six feet to five 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 side yard setback, as sufficient separation between buildings is maintained and the encroachment is adjacent to a side yard in a location where no structures have been constructed.
- 3) Compatibility with existing or permitted uses on abutting sites: The proposed screened deck with associated outside stairway are compatible with existing and permitted uses on abutting

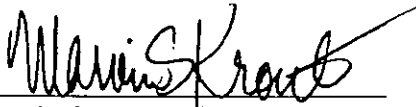
sites, and the additional one foot encroachment into the side yard setback should not reduce the compatibility of the improvements with abutting sites.

- 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.

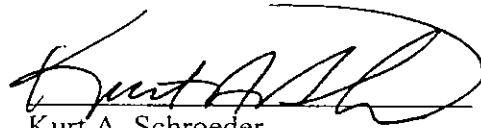
Our signatures below indicate that an Administrative Adjustment to reduce the side yard setback for the aforementioned property from six feet to five feet is hereby granted, subject to the following conditions:

- 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

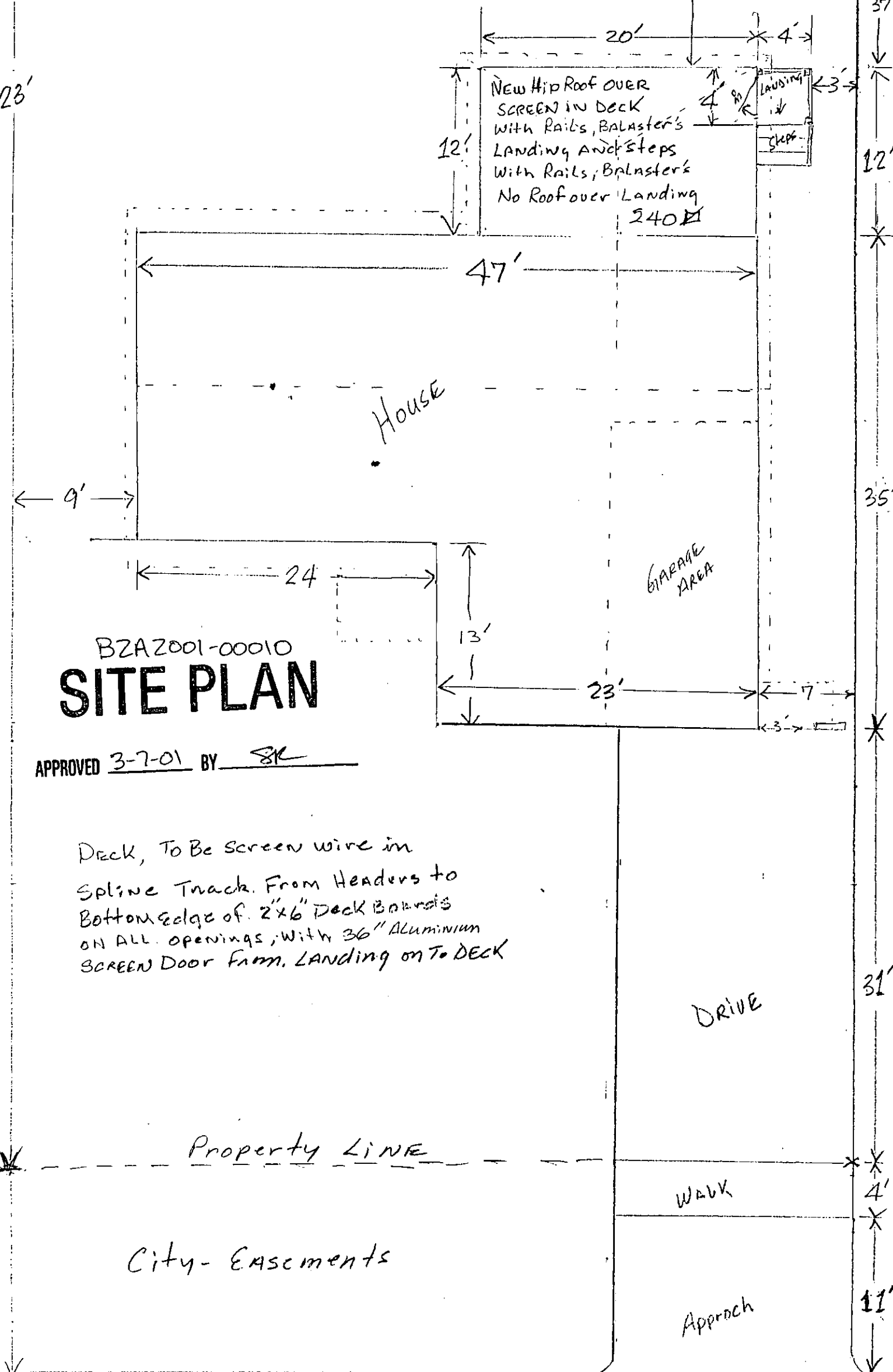
Enclosure

cc: American Builders LLC, 1632 S. West St. #1, Wichita, KS 67213
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

Legal - 10t 26, Blk 2 Gailyord's 1st Add.
Key # D17724 Contol # 218937
Robert Conner 833 N. Colorado

37' To Property Line

W1
123'



BZA2001-00010 SITE PLAN

APPROVED 3-7-01 BY SK

Deck, To Be screen wire in
Spline Track. From Headers to
Bottom edge of 2"x6" Deck Boards
on all openings; with 36" Aluminum
Screen Door From Landing on To Deck

Property Line

City - Easements

ROBERT CONNER / 833 N. COLORADO ST.
10.6'

1/8" SCALE