



Wichita-Sedgwick County Metropolitan Area Planning Department

September 5, 2002

Michael W. & Carolyn A. McClellan
5240 Sullivan Rd.
Wichita, KS 67204

Re: BZA2002-00055: Zoning Adjustment to reduce the rear setback from 20 feet to 17 feet.

Legal Description: Lot 4, Block 2, Reflection Ridge 6th Addition, Wichita, Sedgwick County, Kansas. Generally located north of Reflection Road and west of Ridge Road (2714 N. Wild Rose).

Dear Mr. & Mrs. McClellan:

We have reviewed your request for a Zoning Adjustment to reduce the rear setback on the above-referenced property. From reviewing your application, we understand that you desire to construct a single-family residence on the property and that portion of the structure will be setback from the rear property line only 17 feet. Therefore, you have requested a Zoning Adjustment to reduce the rear setback required by the "SF-5" Single-Family zoning district from 20 feet to 17 feet.

Sec. V-1.2.a. of the Unified Zoning Code allows an adjustment to reduce the rear setback by up to 20 percent when the conditions required by Sec. V-1.6. of the Code are met. We find that the reduction of the rear setback from 20 feet to 17 feet meets the four conditions required by Sec. V-1.6 of the Code as set out below:

- 1) Impact on safety and convenience of vehicular and pedestrian circulation: The proposed encroachment into the setback should not detrimentally impact the safety and convenience of vehicular and pedestrian circulation in the vicinity, as the rear yard is not used for circulation and the code-required off-street parking spaces will still be provided on the property.
- 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 setback, as the portion of the building that will encroach into the rear setback is confined to the northeast corner of the lot and is not adjacent to other residential structures. East of the area of encroachment is Ridge Road that is separated from the subject property by a 6-foot high masonry wall. North of the area of encroachment is an open space reserve. Existing mature trees also will provide screening of the area of encroachment from surrounding areas.

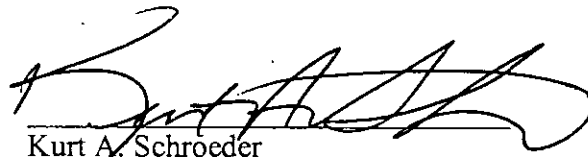
- 3) Compatibility with existing or permitted uses on abutting sites: The proposed single-family residence is compatible with abutting sites, which are developed with single family residences. Reducing the rear setback for a small portion of the residential structure will not diminish the compatibility of the proposed single-family residence with uses on abutting sites due to the minor nature of the encroachment.
- 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 a Zoning Adjustment to reduce the rear setback from 20 feet to 17 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) The setback reduction shall apply only to "Subject Building" as illustrated on the approved site plan. All other structures or additions on the subject property shall conform to the setbacks permitted by the Unified Zoning Code unless a separate Zoning Adjustment or Variance is granted.
- 3) If the Zoning Administrator finds that there is a violation of any of the conditions of the Zoning Adjustment, the Zoning Administrator, in addition to enforcing the other remedies set forth in Article VIII of the Unified Zoning Code, may, with the concurrence of the Planning Director, declare that the Zoning Adjustment is null and void.

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

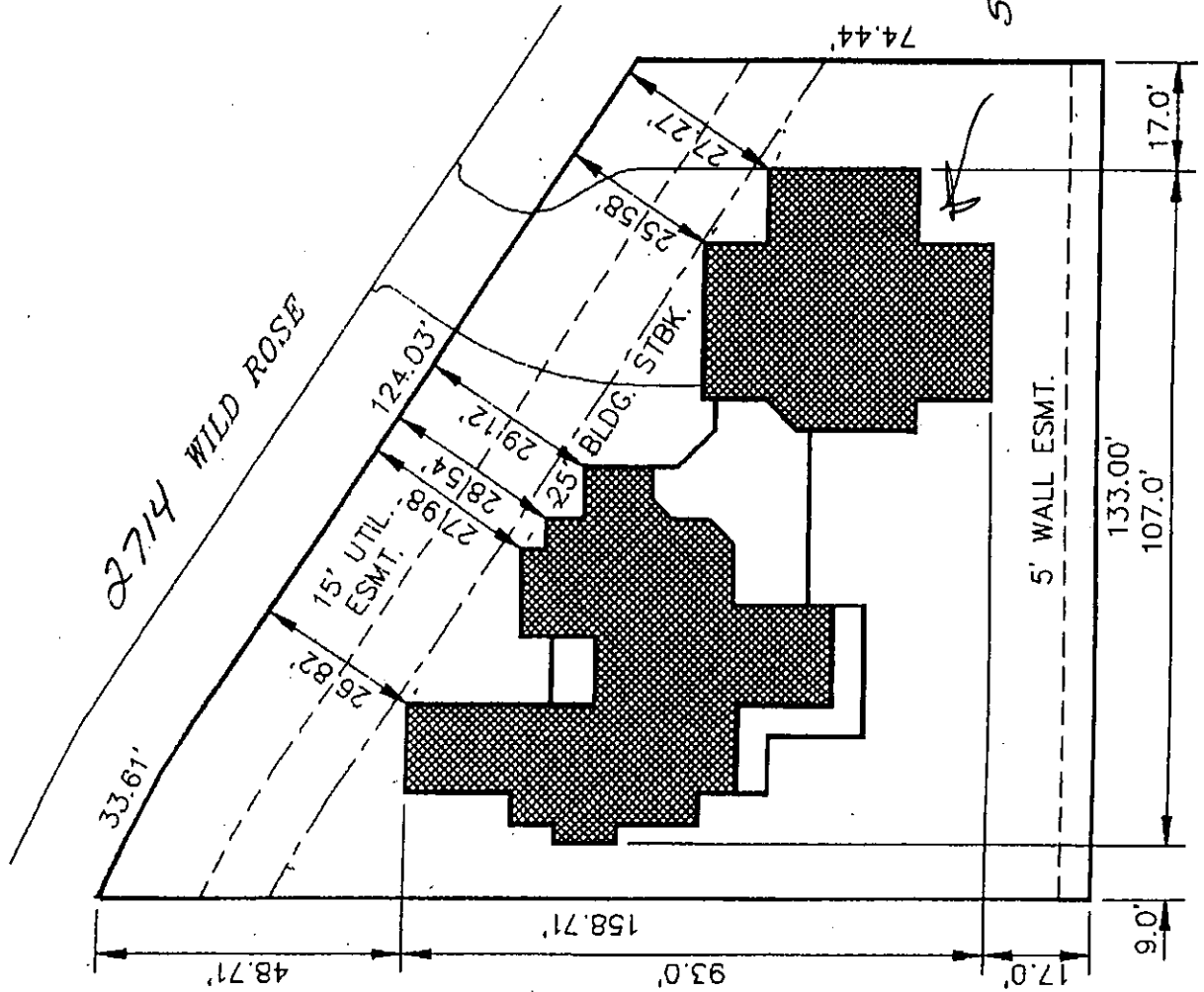

Michael E. Lindebak
Planning Director


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

LOT 4, BLOCK 2
REFLECTION RIDGE 6TH ADDITION
2447 N. WILD ROSE
2714



BZAZ002-00055

SITE PLAN

APPROVED 9-5-02 BY SR

SCALE: 1"=30'