



Wichita-Sedgwick County Metropolitan Area Planning Department

August 7, 2002

Kenneth E. & Beverly Ann White
#8 Rolling Hills
Wichita, KS 67212

FILE COPY

Re: **BZA2002-00043: Zoning Adjustment to reduce the rear setback from 20 feet to 16 feet.**

Legal Description: Lot 4, Rolling Hills Addition, Sedgwick County, Kansas. Generally located north of Rolling Hills and west of Tyler (#8 Rolling Hills).

Dear Mr. & Mrs. White:

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 an addition to the single-family residence on the property. From reviewing your site plan, we have determined to you intend to add a 12-foot x 15-foot room to the northeast corner of the house and that the addition will be setback from the rear property line only 16.5 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 16 feet.

Sec. V-I.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-I.6. of the Code are met. We find that the reduction of the rear setback from 20 feet to 16 feet meets the four conditions required by Sec. V-I.6 of the Code as set out below:

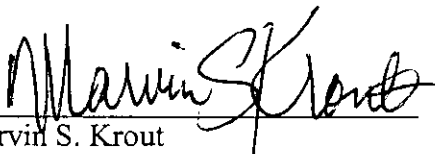
- 1) Impact on safety and convenience of vehicular and pedestrian circulation: The proposed encroachment into the setback should not detrimentally impact the safety and convenience of vehicular and pedestrian circulation in the vicinity, as the rear yard is not used for circulation and the code-required 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 building will maintain a similar setback as existing non-conforming structures on adjacent lots.
- 3) Compatibility with existing or permitted uses on abutting sites: The room addition is compatible with abutting sites, which are developed in a similar fashion with single family residences. Reducing the setback will not diminish the compatibility of the existing single-family residence with uses on 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.

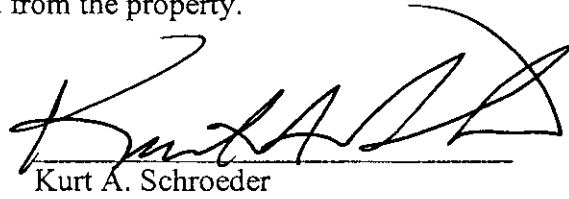
Our signatures below indicate that a Zoning Adjustment to reduce the rear setback from 20 feet to 16 feet for the aforementioned property is hereby granted, subject to the following conditions:

- 1) The site shall be developed in general conformance with the approved site plan.
- 2) The setback reduction shall apply only to "Proposed Site of 15' x 12' Finished Room Addition" 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) The addition shall match the character of the existing single-family residence in terms of materials and color.
- 4) 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.



Marvin S. Krout
Planning Director



Kurt A. Schroeder
Superintendent of Central Inspection

Enclosure

cc: Debby Simmons, Southwestern Remodeling, 134 N. Elizabeth, Wichita, KS 67203
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

