



FILE COPY

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

April 23, 2003

Terry M. Peters  
1515 Alta  
Wichita, KS 67216

**Re: BZA2003-00016: Zoning Adjustment to reduce the east side setback from 6 feet to 5 feet.**

**Legal Description: Lot 11, Block 1, Louis' 4th Addition, Wichita, Sedgwick County, Kansas. Generally located 2 blocks south of MacArthur and 1 block west of Hydraulic (1515 Alta).**

Dear Mr. Peters:

We have reviewed your request for a Zoning Adjustment to reduce the side setback on the above-referenced property. From reviewing your application, we understand that you desire to construct a 10' x 26' addition to the single-family residence on the property. From reviewing your site plan, we have determined that the addition will be set back from the east property line only 5 feet; therefore, you have requested a Zoning Adjustment to reduce the east side setback required by the "SF-5" Single-Family zoning district from 6 feet to 5 feet.

Sec. V-I.2.a. of the Unified Zoning Code allows an adjustment to reduce a building 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 setback as proposed meets the four conditions required by Sec. V-I.6 of the Code as set out below:

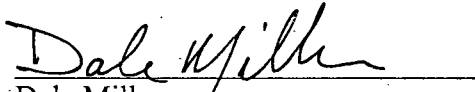
- 1) Impact on safety and convenience of vehicular and pedestrian circulation: The proposed encroachment into the setback should not detrimentally impact the safety and convenience of vehicular and pedestrian circulation in the vicinity, as vehicular circulation to the rear yard is provided along the west property line where the building setback is 13.8 feet.
- 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 encroachment into the side yard setback is minimal and the addition will match the character of the existing residence.
- 3) Compatibility with existing or permitted uses on abutting sites: The proposed 10' x 26' addition is compatible with abutting sites, which are developed with single family residences. Reducing the setback will not diminish the compatibility of the existing single-family residence with uses on abutting sites.

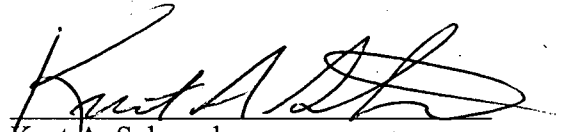
- 4) Effect on public health, safety or welfare: There will be no encroachment into public utility easements or right-of-way; therefore, there should not be a negative impact on the public health, safety or welfare nor will properties or improvements in the vicinity be materially injured.

Our signatures below indicate that a Zoning Adjustment to reduce the east side setback from 6 feet to 5 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 "10' x 26' 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 and roof pitch.
- 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.

  
Dale Miller  
Acting Planning Director

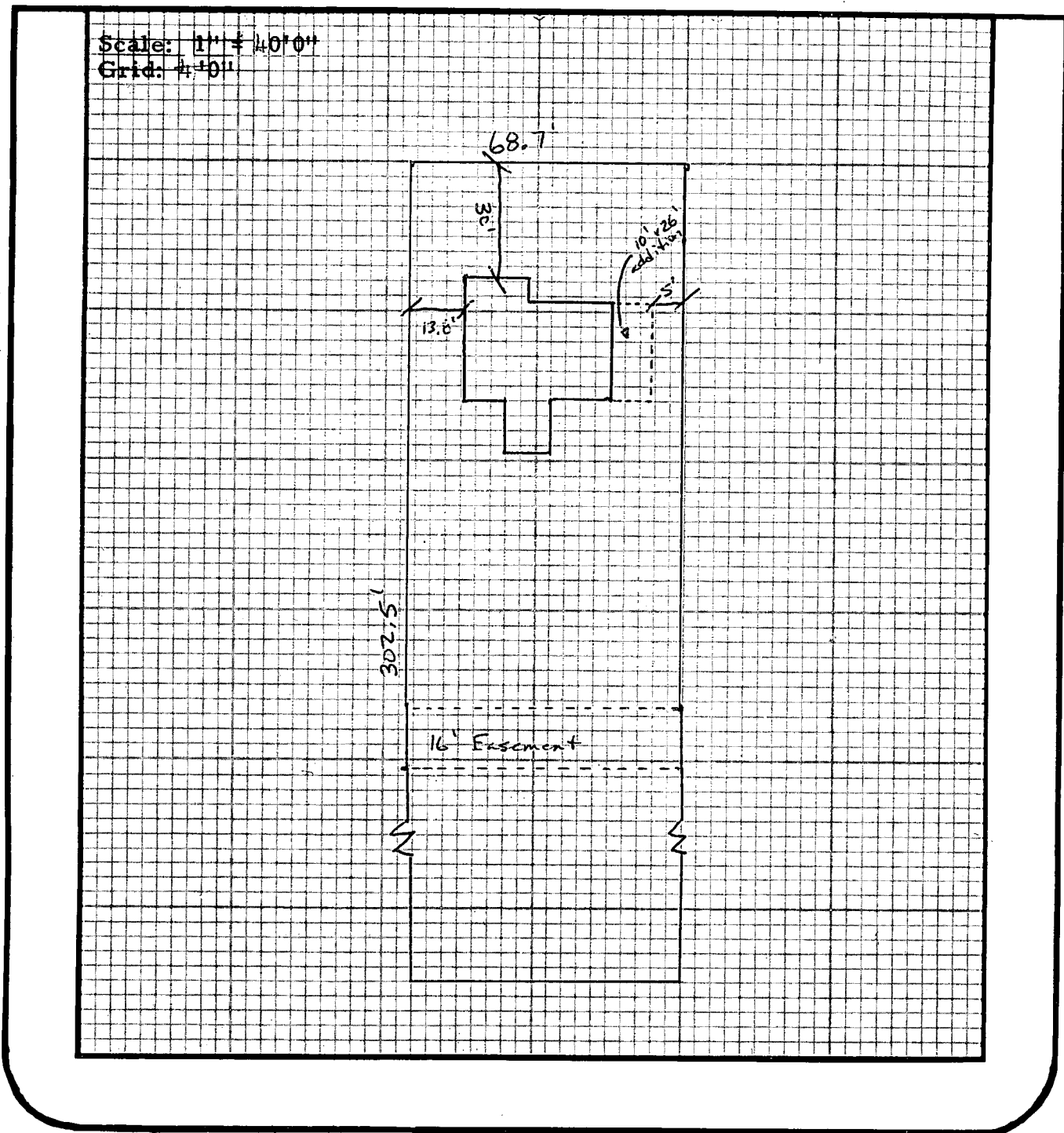
  
Kurt A. Schroeder  
Superintendent of Central Inspection

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

RESIDENTIAL PLOT PLAN

ADDRESS: 1515 Alta PERMIT NO. \_\_\_\_\_  
LOT(S): 11 BLK. 1 OF Louis' 4th Add ZONING SF-5  
REQUIRED SETBACKS: FRONT 30' SIDE 6' SIDE 5' REAR 20'  
per adm adj



I certify that the above plat complies with applicable zoning setbacks and sub-division covenants and restrictions.

Signed: Terry M. Peters  
(Applicant)

White Copy - File      Yellow Copy - Applicant