



Wichita-Sedgwick County Metropolitan Area Planning Department

Eric Schmidt and Jamie Tabor-Schmidt
3211 Crowell Dr.
Wichita, Kansas 67204

December 16, 2012

Craig and Elizabeth Owens
211 South Volutsia
Wichita, Kansas 676211

Re: BZA2011-00059: City Administrative Adjustment to reduce rear setback by 50 percent (10 feet) on property zoned SF-5 Single-Family Residential located at 3212 N. Porter (east of North Coolidge Avenue and south of West 32nd Street North).

Lot 3, L.J. Timmermeyer Addition, Wichita, Sedgwick County, Kansas.

Dear Applicants:

We have reviewed your request for a Zoning Adjustment to reduce the rear setback for an addition to the rear of the proposed house on the aforementioned property. Therefore, you have requested a 50 percent adjustment to reduce the required rear (east) setback from 20 feet to 10 feet. Attached is a site plan depicting the proposed encroachment.

Section V-I.2.a of the Unified Zoning Code allows the side setback to be reduced by up to 50 percent when the provisions of that section and the Zoning Adjustment Criteria of Section V-I.6 are met. We find that the reduction of the rear setback as proposed meets the provisions of Section V-I.2.a and the four criteria required by Section V-I.6 as set out below:

- 1) Impact on safety and convenience of vehicular and pedestrian circulation: The setback encroachment should have no impact on the safety and convenience of vehicular and pedestrian circulation in the vicinity as no public right-of-way is affected and traffic volume is unchanged.
- 2) Impact on existing uses in surrounding areas: The proposed 10-foot encroachment into the original 20-foot setback should not impact the uses on adjoining lots.
- 3) Compatibility with existing or permitted uses on abutting sites: The application area is to be developed with a residence which is the same use intended for adjoining and abutting lots. The requested encroachment leaves a ten-foot setback from the adjoining lot to the

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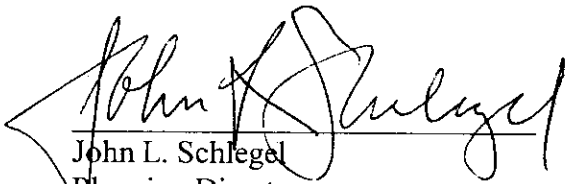
east. The requested adjustment should not compromise the compatibility of existing or permitted uses on abutting sites.

- 4) Effect on public health, safety or welfare: There will be no encroachment into public utility easements or right-of-way. Therefore, there should be no impact on the public health, safety or welfare nor will properties or improvements in the vicinity be materially injured.

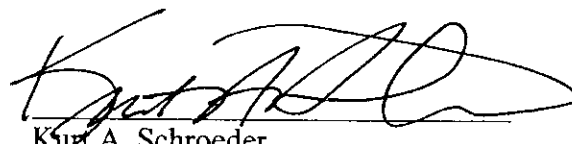
Our signatures below indicate that a Zoning Adjustment to reduce the rear setback on the aforementioned property by 50 percent, twenty feet to ten feet, is hereby granted, subject to the following conditions:

- 1) The site shall be developed in general conformance with the approved site plan.
- 2) The site shall be developed in conformance with all applicable codes, including but not limited to building, fire, and health codes.
- 3) The setback reduction shall apply only to the rear setback 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.
- 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 the Unified Zoning Code, may, with the concurrence of the Planning Director, declare that the Zoning Adjustment is null and void.

The "Development Application" sign should now be removed from the property.



John L. Schlegel
Planning Director



Kurt A. Schroeder
Superintendent of Central Inspection

Enclosure

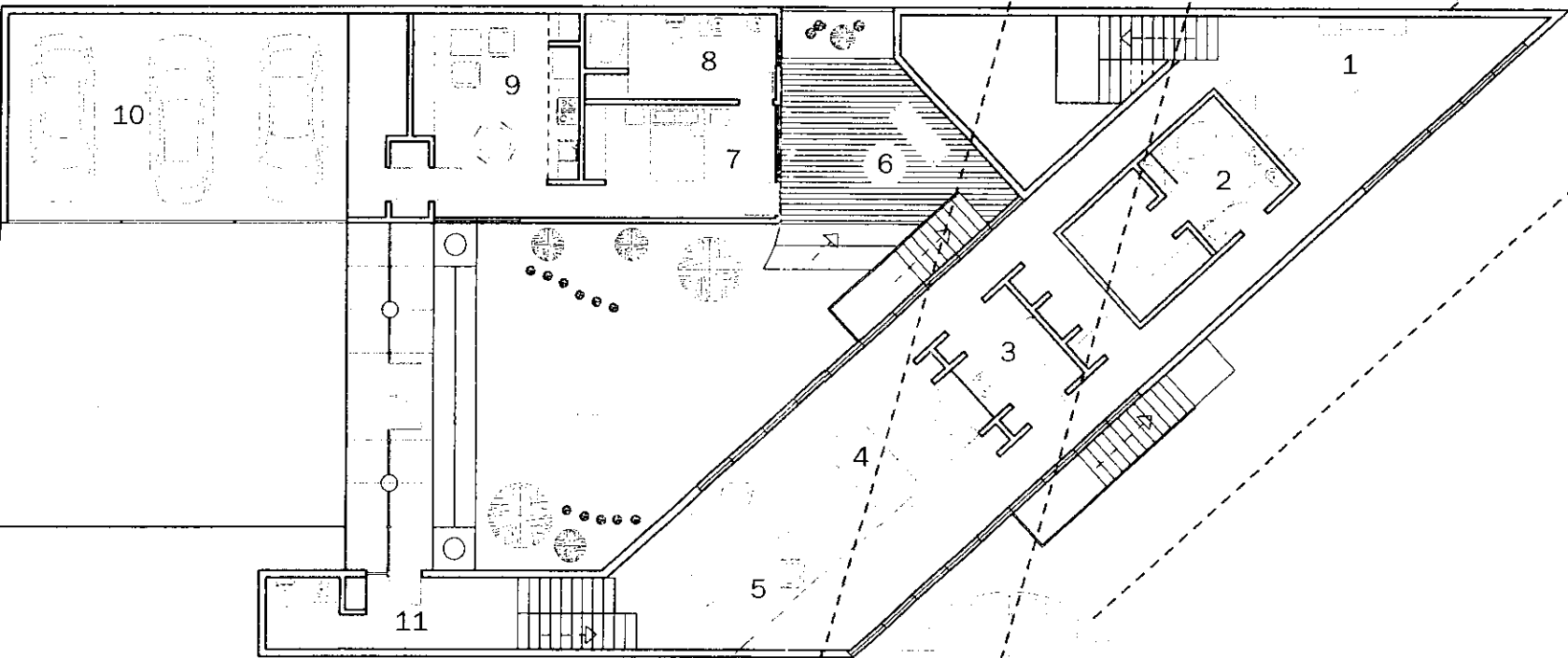
cc: Kurt Schroeder, OCI
JR Cox, OCI
Mike Gable, OCI
Janet Miller, District VI, mailstop 1-13

Porter St.

Property Line

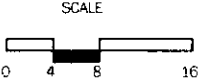
16' Easment

20' Setback



Little Arkansas River

- KEY
- 1. Mstr. Bedroom
 - 2. Mstr. Bath
 - 3. Kitchen
 - 4. Dining Room
 - 5. Living Room
 - 6. Wood Deck
 - 7. Bedroom 1
 - 8. Bath
 - 9. Dining/Living
 - 10. Garage
 - 11. Entry
 - 12. Courtyard

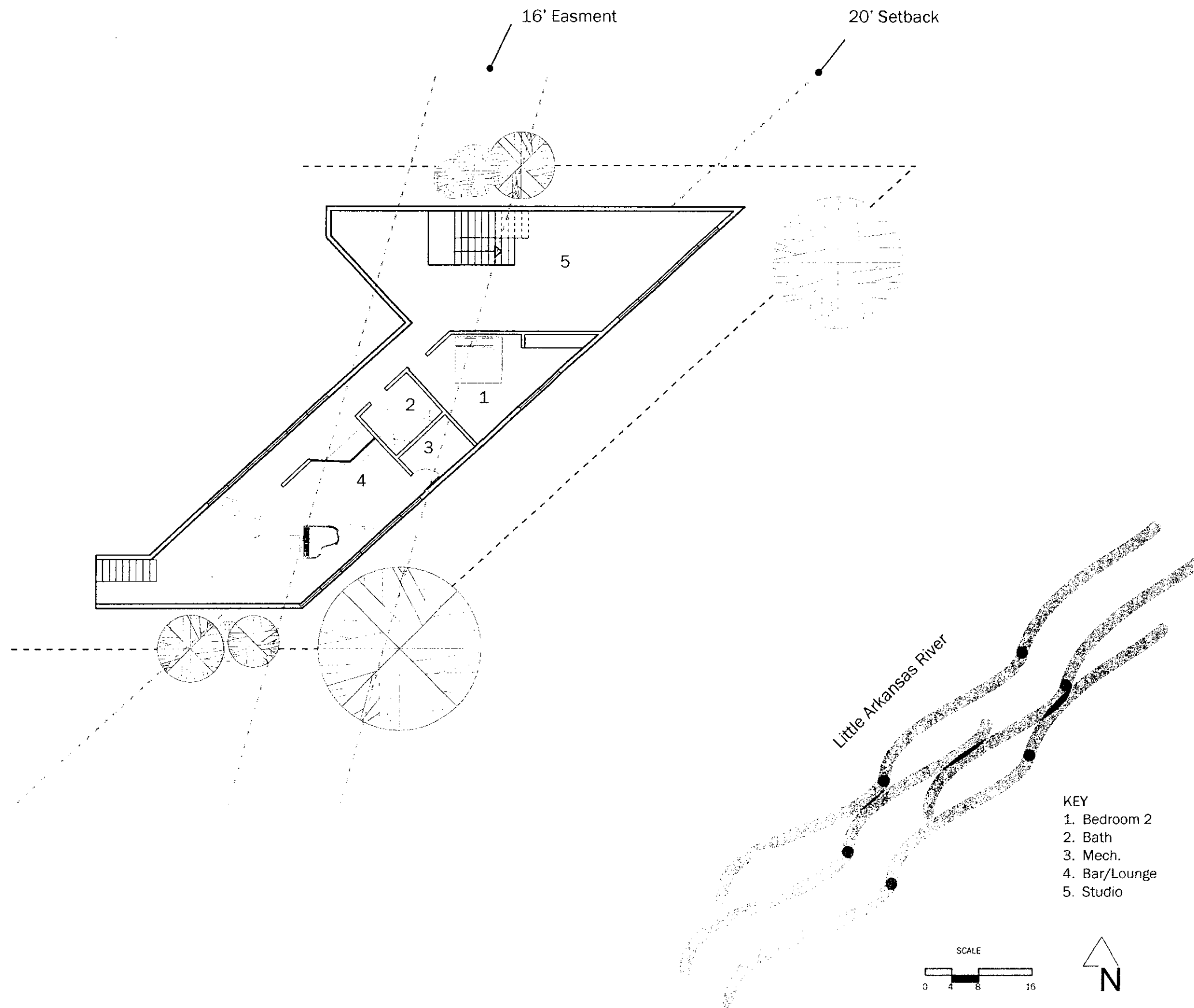


Craig + Elizabeth Owens
Residents

McAfee 3
Architects

Aug. 4, 2011

MAIN LEVEL



Craig + Elizabeth Owens
Residents

McAfee 3
Architects

Aug. 4, 2011

LOWER LEVEL

Porter St.

Property Line

Soil Test

16' Easment

20' Setback

Soil Test

Soil Test

Little Arkansas River

SCALE
0 4 8 16

N

Craig + Elizabeth Owens
Residents

McAfee 3
Architects

July 22, 2011

ROOF PLAN