

RESIDENTIAL PLOT PLAN

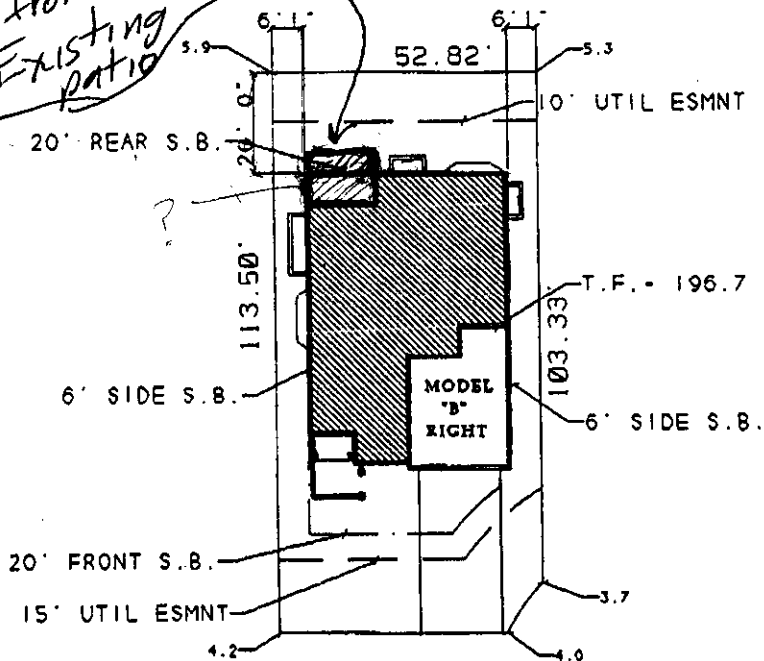
ADDRESS: 4444 N. Barton Creek Ct.

LOT: 5 BLOCK: 4 WILLOWBEND NORTH ADDITION, WICHITA, KS.

REQUIRED SETBACKS: FRONT = 20' SIDE = 6' BACK = 20'

*VIEWOUT BASEMENT NOT ALLOWED
PER APPROVED DRAINAGE PLAN*

*6' from house
EXISTING
PATIO*



SCALE: 1" = 30'

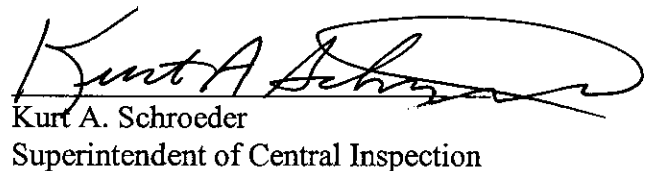
- 2) Impact on existing uses in surrounding areas: There should be no negative impact on the existing uses in surrounding areas as a result of the increase of the maximum projection of a structural element into the rear setback. The existing concrete patio slab already extends 6-feet into the 20-foot rear setback and the proposed covered deck will occupy the same area.
- 3) Compatibility with existing or permitted uses on abutting sites: The proposed covered deck attached to the single-family residence is compatible with abutting sites, which also are developed with single-family residences, of which several have similar patio slabs in their rear yards. Allowing the attached covered deck should not change the compatibility of the subject property 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 increase the maximum projection of the proposed covered deck, at 6-feet into the 20-foot rear setback 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 proposed covered deck shall be built over the existing patio slab only, with its maximum projection, including the overhang from the roof, extending 6-feet into the 20-foot rear setback. 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 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, Office of Central Inspection
Paul Hays, Office of Central Inspection



Wichita-Sedgwick County Metropolitan Area Planning Department

September 7, 2005

Edward A. Kriwiel
4444 N. Barton Creek Court
Wichita, KS 67226

Re: BZA2005-00048: Administrative Adjustment to increase the maximum projection of a structural element, a covered deck, to allow it to project 6-feet into the 20-foot rear setback of a "SF-5" zoned single-family residential lot.

Legal Description: Lot 14, Block 5, Willowbend North Addition, Wichita, Sedgwick County, Kansas. Generally located south of 45th Street North, midway between Woodlawn Boulevard and Rock Road (4444 North Barton Creek Court).

Dear Mr. Kriwiel:

We have reviewed your request for an Administrative Adjustment to increase the maximum projection of a structural element into the rear setback on the aforementioned property. From reviewing your application, we understand that you propose to construct a covered deck over an existing patio, which is attached to the rear of your single family residence, thereby requiring the attached covered deck to comply with the 20-foot rear setback for the "SF-5" zoning district. Since the attached covered deck (and existing patio slab) is set back only 14-feet from the rear property line, you have requested an Administrative Adjustment to increase the maximum projection of a structural element into the rear setback.

Art. III, Sec. III-E.1.g. of the Unified Zoning Code allows a deck to project no more than 5-feet into the required rear setback. Art. V, Sec. V-I, 2.j. allows an administrative adjustment to increase the maximum projection of structural elements into a rear yard setback by up to 20%, which would allow another 1-foot into the rear setback; 20% (x) 5-feet. We find that the reduction of the setback as proposed meets the provisions of Sec. V-I.2.j. 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 proposed encroachment should not negatively impact the safety and convenience of vehicular and pedestrian circulation as existing driveways and sidewalks will not be impacted.