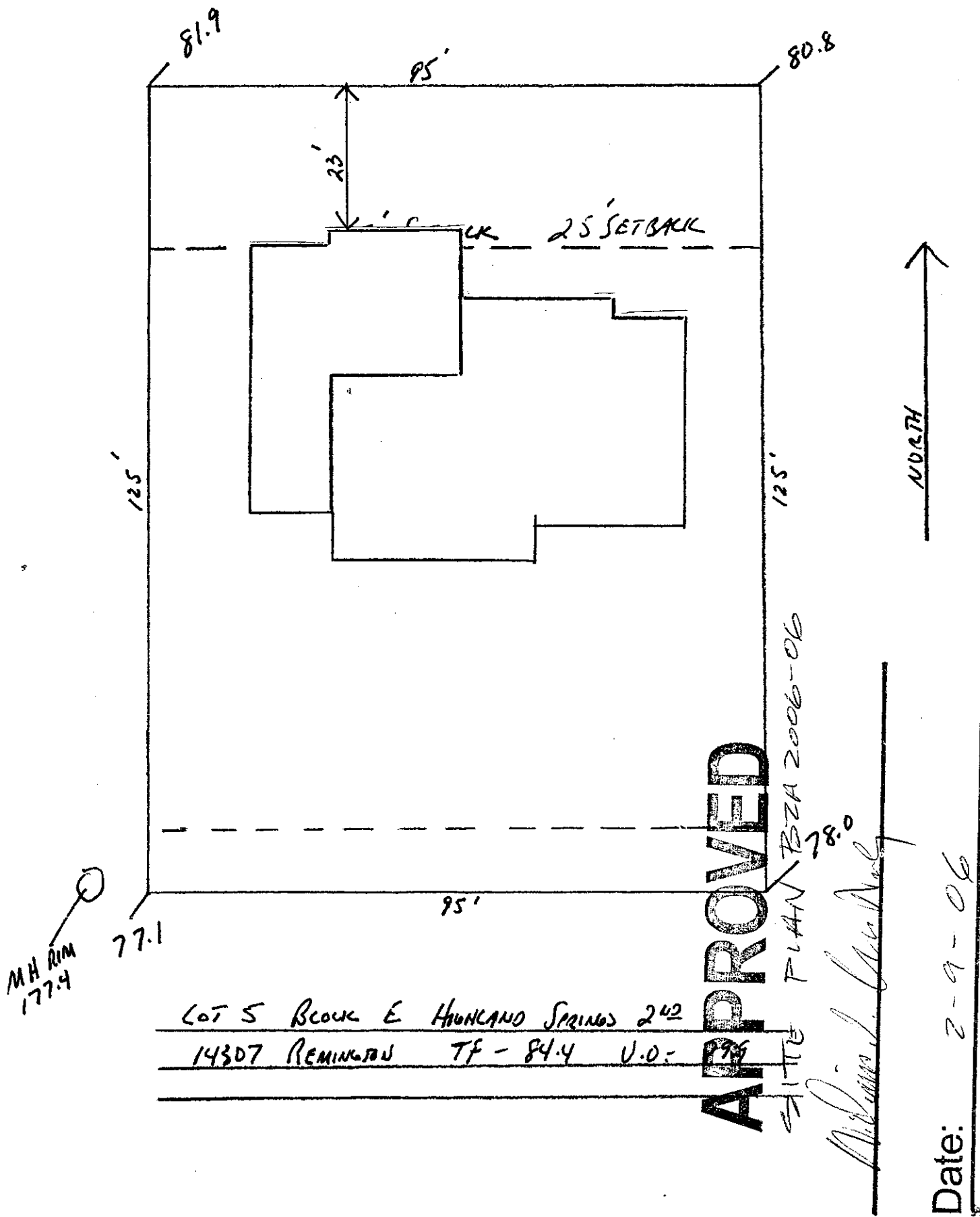


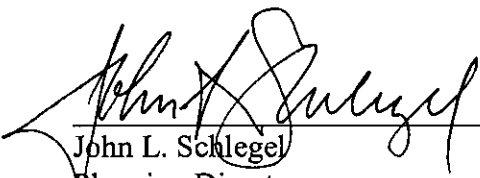


- 3) Compatibility with existing or permitted uses on abutting sites: The single-family residence is compatible with existing and permitted uses on abutting sites, the encroachment into the front setback should not reduce compatibility with abutting and adjacent sites.
- 4) Effect on public health, safety or welfare: There will be no encroachment into public utility easements or right-of-way. Therefore, there should be no 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 front setback for the aforementioned property from 25-feet to 23 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 setback reduction shall apply only to the front 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.
- 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
Randy Sparkman, Office of Central Inspection
Herb Shaner, Office of Central Inspection



Wichita-Sedgwick County Metropolitan Area Planning Department

February 8, 2006

Kelsey Development Inc.
716 N 119th St. W.
Wichita, KS 67235

Craig Pate Construction
7732 W. Central Park
Wichita, KS 67205

Re: BZA2006-06: Zoning Adjustment to reduce the front setback from 25 feet to 23 feet.

Legal Description: Lot 5, Block E, Highland Springs 2nd Addition, Wichita, Sedgwick County, Kansas. Generally located west of 135th Street West and south of Highland Springs (14307 Remington).

Dear Applicants,

We have reviewed your request for a Zoning Adjustment to reduce the front setback on the aforementioned property. From reviewing the application, we understand that you desire to construct a single-family residence with a 23-foot front setback, a two-foot encroachment into the required 25-foot front setback for the "SF-5" Single-Family zoning district. Therefore, you have requested an adjustment to reduce the required front setback.

Section V-I.2.a. of the Unified Zoning Code allows up to a 20% reduction of the front setback for a principle structure 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 front setback as proposed meets the provisions of Section V-I.2.a. and the four criteria required by Section V-1.6. 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 because right-of-way, the driveway, and sidewalk will not be affected.
- 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 front setback reduction, as sufficient separation between buildings is maintained and the front setback reduction is within allowable limits.