

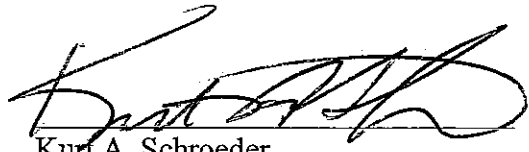
- 2) Impact on existing uses in surrounding areas: There should be no negative impact on the existing uses in surrounding areas as a result of the setback reduction, as sufficient separation between buildings is maintained and the setback reduction is within allowable limits.
- 3) Compatibility with existing or permitted uses on abutting sites: The structure and use is compatible with existing and permitted uses on abutting sites, the encroachment into the street-side 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 street-side setback for the aforementioned property from three-feet to 28.8 inches 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 street-side 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: Doug Allison, WDM Architects, 105 N Washington, Wichita, KS, 67202
Kurt Schroeder, Office of Central Inspection
Paul Hays, Office of Central Inspection
Richard Chamberlin, Office of Central Inspections



FILE COPY

Wichita-Sedgwick County Metropolitan Area Planning Department

April 11, 2006

Wichita Beta Theta Pi Alumni Association
c/o Bruce Schrek
PO Box 780087
Wichita, KS 67278

Re: BZA2006-25: Zoning Adjustment to reduce the street-side setback for an un-enclosed porch from three feet to 28.8 inches.

Legal Description: A tract of land in the Northeast Quarter of Section 10, Township 27 South, Range 1 East of the Sixth Principal Meridian, Sedgwick County, Kansas, described as beginning 30 feet west and 550 feet north of the Southeast corner of said Northeast Quarter; thence west 139 97/100 feet; thence north 100 feet; thence east 139 97/100 feet; thence south 100 feet to the place of beginning, EXCEPT the east 10 feet thereof condemned for street in case #A-50349, said tract formerly described as Lots 144, 146, 148, and 150, on Hillside Avenue, in Tangney's Fairmount Seventh Addition to the City of Wichita, Sedgwick County, Kansas, EXCEPT the east 10 feet thereof condemned for street in Case #A-50349. Generally located west of Hillside and south of 18th Street North (1855 N Hillside).

Dear Applicants,

We have reviewed your request for a Zoning Adjustment to reduce the street-side setback on the aforementioned property. From reviewing the application, we understand that you desire to add an open-air entry porch to an existing building with a 28.8-inch street-side setback, a 7.2-inch encroachment into the required three-foot street-side setback for such porches in the "B" Multi-family zoning district. Therefore, you have requested an adjustment to reduce the required setback.

Section V-I.2.a. of the Unified Zoning Code allows up to a 20% reduction of the street-side 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 street-side 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 and the sidewalk will not be affected.

