



Wichita-Sedgwick County Metropolitan Area Planning Department

October 03, 2007

Brad Weisen
503 N. Wheatland Place
Wichita, KS 67235

Re: BZA2007-59: Zoning Administrative Adjustment to allow a 10% reduction to the minimum square footage requirement in a TF-3, Two-family Residential zoning.

Legal Description: Lots 41-43, Main Street, English's Ninth Addition, Wichita, Sedgwick County, Kansas.

Mr. Weisen:

We have reviewed your request for a Zoning Adjustment to reduce the minimum lot size on the property described above. From reviewing your application, we understand that you propose to lot split the property described above, creating two single-family lots. The "TF-3" Two-family Residential zoning district requires a minimum 3,500 square-foot lot area for a single-family dwelling unit. According to your site plan, you propose two single-family lots of 6,998 square feet, or one lot (Parcel 1) at 3,848 square feet and the other lot (Parcel 2) at 3,150 square feet. Your proposal is 350 square feet, 10% for Parcel 2, less than required by code.

Section V-I.2.i of the Unified Zoning Code allows an adjustment to reduce a minimum lot size by up to 10 percent when the four conditions required by Section V-I.6 of the Unified Zoning Code are met. We find that the reduction of the minimum lot size in TF-3 zoning by 10% as proposed meets the four conditions required by the Unified Zoning Code as set out below:

- 1) Impact on safety and convenience of vehicular and pedestrian circulation: The proposed lot size reduction should have no impact on the safety and convenience of vehicular and pedestrian circulation in the vicinity because the site is not used for public circulation.
- 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 reduction of the lot size, as the proposed reduction is minor in nature and should not be noticeable.

City Hall • 10th Floor • 455 North Main • Wichita, Kansas 67202-1688

T 316.268.4421 F 316.268.4390

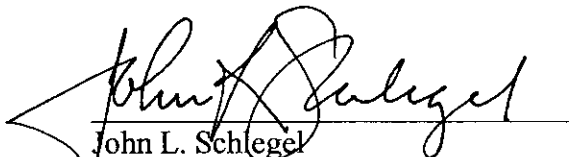
www.wichita.gov

- 3) Compatibility with existing or permitted uses on abutting sites: The proposed development will comply with all development standards except for the minor lot size reduction. The minor lot size reduction should not reduce the compatibility of the proposed development with existing and 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.

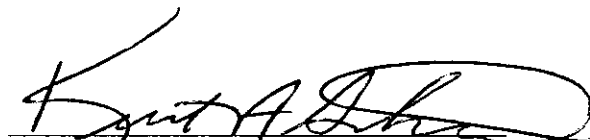
Our signatures below indicate that a Zoning Adjustment to reduce the minimum lot size for the aforementioned property from 3,500 square feet to 3,150 square feet for Parcel 2 is hereby granted, subject to the following conditions:

- 1) The site shall be developed in general conformance with the approved site plan.
- 2) No building permits shall be issued for this site prior to completion of a lot split on the property, nor prior to dedication of an access easement.
- 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 the Zoning Adjustment 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
Mike Gable, OCI
Randy Sparkman, OCI



State of Kansas }
 County of Sedgwick } SS

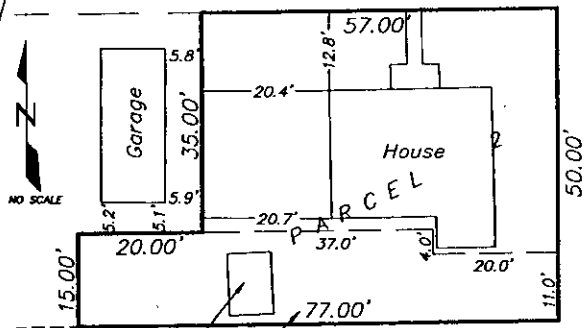
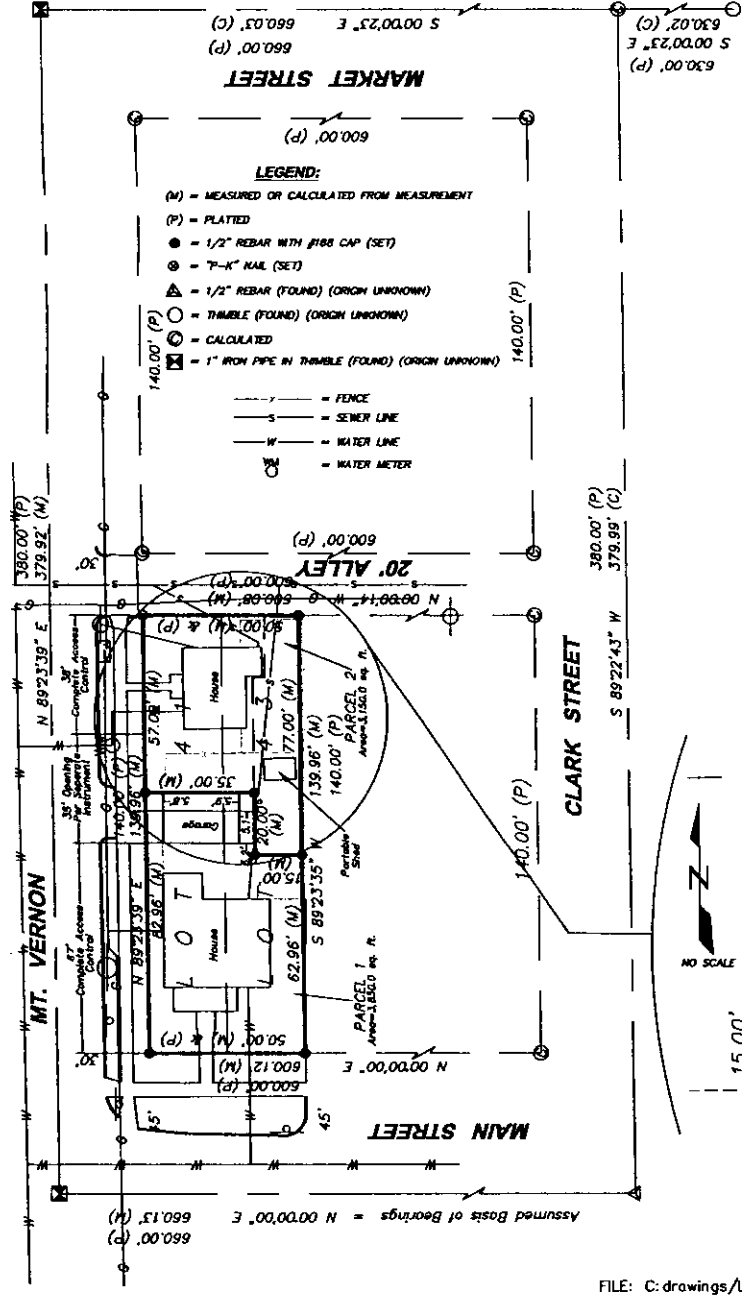
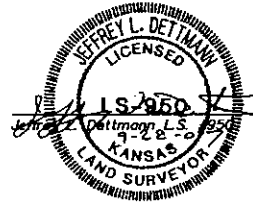
I, Jeffrey L. Dettmann, L.S. #950 do hereby certify that this drawing and these legal descriptions are a true representation of a Lot Split performed by me or under my direct supervision and that I am a duly licensed Land Surveyor in the State of Kansas.

Legally described as:

PARCEL 1:
 Lots 41 and 43 on Main Street, English's Ninth Addition to Wichita, Kansas EXCEPT Beginning at the Southeast corner of Lot 43 on Main Street, English's Ninth Addition to Wichita, Kansas; thence along the South line of said Lot 43 on an assumed bearing of S 89°23'35" W for 77.00 feet; thence N 00°00'14" W for 15.00 feet; thence N 89°23'35" E for 20.00 feet; thence N 00°00'14" W for 35.00 feet to a point on the North line of Lot 41 of said addition; thence N 89°23'39" E for 57.00 feet; thence S 00°00'14" E along the East line of Lots 41 and 43 for 50.00 feet to the point of beginning.

PARCEL 2:
 Beginning at the Southeast corner of Lot 43 on Main Street, English's Ninth Addition to Wichita, Kansas; thence along the South line of said Lot 43 on an assumed bearing of S 89°23'35" W for 77.00 feet; thence N 00°00'14" W for 15.00 feet; thence N 89°23'35" E for 20.00 feet; thence N 00°00'14" W for 35.00 feet to a point on the North line of Lot 41 of said addition; thence N 89°23'39" E for 57.00 feet; thence S 00°00'14" E along the East line of Lots 41 and 43 for 50.00 feet to the point of beginning.

Date of Survey: September 4, 2007.
 Date of Preparation: September 27, 2007.



Portable Shed
 Private Sewer Easement Dedication
 (By Sep. Inst.)

- NOTES:
- 1) Unplotted Easements of Record if any, are not shown hereon
 - 2) Plat contains no Angles or Bearings
 - 3) All Structures on site scheduled for demolition and removal

Drawn By: ELS	Approved By: JLD
Dwg. No. B671	Scale: 1" = 40'