CITY OF WICHITA

Wichita-Sedgwick County Metropolitan Area Planning Department

October 19, 2016

Larry L. Nienhueser
810 N. Amidon
Wichita, KS 67203

Custom Decking
Attn: Erik Layton
1142 N. Amidon
Wichita, KS 67203

Re: BZA2016-42: City Administrative Adjustment to allow an interior side yard setback reduction from 6-feet to 4.8 feet on property zoned Two-family Residential ("TF-3").

Legal Description: LOTS 10-12, AMIDON AVENUE, RIVERSIDE ADDITION, Wichita, Sedgwick County, KS. Generally located north of West Murdock on the east side of Amidon (810 N. Amidon.)

Dear Applicant:

We have reviewed your request for a Zoning Adjustment to reduce the interior side yard setback from 6-feet to 4.8 feet (20%) on 0.16 acre. From reviewing your application, we understand that you propose to construct an attached uncovered deck on the aforementioned property. We understand from the drawing submitted, the proposed deck will be located 3-feet from the lot's south property line (interior side yard).

Section V-I.2.a of the Unified Zoning Code ("UZC") allows reducing interior side setbacks (required by the property development standards of the zoning district) by up to 20 percent and utilizing an encroachment allowance of up to two feet for open decks and balconies into a side setback. We find that permitting the 20 percent setback reduction on your property meets the four conditions required by Sec. V-I.6 of the Unified Zoning Code as set out below:

1) Impact on safety and convenience of vehicular and pedestrian circulation: The subject property has an existing single-family residence and the lots to the south are currently vacant. The development will not impact vehicular and pedestrian 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 reducing the interior side yard setback from 6-

feet to 4.8-feet, as it is immediately adjacent to four vacant residential lots along the south property line.

3) Compatibility with existing or permitted uses on abutting sites: Abutting sites are zoned for two-family residential development and the proposed development will not have a negative impact on existing or permitted uses.

4) Effect on public health, safety or welfare: There will be no encroachment into public utility easements or right-of-way. There will 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 an interior side yard reduction 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 indicating the 4.8-foot interior side yard setback and up to two feet code permitted encroachment.

2) All other structures or additions on the subject property shall conform to the development standards of the Unified Zoning Code unless a separate Zoning Adjustment or Variance is granted.

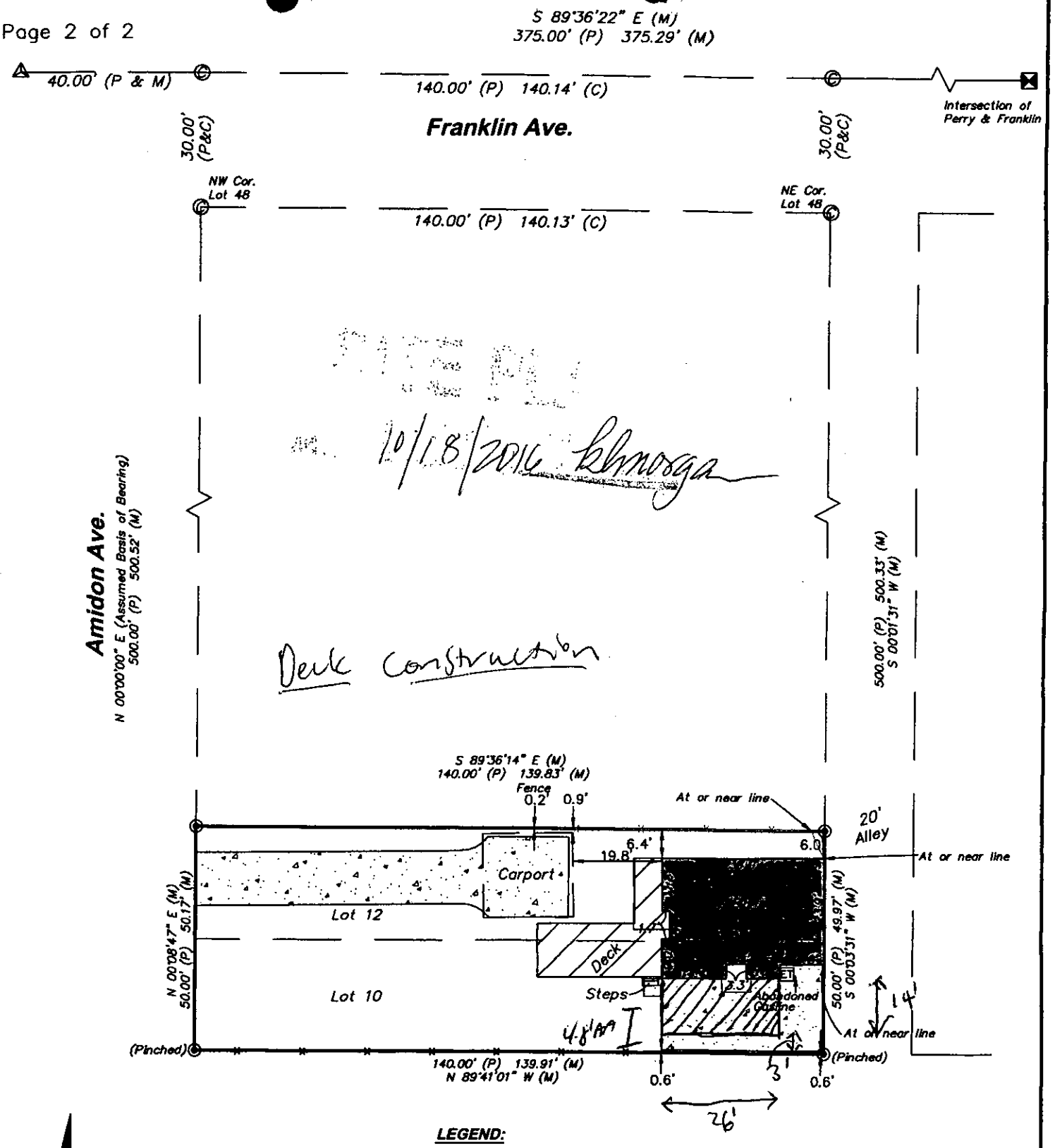
3) If the Zoning Administrator finds that there is a violation of any of the conditions of the Zoning Adjustment, the Zoning Administrator, in addition to enforcing the other remedies set forth in the Unified Zoning Code, may, with the concurrence of the Planning Director, declare that the Zoning Adjustment is null and void.

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

Dale Miller, Director
Metropolitan Area Planning Department

Kyle J. McLaren, Interim Director
Metropolitan Area Building and Construction Department

cc: Kyle J. McLaren, MABCD
JR Cox, MABCD
Paul Hays, MABCD
Janet Miller, CM District VI
Martha Sanchez, Community Service Representative, District VI



LEGEND:

- (C) = CALCULATED
- (M) = MEASURED
- (P) = PLATTED
- ◎ = CALCULATED
- △ = FOUND 5/8" REBAR (MKEC)
- ◉ = FOUND 1/2" IRON PIPE (ORIGIN UNKNOWN)
- ▣ = 1" IRON PIPE IN THIMBLE (ORIGIN UNKNOWN)
- ET ELECTRIC TRANSFORMER
- ------x------ = FENCE
- Concrete

NOTES:

1) Unplatted Easements of Record if any, are not shown hereon
2) Except as shown, property improvements are not shown hereon
3) Plat contains no Angles or Bearings
4) Shed not shown per client request

0 15 30

FILE: C:drawings/boundary/A15070

Dwn. By: AMF	Aprvd. By: CRA
Dwg. No. A15070	Scale: 1" = 30'