



**Wichita-Sedgwick County Metropolitan Area Planning Department**

April 4, 2017

Siena Lakes #2, LLC  
P.O. Box 75337  
Wichita, KS 67275

Ruggles & Bohm, P.A.  
Attn: Will Clevenger  
924 N. Main  
Wichita, KS 67203

**Re: BZA2017-00013: Administrative Adjustment to reduce the interior side setback by 20% on property zoned Single-Family Residential (SF-5) and Two-Family Residential (TF-3).**

**Legal Description: All Lots, All Blocks, Siena Lakes, Wichita, Sedgwick County, Kansas**

Dear Applicant,

We have reviewed your request for a Zoning Adjustment to reduce the interior side setbacks on the aforementioned property (37.3 acres) in Siena Lakes Addition. From reviewing the application, we understand that you desire to reduce the interior side setback from 6-feet to 5-feet on all platted lots in the subdivision.

Section V-I.2.a of the Unified Zoning Code ("UZC") allows reducing minimum interior side setbacks (required by the property development standards of the zoning district) by up to 20 percent. These adjustments are permissible when the provisions of those sections and the Zoning Adjustment Criteria of Section V-I.6 are met.

We find that the reduction of the interior site setbacks as proposed meets the provisions of Section V-I.2.a 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 Interior side yard reductions should have no impact on the safety and convenience of vehicular and pedestrian circulation in the vicinity as right-of-way and driveways are not affected.
- 2) Impact on existing uses in surrounding areas: There will be no impact on the existing uses in surrounding areas as a result of the new construction; street visibility will be unchanged for neighboring properties.
- 3) Compatibility with existing or permitted uses on abutting sites: Abutting sites are zoned to allow residential development and the interior side yard setback reduction 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.

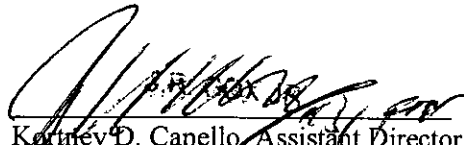
Our signatures below indicate that a Zoning Adjustment to reduce the interior side setback by 20% is hereby GRANTED, subject to the following conditions:

- 1) The site shall be developed in general conformance with the approved plat.
- 2) The 5-foot setback reductions shall apply only to the interior side yard setbacks, except where platted easements are indicated. All easements on the face of the plat shall be observed. 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.



Dale Miller, Director  
Metropolitan Area Planning Department



Keriney D. Capello, Assistant Director  
Metropolitan Area Building and Construction  
Department

cc: MABCD  
Bryan Frye, CM District V  
Laura Rainwater, CSR District V

**an Addition to Wichita, Sedgwick County, Kansas**

**LEGAL DESCRIPTION:**  
The NW1/4 of the NE1/4 of Section 34, T26S, R1W of the 6th P.M., Sedgewick County, Kansas, except for an area beginning at the Northeast corner of said property, thence South 417.42 feet, thence West 208.71 feet, thence North 417.42 feet parallel with the East line, thence East 208.71 feet parallel with the South line to the point of beginning.

GARNERS:  
Sieno Latex, LLC  
5120 N. Ridge Road  
Nichita, KS 67205

Agent  
Bill (B.J.) Mathis  
Ph. (515) 214-4440

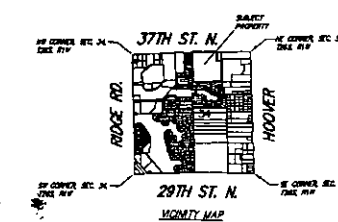
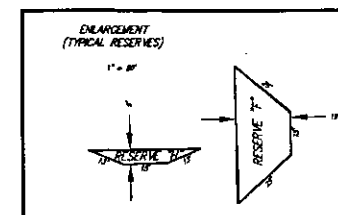
**SURVEYOR & ENGINEER**  
Ruggies & Bohm P.A.  
Attn: Bill Cleveland  
wrcleveland@rokonass.com

**EXISTING ZONING:**  
Subject property and the properties to the west and south are zoned SF-5. The rest of the surrounding property is zoned SF-20. Existing use is agricultural.

**FLOOD ZONE:**  
According to the FEMA/FIRM Map Nos 2017300195E and 2017300335E, effective February 2, 2007, the property shown herein is located in Zone X

GROSS AREA:  
1,624,871.7 Sq. Ft.  
37.30 Acres

DATE OF TOPOGRAPHY  
APRIL 8, 2014



**RUGGLES  
BOHM**

SECRET

ALL THE

4/4/2017 Blomgren