



Wichita-Sedgwick County Metropolitan Area Planning Department

October 8, 2018

Elite USA Construction, LLC
240 N. Rock Road, #250
Wichita, KS 67206

K.E. Miller Engineering, P.A.
Attn: Kirk Miller
117 E. Lewis Street
Wichita, KS 67202

Re: BZA2018-00059: Administrative Adjustment to reduce the front yard setback by 20% and the street side yard setback by 20% on property zoned SF-5 Single-Family Residential (SF-5).

Legal Description: Lot 1, Block 7, Sawmill Creek Addition, Wichita, Sedgwick County, Kansas; generally located east of North Rock Road and north of 45th Street North (8201 Saw Mill Court)

Dear Applicant,

We have reviewed your request for a Zoning Adjustment to reduce the front and street side yard setbacks on the aforementioned property. From reviewing the application, we understand that you desire to reduce the front setback from 25 feet to 20 feet and the street side yard setback from 15 feet to 12 feet to allow construction of a new single-family residence.

Section V-I.2.a of the Unified Zoning Code ("UZC") allows reducing minimum front setback by 20% and the side yard setback (required by the property development standards of the zoning district) by 20%. 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 setbacks 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:

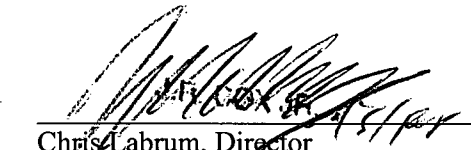
- 1) Impact on safety and convenience of vehicular and pedestrian circulation: The location of the proposed front and street side yard setbacks will have no impact on the safety and convenience of vehicular and pedestrian circulation in the right-of-way.
- 2) Impact on existing uses in surrounding areas: There will be no impact on the existing uses in surrounding areas; 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 reduction of the front and street side yard setbacks 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 front yard setback by 20 % and the street side yard side setback by 20% is hereby GRANTED, subject to the following conditions:

- 1) The site shall be developed in general conformance with the approved site plan and the attached legal description of the setback areas.
- 2) The applicant shall obtain a building permit and complete construction within one year of the Administrative Adjustment approval. The site shall conform to all codes including but not limited to building, health and fire.
- 3) The setback reduction shall apply only to the front and street side yard setbacks 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.
- 4) 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


Chris Labrum, Director
Metropolitan Area Building and Construction
Department

cc: MABCD
Pete Meitzner, CM District II
Laura Rainwater, CSR District II

SCALE: 1"=40'