



Wichita-Sedgwick County Metropolitan Area Planning Department

January 17, 2020

Felipe Rosales, Jr.
105 E. 28th Street N.
Wichita, KS 67219

Re: BZA2020-00002: Administrative Adjustment to reduce the rear yard setback by 20% on property zoned B Multi-Family (B).

Legal Description: Lot 2 & 4, Block F, Montrose Park Addition, Wichita, Sedgwick County, Kansas; generally located two blocks west of North Broadway Avenue on the south side of East 28th Street North at the southeast corner of North Park Place and East 28th Street North (105 East 28th Street North)

Dear Applicant,

We have reviewed your request for a Zoning Adjustment to reduce the rear yard setback on the aforementioned property. From reviewing the application, we understand that you desire to reduce the rear setback by 20 percent to allow construction of a new single-family residence.

Section V-1.2.a of the Unified Zoning Code ("UZC") allows reducing minimum rear setback by 20% as required by the property development standards of the zoning district. This adjustment is permissible when the provisions of those sections and the Zoning Adjustment Criteria of Section V-1.6 are met. We find that the reduction of the setbacks as proposed meets the provisions of Section V-1.2.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 rear setback 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 B Multi-Family and the reduction of the rear yard setback 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 rear yard setback by 20 % from 15 feet to 12 feet 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

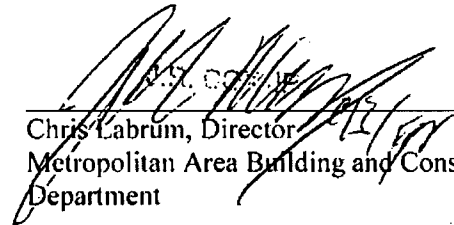
legal description of the setback areas.

- 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 rear yard 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.
- 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.



Scott Knebel, Interim Director
Metropolitan Area Planning Department



Chris Labrum, Director
Metropolitan Area Building and Construction
Department

cc: MABCD
Cindy Claycomb, CM District VI
Ana Lopez, CSR District VI

BZA 2020-07

SITE PLAN

D. Multi-family
Zoning

105 E. 28th St N

APPROVED 1/17/2020 BY *[Signature]*

20' front
15' rear
5' - side
15' street
Side

Park PL Ave.

Front
West property line

