Wichita-Sedgwick County Metropolitan Area Planning Department

December 28, 2020

Terrance and Debra Anderson
1200 W. 52nd St. South
Wichita, KS 67217

Re: **BZA2020-00066: Administrative Adjustment to reduce the Street Side Setback from 15-feet to 8-feet along South Dodge Street to build a detached garage (24 X 40 feet) on property zoned SF-5 Single-Family Residential.**

Legal Description: Lot 10, Block E, Pippin 2nd Addition, Sedgwick County, Kansas (1200 W. 52nd St. South)

Dear Applicant,

We have reviewed your request for a Zoning Adjustment to reduce the Street Side Setback from 15-feet to 8-feet for a detached garage on the aforementioned property. From reviewing the application, we understand that the proposed garage is in the back half of the lot and approximately 40 square feet will encroach into the Street Side Setback.

Section V-I.2.a of the Unified Zoning Code ("UZC") allows reducing minimum Street Side Setbacks (required by the property development standards of the zoning District) by up to 50 percent when the required setback adjustment does not exceed 300 square feet. This adjustment is permissible when the provisions of the Zoning Adjustment Criteria of Section V-I.6 are met. We find that the reduction of the Street Side Setback for the detached garage 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: Reduction of the Street Side Setback from 15-feet to 8-feet will 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 street side building setback reduction. Street visibility will be unchanged for neighboring properties.

3) Compatibility with existing or permitted uses on abutting sites: The properties to the north, east south and west are zoned SF-5 and are developed with single-family residences. The 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 rights-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 Street Side Setback from 15-feet to 8-feet is hereby **GRANTED** for the aforementioned property, subject to the following conditions:

1) The Street Side Setback reduction shall apply only to the location of the detached garage 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.

2) 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 Wadle, Director
Metropolitan Area Planning Department

Chris Labrum, Director
Metropolitan Area Building and Construction Department

cc: MABCD
Jeff Blubaugh, CM District IV
Rebecca Fields, Community Service Representative, District IV

11 Dec 2020

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During the application for a permit to install a 24'x40' carport on the preexisting concrete on the northeast corner of **Lot 10, Blk E, Pippen 2nd Addition**, it was determined that a small corner of the carport would overlay the side street setback. After a property line survey and discussion with planning/permitting personnel, the determination was for the property owner to submit a request for an Administrative Adjustment.

The carport is over three feet away from the primary building, detached, and has no impact to electrical lines, water, sewer, etc. The furthest impact to the setback is 83" at the very east corner, with a coverage of less than 40 square feet.

SITE PLAN

APPROVED 12/28/2020 BY

