Wichita-Sedgwick County Metropolitan Area Planning Department

July 6, 2021

Wichita Habitat for Humanity
Attn: Laurie Walker
130 E. Murdock, Ste. 102
Wichita, KS 67214

Garver, LLC
Attn: Will Clevenger
8535 E. 21st Street N., Ste. 130
Wichita, KS 67206

Re: **BZA2021-00032: Administrative Adjustment to reduce the interior side setback by 20% and reduce the street side setback by 50% on property zoned Two-Family Residential (TF-3).**

Legal Description: Lots 42 and 44 on Green Street, Esterbrook Park Addition, Wichita, Sedgwick County, Kansas; generally located southwest of the intersection of North Hillside Avenue and East 13th Street North (1055 N. Green Street).

Dear Applicant,

We have reviewed your request for a Zoning Adjustment to reduce the interior side setback and the street side setback on the aforementioned property. From reviewing the application, we understand that you desire to reduce the interior side setback from 6-feet to 5-feet and reduce a portion of the street side setback from 15 feet to 7.5 feet.

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 and the street side setback up to 50 percent if not in excess of 300 square feet. 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 and street side 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 new house 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 and street side yard setback reductions 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% and reduce the street side setback by 50% is hereby GRANTED, subject to the following conditions:

1) The site shall be developed in general conformance with the approved site plan.

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 interior side setback and street side 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.

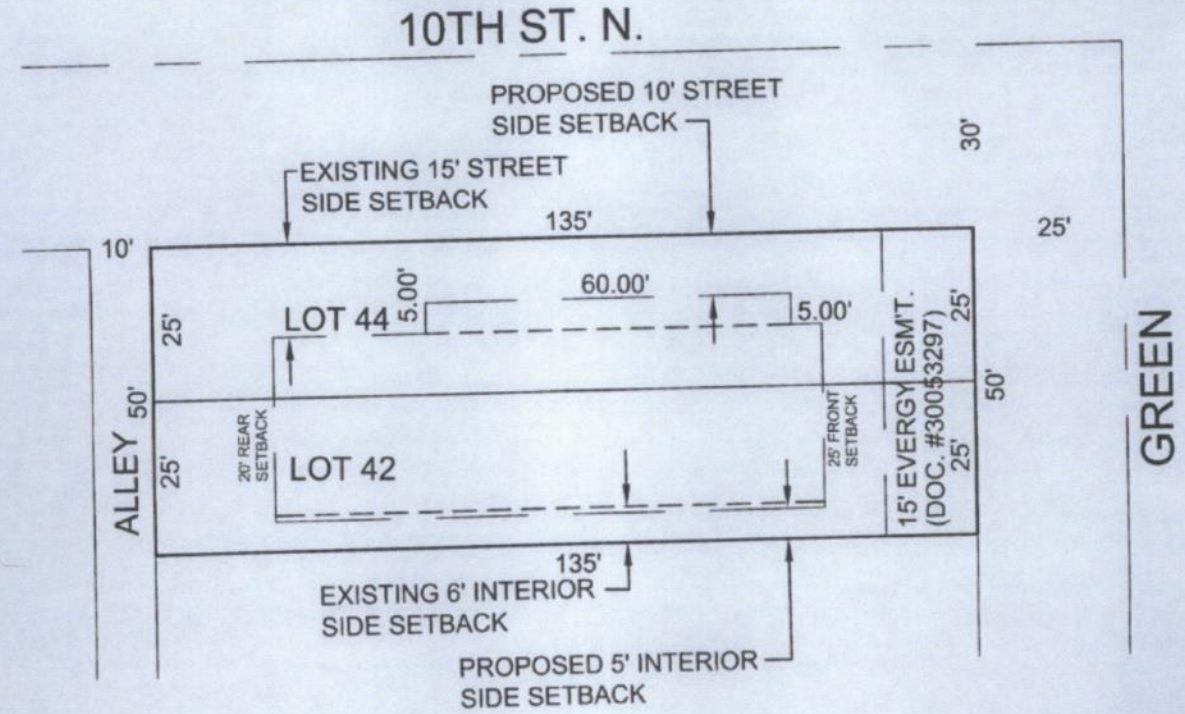
The "Development Application" sign should now be removed from the property.

Scott Wadle, Director
Metropolitan Area Planning Department

J.R. Cox, JR
Chris Labrum, Director
Metropolitan Area Building and Construction Department

cc: MABCD
Brandon Johnson, CM District I
Maddy Campbell, Interim Supervisor, Office of Community Services

EXHIBIT A



PROPOSED STREET SIDE SETBACK

The North 15.00 feet of Lot 44, EXCEPT the South 5.00 feet of the North 15.00 feet of the West 60.00 feet of the East 90.00 feet thereof, on Alice (Now Green St.), Esterbrook Park Addition to Wichita (Sedgwick County), Kansas.

PROPOSED INTERIOR SIDE SETBACK

The South 5.00 feet of Lot 42, on Alice (Now Green St.), Esterbrook Park Addition to Wichita (Sedgwick County), Kansas.

SITE PLAN

APPROVED 7-6-2021 BY Rlmorga

WILLIAM K. CLEVENGER LICENSED LS-1437 6/14/21 KANSAS LAND SURVEYOR

William K. Clevenger

DWG FILE: EXHIBIT A 1055 N GREEN
PROJECT NO. 18266014