FILE COPY

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

June 19, 2020

William and Delores Weber
1651 Melrose
Wichita, KS 67212

**Re:** **BZA2020-00020: Administrative Adjustment to reduce the required lot size from 7,500 square feet to approximately 7,000 square feet (approximately 7%); reduce the average Front Setback to 16.3-feet and reduce the north Interior Side Setback to 4.4-feet along South Millwood Avenue to allow an existing three dwelling unit structure, located in the MF-18 Multi-Family zoning district, to remain at the existing setbacks.**

**Legal Description: Lots 5-6, Block 14, Wichita, Sedgwick County, Kansas (211 S. Millwood Avenue)**

Dear Applicant,

We have reviewed your request for a Zoning Adjustment to reduce the required lot size for three dwelling units in the MF-18 zoning district, reduce the average Front Setback, and reduce the north Interior Side Setback to allow the existing structure to remain, or be rebuilt, at the existing setbacks.

Section V-I.2.i of the Unified Zoning Code ("UZC") allows reduction of lot area requirements by up to 10%. Section V-I.2.a of the UZC allows reducing minimum Interior 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. Section III-E.5.a (Setback Averaging) allows use the "average" Front Setback of developed lots within the same block and same residential zoning district and fronting on the same side of the street are less than the required Front Setback of the underlying zoning district. Section V-I.2.a allows reduction of the Front Setback (average) by up to 20%. These adjustments are permissible when the provisions of the Zoning Adjustment Criteria of Section V-I.6 are met.

We find that the reduction of the lot area by approximately 7%; and the reduction of the average Front Setback to 16.3-feet and reduction of the north Interior Side Yard Setback from 6-feet to 4.4-feet along South Millwood Avenue of Section V-I.2.(a) and (i) 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 three aforementioned adjustments 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 area. The site has operated in this manner for numerous years predating current zoning regulations in the City of Wichita. Financial institution policies are requiring the property to be in compliance with the UZC.

3) Compatibility with existing or permitted uses on abutting sites: The properties to the north, east south and west are zoned TF-3 and SF-5 and are developed with single-family residences. The adjustments 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 required lot size from 7,500 square feet to approximately 7,000 square feet (approximately 7%), reduce the average Front Setback to 16.3 feet, and reduce the north Interior Side Yard Setback to 4.4-feet along South Millwood Avenue to allow a three dwelling unit structure located in the MF-18 Multi-Family zoning district to remain or be rebuilt at the existing setbacks and lot area is hereby **GRANTED** for the aforementioned property, subject to the following conditions:

1) The Administrative Adjustment to reduce the required lot size from 7,500 square feet to approximately 7,000 square feet (approximately 17%%); reduce the average Front Setback to 16.3 feet and reduce the north Interior Side Yard Setback to 4.4-feet along South Millwood Avenue to allow a three dwelling unit structure located in the MF-18 Multi-Family zoning district to remain or be rebuilt 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, Interim 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

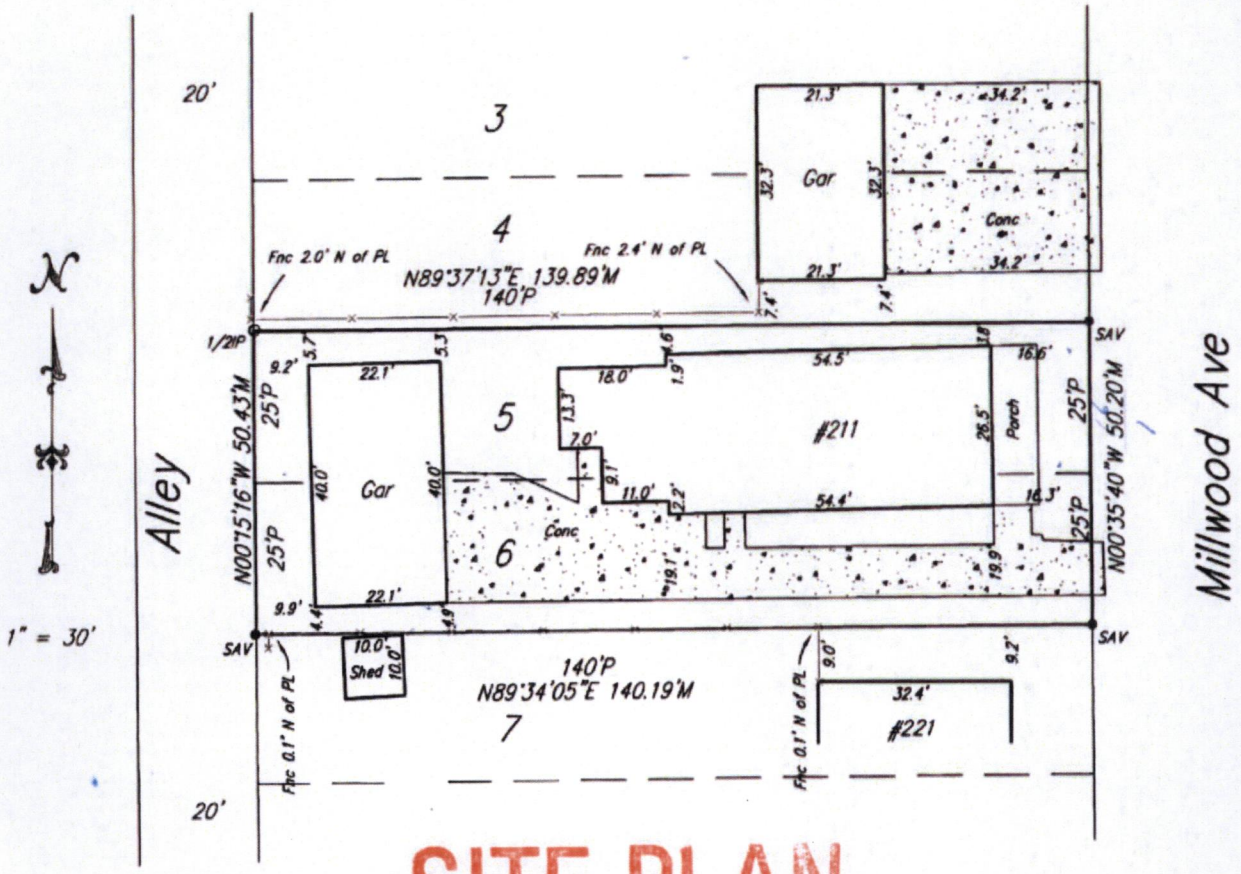
**Savoy Company, P.A.**
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SITE PLAN

APPROVED 5/19/2020 BY

LEGEND:

P = Platted
M = Measured

○ 1/2" IP ..... 1/2" IRON PIPE (FOUND ORIGIN UNKNOWN)
● SAV ..... 1/2" REBAR W/SAVOY CAP (SET)

PROJECT NO. 20EE19644 BIR