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

October 15, 2020

Wichita Habitat for Humanity
Attn: LaDeana Steffen
130 E. Murdock, Ste. 102
Wichita, KS 67214

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

**Re:** **BZA2020-00052: 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 46 and 48 on Mabel now Estelle, Fairmount Park Addition, Wichita, Sedgwick County, Kansas; generally located southwest of the intersection of North Hillside Avenue and East 13th Street North of 13th Street (1302 N. Estelle).**

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 8-feet.

Section V-I.2.a of the Unified Zoning Code ("UZC") allows reducing minimum interior 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 front setback 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 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 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.

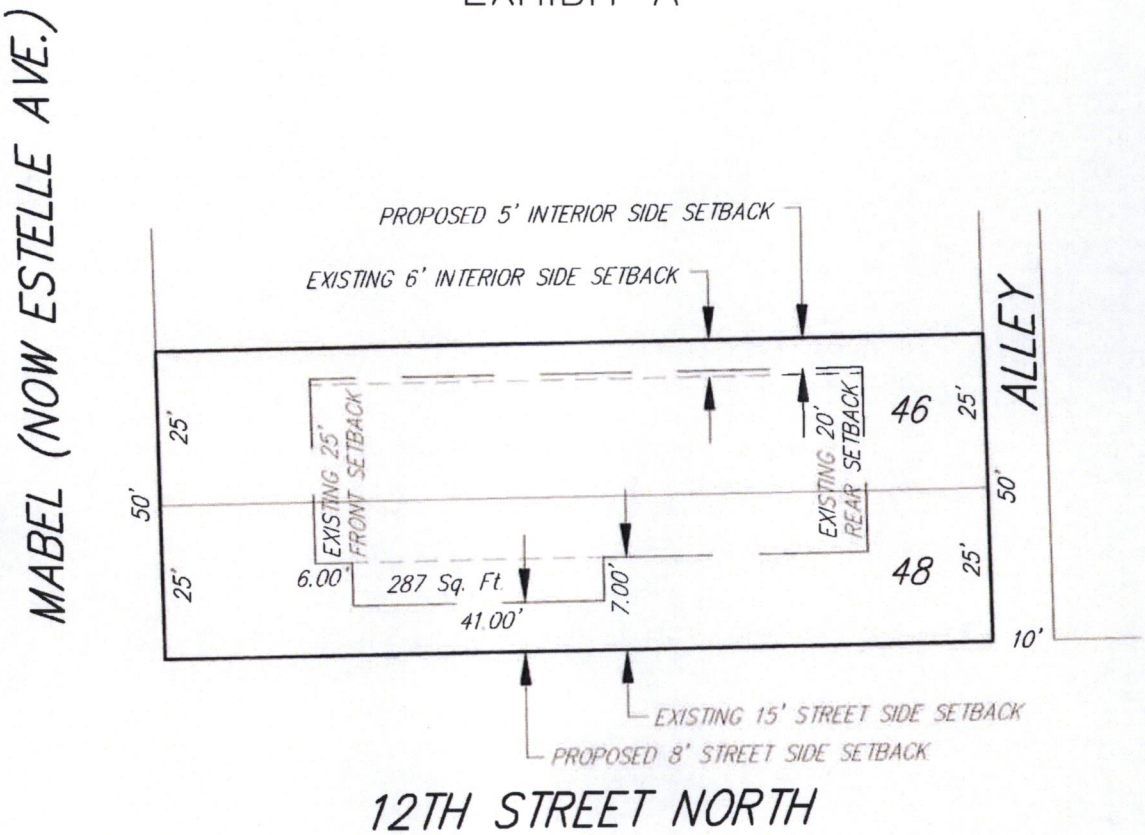
The "Development Application" sign should now be removed from the property.

Scott Wadle, Director
Metropolitan Area Planning Department

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

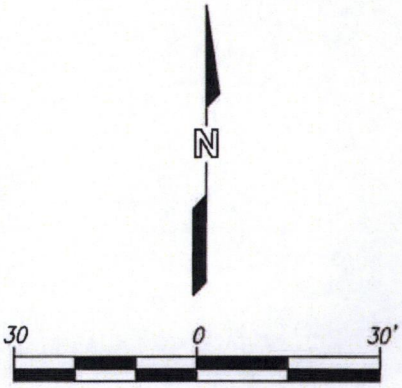
cc: MABCD
Brandon Johnson, CM District I
Kameelah Alexander, CSR District I

# EXHIBIT A




PROPOSED STREET SIDE SETBACK
The south 15.00 feet of Lot 48, EXCEPT the North 7.00 feet of the South 15.00 feet of the East 41.00 feet of the West 72.00 feet thereof, on Mable (Now Estelle Ave.), Fairmount Park Addition to Wichita (Sedgwick County), Kansas.

PROPOSED INTERIOR SIDE SETBACK
The North 5.00 feet of Lot 46, on Mable (Now Estelle Ave.), Fairmount Park Addition to Wichita (Sedgwick County), Kansas.




Revised

SITE PLAN

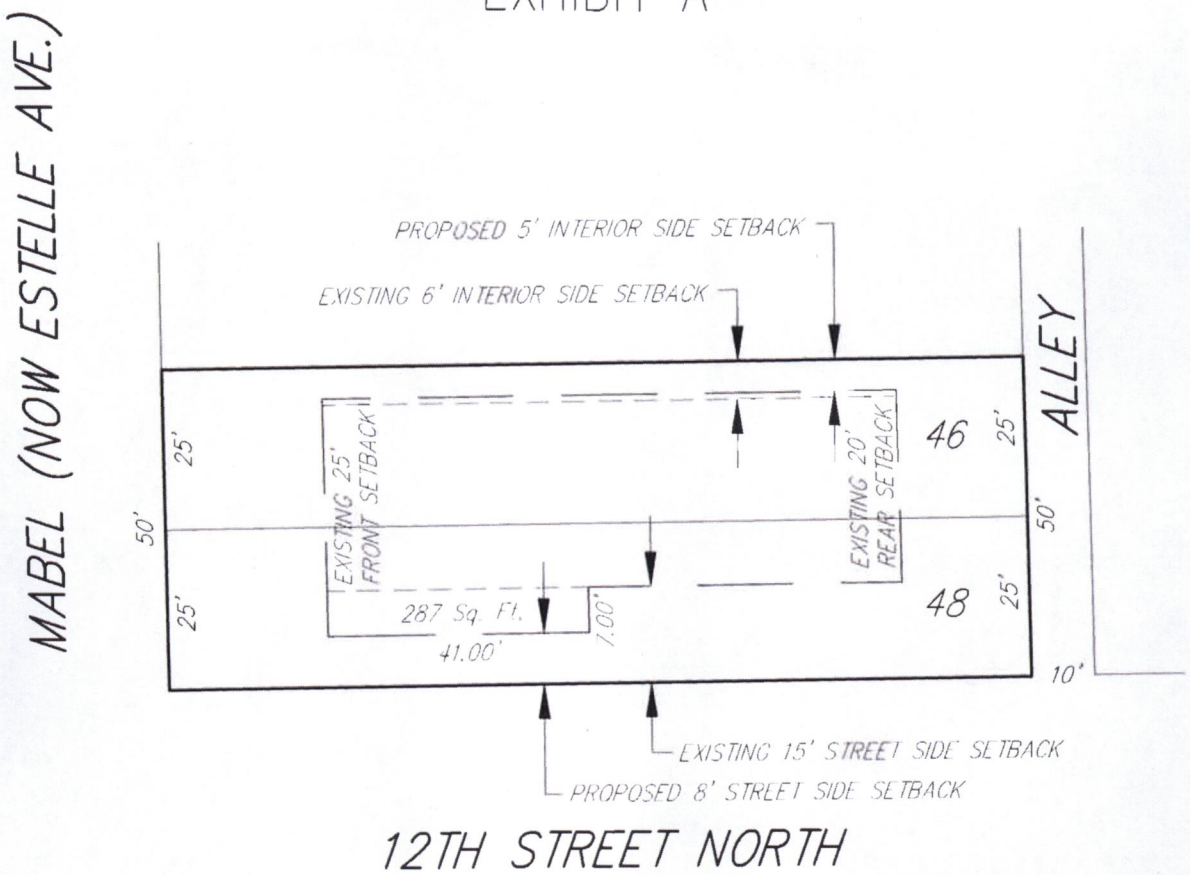
APPROVED 11-13-2020 BY

WILLIAM K. CLEVENGER
LICENSED
LS-1437
11/13/2020
KANSAS
LAND SURVEYOR

DWG FILE: EXHIBIT A 1302 N ESTELLE
PROJECT NO. 18266014

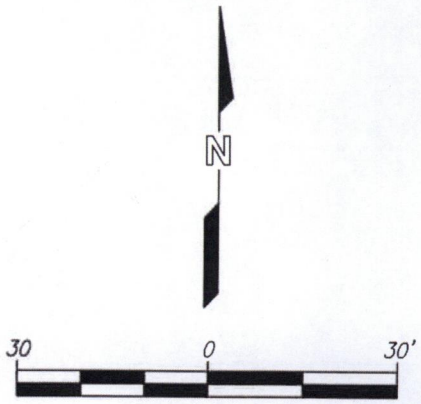
BZA2020-52

# EXHIBIT A




PROPOSED STREET SIDE SETBACK
The south 15.00 feet of Lot 48, EXCEPT the North 7.00 feet of the South 15.00 feet of the East 41.00 feet of the West 66.00 feet thereof, on Mable (Now Estelle Ave.), Fairmount Park Addition to Wichita (Sedgwick County), Kansas.

PROPOSED INTERIOR SIDE SETBACK
The North 5.00 feet of Lot 46, on Mable (Now Estelle Ave.), Fairmount Park Addition to Wichita (Sedgwick County), Kansas.




SITE PLAN
APPROVED 10/15/2020 RLMorgan

WILLIAM K. CLEVENGER
LICENSED
LS-1437
KANSAS
LAND SURVEYOR
William K. Clevenger
3/6/19

DWG FILE: EXHIBIT A 1302 N ESTELLE
PROJECT NO. 18266014