



Wichita-Sedgwick County Metropolitan Area Planning Department

March 11, 2022

K.E. Miller Engineering, P.A.
117 E. Lewis Street
Wichita, KS 67202

PDS Development Company, Inc.
384 N. Jackson Heights Ct.
Wichita, KS 67208

Christy and Thomas Cox
14156 E. Pinnacle Dr.
Wichita, KS 67230

Re: BZA2022-00008: City Administrative Adjustment for reduction in side setback for a garage on property zoned SF-5 Single-Family Residential.

Legal Description: Lot 5, Block A, Marinita 2nd Addition, Wichita, Sedgwick County, Kansas.

Dear Applicant,

We have reviewed your request for a Zoning Adjustment to reduce the north interior side yard setback on the aforementioned property. From reviewing the application, we understand that you desire to reduce the north interior side yard setback from 6 feet to 4.33 feet for 65.38 square feet of encroachment into the side yard to allow construction of a new home.

Section V-I.2.a of the Unified Zoning Code ("UZC") allows reducing the minimum interior side yard setback (required by the property development standards of the zoning district) by up to 50 percent if the area to be reduced does not exceed 300 square feet. This adjustment is 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 setbacks as proposed meets the provisions of Section V-I.2.a and the four criteria required by Section V-I.6 as set out below:

- 1) Impact on safety and convenience of vehicular and pedestrian circulation: The proposed reduction of the north interior side yard 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 residential uses; street visibility will be unchanged for neighboring properties.
- 3) Compatibility with existing or permitted uses on abutting sites: Abutting properties are zoned SF-5 Single-Family Residential and are developed, or in the process of being developed, with single-family dwelling units.

- 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.

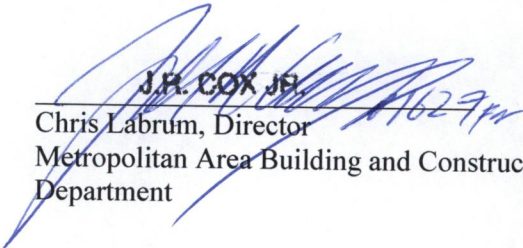
Our signatures below indicate that a Zoning Adjustment to reduce the north interior side yard setback from 6 feet to 4.333 feet for 65.38 square feet of encroachment into the side yard is hereby GRANTED, subject to the following conditions:

- 1) The site shall be developed in general conformance with the approved site.
- 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 65.38 square feet of north interior side 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 Wadle, Director
Metropolitan Area Planning Department



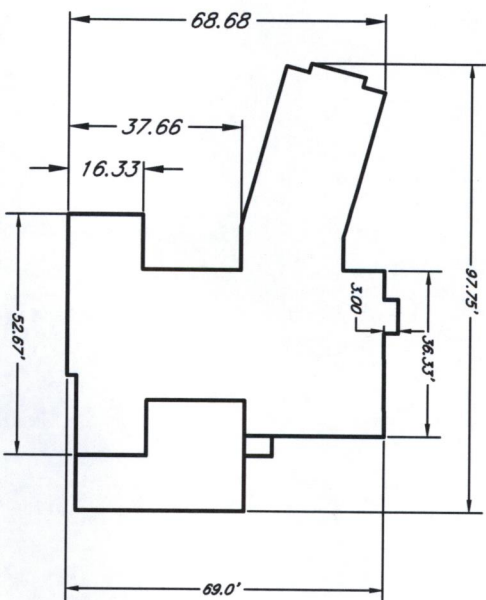
J.H. COX JR.
Chris Labrum, Director
Metropolitan Area Building and Construction
Department

cc: MABCD
Becky Tuttle, CM District II
Cory Buchta, CSR District II

APPROVED
3/25/02
BY NW



Area (east) = 60.94 SF



Total Area of Adjustment = 65.38 SF

