Wichita-Sedgwick County Metropolitan Area Planning Department

July 13, 2022

Brillo Investment Properties
233 N Doris
Wichita KS 67212

Don D. Rutherford & Sons
Attn: Joe Martin
807 W 2nd Street
Wichita KS 67203

Re: **BZA2022-00029: Administrative Adjustment request in the City to reduce street side setback from 15 feet to 12 feet to rebuild a detached garage that does not conform to current setbacks; generally located within one-block north of West Douglas Avenue and one-block east of North St. Paul Avenue (201 N Gordon Ave.).**

Legal Description: Lots 45 & 47, Gordon Avenue, Dougherty's 2nd Addition, Wichita, Sedgwick County, Kansas.

Dear Applicant,

We have reviewed your request for a Zoning Adjustment to reduce the south street side yard setback on the aforementioned property. From reviewing the application, we understand that you desire to reduce the south street side yard setback by 20 percent from 15 feet to 12 feet.

Section V-I.2.a of the Unified Zoning Code ("UZC") allows reducing the minimum street side yard setback (required by the property development standards of the zoning district) by up to 20 percent. 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-1.6 as set out below:

1) Impact on safety and convenience of vehicular and pedestrian circulation: The proposed reduction of the south street 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 TF-3 Two-Family Residential and are 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 south street side yard setback by 20 percent, from 15 feet to 12 feet 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 street side setback for 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.

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.

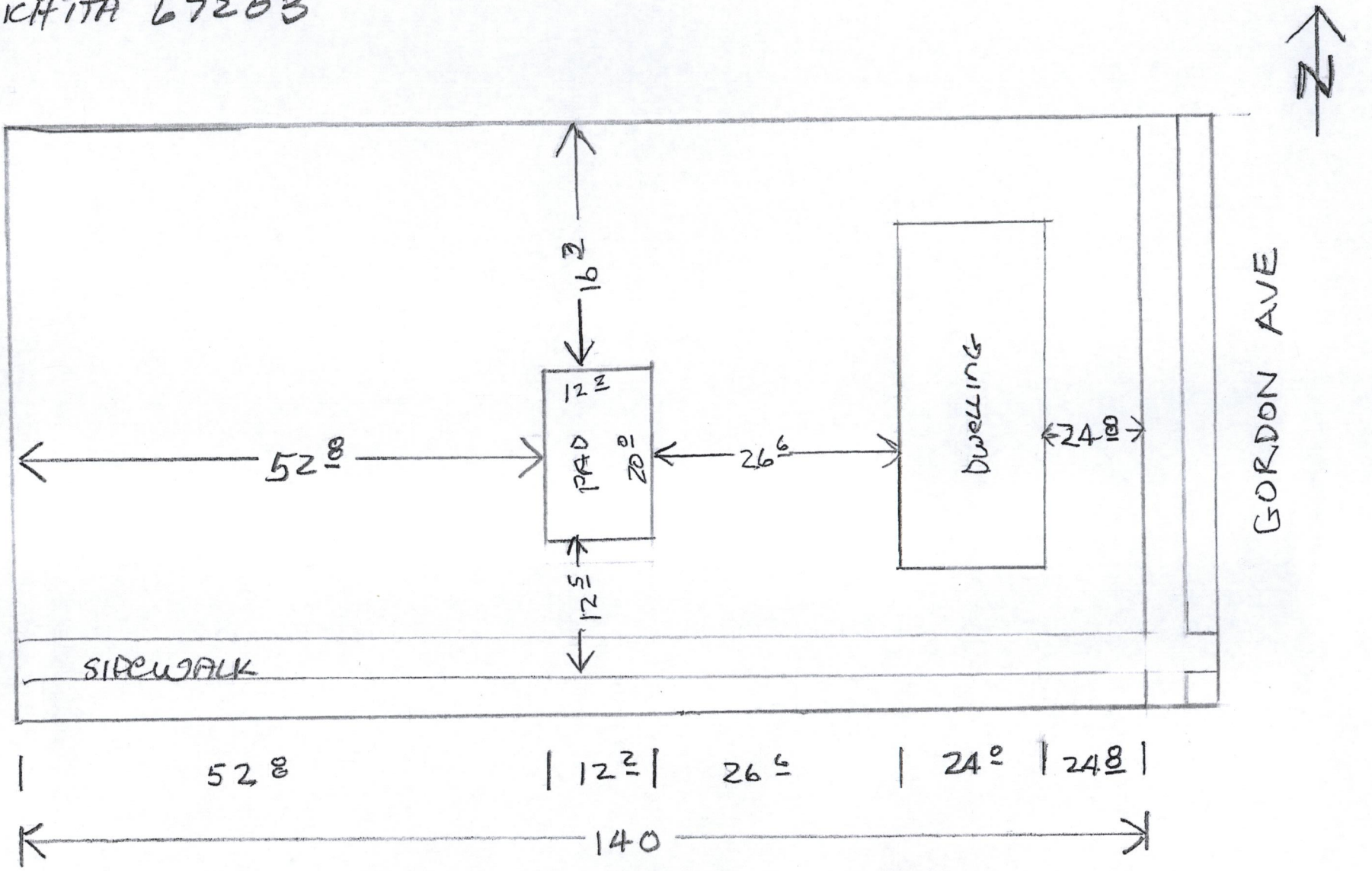
Scott Wadle, Director
Metropolitan Area Planning Department

J.R. COX JR. 6-27 per

Chris Labrum, Director
Metropolitan Area Building and Construction Department

cc: MABCD
Maggie Ballard, CM District VI
Ana Lopez, CSR District VI

201 N GORDON AVE
WICHITA 67203



SITE PLAN

APPROVED 7/13/22 BY

NOT TO SCALE