



Wichita-Sedgwick County Metropolitan Area Planning Department

August 18, 2023

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

Garver, LLC
Attn: Will Clevenger
1995 Midfield Rd.
Wichita, KS 67209

Re: BZA2023-00047: Administrative Adjustment in the City to reduce interior side setback by 16.67 percent and reduce street side setback by 50 percent to permit construction of a single-family dwelling on property zoned TF-3 Two-Family Residential District; generally located within one-block south of East 17th Street North and one-block east of North Grove Avenue (1700 North Poplar Ave.).

Legal Description: Lots 44 and 46, Poplar Avenue, Walter Morris & Son's Fourth Addition, Wichita, Sedgwick County, Kansas.

Dear Applicant,

We have reviewed your requests for Zoning Adjustments to reduce the north interior side yard setback from 6 feet to 5 feet (16.67 percent) and reduce the south street side setback from 15 feet to 10 feet (33.33 percent) (for an area of 260 square feet) on the aforementioned property in order to construct an attached a single-family dwelling.

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

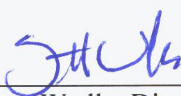
- 1) Impact on safety and convenience of vehicular and pedestrian circulation: The proposed reduction of the north interior side yard setback from 6 feet to 5 feet and the reduction of the south street side setback from 15 feet to 10 feet will have no impact on the safety and convenience of vehicular 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 and adjacent properties are zoned TF-3 Two-Family Residential District on the north, east, south, and west. Properties to the north and southwest are undeveloped. Properties to the west, south and east are developed with single-family dwellings.
- 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 5 feet and to reduce the south street side setback from 15 feet to 10 feet (for an area less than 300 square feet) are 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 north 5-foot, side yard setback and the south 10-foot 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.



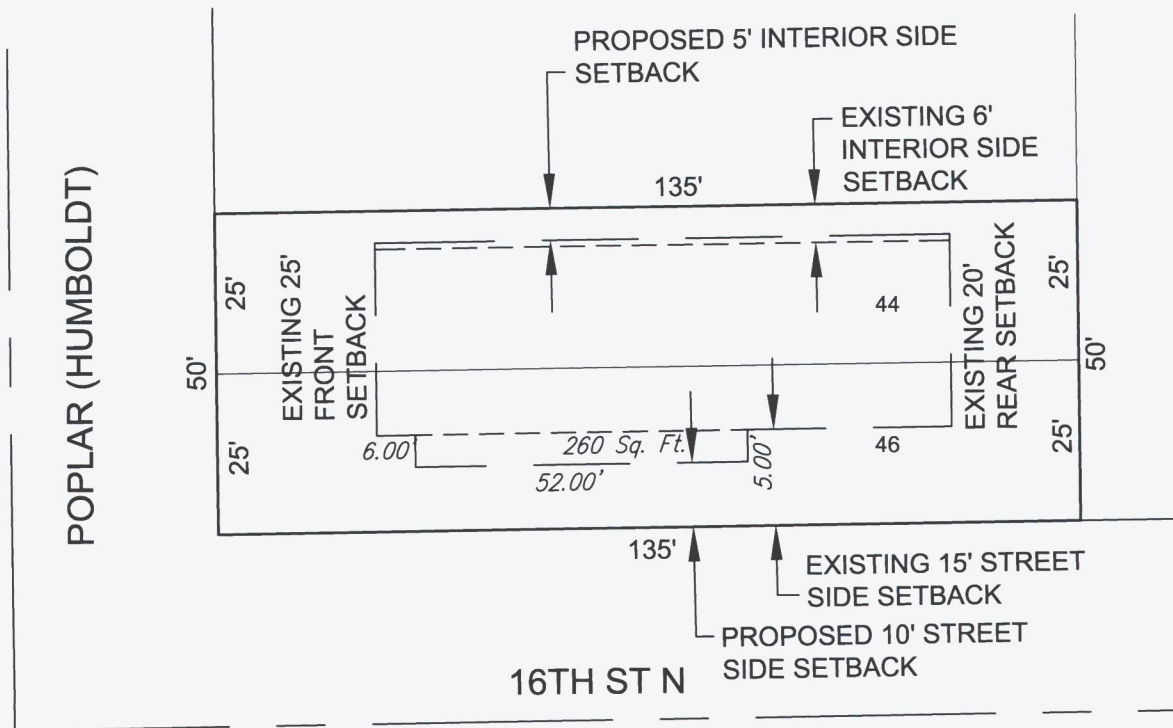
Scott Wadle, Director
Metropolitan Area Planning Department



Chris Labrum, Director
Metropolitan Area Building and Construction
Department

cc: MABCD
Brandon Johnson, CM District I
Tasha Hayes, CSR District I

EXHIBIT A



PROPOSED STREET SIDE SETBACK

The South 15.00 feet of Lot 46, EXCEPT the North 5.00 feet of the South 15.00 feet of the East 52.00 feet of the West 83.00 feet thereof, on Poplar Ave., Walter Morris & Son's Fourth Addition to Wichita (Sedgwick County), Kansas.

PROPOSED INTERIOR SIDE SETBACK

The North 5.00 feet of Lot 44, on Poplar Ave., Walter Morris & Son's Fourth Addition to Wichita (Sedgwick County), Kansas.

SITE PLAN

APPROVED 8/18/23 BY *[Signature]*
BZA 2023-47

