



Wichita-Sedgwick County Metropolitan Area Planning Department

August 18, 2023

City of Wichita- Advanced Learning Library
Attn: Jamie Nix
711 West 2nd Street North
Wichita, KS 67203

Martin Hanney
1726 South Hillside Ave.
Wichita, KS 67211

Re: BZA2023-00046: Administrative Adjustment in the city for a 20 percent reduction in the rear setback from 20 feet to 16 feet to permit a portion of a new roof eave; generally located on the south side of West Bekemeyer Lane and within one-quarter mile east of North Tyler Road (8515 W. Bekemeyer)

Legal Description: East 200 feet of Lot 1, Ascension Lutheran Church Addition, Wichita, Sedgwick County, Kansas.

Dear Applicant,

We have reviewed your request for a Zoning Adjustment to reduce the south rear setback from 20 feet to 16 feet on the aforementioned property in order to permit a portion of a new roof eave for a building addition to not exceed the allowable projection of 2.5 feet. The proposed new eave would currently project 4.5 feet into the existing, 20-foot rear setback. The reduction in the setback reduces the distance the eave projects into the setback to six inches. Section III-E.1.e(1)(f) permits roof eaves to project into setbacks up to 2.5 feet.

Section V-I.2.a of the Unified Zoning Code ("UZC") allows reducing the minimum rear 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 rear setback from 20 feet to 16 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 uses. The abutting property to the south is an undeveloped parcel within Community Unit Plan DP-11.
- 3) Compatibility with existing or permitted uses on abutting sites: Properties to the east, north and west are zoned SF-5 Single-Family Residential District. Properties to the east and west are developed as churches with schools and property to the north is developed with a single-family

dwelling. Property to the south is zoned LC Limited Commercial District with CUP DP-11 and is an undeveloped parcel.

- 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.

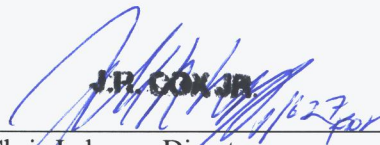
Our signatures below indicate that a Zoning Adjustment to reduce the south rear setback from 20 feet to 16 feet is hereby GRANTED, subject to the following conditions:

- 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 16-foot rear 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
Bryan Frye, City Councilmember, District 5
Teresa Veazey, CSR District 5

