CITY OF WICHITA

Wichita-Sedgwick County Metropolitan Area Planning Department

July 17, 2024

Jerry and Devon Osborn
925 W. 30th Street South
Wichita, KS 67217

Re: **BZA2024-00049:** Administrative Adjustment in the City to reduce the east interior side setback by 50 percent for an area less than 300 square feet (from 6 feet to 3 feet) to allow construction of a house addition to connect to existing detached garage on property zoned SF-5 Single-Family Residential District, generally located one-block north of West 31st Street South and within one-block east of South Seneca Street (925 W. 30th Street South).

Legal Description: Lot 9, Robson Heights Addition, Wichita, Sedgwick County, Kansas.

Dear Applicants,

We have reviewed your request for a Zoning Adjustment to reduce the east interior side setback from 6 feet to 3 feet (50 percent for an area less than 300 square feet) on the aforementioned property in order to permit construction of a house addition to connect to the existing detached garage. The existing detached garage is currently setback 3 feet from the east property line. By connecting it to the main dwelling, it would technically have to adhere to the principal structure interior side setback of 6 feet. The proposed area of reduction measures 3 feet by 49.75 feet (an area of 149.25 square feet). The adjustment will also bring the existing garage into compliance with principal structure setbacks.

Section V-I.2.a of the Unified Zoning Code ("UZC") allows reducing the minimum side yard setback (required by the property development standards of the zoning district) by up to 50 percent when the area for each setback does not exceed 300 square feet. This adjustment is permissible when the provisions of this section and the Zoning Adjustment Criteria of Section V-I.6 are met. We find that the reduction of the 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 proposed reduction of the east interior side setback from 6 feet to 3 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 detached garage currently is constructed at 3 feet. The adjustment would permit the proposed house addition to have a flush wall with the existing detached garage. The proposal of constructing a house addition to connect to the existing detached garages should not have significant negative impacts on existing uses.

3) Compatibility with existing or permitted uses on abutting sites: Properties to the north, south, east, and west are zoned SF-5 Single-Family Residential District and are developed with single-family dwellings. The proposed addition connecting the house to the detached

garage would be off the back of the house, which does not have a significant visual impact from the neighboring property or the street.

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 east interior side setback from 6 feet to 3 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 construct the addition within one year of the Administrative Adjustment approval. The site shall conform to all codes including but not limited to zoning, building, health, and fire.

3) The setback reduction shall apply only to the 3-foot east interior 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.

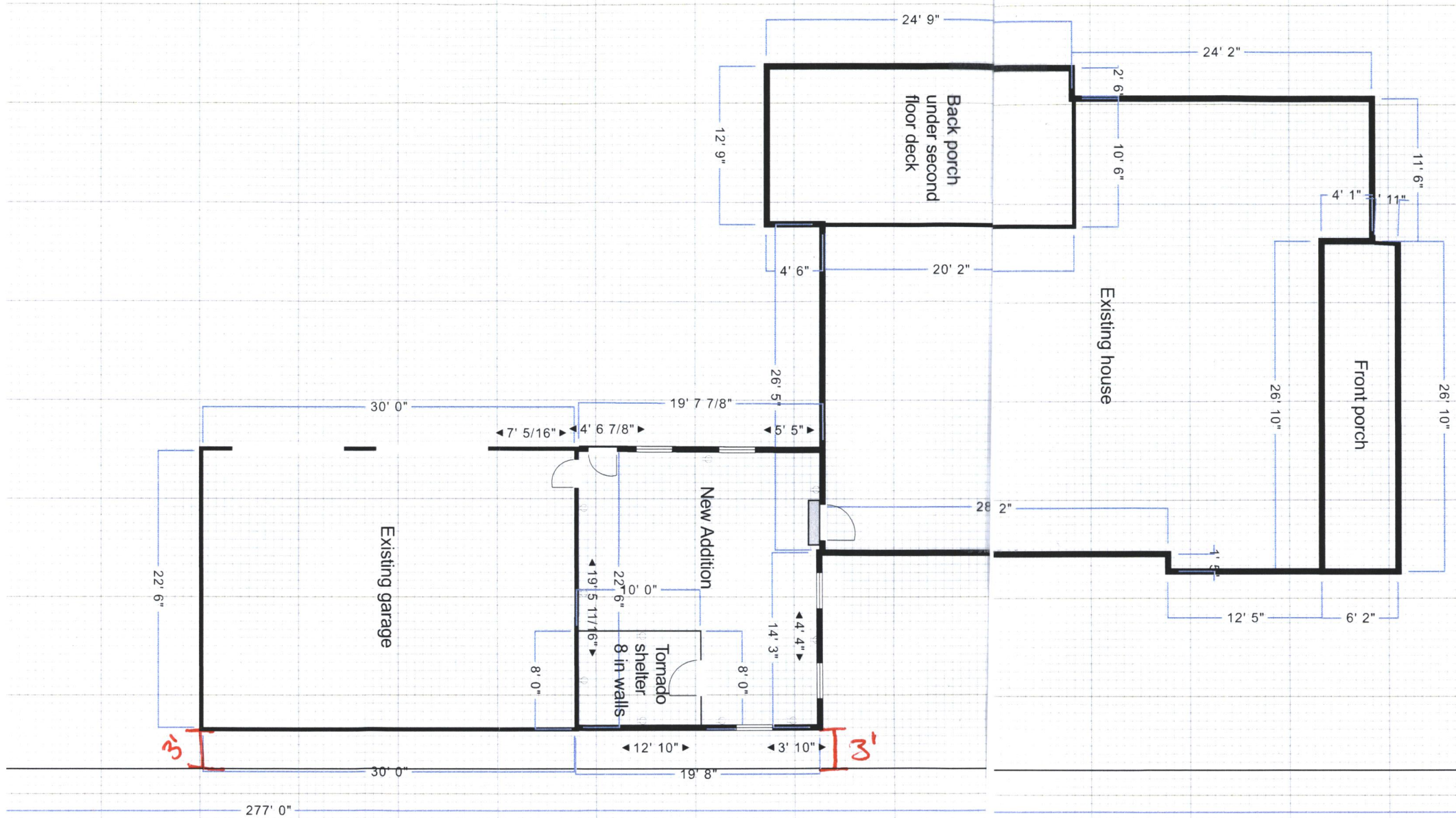
The "Development Application" sign should now be removed from the property.

Scott Wadle, Director
Metropolitan Area Planning Department

J.R. COX JR.

Chris Labrum, Director
Metropolitan Area Building and Construction Department

cc: MABCD
Mike Hoheisel, City Councilmember, District III
Rebecca Johnson, CSR District III



Total property size 70'X277'

SITE PLAN

APPROVED 7/17/24 RV

BZA 2449