Wichita-Sedgwick County Metropolitan Area Planning Department

May 13, 2024

T.W. Custom Homes
Attn: Travis Whisler
1815 S. Southwest Blvd.
Wichita, KS 67213

K.E. Miller Engineering, P.A.
Attn: Kirk Miller
117 E. Lewis
Wichita, KS 67202

Re: **BZA2024-00025:** Administrative Adjustment in the City to reduce the east and west interior side setbacks from 6 feet to 5.5 feet each (8.33 percent) to allow construction of a duplex on property zoned TF-3 Two-Family Residential District, generally located on the north side of West 9th Street North and east of North Gow Street.

Legal Description: Lot 3, Block A, Jerrome & Jeff 2nd Addition, Wichita, Sedgwick County, Kansas.

Dear Applicants,

We have reviewed your request for a Zoning Adjustment to reduce the east and west interior side setbacks from 6 feet to 5.5 feet each (8.33 percent) on the aforementioned property in order to construct a duplex.

Section V-I.2.a of the Unified Zoning Code ("UZC") allows reducing the minimum side 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 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 and west interior side setbacks from 6 feet to 5.5 feet each 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 surrounding properties are residentially developed and encroaching into the side setback by 6 inches will not have negative impacts on the existing uses.

3) Compatibility with existing or permitted uses on abutting sites: Properties to the north and south are zoned SF-5 Single-Family Residential District and are developed with single-family dwellings. Properties to the east and west are zoned TF-3 Two-Family Residential

District and developed with single-family dwellings. Encroaching into the side setback by 6 inches will not have negative impacts on the existing uses.

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 and west interior side setback from 6 feet to 5.5 feet each 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 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 reductions shall apply only to 5.5-foot east and west 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.

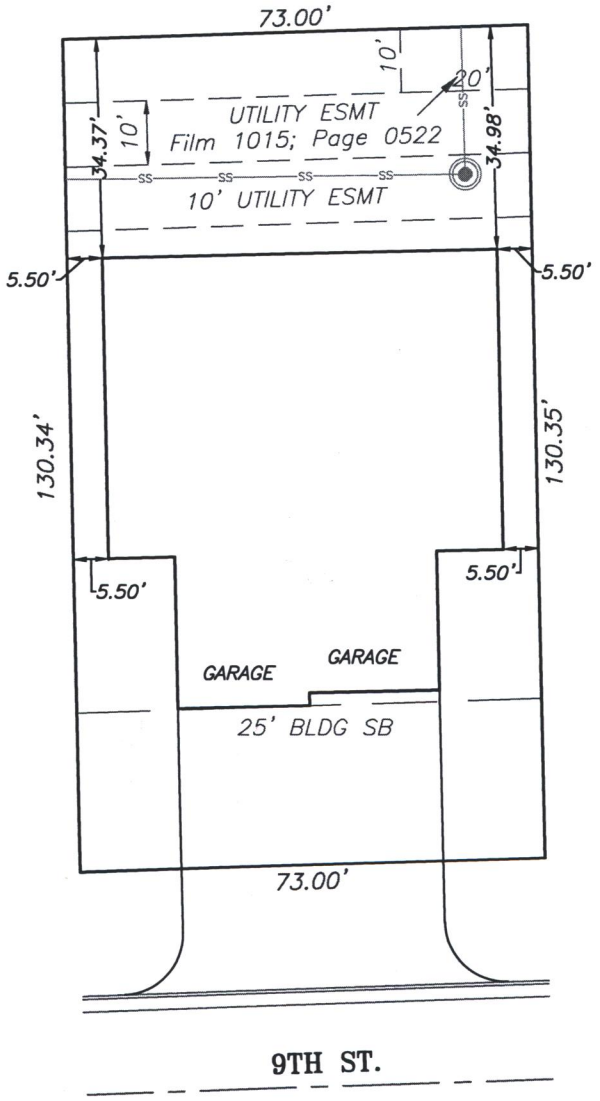
Scott Wadle, Director
Metropolitan Area Planning Department

J.R. Cox Jr.

Chris Labrum, Director
Metropolitan Area Building and Construction Department

cc: MABCD
Maggie Ballard, City Councilmember, District VI
Ana Lopez, CSR District VI

Administrative Adjustment for
Lot 3, Block A
Jerrome and Jeff 2nd Addition
Wichita, Sedgwick County, Kansas



SITE PLAN

APPROVED

SP-24-24

SITE PLAN:
04.24.2024

ZONING: TF-3

FRONT SETBACK: 25'

MIN. SIDE-YARD SETBACK: 6.0'*
* Reduced to 5.5' by Administrative Adjustment*

MIN. REAR SETBACK: 20.0'

SCALE: 1"=30'