CITY OF WICHITA

Wichita-Sedgwick County Metropolitan Area Planning Department

May 10, 2024

Nathan O'Quinn, Jr.
5969 S. Hydraulic Ave.
Wichita, KS 67216

Re: **BZA2024-00024:** Administrative Adjustment in the City to reduce the north street side setback from 20 feet to 10 feet (for an area less than 300 square feet) in order to construct a duplex on property zoned MF-29 Mult-Family Residential District, generally located one block east of North Grove Street and one block north of East Douglas Avenue (155 N. Poplar).

Legal Description: Lots 2 and 4, except the west 70 feet, on Poplar Avenue, Oliver's Sub Block 5, Chautauqua Addition, Wichita, Sedgwick County, Kansas.

Dear Applicants,

We have reviewed your request for a Zoning Adjustment to reduce the north street side setback from 20 feet to 10 feet (50 percent for an area less than 300 square feet) 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 and rear 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 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 to the north street side setback from 20 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 uses. By reducing the street side setback, the duplex will maintain the minimum five-foot interior side setback along the south property line and will not encroach closer to the existing dwellings to the south.

3) Compatibility with existing or permitted uses on abutting sites: Properties to the north, south, and east are zoned TF-3 Two-Family Residential District and are developed with a mixture of duplexes and single-family dwellings. The property to the west is zoned MF-29 and developed with a single-family dwelling. By reducing the street side setback, the duplex will maintain the minimum five-foot interior side setback along the south property line and will not encroach closer to the existing dwellings to the south.

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 street side setback from 20 feet to 10 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 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 10-foot north 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

J.R. COX JR. for
Chris Labrum, Director
Metropolitan Area Building and Construction Department

cc: MABCD
Brandon Johnson, City Councilmember, District I
Cameron Jackson, CSR District I


SITE PLAN
APPROVED 5/10/24 BY
BZA24-24
60
61
130
130
20 ft
27.8 ft
25
25
25
25
2411
151
153
N POPLAR AVE
N POPLAR AVE
North