CITY OF WICHITA

SEDGWICK COUNTY KANSAS

Wichita-Sedgwick County Metropolitan Area Planning Department

August 21, 2024

Paramo Valentin & Maria Angelica Vazquez
2557 N. Wellington Pl.
Wichita, KS 67204

Re: **BZA2024-00054:** Administrative Adjustment in the City to reduce the north street side setback by 40 percent for an area less than 300 square feet (from 5 feet to 3 feet) to permit construction of a rear addition onto existing, non-conforming house on property zoned B Multi-Family Residential District, generally located on the south side of West 25th Street North and two-blocks east of North Waco Avenue (2557 N. Wellington Pl.).

Legal Description: Lots 1 and 2, Sunflower Addition, Wichita, Sedgwick County, Kansas.

Dear Applicants,

We have reviewed your request for a Zoning Adjustment to reduce the north street side setback from 5 feet to 3 feet (40 percent for an area less than 300 square feet) on the aforementioned property in order to permit construction of a rear addition onto an existing, non-conforming house. The existing house was constructed 3 feet from the property line and is a legal non-conforming structure. The house encroaches into the setback by an area of 68 square feet (2 feet by 34 feet). The proposed addition would encroach into the setback by an area of 42 square feet (2 feet by 21 feet). The total area of encroachment is 110 square feet. The adjustment will also bring the existing house into compliance.

Section V-I.2.a of the Unified Zoning Code ("UZC") allows reducing the minimum street side yard setback (required by the property development standards of the zoning district) by up to 50 percent when the area 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 north street side setback from 5 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 existing house currently is constructed at 3 feet from north property line. The adjustment would permit the proposed house addition to have a flush wall with the existing house. The proposal of constructing a house addition should not have significant negative impacts on existing uses.

3) Compatibility with existing or permitted uses on abutting sites: Properties to the north, east, and south are zoned B Multi-Family Residential District. Properties to the north and south are developed with single-family dwellings. The property to the east is undeveloped.

Properties to the west are zoned TF-3 Two-Family Residential District and are developed with single-family dwellings. A 21-foot addition onto the rear of the house should not have significant negative impacts on surrounding properties.

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 5 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 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.

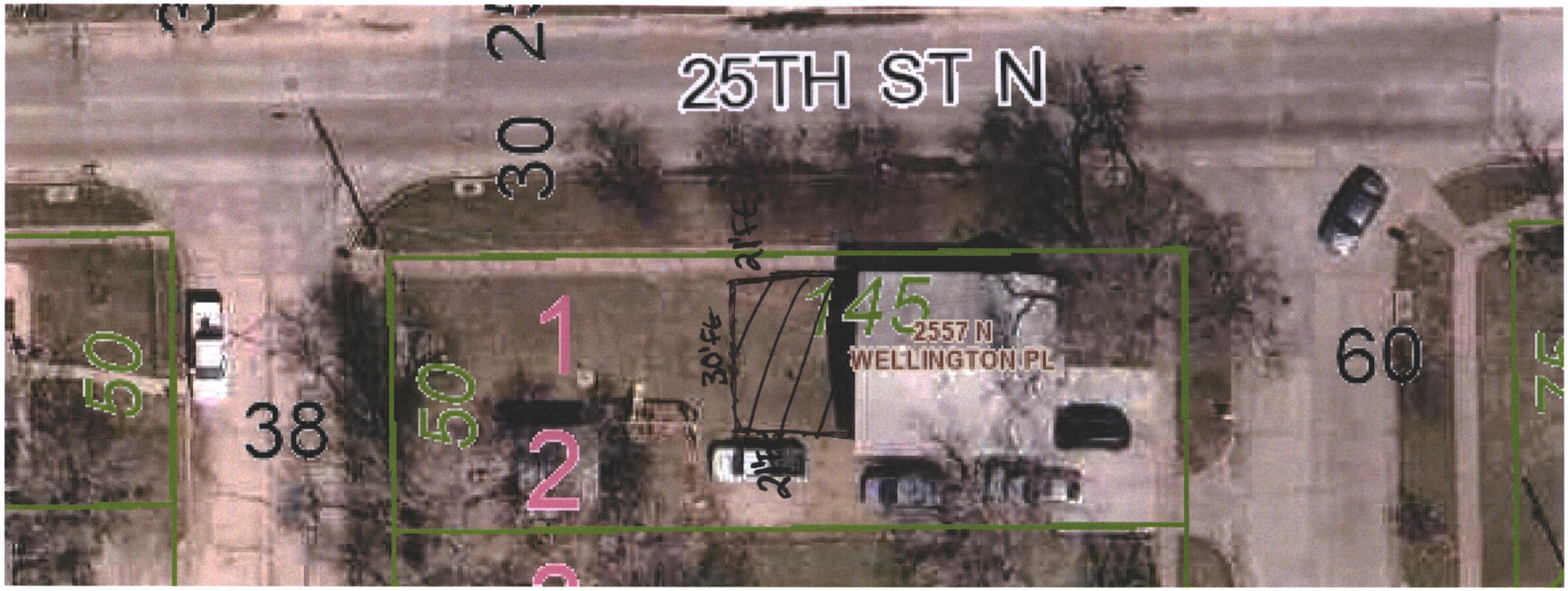
The "Development Application" sign should now be removed from the property.

Scott Wadle, Director
Metropolitan Area Planning Department

J.R. COX JR.

Chris Labrum, Director
Metropolitan Area Building and Construction Department

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



House is legal non-conforming approx 3ft from North PL.
Need permission to add addition thus increasing non-conformity

SITE PLAN

APPROVED 8/21/24 BY
BZA 24-84