CITY OF WICHITA

SEDGWICK COUNTY KANSAS

Wichita-Sedgwick County Metropolitan Area Planning Department

September 26, 2024

JBJ, LLC
7540 W. Northwind St. Ste. 300
Wichita, KS 67205

Armstrong Land Survey
Attn: Jordan Doom
1601 E. Harry
Wichita, KS 67211

Re: **BZA2024-00062:** Administrative Adjustments in the City to reduce the north and the south interior side setbacks from 6 feet to 3.8 feet respectively (for areas less than 300 square feet) to permit construction of two duplex structures, on property zoned MF-29 Multi-Family Residential District, generally located within one-half mile east of South Merdian Avenue and within two-blocks north of West May Avenue.

Legal Description: Lots 28, 30, & 32, Block 9, Whitlock's Replat of Orchard Grove Addition, Wichita, Sedgwick County, Kansas.

Dear Applicants,

We have reviewed your request for Zoning Adjustments to reduce the north and south interior side setbacks from 6 feet to 3.8 feet respectively (37 percent for areas less than 300 square feet) on the aforementioned property in order to permit construction of two duplex structures. The proposed encroachments would be 96.8 square feet each.

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 does not exceed 300 square feet. These adjustments are permissible when the provisions of this section and the Zoning Adjustment Criteria of Section V-I.6 are met. We find that the reductions 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 north and south interior side setbacks from 6 feet to 3.8 feet respectively 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 proposed encroachments would be an area 2.2 feet by 44 feet each for an area of 96.8 feet each. The proposed duplexes would be constructed on the rear two-thirds of the property, which would put them mostly behind the existing homes on abutting properties to the north and south.

3) Compatibility with existing or permitted uses on abutting sites: Properties to the north, south, east, and west are zoned MF-29 Multi-Family Residential District (MF-29) and developed with single-family dwellings. The MF-29 District permits up to 29 dwelling units per acre. Per this density, the 0.23-acre subject site could be developed with up six dwelling units. The proposed four dwelling units is less than the maximum allowable density for this zoning district on the subject site.

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 Zoning Adjustments to reduce the north and south interior side setbacks from 6 feet to 3.8 feet respectively are 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 duplex structures within one year of the Administrative Adjustment approval. The site shall conform to all codes including but not limited to zoning, landscape, building, health, and fire.

3) The setback reductions shall apply only to the 3.8-foot north and south interior side setbacks 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
Dalton Glasscock, City Councilmember, District IV
Brooke Kauchak, CSR District IV

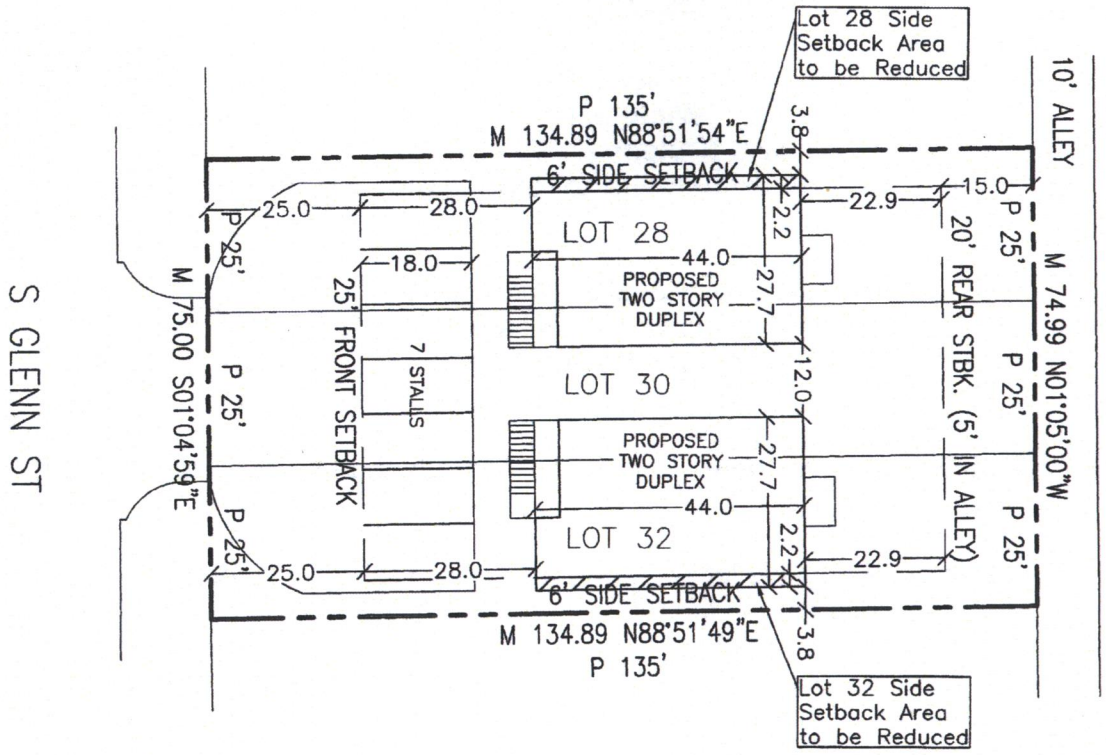
ADMINISTRATIVE ADJUSTMENT SITE PLAN

Lots 28, 30, and 32, Block 9, Whitlocks's Replat of Orchard Grove Addition, Wichita, KS

TBD S Glenn – JBJ LLC

Administrative Adjustment to Reduce Side Setback

Property is currently vacant, all information is proposed



SIDE SETBACK AREAS TO BE REDUCED

Lot 28 – Side Setback area to be reduced contains 96.8± square feet.
The South 2.2 feet of the North 6 feet of the East 44 feet of the West 97 feet of Lot 28, Block 9, Whitlock's Replat of Orchard Grove Addition, Wichita, KS

Lot 32 – Side Setback area to be reduced contains 96.8± square feet.
The North 2.2 feet of the South 6 feet of the East 44 feet of the West 97 feet of Lot 32, Block 9, Whitlock's Replat of Orchard Grove Addition, Wichita, KS

SITE PLAN

APPROVED 9/26/24 BY
BZA24-62

JORDAN M DOOM LICENSED 1723 09-03-2024 KANSAS PROFESSIONAL SURVEYOR

Boundary Survey Performed: August 15, 2024
Date of Drawing: September 3, 2024

SCALE 1"=30'
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ARMSTRONG LAND SURVEY, P.A.
P.O. Box 161039
WICHITA, KS 67216
PH. (316) 263-0082
info@armstrongsurvey.com

Armstrong Land Survey, P.A.

1601 E Harry St
WICHITA, KS 67211

Ph. (316)263-0082
info@armstrongsurvey.com

Administrative Adjustment

Lots 28, 30, and 32, Block 9, Whitlock's Replat of Orchard Grove Addition, Wichita, KS
TBD S Glenn – JBJ LLC
Administrative Adjustment to Reduce Side Setback

This property is comprised of three individual 25' wide by 135' deep lots for a total of one parcel that is 75' wide by 135' deep with a total area of 10,125 square feet. The property is currently zoned MF-29 which will allow 1,500 square feet per Dwelling Unit for Multi-Family.

According to Wichita-Sedgwick County Unified Zoning Code the Minimum Interior Side Setback is 6 feet.

In order to fit two structures on this lot, the applicant would like to apply for an Administrative Adjustment to reduce the minimum Side Setback from 6 feet to 3.8 feet for a length of 44 feet. This will reduce the Side Setback area by approximately 96.8 square feet and is an acceptable "Zoning Adjustment" according to Wichita-Sedgwick County Metropolitan Area Planning Departments Administrative Adjustments found in Section 3-a which reads:

3. *Administrative Adjustments to zoning standards (shown as "Zoning Adjustment" on the application form) shall be limited to the following:*

   a. *Reducing minimum Front, Side, and Rear Setbacks (required by the property development standards of the zoning District) by up to 20 percent, or reducing a Side or Rear Setback by up to 50 percent adjacent to a Golf Course, open space or reserve or when the required Yard to be adjusted does not exceed 300 square feet;*