



**Wichita-Sedgwick County
Metropolitan Area
Planning Department**

October 24, 2024

Angel Moreno
3415 S. Illinois
Wichita, KS 67217

Abbott Land Survey
Attn: Chad Abbott
631 N. Kessler
Wichita, KS 67203

Re: **BZA2024-00065**: Administrative Adjustment in the City to reduce the street side setback from 15 feet to 12 feet (20 percent) to construct a single-family dwelling on property zoned SF-5 Single-Family Residential District, generally located within one-half mile east of South Seneca Street and within one-half mile north of West 47th Street South (4502 S. Sycamore).

Legal Description: Lot 1, Block 13, Purcell's 10th Addition, Wichita, Sedgwick County, Kansas.

Dear Applicants,

We have reviewed your request for a Zoning Adjustment to reduce the street side setback from 15 feet to 12 feet (20 percent) on the aforementioned property in order to build a single-family dwelling and avoid having to remove mature trees on the southwestern side of the lot.

Section V-1.2.a of the Unified Zoning Code ("UZC") allows reducing the minimum street 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 this section and the Zoning Adjustment Criteria of Section V-1.6 are met. We find that the reduction of the setback as proposed meets the provisions of Section V-1.2.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 street side setback from 15 feet to 12 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 surrounding properties are zoned SF-5 Single-Family Residential District. The subject site is a corner lot with the street side along South Kailer Drive. South Kailer Drive is a divided roadway with a landscaped median separating the directions of travel. This means there is more separation than usual between the proposed single-family dwelling and the single-family dwelling across South Kailer Drive.

- 3) Compatibility with existing or permitted uses on abutting sites: The surrounding properties are zoned SF-5 Single-Family Residential District. The proposed reduction of the street side setback is requested in order to construct a single-family dwelling, which is compatible with the single-family dwellings on abutting and adjacent lots.
- 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 the Zoning Adjustment to reduce the street side setback from 15 feet to 12 feet is hereby GRANTED, subject to the following conditions:

- 1) The existing shed that is shown to be encroaching into the 8-foot utility easement shall be relocated out of the utility easement, and the site plan shall be revised accordingly, prior to the issuance of building permits.
- 2) The site shall be developed in general conformance with the approved revised site plan.
- 3) 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.
- 4) The setback reduction shall apply only to the 12-foot street side setback for a dwelling as illustrated on the approved site plan. All other structures or additions on the subject properties shall conform to the setbacks permitted by the Unified Zoning Code unless a separate Zoning Adjustment or Variance is granted.
- 5) 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



Chris Labrum, Director
Metropolitan Area Building and Construction
Department

cc: MABCD
Dalton Glasscock, City Councilmember, District IV
Brooke Kauchak, CSR District IV

