CITY OF WICHITA

Wichita-Sedgwick County Metropolitan Area Planning Department

February 5, 2025

Marlene E. Negron Velazquez
1820 E. 12th Street North
Wichita, KS 67214

Re: **BZA2025-00003:** Administrative Adjustment in the City to reduce the north rear setback from 15 feet to 9.5 feet (36 percent for an area less than 300 square feet) to bring the existing house into compliance and construct an attached garage to the existing dwelling on property zoned B Multi-Family Residential District, generally located within one-block south of East 13th Street North and within two-blocks east of North Hydraulic Avenue (1820 E. 12th Street North).

Legal Description: The west 1/2 of Lots 82 and 83, Rosenthal's 2nd Addition, Wichita, Sedgwick County, Kansas.

Dear Applicant,

We have reviewed your request for a Zoning Adjustment to reduce the north rear setback from 15 feet to 9.5 feet (36 percent) on the aforementioned property in order to bring the existing house into compliance and construct an attached garage to the existing dwelling. The existing house was constructed in 1968 and is 9.5 feet from the north rear property line. It is unknown how the non-conformity was created. We understand that you desire to construct an attached 20-foot by 20-foot garage on the east side of the existing dwelling. The total encroachment would be 275 square feet in area.

Section V-I.2.a of the Unified Zoning Code ("UZC") allows reducing the minimum rear setback (required by the property development standards of the zoning district) by up to 50 percent (for an area less than 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 rear setback from 15 feet to 9.5 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 all zoned B Multi-Family District. The proposed addition will meet the standard interior side setback on the east side and should not have any negative impacts on surrounding uses.

3) Compatibility with existing or permitted uses on abutting sites: The surrounding properties are all zoned B Multi-Family District. Properties to the south and west are undeveloped. Properties to the north and east are developed with single-family dwellings. The proposed addition will meet the standard interior side setback on the east side and should not have any negative impacts on surrounding uses.

4) Effect on public health, safety, or welfare: 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 north rear setback from 15 feet to 9.5 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 the 9.5-foot north rear 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.

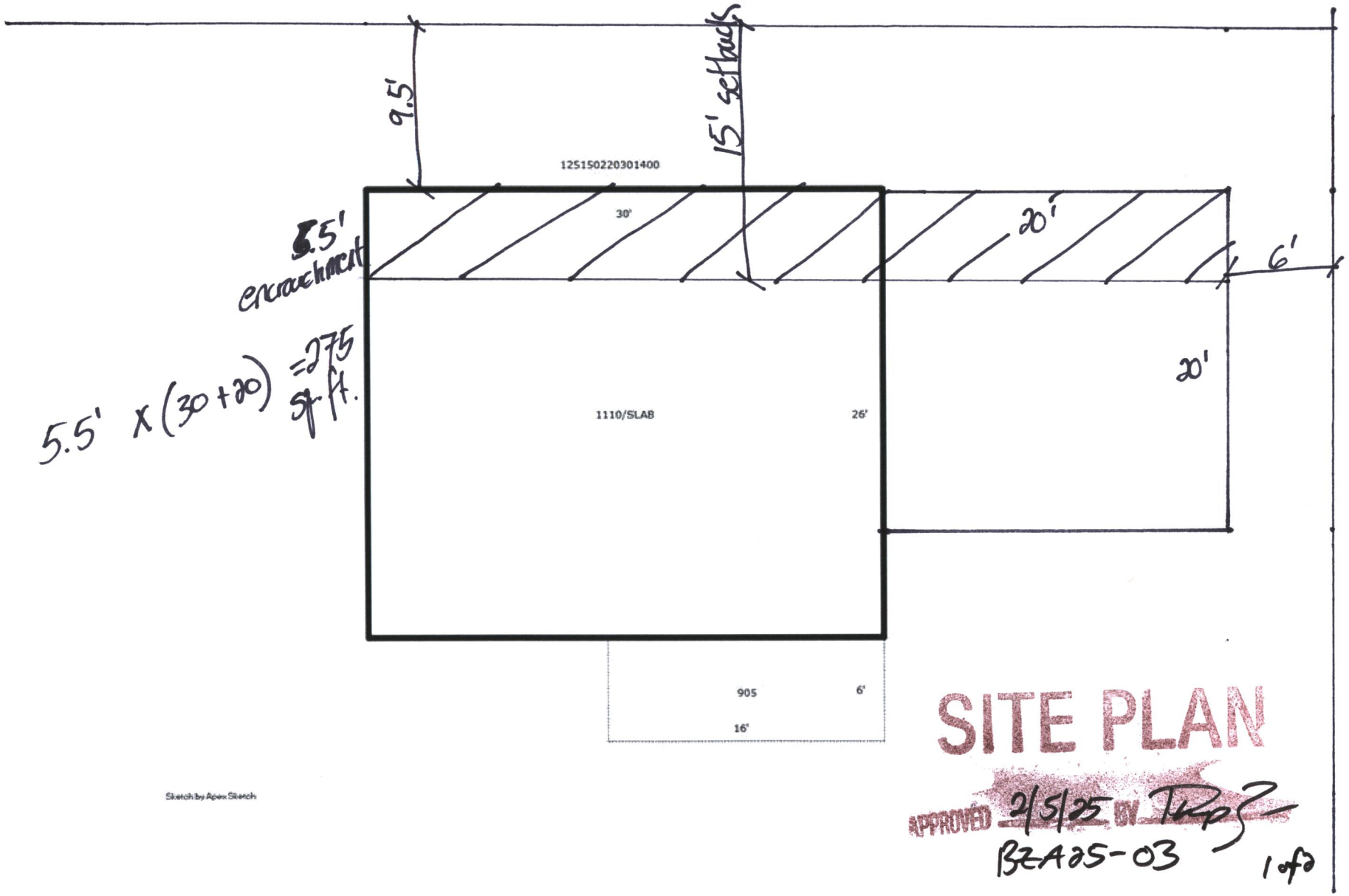
The "Development Application" sign should now be removed from the property.

Scott Wadle, Director
Metropolitan Area Planning Department

Chris Labrum, Director
Metropolitan Area Building and Construction Department

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

Situs: 1820 E 12TH ST N WICHITA, KS 67214



LEGAL: THE WEST HALF OF LOTS 82-83, ROSENTHAL'S SECOND ADDITION

SITE PLAN

APPROVED 2/5/25 BY

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