CITY OF WICHITA

SEDGWICK COUNTY KANSAS

Wichita-Sedgwick County Metropolitan Area Planning Department

February 26, 2025

Seventen Rev. Trust
300 N. Terrace Dr.
Wichita, KS 67208

Chris Hagan Construction
15050 E. 24th Street North
Wichita, KS 67228

Re: **BZA2025-00008:** Administrative Adjustment in the City to reduce the north interior side setback from 3 feet to 1.5 feet (50 percent for an area less than 300 square feet) to rebuild a garage on property zoned SF-5 Single-Family Residential District, generally located on the north side of East 2nd Street North and within one-quarter mile west of North Oliver Avenue (300 N. Terrace Drive).

Legal Description: The south 10 feet of Lot 83 and all odd Lots 85 through 95, Marsh now Terrace Dr., together with the south 10 feet of Lot 84 and all even Lots 86 through 96, Lucille now Pershing Ave., all in the College Hill Plaza Addition, Wichita, Sedgwick County, Kansas.

Dear Applicant,

We have reviewed your request for a Zoning Adjustment to reduce the north interior side setback from 3 feet to 1.5 feet (50 percent) on the aforementioned property in order to rebuild an existing garage. The current garage is non-conforming and was constructed at an angle along the north property line with the northwest corner of the structure on the property line. The site plan illustrates that the new garage will be constructed generally in the same location as the existing one with the north wall of the structure parallel to the north property line. The entire structure is proposed to be 1.8 feet from the north property line. The entire area of encroachment measures 1.8 feet by 60 feet for an area of 90 square feet.

The subject site is a through-lot with frontages along North Terrace Drive and North Pershing Avenue. The proposed garage would be constructed closer to North Pershing Avenue. In order for an accessory structure to have an interior side setback of 3 feet, it must be on the back one-half of the property. The depth to the middle of the entire property is 140 feet. The proposed garage would be constructed at least 70 feet from the east property line along North Pershing Avenue. Therefore, it is considered to be on the back one-half of that portion of the property.

Section V-I.2.a of the Unified Zoning Code ("UZC") allows reducing the minimum interior side 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 interior side setback from 3 feet to 1.5 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 SF-5 Single-Family Residential District. The proposed reconstructed garage is replacing an existing garage that is currently constructed closer to the north property line and at an angle. The proposed new garage would be constructed parallel with the north property where all parts of the new structure would be a uniform distance away.

3) Compatibility with existing or permitted uses on abutting sites: The surrounding properties are all zoned SF-5 Single-Family Residential District and developed with single-family dwellings. The subject site and the properties to the north and west are developed as through-lots with accessory structures on the eastern portions of the properties. The proposed garage is replacing an existing garage that is currently constructed closer to the north property line and at an angle. The proposed new garage would be constructed parallel with the north property where all parts of the new structure would be a uniform distance away from the north property line.

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 interior setback from 3 feet to 1.5 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 1.5-foot north interior 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.

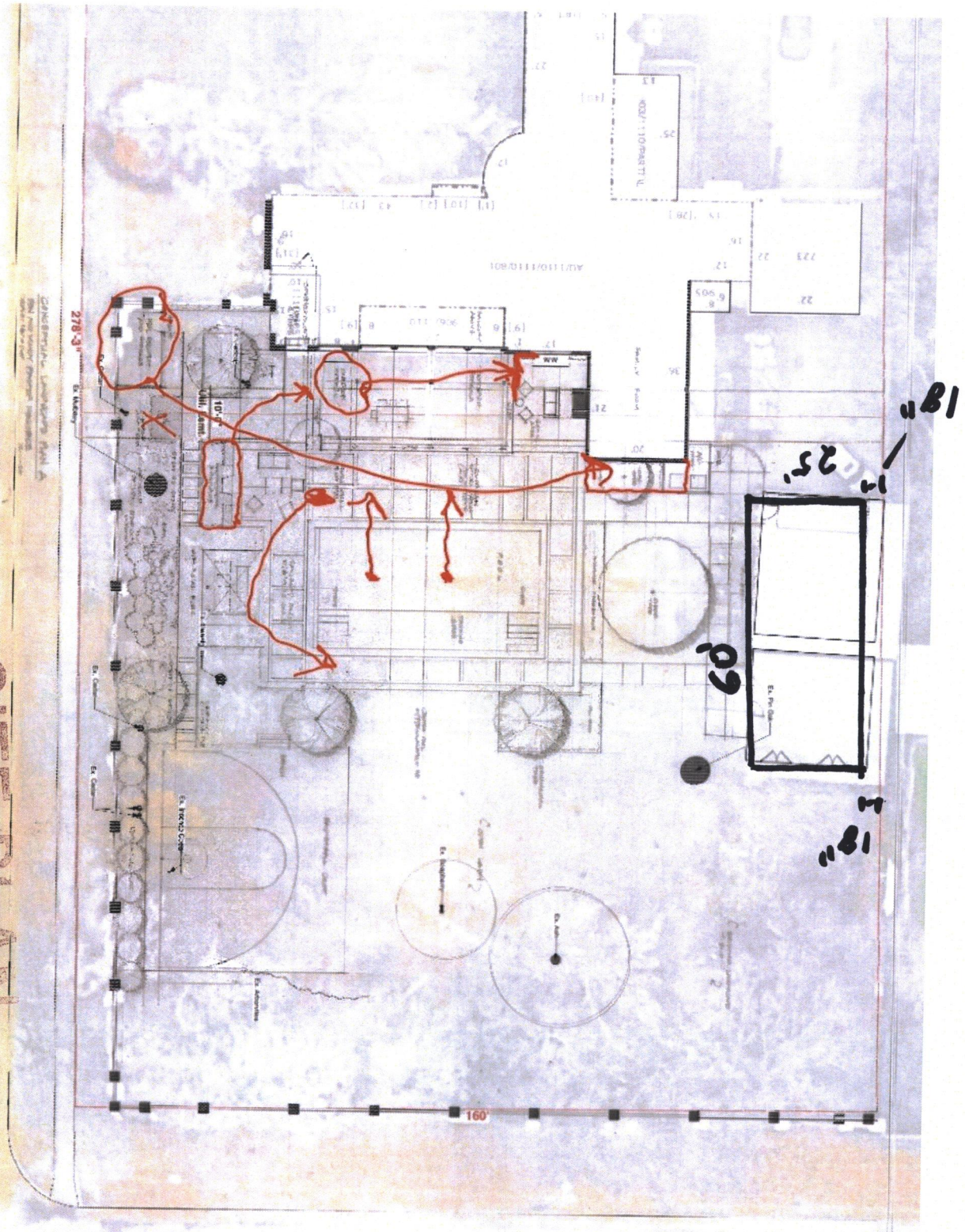
Scott Wadle, Director
Metropolitan Area Planning Department

J.R. COX JR.

Chris Labrum, Director
Metropolitan Area Building and Construction Department

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

SITE PLAN



APPROVED 2/20/25 BY BZA'S OF