CITY OF WICHITA

Wichita-Sedgwick County Metropolitan Area Planning Department

September 8, 2009

Nicole Howerton
1052 Coolidge
Wichita, KS 67213

Re: BZA2009-39: City zoning administrative adjustment to reduce the side setback from 3' to 2'6.5" for a garage addition. Generally located east of Coolidge and south of Briggs (1052 N Coolidge).

Lots 138 & 140; Riverside Addition, Sedgwick County, Kansas. Generally located east of Coolidge and south of Briggs (1052 N Coolidge).

Dear Applicant,

We have reviewed your request for a Zoning Adjustment to reduce the side setback for a garage addition on the aforementioned property. From reviewing the application, we understand that you desire to construct a garage addition within 2'6.5" of the side property line, a 5.5" encroachment into the required 3 foot side building setback for accessory structures in the TF-3 zoning district. Therefore, you have requested an adjustment to reduce the required setback.

Section V-I.2.a. of the Unified Zoning Code allows the side setback to be reduced by up to 20% when the provisions of that section and the Zoning Adjustment Criteria of Section V-I.6. are met. We find that the reduction of the side 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 setback encroachment should have no impact on the safety and convenience of vehicular and pedestrian circulation in the vicinity as no public right-of-way is affected.

2) Impact on existing uses in surrounding areas: There should be no negative impact on the existing uses in surrounding areas as a result of the setback reduction for a detached garage. The side setback reduction is within allowable limits.

3) Compatibility with existing or permitted uses on abutting sites: The proposed garage addition is compatible with existing and permitted uses on abutting sites, the encroachment into the side setback should not reduce compatibility with abutting and adjacent sites.

4) Effect on public health, safety or welfare: There will be no encroachment into public utility easements or right-of-way. Therefore, there should 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 side setback for the aforementioned property from 3' to 2'6.5" for a garage addition is hereby granted, subject to the following conditions:

1) The site shall be developed in general conformance with the approved site plan.

2) The site shall be developed in conformance with all applicable codes, including but not limited to building, fire, and health codes.

3) The setback reduction shall apply only to the 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.

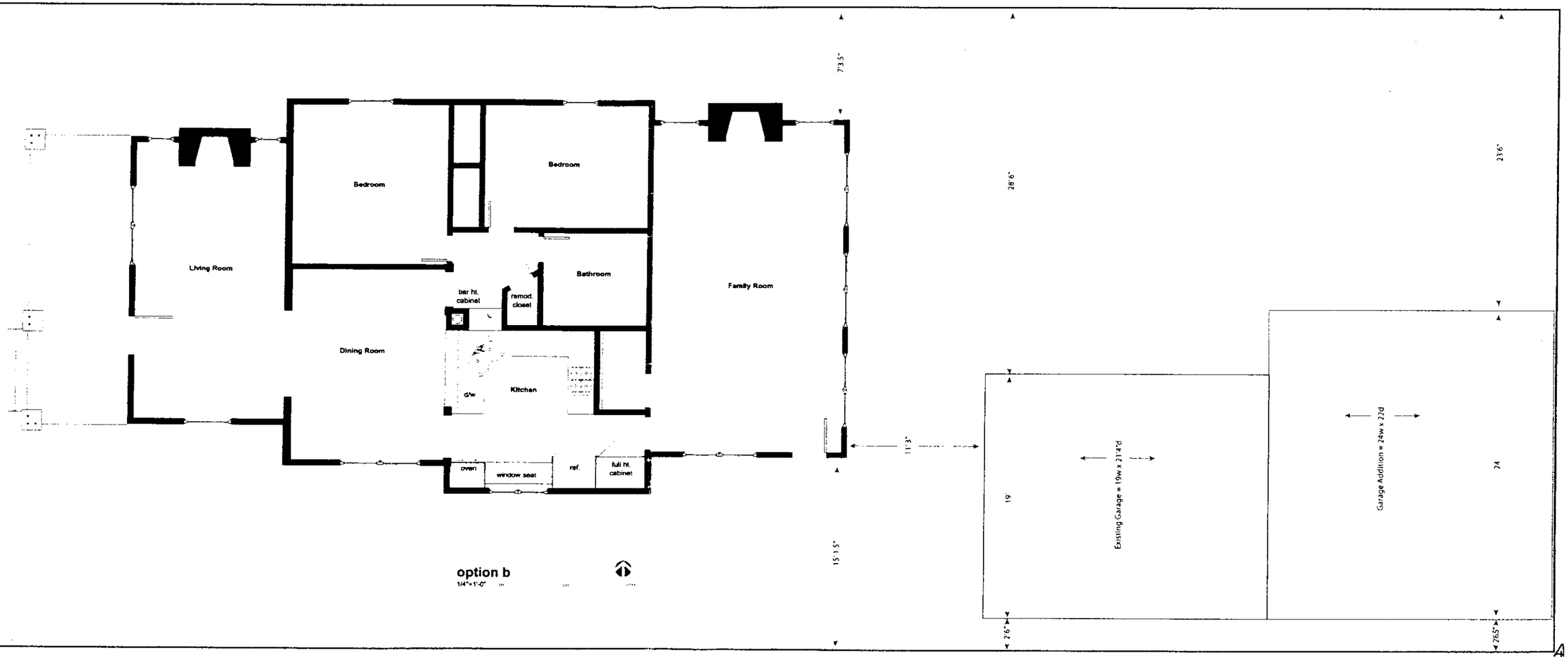
The "Development Application" sign should now be removed from the property.

John L. Schlegel
Planning Director

Kurt A. Schroeder
Superintendent of Central Inspection

Enclosure

cc: Kurt Schroeder, OCI
JR Cox, OCI
Mike Gable, OCI
Janet Miller, District VI, mailstop 1-13



1/8"=1

APPROVED

SITE PLAN #SZA 2009-39

Date: 9-8-09

10 FT. TO CENTER OF 20 FT. ALLEY