

Wichita-Sedgwick County Metropolitan Area Planning Department

October 3, 2011

Justin Blue
PO Box 12708
Wichita, KS 67277

Re: BZA2011-00052: Administrative adjustment to reduce the front and rear setbacks by 20% on property zoned TF-3 Two-family Residential ("TF-3").

Legal Description: Lots 49-51-53, Palmerston now Gordon Ave. Addition, Wichita, Sedgwick County, Kansas; generally located southeast of St. Paul and Maple St.

Dear Applicant,

We have reviewed your request for a Zoning Adjustment to reduce the front and rear setbacks on the aforementioned property. From reviewing the application, we understand that you desire to construct a two-family residence (duplex), with a 20-foot front setback and a 16-foot rear setback. The TF-3 Two-family Residential ("TF-3") zone district requires a 25-foot front setback and 20-foot rear setback for primary structures. Therefore, you have requested an adjustment to reduce the required setbacks.

Section V-I.2.a of the Unified Zoning Code ("UZC") allows 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. These adjustments are permissible when the provisions of those sections and the Zoning Adjustment Criteria of Section V-I.6 are met. We find that the reduction of the front and rear setback as proposed meets the provisions of Section V-I.2.a and the four criteria required by Section V-I.6 as set out below:

- 1) Impact on safety and convenience of vehicular and pedestrian circulation: The setback encroachments should have no impact on the safety and convenience of vehicular and pedestrian circulation in the vicinity because right-of-way, the driveway, and sidewalk will not be 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 reductions, as sufficient separation between buildings is maintained and the setback reductions are within allowable limits.
- 3) Compatibility with existing or permitted uses on abutting sites: The single-family residence is compatible with existing and permitted uses on abutting sites; the encroachment into the setbacks 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

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nor will properties or improvements in the vicinity be materially injured.

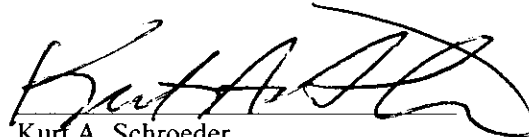
Our signatures below indicate that a Zoning Adjustment to reduce the front and rear setbacks for the aforementioned property to 20-feet and 16-feet respectively is hereby granted, subject to the following conditions:

- 1) The site shall be developed in general conformance with the approved site plan.
- 2) The setback reduction shall apply only to the front and rear 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.
- 3) 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

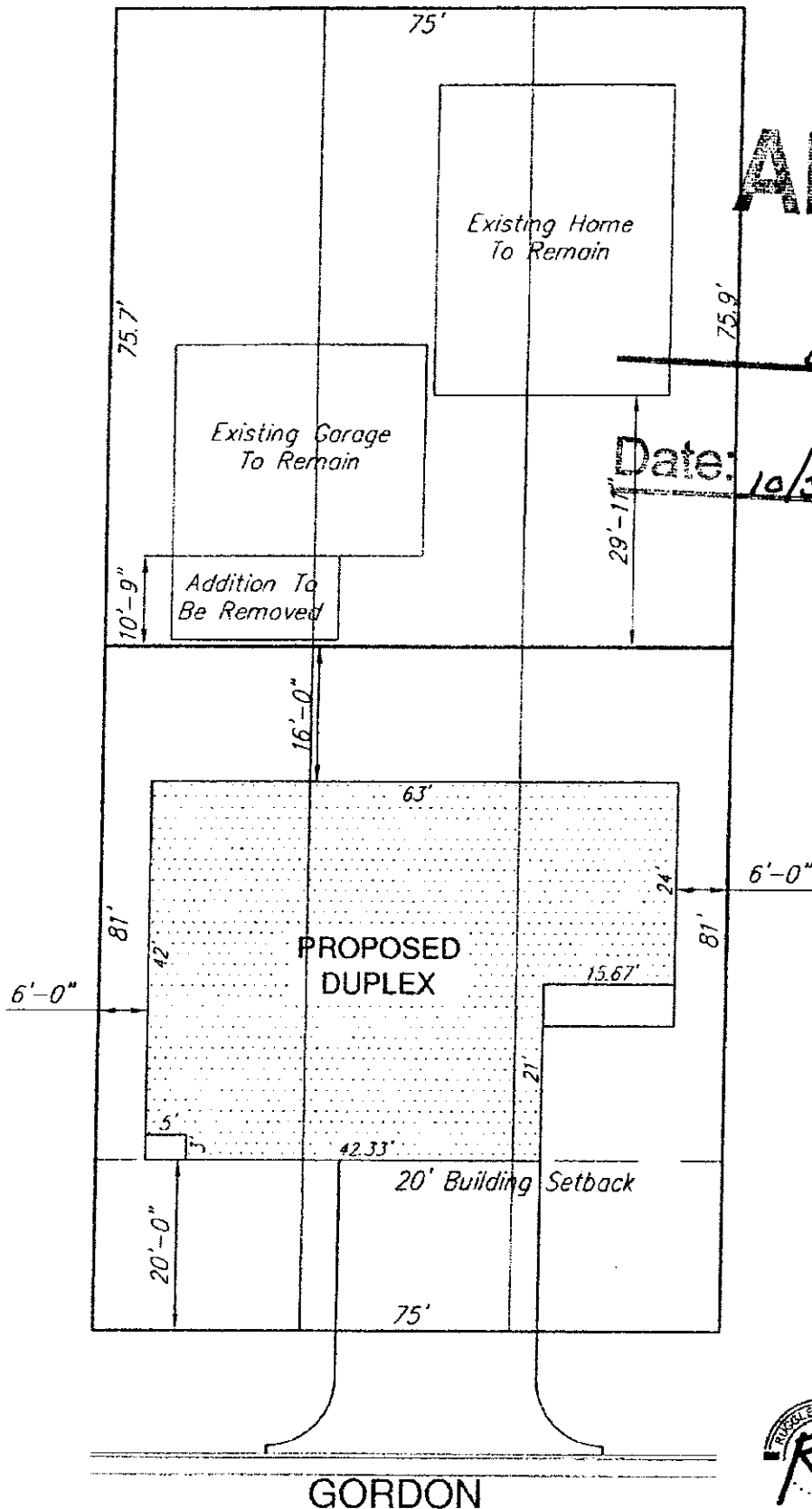


Kurt A. Schroeder
Superintendent of Central Inspection

cc: Kurt Schroeder, Office of Central Inspection
J.R. Cox, Office of Central Inspection
Paul Hays, Office of Central Inspection
Michael O'Donnell, CM District IV

PROPOSED LOT SPLIT EXHIBIT

SAINT PAUL



LEGAL DESCRIPTION

Lots 49-51-53

Martinson's 5th Addition
To Wichita, Kansas

APPROVED

BZA2011-00052

Date: 10/3/11



Scale
1" = 20'

Notes:

10' Addition on rear of
garage to be removed.

Adjustment of Building
Setbacks required.

3844F
Aug. 1, 2011



Ruggles & Bohm, P.A.

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