or right-of-way. There should be no 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 rear setback from 20 to 16 feet and to allow an accessory structure in front of the principal structure in TF-3 Two-family Residential zoning is hereby granted, subject to the following conditions:

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

2) The adjustment shall apply only to the house addition and detached garage as illustrated on the approved site plan. All other structures or additions on the subject property shall conform to the locations and setbacks permitted by the Unified Zoning Code unless a separate Zoning Adjustment or Variance is granted.

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 building, health and fire.

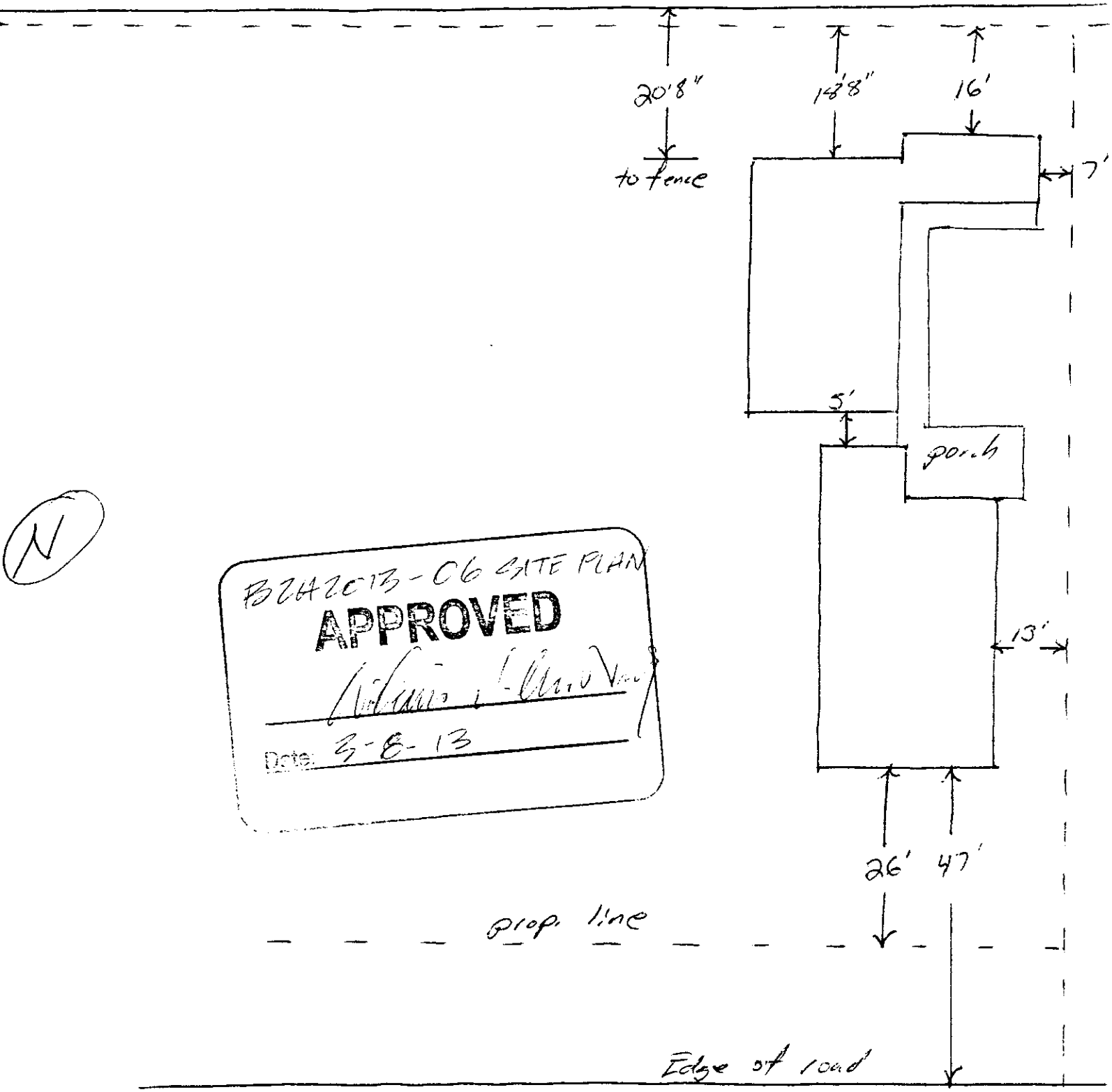
4) If the Zoning Administrator finds that there is a violation of any of the conditions of the Zoning Adjustment, the Zoning Administrator, in addition to enforcing the other remedies set forth in the Unified Zoning Code, may, with the concurrence of the Planning Director, declare that the Zoning Adjustment is null and void.

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

John L. Schlegel
Planning Director

Ricky Stubbs
Interim Co-superintendent of MABCD

cc: Rick Stubbs, Office of Central Inspection
Mike Gable, Office of Central Inspection
Janet Miller, CM District VI
Terri Dozal, NA District VI



BZA2013-06 SITE PLAN
APPROVED
Date: 3-8-13

CITY OF WICHITA

Wichita-Sedgwick County Metropolitan Area Planning Department

March 5, 2013

Bradley Nichols
610 N. Boyd
Wichita, KS 67212

Re: **BZA2013-06:** City Administrative Adjustment to reduce the rear setback from 20 to 16 feet and to allow an accessory structure in front of the principal structure in TF-3 Two-family Residential zoning at 610 North Boyd Ave.

Legal Description: LOT 3 MIRES ADD., Wichita, Sedgwick County, Kansas.

Dear Applicants,

We reviewed your request for a Zoning Adjustment to reduce the rear setback by 20% and to place an accessory structure in front of the primary structure on the aforementioned property. From reviewing the application and site plan, we understand that you wish to build a detached garage in front of the existing house, and place an addition on the existing house within 16 feet of the rear property line. The Zoning Code requires a 20 foot rear setback in TF-3 zoning.

Section V-I.2.a of the Unified Zoning Code allows an administrative adjustment to reduce setbacks by 20%, and section V-I.2.n of the Unified Zoning Code allows an administrative adjustment to place an accessory structure in front of the primary structure on less than 5 acres. These adjustments are permissible when the provisions of each section and the Zoning Adjustment Criteria of Section V-I.6 are met. We find that reducing the setbacks by 20% and placing the accessory structure in front of the primary structure as proposed meets 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 building locations should have no impact on the safety and convenience of vehicular and pedestrian circulation in the vicinity as right-of-way and driveways are not affected.

2) Impact on existing uses in surrounding areas: There will be no impact on the existing uses in surrounding areas as a result of the building locations; sufficient separation between the buildings will be maintained, adequate street visibility is maintained for neighboring properties.

3) Compatibility with existing or permitted uses on abutting sites: The rear setback reduction for a house addition, and detached garage location will be compatible with existing and permitted uses on abutting sites.

4) Effect on public health, safety or welfare: There will be no encroachment into public utility easements