CITY OF WICHITA

Wichita-Sedgwick County Metropolitan Area Planning Department

November 13, 2013

Gary Lowe
3507 East Munger Street
Wichita, KS 67210

Re: **BZA2013-48:** City Administrative Adjustment to reduce the rear setback from 20 to 16 feet in MF-29 Multi-family Residential zoning at 3507 East Munger Street.

Legal Description: LOT 32, Block 1, PLANEVIEW SUBDIVISION NO. 1., Wichita, Sedgwick County, Kansas. Generally located south of Pawnee Avenue, east of Hillside Avenue and north of Roseberry on Munger Street (3507 E. Munger Street)

Dear Applicants,

We reviewed your request for a Zoning Adjustment to reduce the rear setback by 20% and to place a 12-ft X 12-ft addition on the rear of your residence. From reviewing the application and site plan, we understand that you wish to build an addition on the southwest corner of the existing house within 16 feet of the rear property line. The Zoning Code requires a 20 foot rear setback in MF-29 zoning.

Section V-I.2.a of the Unified Zoning Code allows an administrative adjustment to reduce rear yard setbacks by 20%. This adjustment is permissible when the provisions of each section and the Zoning Adjustment Criteria of Section V-I.2 are met. We find that reducing the rear yard setback by 20% 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 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 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 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 and complete construction 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.

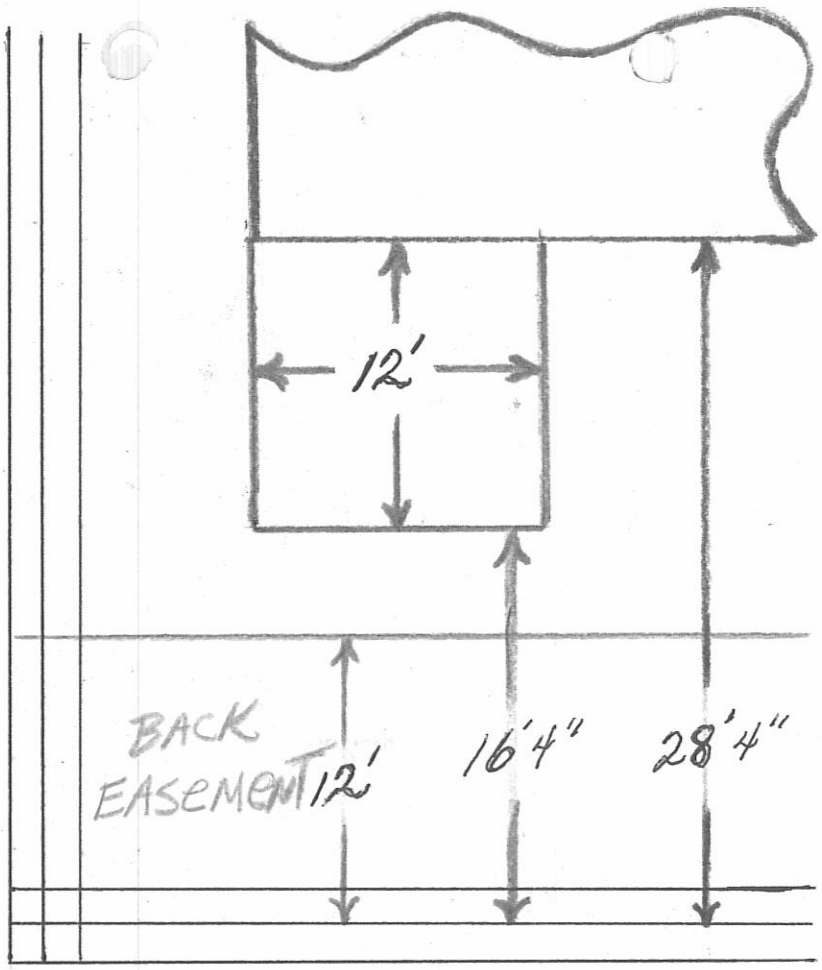
John L. Schlegel, Planning Director

Tom J. Stolz, MABCD Director

cc: J.R. Cox, MABCD
Richard Meier, MABCD
James Clendenin, CM District III
Janet Johnson, NA District III

SITE PLAN

APPROVED 11.18.2013 BY [signature]



(14) 2x10x12
(24) HANGERS

