



Wichita-Sedgwick County Metropolitan Area Planning Department

February 5, 2014

Klein Construction
c/o Don Brock
919 E. 53rd Street North
Wichita, KS 67219

Re: BZA2014-09: City Administrative Adjustment to allow a 20% side yard setback reduction on property zoned Single-family Residential ("SF-5").

Legal Description: LOT 16, BLOCK 5, RIVERSIDE HEIGHTS ADDITION, Wichita, Sedgwick County, KS. Generally located on the west side of Joann Street between 15th and 16th streets (1633 N. Joann Street).

Dear Applicant:

We have reviewed your request for a Zoning Adjustment to reduce the interior side yard setback from 6-feet to 4 feet – 4 inches, approximately 20%, on 0.17 acre. From reviewing your application, we understand that you are requesting a interior side yard reduction to rebuild on an existing slab that was once detached from the principal structure, but now is connected by a sun room addition. We understand from the drawing submitted, the now attached garage will be located 4 feet – 4 inches from the lot's north property line (interior side yard).

Section V-I.2.a of the Unified Zoning Code ("UZC") allows an administrative adjustment to reduce interior side setback by up to 20 percent. We find that permitting an attached garage to the primary structure on your property meets the four conditions required by Sec. V-I.6 of the Unified Zoning Code as set out below:

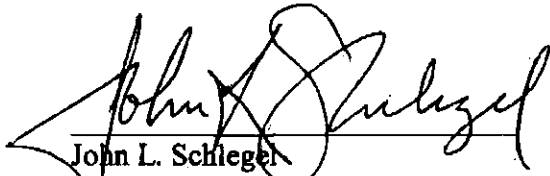
- 1) Impact on safety and convenience of vehicular and pedestrian circulation: The location of the attached garage should have no impact on the safety and convenience of vehicular and pedestrian circulation in the vicinity as right-of-way and driveways are not affected.
- 2) Impact on existing uses in surrounding areas: There will be no impact on the existing uses in surrounding areas as a result of the addition location; sufficient separation between the buildings will be maintained, street visibility will be unchanged for neighboring properties.

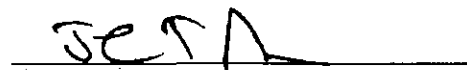
- 3) Compatibility with existing or permitted uses on abutting sites: Abutting sites are zoned for single-family residential development and the interior side yard reduction will not have a negative impact on existing or permitted uses.
- 4) Effect on public health, safety or welfare: There will be no encroachment into public utility easements or right-of-way. 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 an interior side yard reduction for the aforementioned property is hereby GRANTED, subject to the following conditions:

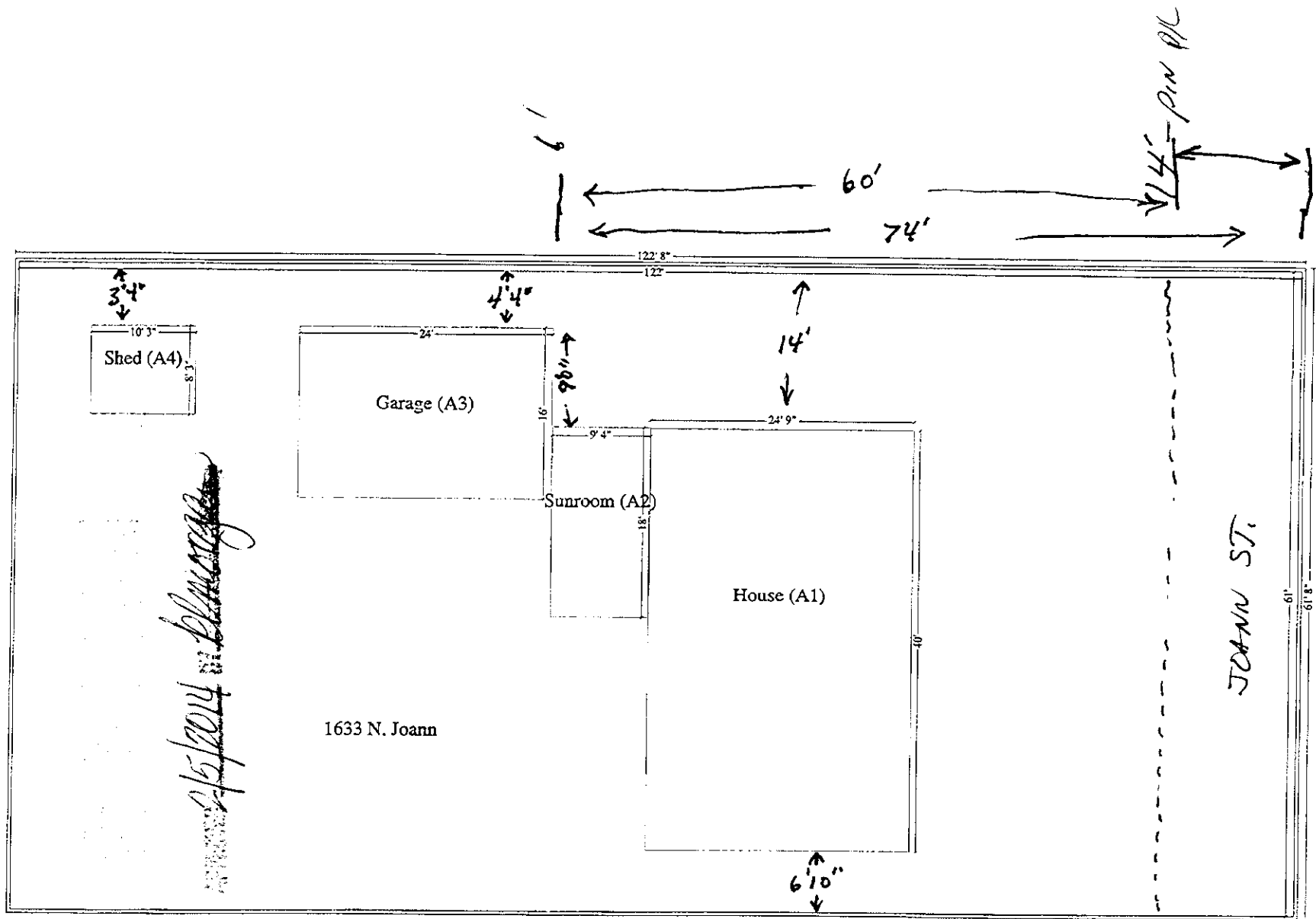
- 1) The site shall be developed in general conformance with the approved site plan.
- 2) The applicant shall obtain a building permit and complete construction within one year of the administrative adjustment approval. The site shall conform to all codes including but not limited to building, health and fire.
- 3) The interior side yard reduction shall apply only to the principal structure on the approved site plan. All other structures or additions on the subject property shall conform to the development standards of 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
MAPD Director


Tom J. Stolz
MABCD Director

cc: J.R. Cox, MABCD
Paul Hays, MABCD
Janet Miller, CM District VI
Martha Sanchez, NA District VI



EXISTING

Garage is attached to house & Sunroom

Main Level