CITY OF WICHITA

Wichita-Sedgwick County Metropolitan Area Planning Department

March 11, 2014

Oscar Gomez
2444 Wellington Place
Wichita, KS 67204

Re: **BZA2014-16: City Administrative Adjustment to allow a 20% street side yard setback reduction and 20% interior side yard setback reduction on property zoned Single-family Residential ("SF-5").**

Legal Description: LOTS 45-47 & 1/2 VAC ALLEY ON W BLOCK 6, EC & LR COLES ADD TO CAREY PARK, WICHITA, SEDGWICK COUNTY, KS. The property is generally located on the southwest corner of N. Mascot Avenue and W. 30th Street North (3059 N. Mascot Ave).

Dear Applicant:

We have reviewed your request for a Zoning Adjustment to reduce the street side yard setback from 15-feet to 12-feet and the interior side yard setback from 6-feet to 5-feet on 0.15 acre. From reviewing your application, we understand that you are requesting the setback reductions to build a new house on the vacant lot at the above-mentioned location.

Section V-I.2.a of the Unified Zoning Code ("UZC") allows an administrative adjustment to reduce street side yard and interior side yard setbacks by up to 20 percent. We find that permitting the construction of a residential structure with the reduced setbacks 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 new residential structure 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 street side yard and interior side yard reductions 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 a reduction of the street side yard setback from 15-feet to 12-feet and the interior side yard setback from 6-feet to 5-feet 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 street side yard reduction and 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.

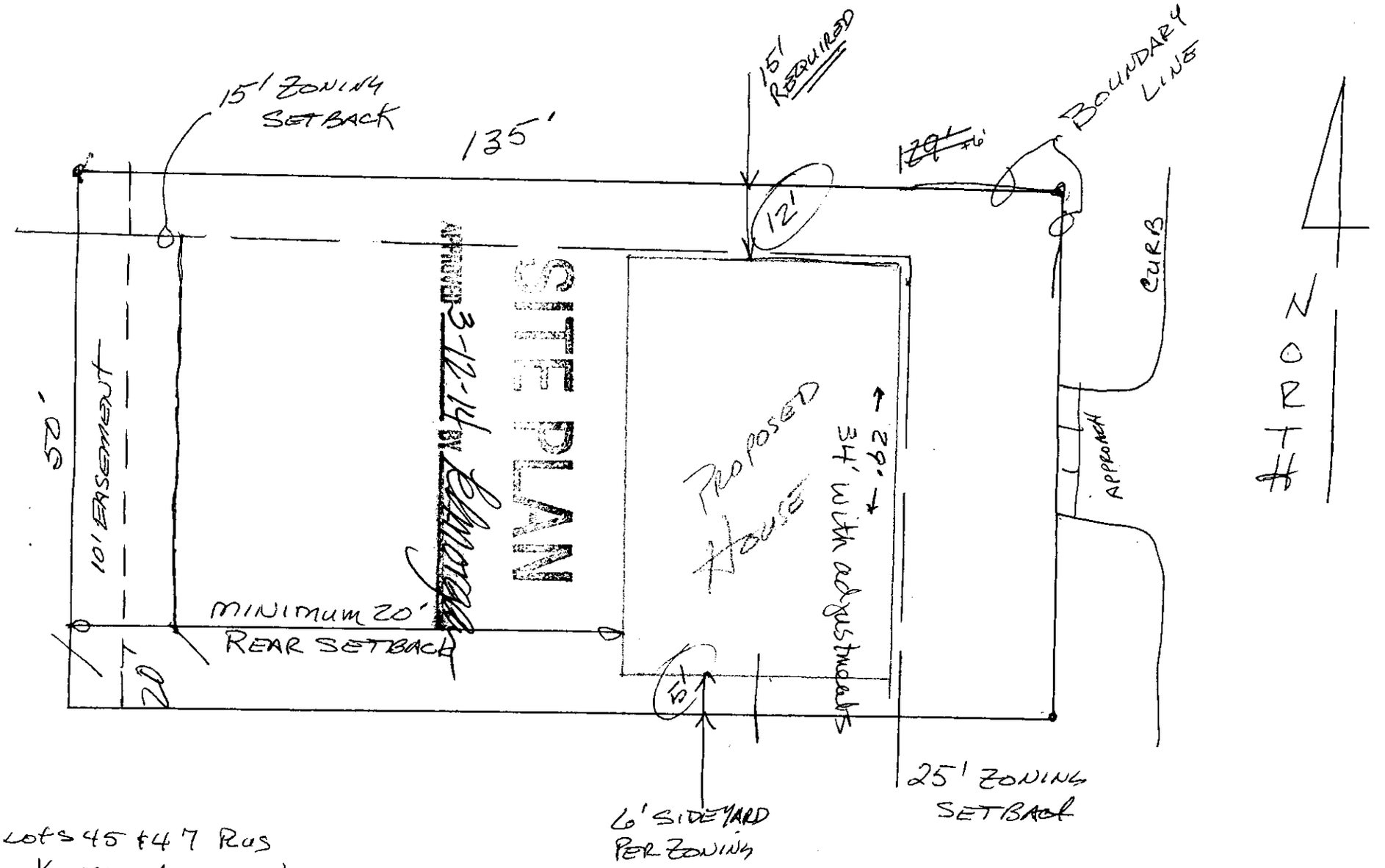
4) If the Zoning Administrator finds that there is a violation of any of the conditions of the Zoning Adjustment, the Zoning Administrator, in addition to enforcing the other remedies set forth in the Unified Zoning Code, may, with the concurrence of the Planning Director, declare that the Zoning Adjustment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



Lots 45 & 47 Rus
½ VAC ALLEY ON
West Block 6
E.C. & C.R. COLES ADDN

ZONED SF5

→ 3059 N MASCOT