CITY OF WICHITA

**Wichita-Sedgwick County Metropolitan Area Planning Department**

May 9, 2014

Brett Freeman
3904 W. 8th Street N.
Wichita, KS 67203

**Re: BZA2014-37: City Administrative Adjustment to allow a 20% street side yard setback reduction on property zoned Single-Family Residential ("SF-5").**

**Legal Description: LOT 6, NEWTON GARDENS ADDITION, Wichita, Sedgwick County, KS. Generally located on the northwest corner of West 8th Street and North Illinois Avenue (3904 W. 8th Street.)**

Dear Applicant:

We have reviewed your request for an Administrative Adjustment to reduce the street side yard setback from 15-feet to 12-feet, approximately 20%, on 0.48 acre. From reviewing your application, we understand that you are requesting a street side yard reduction to allow construction of a 20-feet X 30-feet detached garage. We understand from the drawing submitted, the garage will be located 12-feet from the lot's east property line (street side yard).

Section V-I.2.a of the Unified Zoning Code ("UZC") allows an Administrative Adjustment to reduce street side yard setback by up to 20 percent. We find that permitting detached 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 detached 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 detached garage location as street visibility will be unchanged for neighboring properties.

3) Compatibility with existing or permitted uses on abutting sites: Abutting sites are zoned for Limited Commercial to the west and Single-Family Residential to the south, east and north. The street 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 a street 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 street side yard reduction shall apply only to the new detached garage 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.

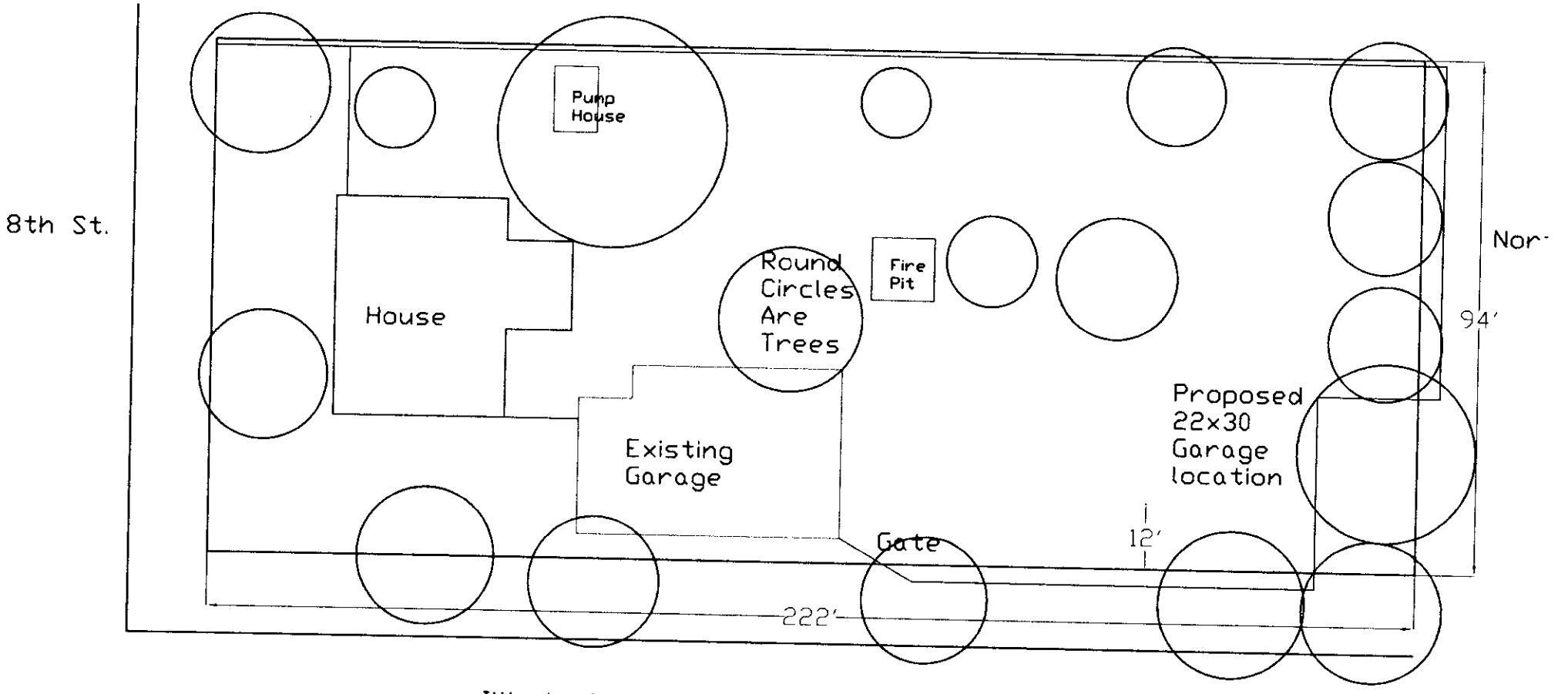
4) If the Zoning Administrator finds that there is a violation of any of the conditions of the Zoning Adjustment, the Zoning Administrator, in addition to enforcing the other remedies set forth in the Unified Zoning Code, may, with the concurrence of the Planning Director, declare that the Zoning Adjustment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

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

John L. Schlegel, Director
Metropolitan Area Planning Department

Thomas J. Stolz, Director
Metropolitan Area Building and Construction Department

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




# SITE PLAN

APPROVED 5-9-2014 BY klmorgan