CITY OF WICHITA

Wichita-Sedgwick County Metropolitan Area Planning Department

June 3, 2014

Jose Herrera
1736 S. Lulu
Wichita, KS 67211

Re: BZA2014-41: City Administrative Adjustment to allow a 20% interior side yard setback reduction on a lot zoned "B" – Multifamily.

Legal Description: LOTS 18-20 LULU AVE. MEAD'S SUB SCHWEITER'S 2ND ADDITION, WICHITA, SEDGWICK COUNTY, KS. The property is generally located on South Lulu Avenue between E. Osie Street and E. Funston Street (1736 S Lulu.)

Dear Applicant:

We have reviewed your request for a Zoning Adjustment to reduce the side yard setback from 5-feet to 4-feet on 0.15 acre. From reviewing your application, we understand that you are requesting the setback reduction in order to build a new garage approximately 15 feet wide by 48 feet long on the abovementioned property.

Section V-I.2.a of the Unified Zoning Code ("UZC") allows an Administrative Adjustment to reduce interior side yard setbacks by up to 20 percent. We find that permitting the construction of a garage with the reduced setback 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 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 garage 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 "B" – Multifamily to the north, south and west and TF-3 to the east of the proposed site. 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 a reduction of the interior side yard setback from 5-feet to 4-feet and the interior side yard setbacks from 5-feet to 4-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 interior side yard reduction shall apply only to the attached garage structure as shown 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
Lavonta Williams, CM District I
Alana Haynes, NA District I