CITY OF WICHITA

Wichita-Sedgwick County Metropolitan Area Planning Department

June 20, 2014

Christian E. Marino
704 S. Longbranch Drive
Maize, KS 67101

Re: **BZA2014-39: City Administrative Adjustment to allow two 20% front yard setback reductions and two 20% interior side yard setback reductions on a through lot zoned "B" – Multi-family.**

Legal Description: LOT 36 & N 8 FT LOT 38 WATER ST. MENLO PARK ADDITION, WICHITA, SEDGWICK COUNTY, KS. The property is generally located on North Fairview between W. 23rd Street North and W. 24th Street North (2414 N Fairview.)

Dear Applicant:

We have reviewed your request for a Zoning Adjustment to reduce the front yard setbacks from 20-feet to 16-feet and the interior side yard setbacks from 5-feet to 4-feet on 0.11 acre. From reviewing your application, we understand that you are requesting the setback reductions to build a new duplex 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 front yard and interior side yard setbacks by up to 20 percent. We find that permitting the construction of a duplex 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 duplex 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 duplex location; nine feet separation between the new duplex and the building to the south 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" – Multi-family to the north, south and east and "TF-3" to the west of the proposed site. The front

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 front yard setbacks from 20-feet to 16-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 front yard reductions and interior side yard reductions 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, Director
Metropolitan Area Planning Department

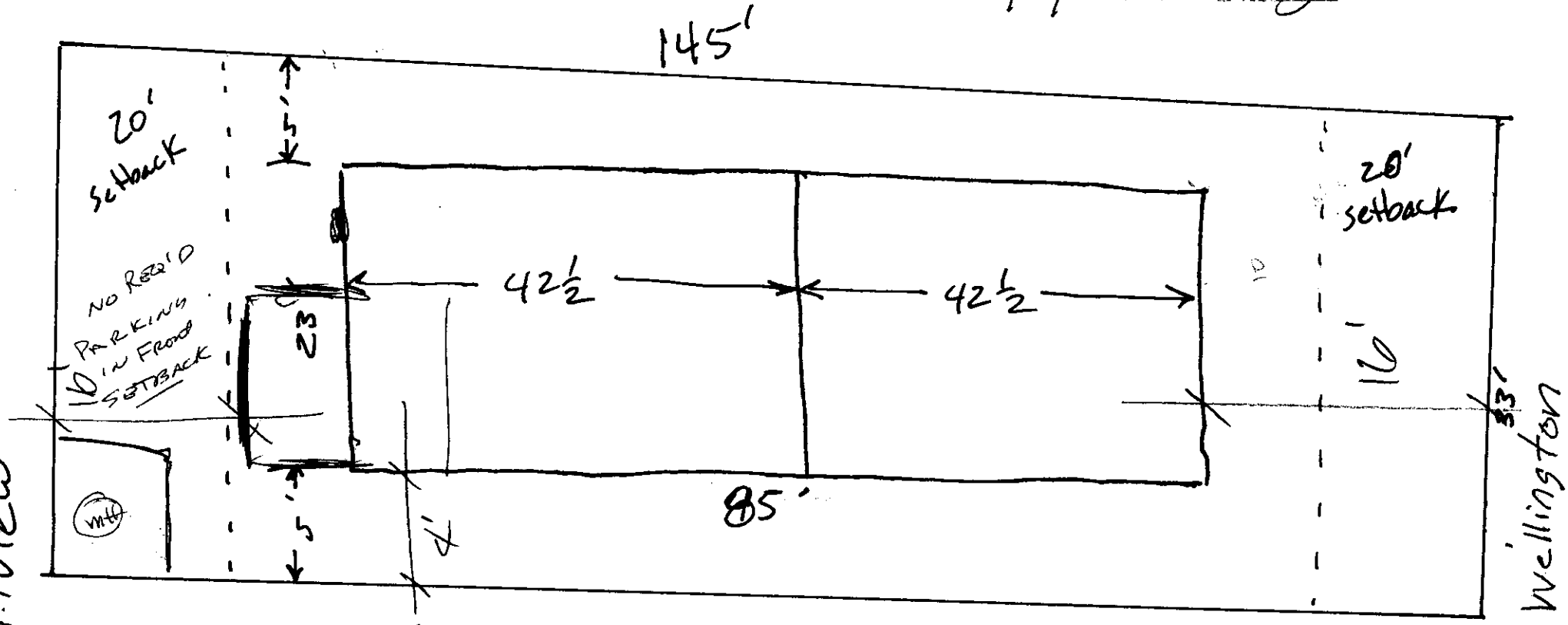
Thomas J. Stolz, Director
Metropolitan Area Building and Construction Department

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

S/2b
Soil test

SITE PLAN

APPROVED 6/30/2014 BY [illegible]



PLANNING DEPT 10th FLR

ADMINISTRATIVE ADJUSTMENT REDUCE SIDES BY 20% TO 4'

ADMIN. ADJ.
REDUCE BOTH FRONT SETBACKS BY 20% TO 16'

Parcel 102201