CITY OF WICHITA

Wichita-Sedgwick County Metropolitan Area Planning Department

August 4, 2015

Cris Naegele
4118 W. 17th St. N
Wichita, KS 67212

Re: **BZA2015-00036: Administrative adjustment to reduce the east interior side setback by 20% in a SF-5 Single-family Residential ("SF-5") zoning.**

Legal Description: Lot 10, Block 3, Sunset Height's 4th Addition, Wichita, Sedgwick County, Kansas. Generally located northeast of the intersection of West 17th Street North and North Nevada Street (4118 W. 17th St. N.).

Dear Mr. Naegele,

We have reviewed your request for a Zoning Adjustment to reduce the interior side setback for the placement of a new garage on the aforementioned property. From reviewing the application, we understand that you desire to construct a garage within four feet ten inches of the east interior side property line, a one foot two inch encroachment into the required six foot side setback for a carport on property within the SF-5 Single-family Residential ("SF-5") zoning district. Therefore, you have requested an adjustment to reduce the required interior side yard setback by 20%.

Section V-I.2.a of the Unified Zoning Code allows up to a 20% reduction of the side setback when the provisions of that section and the Zoning Adjustment Criteria of Section V-I.6 are met. We find that the reduction of the side setback as proposed meets the provisions of Section V-I.2.a and the four criteria required by Section V-1.6 as set out below:

1) Impact on safety and convenience of vehicular and pedestrian circulation: The setback encroachment should have no impact on the safety and convenience of vehicular and pedestrian circulation in the vicinity because street right-of-way will not be affected.

2) Impact on existing uses in surrounding areas: There should be no negative impact on the existing uses in surrounding areas as a result of the setback reduction, provided that sufficient separation between buildings is maintained. The side setback reduction is

within allowable limits.

3) Compatibility with existing or permitted uses on abutting sites: The garage is similar to existing structures on abutting sites and other residential sites throughout the neighborhood and city. The encroachment into the side setback should not reduce compatibility with abutting and adjacent sites.

4) Effect on public health, safety or welfare: There will be no encroachment into public utility easements or right-of-way. Therefore, there should 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 Zoning Adjustment to reduce the interior side setback for the aforementioned property from six feet to four feet ten inches is hereby granted, subject to the following conditions:

1) The site shall be developed in general conformance with the approved site plan.

2) The site shall be developed in conformance with all applicable codes, including but not limited to building and health codes.

3) The setback reduction shall apply only to the side setback as illustrated on the approved site plan. All other structures or additions on the subject property shall conform to the setbacks permitted by 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.

W. David Barber, Interim Director
Metropolitan Area Planning Department

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

cc: J.R. Cox, MABCD
Paul Hays, MABCD
Janet Miller, CM District VI
Janet Johnson, CLD VI

SITE PLAN

APPROVED 2/1/2022 BY

4118 W 17th St N
Cris Naegele
316-640-1771
cnaegele@cox.net
Rev 2.0 7/20/15
SCALE 30

