CITY OF WICHITA

Wichita-Sedgwick County Metropolitan Area Planning Department

September 16, 2014

Larry Breshears
3102 S. Mt. Carmel
Wichita, KS 67217

Re: **BZA2014-57: City Administrative Adjustment to allow a street side yard setback reduction from 15-feet to eight (8)-feet and an interior side yard setback from six (6)-feet to five (5)-feet on property zoned Two-Family Residential ("TF-3").**

Legal Description: LOTS 49 and 51 on MONA AVENUE (Now Poplar), FAIRMOUNT PARK ADDITION, Wichita, Sedgwick County, KS. Generally located east of Grove on the southwest corner of East 12th Street and North Poplar (1255 N. Poplar Street).

Dear Applicant:

We have reviewed your request for a Zoning Adjustment to reduce the street side yard setback from 15-feet to 8-feet (approximately 47%) and an interior side yard setback from 6-feet to 5-feet (approximately 20%) on 0.15 acre. From reviewing your application, we understand that you are requesting a street side yard reduction and an interior side yard reduction to allow construction of a single family home. We understand from the drawing submitted, the north side of the house will be located 8-feet from the lot's north property line (street side yard) and the south side of the house will be located 5-feet from the south property line.

Section V-I.2.a of the Unified Zoning Code ("UZC") allows an Administrative Adjustment to reduce street side yard setback by up to 50% when the adjustment does not exceed 300 square feet and interior side yard adjustment by up to 20%. We find that permitting the construction of a 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 primary 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 location of the primary structure. All neighboring properties are zoned TF-3.

3) Compatibility with existing or permitted uses on abutting sites: Abutting sites are zoned for two-family residential development. The interior side yard and the street 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 street side yard reduction from 15-feet to 8-feet and interior side yard reduction 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 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.

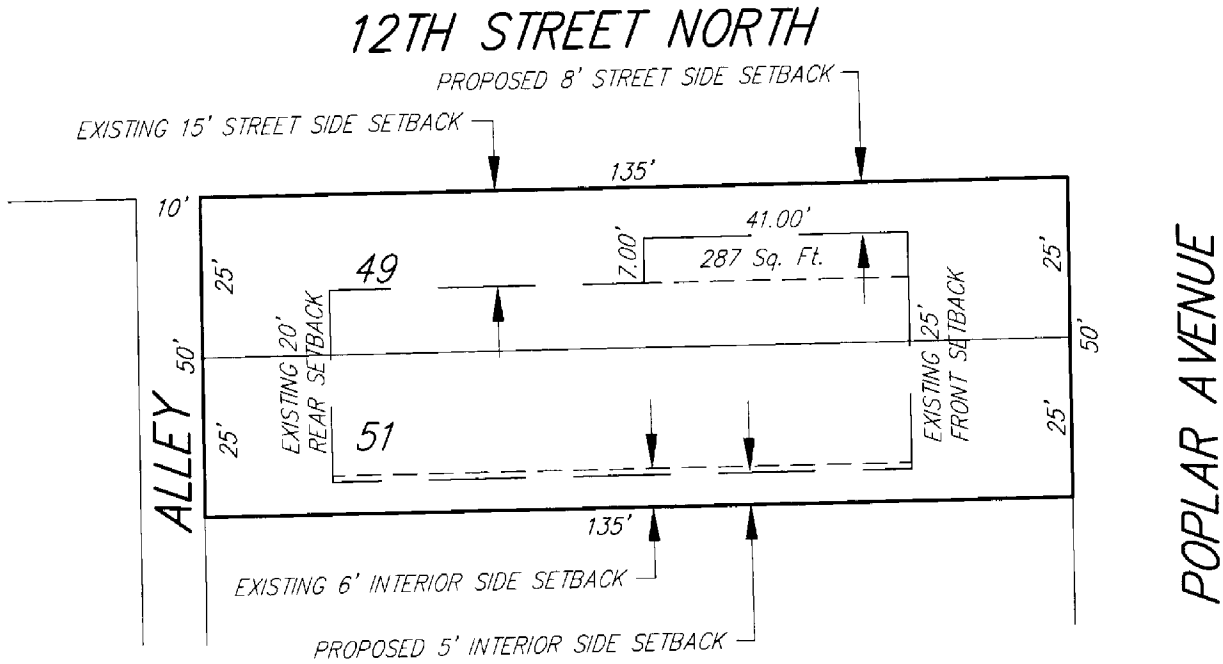
The "Development Application" sign should now be removed from the property.

John L. Schlegel, Director
Metropolitan Area Planning Department

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

cc: J.R. Cox, MABCD
Paul Hays, MABCD
Lavonta Williams, CM District I
Alana Haynes, NA District I

EXHIBIT A

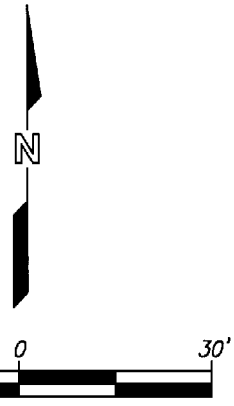


PROPOSED STREET SIDE SETBACK

The north 15.00 feet of Lot 49, on Mona Avenue (Now Poplar Avenue), EXCEPT the south 7.00 feet of the north 15.00 feet of the west 41.00 feet of the east 66.00 feet thereof, Fairmount Park Addition to Wichita (Sedgwick County), Kansas.

PROPOSED INTERIOR SIDE SETBACK

The south 5.00 feet of Lot 51, on Mona Avenue (Now Poplar Avenue), Fairmount Park Addition to Wichita (Sedgwick County), Kansas.



SITE PLAN

9/16/2014



DWG FILE: EXHIBIT A
PROJECT NO. 4420S