CITY OF WICHITA

Wichita-Sedgwick County Metropolitan Area Planning Department

May 21, 2015

Ruggles & Bohm, P.A.
Will Clevenger
924 N Main Street
Wichita, KS 67203

Re: **BZA2015-18: City Administrative Adjustment to allow a 20% interior side yard setback reduction and 50% street side yard setback on property zoned Single-Family Residential (SF-5).**

Legal Description: LOTS 45-47, BLOCK 6, WESTMORELAND ADDITION, Wichita, Sedgwick County, KS. Generally located on the northeast corner of East 17th Street and North Green (1802 N. Green 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 (50%) and an interior side yard setback from 6-feet to 5-feet (approximately 20%) on 0.16 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 5-feet from the lot's north property line (interior side yard) and the south side of the house will be located 8-feet from the south 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 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 SF-5 and 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. BZA2014-00003 is considered null and void at the request of the applicant. 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.

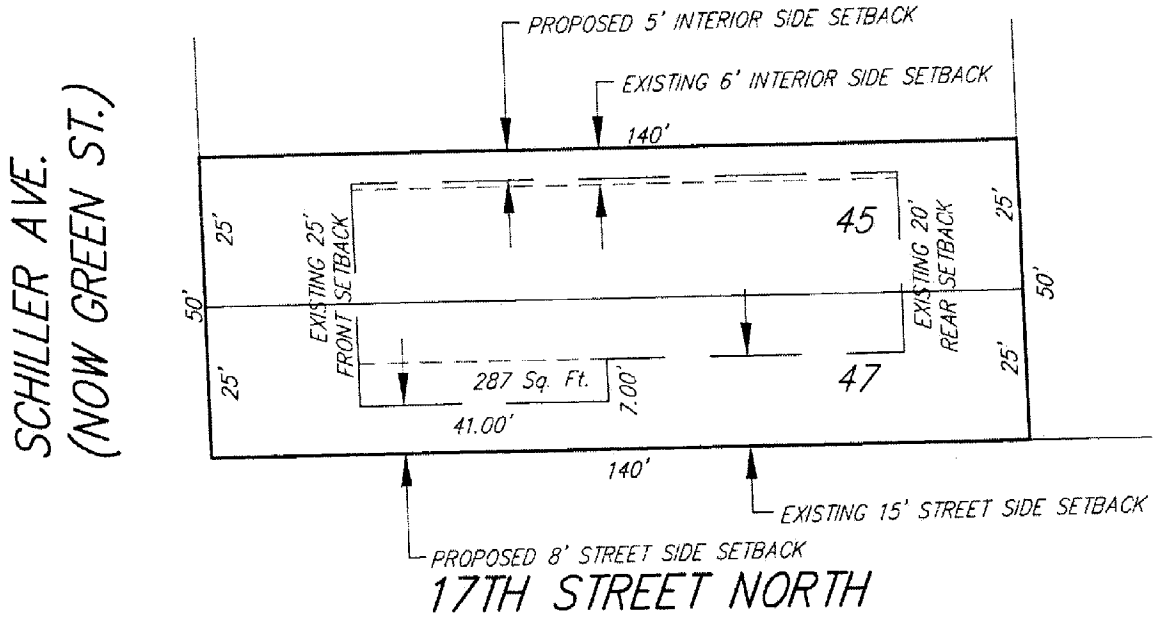
The "Development Application" sign should now be removed from the property.

John L. Schlegel, Director
Metropolitan Area Planning Department

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

cc: J.R. Cox, MABCD
Paul Hays, MABCD
Lavonta Williams, CM District I
Janet Johnson, Community Liaison District I

EXHIBIT A

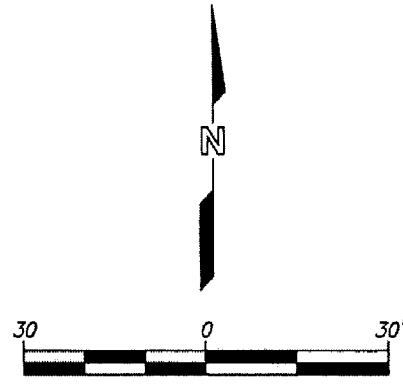


PROPOSED STREET SIDE SETBACK

The south 15.00 feet of Lot 47, on Schiller Avenue (Now Green Street), EXCEPT the North 7.00 feet of the South 15.00 feet of the East 41.00 feet of the West 66.00 feet thereof, Block 6, Westmoreland Addition to Wichita (Sedgwick County), Kansas.

PROPOSED INTERIOR SIDE SETBACK

The North 5.00 feet of Lot 45, on Alice Avenue (Now Green Street), Block 6, Westmoreland Addition to Wichita (Sedgwick County), Kansas.



SITE PLAN

APPROVED 5/21/2015 klmorgan



DWG FILE: EXHIBIT A
PROJECT NO. 4550P