CITY OF WICHITA

Wichita-Sedgwick County Metropolitan Area Planning Department

November 3, 2015

Andrea Epperson
3421 E. Edgemont St.
Wichita, KS 67208

Hoss Construction, Inc.
3740 Howe
Wichita, KS 67215

Re: **BZA2015-00054: City Administrative Adjustment to reduce the interior side yard setback for an addition to the principal structure from 6 feet to 4 feet 8 inches (approx. 20%) on property zoned TF-3 Two-family Residential ("TF-3").**

Legal Description: West 10 feet, Lot 18 and all of Lots 20-22, Edgemont Place Woodford's Replat, Wichita, Sedgwick County, Kansas. Generally located one block north of East Central between Vassar and Yale on the south side of East Edgemont (3421 E. Edgemont St.)

Dear Applicant,

We have reviewed your request for a Zoning Adjustment to reduce the interior side setback for an addition to the principal structure on the aforementioned property. From reviewing the application, we understand that you desire to construct the addition to within 4 feet 8 inches of the west interior side property line, actually a 1 foot 4 inches encroachment into the 6 feet interior side setback for principal structures within the TF-3 Two-family Residential ("TF-3") zone district. As stated in Article III, Section 3.B.6.d(5), the interior side setback in the TF-3 zone district is "six feet, except five feet if Lot is below 6,000 square feet, and that one required side Yard for a Single-Family Dwelling Unit or Duplex may be reduced to as little as zero feet if Setback lines are established that ensure a minimum of twelve feet between Structures on Contiguous Lots." Therefore, you have requested an adjustment to reduce the required setback.

Section V-I.2.a of the Unified Zoning Code allows up to a 20% reduction of the interior side setback when the provisions of that section and the Zoning Adjustment Criteria of Section V-I.6 are met. The applicant, according to the site plan, is requesting a reduction of the interior side setback to 4

feet 8 inches. 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 and alley 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 interior side setback reduction is within allowable limits.

3) Compatibility with existing or permitted uses on abutting sites: The addition to the principal structure is compatible with existing and permitted uses on abutting sites. 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 6 feet to 4 feet 8 inches (approx.20%) 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 interior 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.

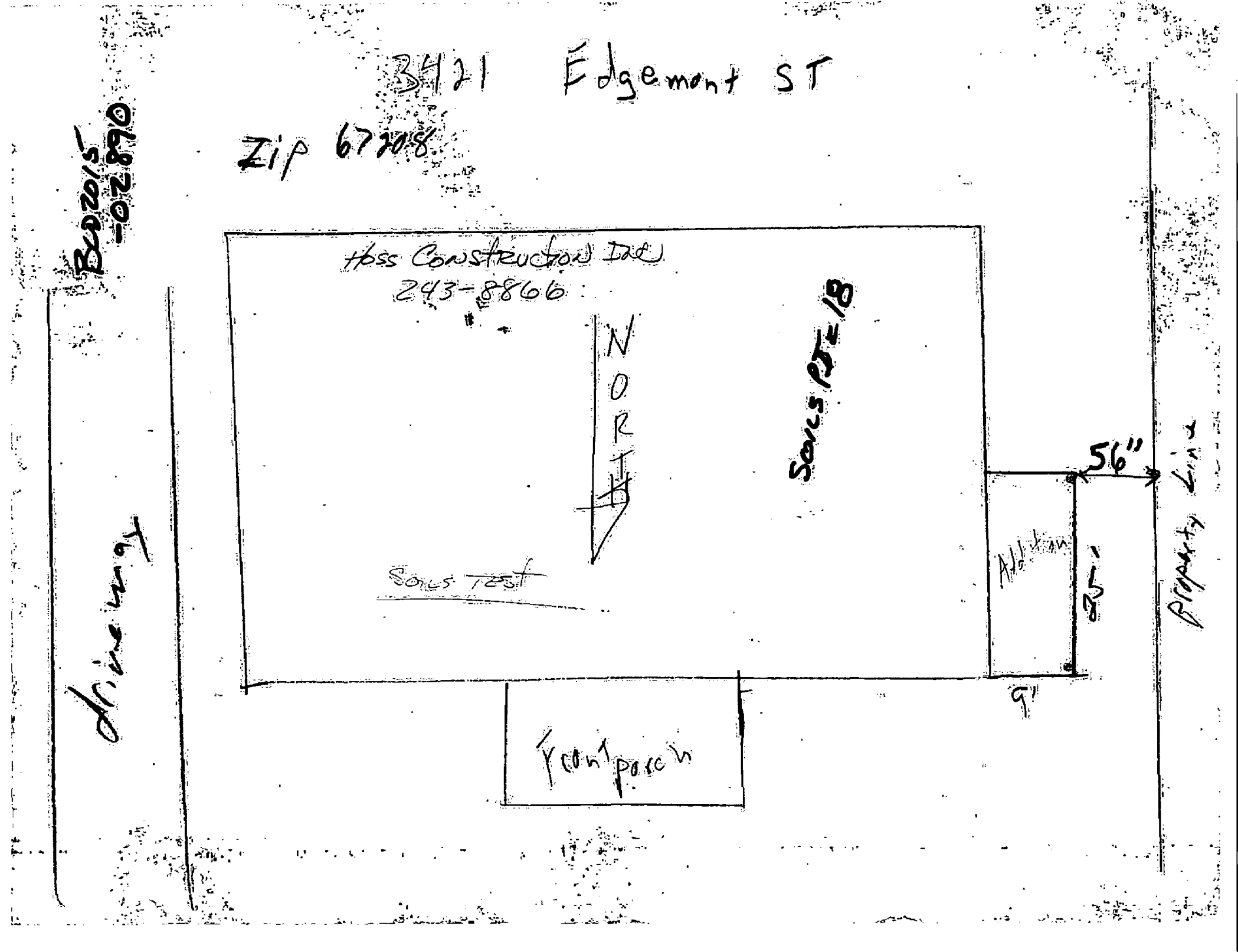
4) If the Zoning Administrator finds that there is a violation of any of the conditions of the Zoning Adjustment, the Zoning Administrator, in addition to enforcing the other remedies set forth in the Unified Zoning Code, may, with the concurrence of the Planning Director, declare that the Zoning Adjustment is null and void.

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

Dale Miller, Director
Metropolitan Area Planning Department

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

cc: JR Cox, MABCD
Paul Hays, MABCD
Lavonta Williams, CM District I
Kameelah Alexander, CL District I


3421 Edgemont ST
Zip 67208
B-2015-02890
Hoss Construction LLC
243-8866
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R
T
H
Sous PSE = 18
Sous test
56"
Addition
25'
9'
Front porch
Property Line