CITY OF WICHITA

Wichita-Sedgwick County Metropolitan Area Planning Department

June 1, 2016

Habitat For Humanity
Laurie Walker
P.O. Box 114
Wichita, KS 67201

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

Re: **BZA2016-24: City Administrative Adjustment to allow a 50% street side yard setback reduction and 20% interior side yard setback reduction on property zoned TF-3 Two-family Residential.**

Legal Description: LOTS 2 & 4, Block 6, Esterbrook Park Addition, WICHITA, SEDGWICK COUNTY, KS. The property is generally located at the northwest corner of 10th and Poplar (1101 N. Poplar.)

Dear Applicant:

We have reviewed your request for a Zoning Adjustment to reduce the street side yard setback from 15-feet to 8-feet and the interior side yard setback from 6-feet to 5-feet on 0.16 acre. From reviewing your application, we understand that you are requesting the setback reductions to build a new house 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 street side yard by 50 percent when the yard reduction is less than 300 square feet and interior side yard setback by up to 20 percent. We find that permitting the construction of a residential structure 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 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 new residence; sufficient separation between the buildings 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 for two-family residential development and the street side 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 street side yard setback from 15-feet to 8-feet and the interior side yard setback 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 reduction and interior side yard reduction 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.

Dale Miller

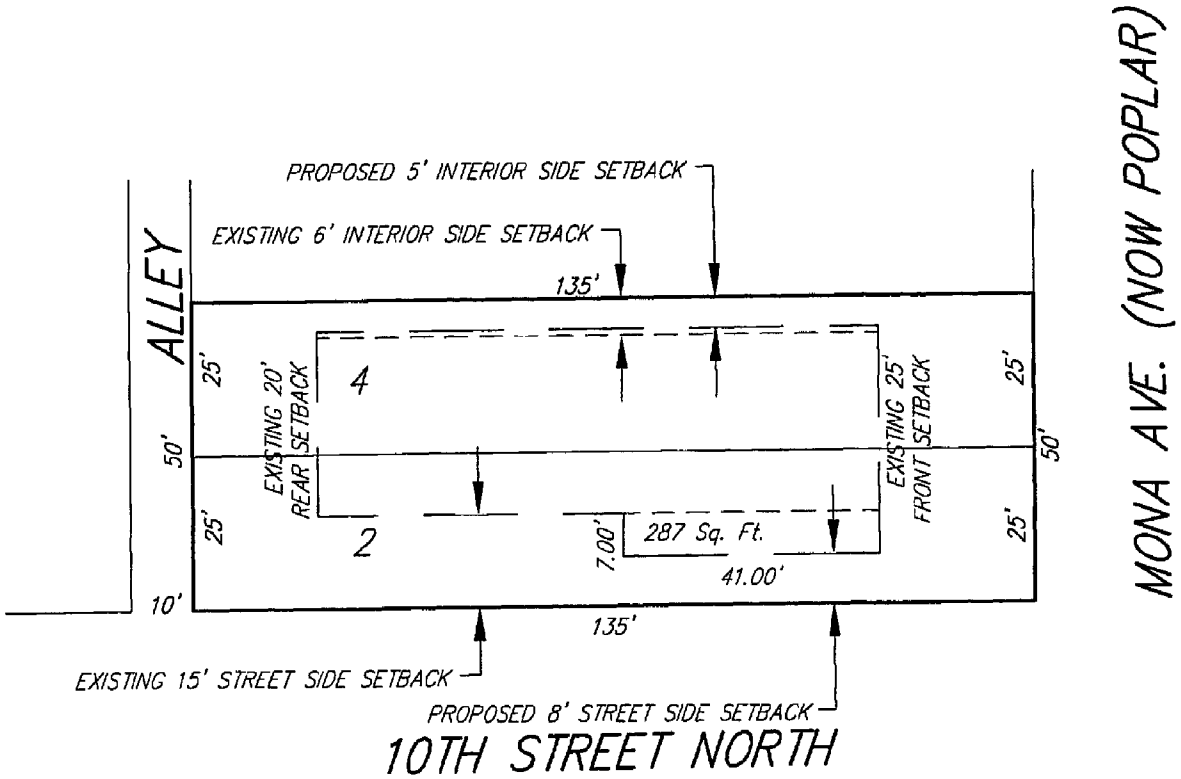
Dale Miller, Director
Metropolitan Area Planning Department

J.R. Cox 4/5/07

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

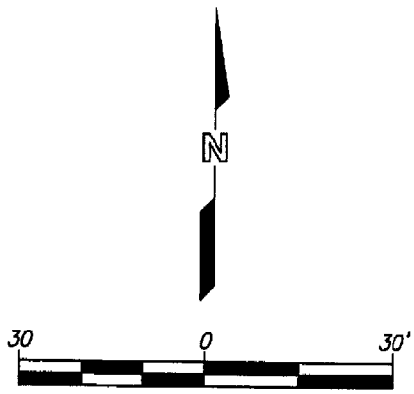
cc: J.R. Cox, MABCD
Lavonta Williams, Council Member District I
Kameelah Alexander, Community Services Representative District I

EXHIBIT A



PROPOSED STREET SIDE SETBACK
The south 15.00 feet of Lot 2, EXCEPT the North 7.00 feet of the South 15.00 feet of the West 41.00 feet of the East 66.00 feet thereof, Block 6, Esterbrook Park Addition to Wichita (Sedgwick County), Kansas.

PROPOSED INTERIOR SIDE SETBACK
The North 5.00 feet of Lot 4, Block 6, Esterbrook Park Addition to Wichita (Sedgwick County), Kansas.



SITE PLAN

APPROVED 6-1-2011 BY

WILLIAM K. CLEVENGER
LICENSED
LS-1437
5/12/16
KANSAS
LAND SURVEYOR

DWG FILE: EXHIBIT A 1101 N POPLAR
PROJECT NO. 4707E