



Wichita-Sedgwick County Metropolitan Area Planning Department

December 17, 2018

Build Wichita Inc.
Attn: Steve Miller
P.O. Box 780789
Wichita, KS 67278

Re: BZA2018-00070: Administrative Adjustment to reduce the side yard setback by 50% on property zoned SF-5 Single-Family Residential (SF-5).

Legal Description: Lot 1, Block 5, Bellechase 3rd Addition, Wichita, Sedgwick County, Kansas; generally located one-third mile north of East Harry Street and one-third mile east of South 127th Street (1202 S. Gateway)

Dear Applicant,

We have reviewed your request for a Zoning Adjustment to reduce the side yard setback on the aforementioned property. From reviewing the application, we understand that you desire to reduce side yard setback from six (6) feet to three (3) feet to allow construction of a new single-family residence.

Section V-I.2.a of the Unified Zoning Code ("UZC") allows reducing minimum side yard setback by 50% (required by the property development standards of the zoning district) if adjacent to a reserve or open space. This adjustment is permissible when the provisions of those sections and the Zoning Adjustment Criteria of Section V-I.6 are met. We find that the reduction of the side yard 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 location of the proposed side yard setback will have no impact on the safety and convenience of vehicular and pedestrian circulation in the right-of-way.
- 2) Impact on existing uses in surrounding areas: There will be no impact on the existing uses in surrounding areas; street visibility will be unchanged for neighboring properties.
- 3) Compatibility with existing or permitted uses on abutting sites: Abutting sites are zoned to allow residential development and a reserve. The reduction of the side yard setback 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.

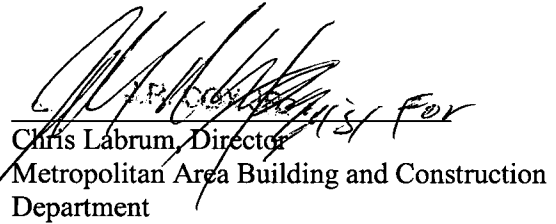
Our signatures below indicate that a Zoning Adjustment to reduce the side yard side setback by 50% from six (6) feet to three (3) feet is hereby GRANTED, subject to the following conditions:

- 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 setback reduction shall apply only to the side yard 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


Chris Labrum, Director
Metropolitan Area Building and Construction
Department

cc: MABCD
Pete Meitzner, CM District II
Janet Johnson, Office of Community Services

SITE PLAN

APPROVED _____

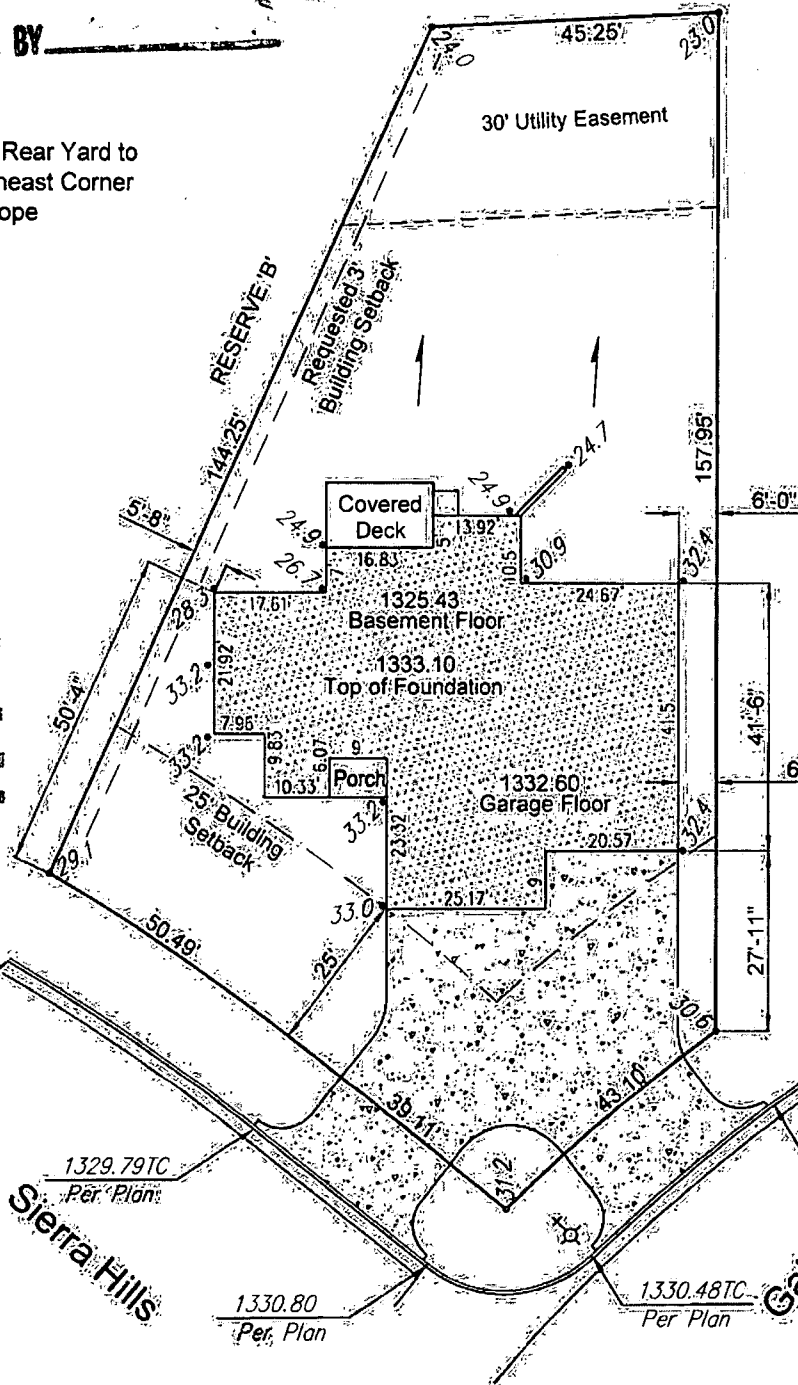
BY _____

Note: Grade Rear Yard to
drain to Southeast Corner
at 2% Min. Slope

APPROVED 12/13/18

BY

SITE PLAN



NOTES

Drop Brick Ledge & Siding
to Match Indicated Grades.

Elevations Shown are
NAVD88 Datum.

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Build Wichita
PO Box 780789
Wichita, Kansas 67278
Lot Grading Plan
Lot 1, Block 5, Bellechase 3rd Addition

FIGURE NUMBER

SHEET
NUMBER 1 of 2