



Wichita-Sedgwick County Metropolitan Area Planning Department

REVISED November 10, 2020

October 28, 2020

Tim Overlie
819 N. Westlink Avenue
Wichita, KS 67212

Re: BZA2020-00056: Administrative Adjustment to reduce the Interior Side Setback from 6-feet to 3-feet on the north property line and reduce the Rear Setback from 20-feet to 15-feet on the west property line to expand an existing garage and connect the detached workshop to the garage on property zoned SF-5 Single-Family Residential.

Legal Description: Lot 11 exc S 2 FT, Block 22, Westlink Village 2nd Addition, Wichita, Sedgwick County, Kansas (819 North Westlink Avenue)

Dear Applicant,

We have reviewed your request for a Zoning Adjustment to reduce the Interior Side Setback from 6-feet to 3-feet on the north property line and reduce the Rear Setback from 20-feet to 15-feet on the west property line to expand an existing garage and connect the detached workshop to the garage on property zoned SF-5 Single-Family Residential.

Section V-1.2.a of the Unified Zoning Code (“UZC”) allows the reduction of the Interior Side Setback and the Rear Side Setback by up to 50% when the adjusted yard area does not exceed 300 square feet. This adjustment is permissible when the provisions of the Zoning Adjustment Criteria of Section V-1.6 are met. We find that the Interior Side Setback reduction meets the provisions of Section V-1.2.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: Reduction of the Interior Side Setback and the Rear Setback will 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 these changes. Street visibility will be unchanged for neighboring properties.
- 3) Compatibility with existing or permitted uses on abutting sites: The properties to the north, south east, and west are zoned SF-5 and are developed with single-family residences. These changes 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 rights-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 Interior Side Setback from 6-feet to

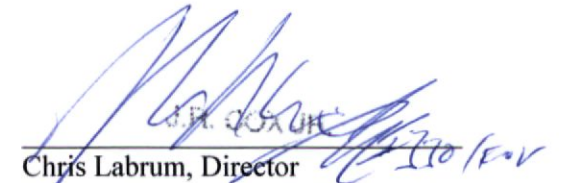
3-feet on the north property line to expand an existing garage (approximately 120 square feet) and to reduce the Rear Setback on the west property to connect the primary structure (approximately 240 square feet) with a detached shop on the aforementioned property is hereby **GRANTED**, subject to the following conditions:

- 1) Reduction of the Interior Side Setback from 6-feet to 3-feet on north property line and reduction of the Rear Setback from 20-feet to 15-feet on the west property line is granted. 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.
- 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) 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.



Scott Wadle, Director
Metropolitan Area Planning Department



Chris Labrum, Director
Metropolitan Area Building and Construction
Department

cc: MABCD
Bryan Frye, CM District V
Cory Buchta, Community Service Representative, District V