Wichita-Sedgwick County Metropolitan Area Planning Department

September 30, 2020

Travis R. Jones and Garry Wenman
422 South Yale Avenue
Wichita, KS 67218

Re: **BZA2020-00042: Administrative Adjustment to reduce the south Interior Side Setback from 6-feet to 5-feet – 1-inch on the south property line to correct the existing primary structure setback, thereby allowing an egress window in the interior side setback, as permitted by the Unified Zoning Code on property zoned SF-5 Single-Family Residential.**

Legal Description: Lots 17 & 19, Block 4, Merriam Park 6th Place Addition, Wichita, Sedgwick County, Kansas (422 South Yale Avenue)

Dear Applicants,

We have reviewed your request for a Zoning Adjustment to reduce the Interior Side Setback from 6-feet to 5-feet – 1-inch on the south property line to correct the existing primary structure setback, thereby allowing an egress window in the interior side setback, as permitted by the Unified Zoning Code on property zoned SF-5 Single-Family Residential.

Section V-I.2.a of the Unified Zoning Code ("UZC") allows reducing minimum interior side setbacks (required by the property development standards of the zoning district) by up to 20 percent. These adjustments are 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 interior side setback from 6-feet to 5-feet – 1-inch 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: Reduction of the Interior Side 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 adjacent properties are zoned SF-5 and TF-3 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 5-feet – 1-inch on the south property line on the aforementioned property hereby **GRANTED**, subject to the following conditions:

1) Reduction of the Interior Side Setback on the south property line to correct the existing primary structure setback, thereby allowing an egress window in the interior side setback, as permitted by the Unified Zoning Code 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
Brandon Johnson, CM District I
Kameelah Alexander, Community Service Representative, District I

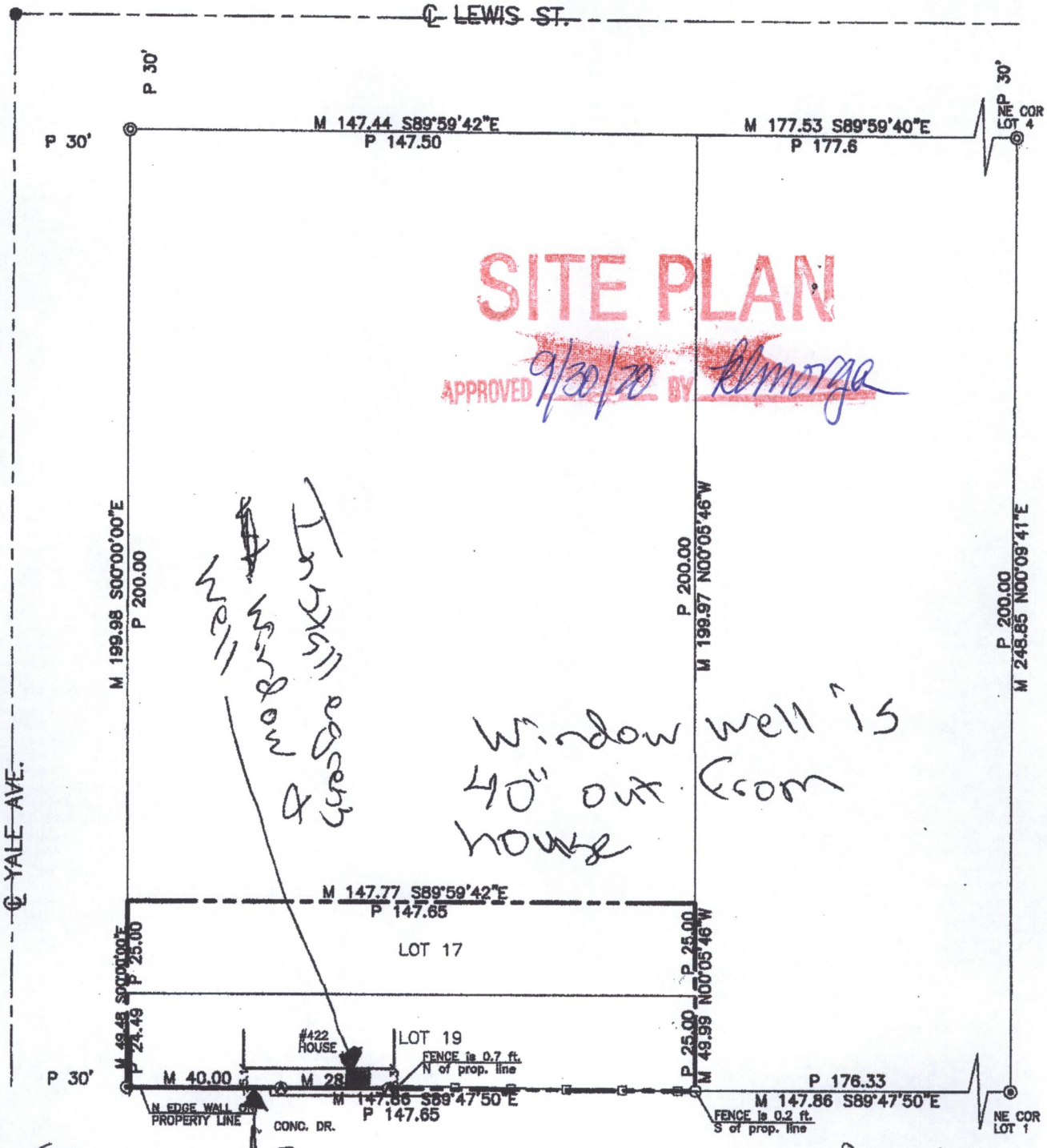
Ⓐ – "ARMSTRONG" capped rebar set
● – nail and washer found
◉ – 1/2" iron pipe found
◎ – 3/4" iron pipe found
○ – 1" iron pipe found
M – measured distance
P – plat distance

N

SCALE 1"=40'

W.O. #39995

Travis Jones



63 inches from house to property line - from concrete wall & metal p.n.

Surveyor calls it 5.1' which is from siding of house to p.n.

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