



Wichita-Sedgwick County Metropolitan Area Planning Department

June 21, 2021

Elite Construction USA, LLC
240 N. Rock Road, #250
Wichita, KS 67206

K.E. Miller Engineering
Attn: Kirk Miller
117 E. Lewis
Wichita, KS 67202

Re: **BZA2021-00028**: Administrative Adjustment to reduce the rear yard setback by 63.37 square feet and front yard setback by 40.80 square feet on property zoned SF-5 Single-Family Residential to allow new residence on lot.

Legal Description: Lot 4, Block 7, Sawmill Creek Addition, Wichita, Sedgwick County, Kansas; generally located 700 feet east of North Rock Road and 1,930 feet north of East 45th Street North (8209 Saw Mill Court)

Dear Applicant,

We have reviewed your request for a Zoning Adjustment to reduce the rear yard setback and the front yard setback on the aforementioned property. From reviewing the application, we understand that you desire to reduce the rear yard setback from 20 feet to 15.6 feet (63.37 square feet) and the front yard setback from 25 feet to 20 feet (40.80 square feet) to allow construction of a new residence as shown on the site plan.

Section V-1.2.a of the Unified Zoning Code ("UZC") allows reducing minimum Front, Side, and Rear Setbacks (required by the property development standards of the zoning District) by up to 20 percent and rear yard setback by up to 50 percent if the area is less than 300 square feet. This adjustment is permissible when the provisions of those sections and the Zoning Adjustment Criteria of Section V-1.6 are met.

We find that the reduction of the setbacks as proposed meets the provisions of Section V-1.2.a and the four criteria required by Section V-1.6 as set out below:

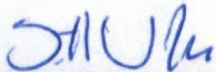
- 1) **Impact on safety and convenience of vehicular and pedestrian circulation**: The proposed reduction of the rear yard and front yard setbacks will have no impact on the safety and convenience of vehicular and pedestrian circulation in the right-of-way.
- 2) **Impact on existing uses in surrounding areas**: There will be no impact on the existing residential uses; street visibility will be unchanged for neighboring properties.
- 3) **Compatibility with existing or permitted uses on abutting sites**: Abutting sites are zoned SF-5 Single-Family Residential and are developing with single-family dwelling units.

- 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.

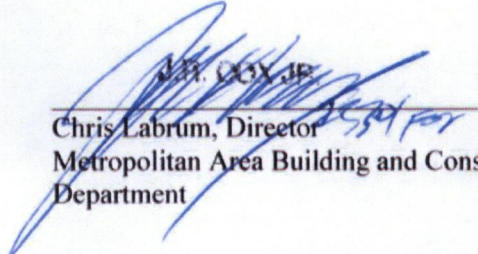
Our signatures below indicate that a Zoning Adjustment to reduce the rear yard setback from 20 feet to 15.6 feet (63.37 square feet) and the front yard setback from 25 feet to 20 feet (40.80 square feet) to allow construction of a new residence as shown on the site plan is hereby GRANTED, subject to the following conditions:

- 1) The site shall be developed in general conformance with the approved site.
- 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 rear yard and front yard setbacks 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.



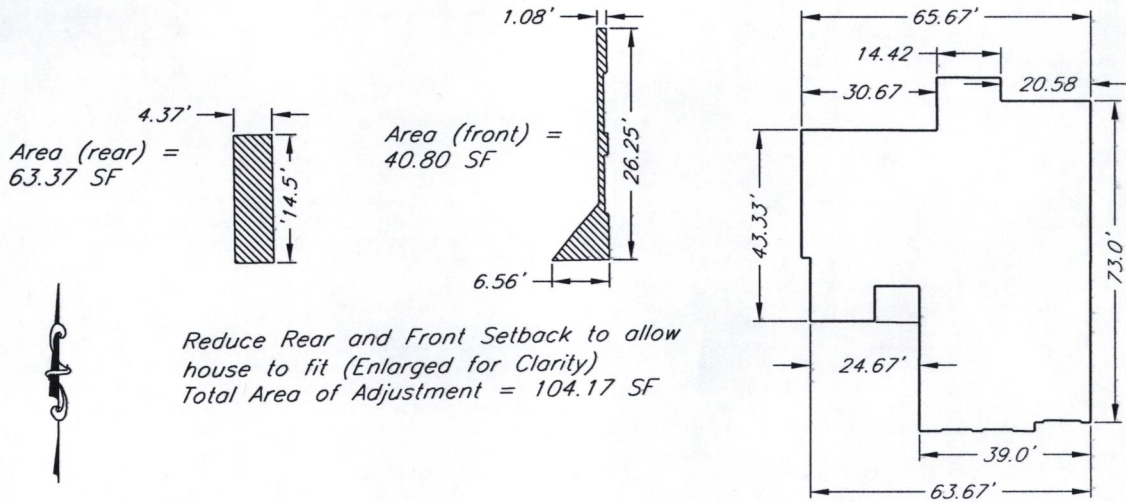
Scott Wadle, Director
Metropolitan Area Planning Department



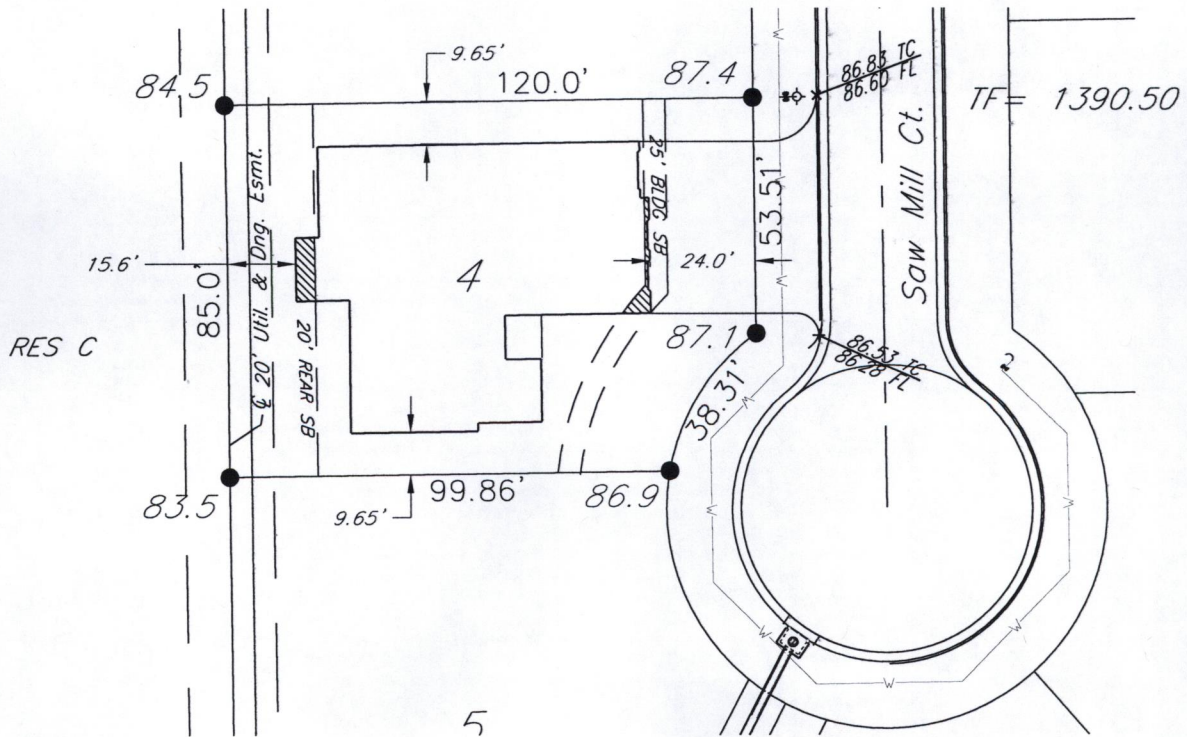
J.H. COX, JR.
Chris Labrum, Director
Metropolitan Area Building and Construction
Department

cc: MABCD
Becky Tuttle, CM District II
Cory Buchta, CSR District II

Plot Plan for Lot 4, Block 7, 8209 Saw Mill Ct. Sawmill Creek Addition Wichita, Sedgwick County, Kansas



SCALE: 1"=40'



SITE PLAN

APPROVED 6-21-2021 *Remorgan*