



Wichita-Sedgwick County Metropolitan Area Planning Department

July 30, 2021

Jim Jones
315 S. Terrace Drive
Wichita, KS 67218

Hillson Construction
Attn: Spencer Hilley
3740 Midco Street
Wichita, KS 67215

Re: BZA2021-00037: Administrative Adjustment to reduce the interior side yard setback from three (3) feet to one-and-one-half (1.5) feet on property zoned Single-Family Residential (SF-5).

Legal Description: Lot 2, Block 9, Lincoln Heights Addition, Wichita, Sedgwick County, Kansas; generally located two blocks south of the intersection of East Douglas Avenue and two blocks west of South Oliver Avenue (315 S. Terrace Drive).

Dear Applicant,

We have reviewed your request for a Zoning Adjustment to reduce the interior side setback on the aforementioned property. From reviewing the application, we understand that you desire to reduce the interior side yard setback from 3-feet to 1.5-feet to allow a new garage structure to encroach 36 square feet into the interior side yard building setback in the rear half of the lot.

Section V-1.2.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 50 percent if not in excess of 300 square feet in the rear half of the lot. These adjustments are 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 interior side 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:

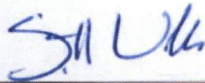
- 1) Impact on safety and convenience of vehicular and pedestrian circulation: The location of the new garage should have no impact on the safety and convenience of vehicular and pedestrian circulation in the vicinity as right-of-way and driveways are not affected.
- 2) Impact on existing uses in surrounding areas: There will be no impact on the existing uses in surrounding areas as a result of the new construction; 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 developed with single-family residences. The interior side yard setback reduction 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.

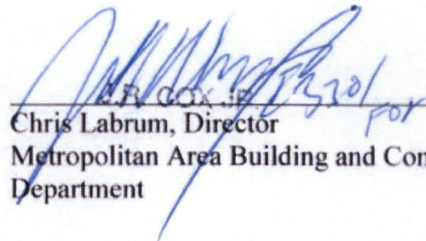
Our signatures below indicate that a Zoning Adjustment to reduce the interior side yard setback from 3-feet to 1.5-feet to allow a new garage structure to encroach 36 square feet into the interior side yard building setback in the rear half of the lot is hereby GRANTED, subject to the following conditions:

- 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 36 square feet interior 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.



Scott Wadle, Director
Metropolitan Area Planning Department


Chris Labrum, Director
Metropolitan Area Building and Construction
Department

cc: MABCD
Brandon Johnson, CM District I
Maddy Campbell, Interim Supervisor, Office of Community Services

North

Existing structure is within 3' of the property line, before I apply for a demo permit, I wanted to request a variance so I can put the building 1.5' from the property line

3' from property line

24x20

12' from home

315 S Terrace Dr,
Wichita, KS 67218

40' from back of property

Main structure

SITE PLAN

APPROVED

7-30-2021 *[Signature]*

S Terrace Dr

S Terrace Dr

S

135 ft north property line

front of garage is 67' from front property line

Google