Wichita-Sedgwick County Metropolitan Area Planning Department

September 7, 2021

Trademark, Inc.
Attn: Mike Strelow
1831 S. Anna Street
Wichita, KS 67209

DJD, Riverside, LLC
Attn: Mike Strelow, Partner
151 N. Rock Island, Ste. 1A
Wichita, KS 67202

Re: **BZA2021-00047: Administrative Adjustment to reduce the Rear Yard Setback by less than 300 square feet on property zoned MF-18 Multi-Family Residential to allow construction a new residence. Generally located one block south of West 13th Street North on the west side of North Amidon Avenue (2014 N. Polo Street)**

Legal Description: Lot 9, Block B, Riverside Patio Home Addition, Wichita, Sedgwick County, Kansas

Dear Applicant,

We have reviewed your request for a Zoning Adjustment to reduce the Rear Yard Setback on the aforementioned property. From reviewing the application, we understand that you desire to reduce the rear yard setback from 15 feet to 10 feet -7 inches to allow construction of a new residence as shown on the site plan.

Section V-I.2.a of the Unified Zoning Code ("UZC") allows reducing the minimum Rear Yard Setback (required by the property development standards of the zoning District) by up to 50 percent if the area of encroachment is less than 300 square feet. 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 setbacks 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 proposed reduction of the Rear 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 residential uses; street visibility will be unchanged for neighboring properties.

3) Compatibility with existing or permitted uses on abutting sites: Abutting sites are zoned MF-18 Multi-Family Residential and are developing with single-family patio homes.

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 15 feet to 10 feet-7 inches 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 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 Rear Yard Setback 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.

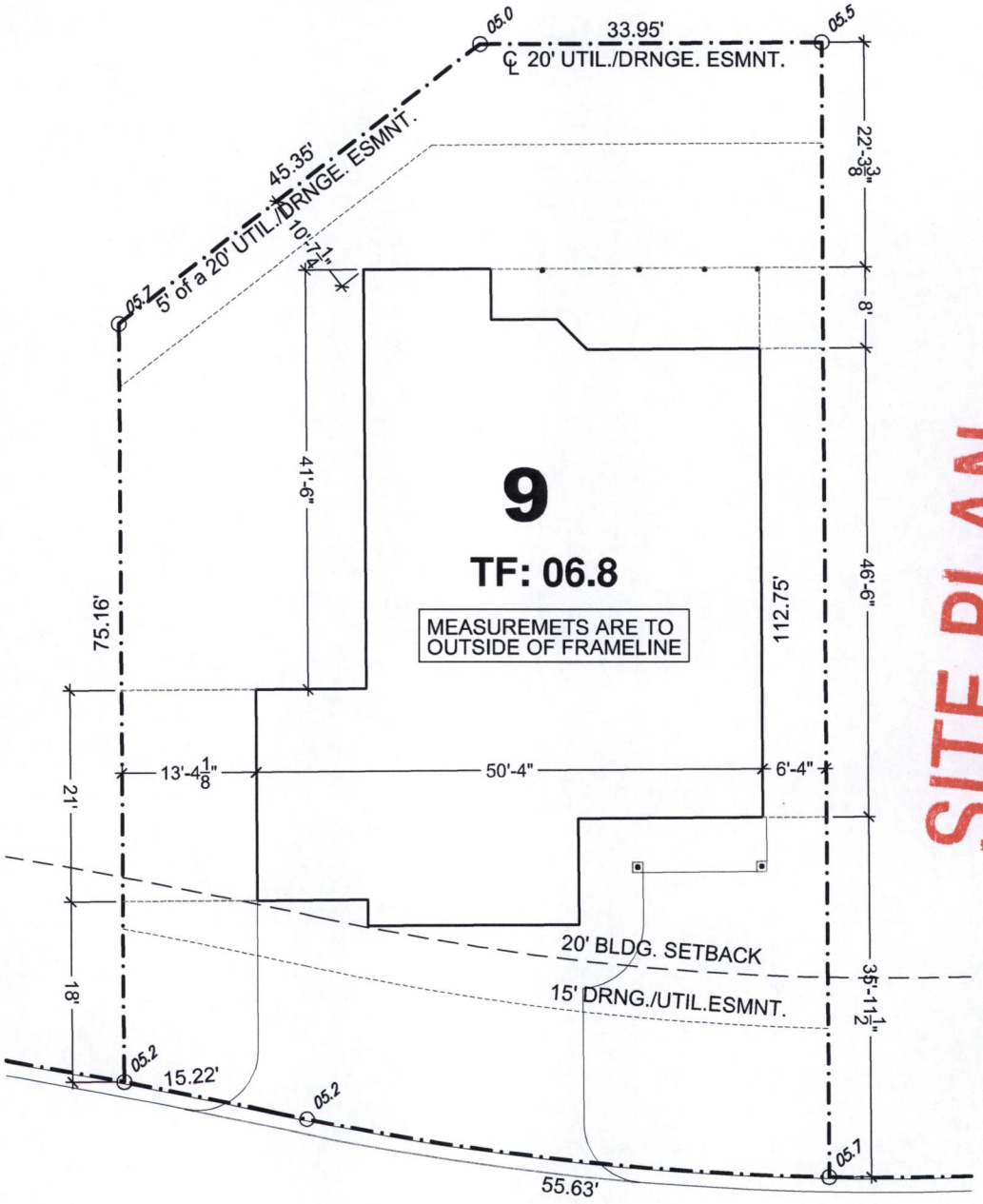
The "Development Application" sign should now be removed from the property.

Scott Wadle, Director
Metropolitan Area Planning Department

J.R. COX JR

Chris Labrum, Director
Metropolitan Area Building and Construction Department

cc: MABCD
Cindy Claycomb, CM District VI
Ana Lopez, CSR District VI



SITE PLAN

APPROVED 9-7-2021 BY [signature]

POLO ST.

SITE PLAN

2014 N. POLO ST., WICHITA, KS 67203

LOT: 9 BLOCK B, RIVERSIDE PATIO HOMES ADD.

WICHITA, SEDGWICK COUNTY, KS

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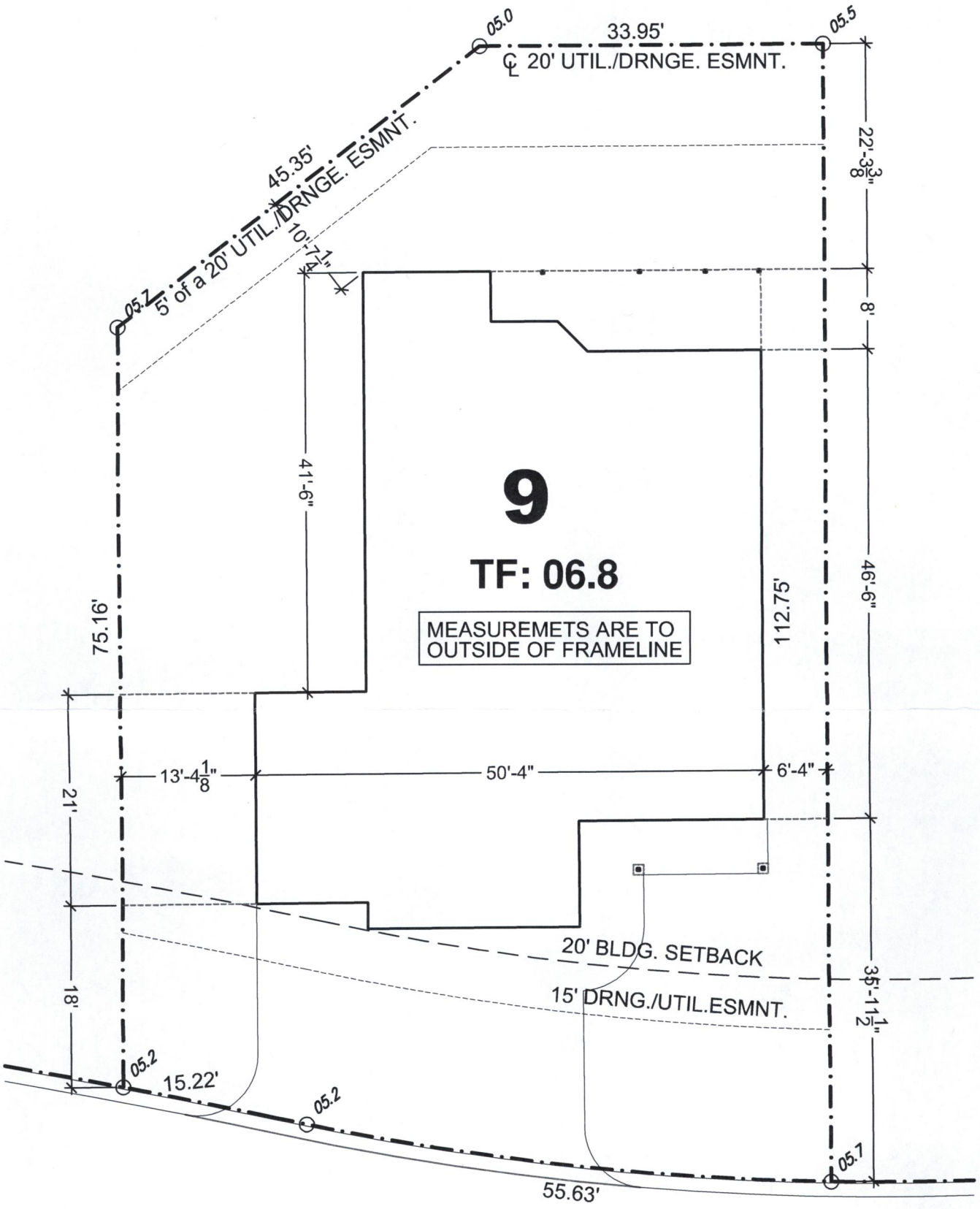

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