



**Wichita-Sedgwick County Metropolitan Area Planning Department**

August 17, 2023

Nathan R. Chambers  
4521 Vesta Dr.  
Wichita, KS 67208

Brent Ewing  
1822 E 1<sup>st</sup> Street North  
Wichita, KS 67214

**Re: BZA2023-00044: Administrative Adjustments in the City for a 20 percent reduction in the street side setback from 15 feet to 12 feet for a house addition; generally located 600 feet west of North Oliver Avenue and 450 feet south of East 17<sup>th</sup> Street North (4521 East Vesta Dr.).**

**Legal Description: Lot 1, Block 3, Ken-Mar Addition, Wichita, Sedgwick County, Kansas.**

Dear Applicant,

We have reviewed your request for Zoning Adjustments to reduce the east street side setback by 20 percent from 15 feet to 12 feet in order to construct an addition onto the existing residence. It is noted that the existing residence is built at a non-conforming distance of 6 feet from the east property line. The request will not increase the existing non-conformity of the existing residence.

Section V-I.2.a of the Unified Zoning Code (“UZC”) allows reducing the minimum street side setback (required by the property development standards of the zoning district) by up to 20 percent. This adjustment is permissible when the provisions of this section and the Zoning Adjustment Criteria of Section V-I.6 are met. We find that the reduction of the setback 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 east street side setback from 15 feet to 12 feet for an addition onto the existing residence will have no impact on the safety and convenience of vehicular and pedestrian circulation in the right-of-way. The existing residence is built at a non-conforming distance of 6 feet from the property line. The request will not increase the existing non-conformity of the existing residence.
- 2) Impact on existing uses in surrounding areas: The reduction of the street side setback from 15 feet to 12 feet for an addition onto the existing residence should not have negative impacts on surrounding properties. The existing residence is built at a non-conforming distance of 6 feet from the property line. The request will not increase the existing non-conformity of the existing residence.
- 3) Compatibility with existing or permitted uses on abutting sites: Abutting and adjacent properties are zoned SF-5 Single-Family Residential District on all sides and are developed with single-family dwellings.

- 4) Effect on public health, safety, or welfare: There will be no encroachment into public utility easements or right-of-way. It is not anticipated to have any significant negative impacts on the public health, safety, or welfare, nor will properties or improvements in the vicinity be materially injured.

Our signatures below indicate that Zoning Adjustments to reduce the east street side setback from 15 feet to 12 feet 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 12-foot, street side setback as illustrated on the approved site plan. The existing residential structure shall remain setback 6 feet from the east property line. 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.



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Scott Wadle, Director  
Metropolitan Area Planning Department



J.R. COX, JR.

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Chris Labrum, Director  
Metropolitan Area Building and Construction  
Department

cc: MABCD  
Brandon Johnson, CM District I  
Tasha Hayes, CSR District I

