



## Wichita-Sedgwick County Metropolitan Area Planning Department

Sawmill Properties, LLC  
9235 East Harry, #100  
Wichita, KS 67207

December 19, 2023

Kirk Miller  
K.E. Miller Engineering, P.A.  
117 East Lewis  
Wichita, KS 67202

**RE: BZA2023-00063:** Administrative Adjustment in the City for a 20 percent reduction for south, rear setback from 20 feet to 16 feet for construction of a single-family dwelling on property zoned SF-5 Single-Family Residential; generally located within one-quarter mile east of North Rock Road and within one-half mile north of East 45<sup>th</sup> Street North (southwest of the intersection of N. Spyglass Steet and N. Spyglass Ct).

**Legal Description:** Lot 34, Block 7, Sawmill Creek Addition, Wichita, Sedgwick County, Kansas.

Dear applicant,

We have reviewed your request for Zoning Adjustment to reduce the south, rear yard setback by 20 percent from 20 feet to 16 feet on the aforementioned property in order to construct a single-family dwelling.

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 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 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 south, rear yard setback from 20 feet to 16 feet 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 to uses in the area. The site and surrounding sites are undeveloped, residential lots. The subject site abuts a platted reserve/drainage pond.
- 3) **Compatibility with existing or permitted uses on abutting sites:** Properties to the north, east, and south are zoned SF-5 Single-Family Residential District and are undeveloped residential lots. Property to the south is zoned SF-5 and is a platted reserve/drainage pond.

- 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 Adjustment to reduce the south, rear yard setback from 20 feet to 16 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 16-foot, rear 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.



J.B. COX, JR.

Scott Wadle, Director

Metropolitan Area Planning Department

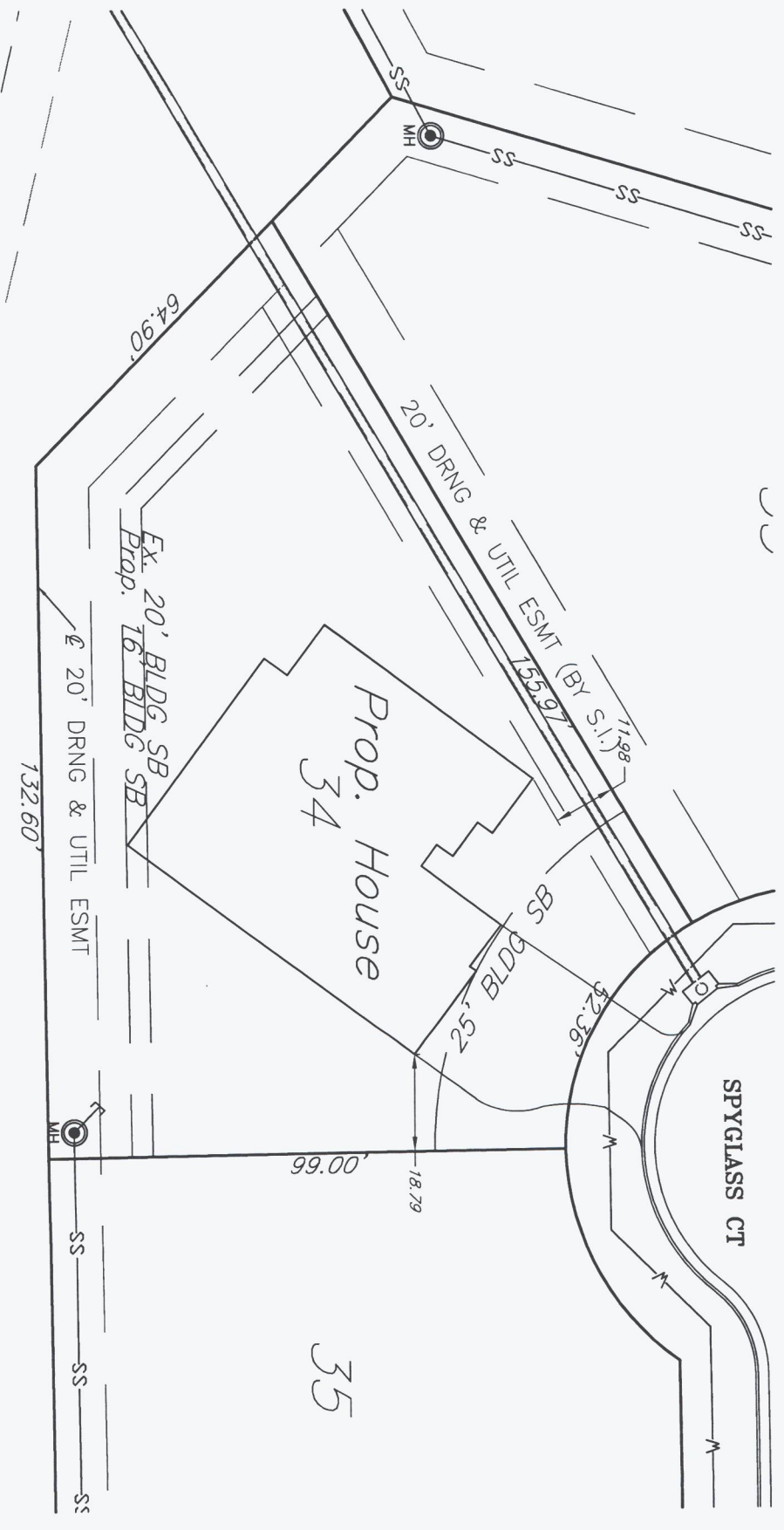


Chris Labrum, Director

Metropolitan Area Building and Construction Department

cc: MABCD  
Becky Tuttle, City Council District II  
Teresa Veazey, CSR District II

Site Plan for  
 Lot 34, Block 7  
 Sawmill Creek Addition  
 Wichita, Sedgwick County, Kansas



**SITE PLAN**

APPROVED

12/19/23

*Handwritten signature*

BZA 23-63

Owner: Elite USA Construction, LLC  
 Address: 240 N. Rock Road, #250,  
 Wichita, Kansas, 67206

SCALE: 1"=30'

