



Wichita-Sedgwick County Metropolitan Area Planning Department

Jack Frederick
2920 North Woodridge Ct.
Wichita, KS 67226

December 19, 2023

Shawn Smith
3724 East Haven Dr.
Derby, KS 67037

RE: BZA2023-00066: Administrative Adjustment in the City for a 20 percent reduction for the south interior side setback from 6 feet to 4.8 feet for construction of an in-ground pool on property zoned SF-5 Single-Family Residential; generally located on the west side of North 127th Street East, within one-quarter mile south of East 29th Street North (2920 North Woodridge Court).

Legal Description: Lot 12, Block C, Woods North 3rd Addition, Wichita, Sedgwick County, Kansas.

Dear applicant,

We have reviewed your request for a Zoning Adjustment to reduce the south interior side yard setback by 20 percent from 6 feet to 4.8 feet on the aforementioned property in order to construct an in-ground pool. According to the site plan, the proposed pool would be 4.8 feet at its nearest point to the south property line and 22 feet from the eastern, rear property line.

Section V-I.2.a of the Unified Zoning Code ("UZC") allows reducing the minimum interior side yard 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-I.6 as set out below:

- 1) Impact on safety and convenience of vehicular and pedestrian circulation: The proposed reduction of the south interior side yard setback from 6 feet to 4.8 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 on the existing residential uses.
- 3) Compatibility with existing or permitted uses on abutting sites: Properties to the north, south, and west are zoned SF-5 Single-Family Residential District and developed with single-family dwellings. Property to the east is the North 127th Street East right-of-way.

- 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 the Zoning Adjustment to reduce the south interior side yard setback from 6 feet to 4.8 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 4.8-foot, 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.



J.R. COX JR.
Scott Wadle, Director
Metropolitan Area Planning Department



Chris Labrum, Director
Metropolitan Area Building and Construction
Department

cc: MABCD
Becky Tuttle, CM District II
Teresa Veazey, CSR District II

SITE PLAN

APPROVED 12/11/23 BY [Signature]
BE 123-66

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