



Wichita-Sedgwick County Metropolitan Area Planning Department

July 25, 2013

Nettcorp LLC
1650 S. Meridian Ave.
Wichita, KS 67213

Ruggles and Bohm, PA c/o Will Clevenger
924 N. Main
Wichita, KS 37203

Re: BZA2013-24: City BZA Administrative Adjustment for a 20% reduction of the required street side setback in SF-5 Single-family Residential zoning, generally located west of Garland and south of 23rd Street North.

Legal Description: The west 69 feet of the east 99 feet of Lot 20, Guthries Subdivision, Wichita, Sedgwick County, Kansas.

Dear Applicants,

We reviewed your request for a Zoning Adjustment to reduce the street side setback by 20% for a proposed residence on the aforementioned property. From reviewing the application and site plan, we understand that you wish to build within 12.5 feet of the east property line. The Zoning Code requires a 15 foot street side setback in SF-5 zoning.

Section V-I.2.a of the Unified Zoning Code allows an administrative adjustment to reduce setbacks by 20% when the provisions of that section and the Zoning Adjustment Criteria of Section V-I.6 are met. We find that reducing the setback by 20% as proposed meets 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 building location 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 building location; sufficient separation between the buildings will be maintained and adequate street visibility is maintained for neighboring properties.
- 3) **Compatibility with existing or permitted uses on abutting sites:** No properties abut the east property line. A half-street right of way is dedicated to the east; the street will remain unbuilt until such time that the next property to the east dedicates a half-street right of way.
- 4) **Effect on public health, safety or welfare:** There will be no encroachment into public utility easements or right-of-way. There should be no impact on the public health, safety or welfare nor will properties

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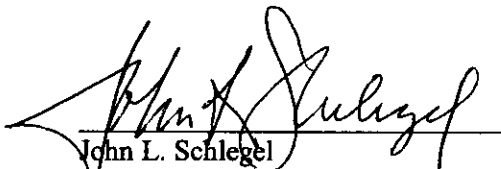
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or right-of-way. There should be no impact on the public health, safety or welfare nor will properties or improvements in the vicinity be materially injured.

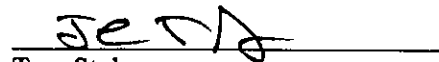
Our signatures below indicate that a Zoning Adjustment to reduce the street side setback from 15 to 12.5 feet for a residence in SF-5 or TF-3 zoning is hereby granted, subject to the following conditions:

- 1) The site shall be developed in general conformance with the approved site plan.
- 2) The adjustment shall apply only to the residence as illustrated on the approved site plan. All other structures or additions on the subject property shall conform to the locations and setbacks permitted by the Unified Zoning Code unless a separate Zoning Adjustment or Variance is granted.
- 3) The applicant shall obtain a building permit within one year of the administrative adjustment approval. The site shall conform to all codes including but not limited to building, health and fire.
- 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.



John L. Schlegel
Planning Director

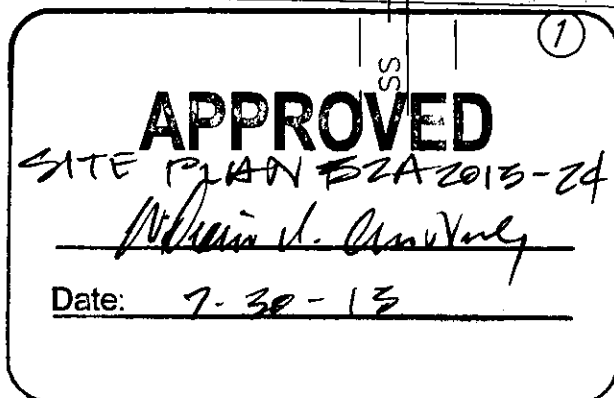


Tom Stolz
MABCD Director

cc: Mike Gable, MABCD
JR Cox, MABCD
Janet Miller, CM District VI
Terri Dozal, NA District VI

(ASPHALT)

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DWG FILE: VACATION EXHIBIT
PROJECT NO. 4182V