



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

February 3, 2014

Baughman Company, P.A.  
c/o Russ Ewy  
315 Ellis  
Wichita, KS 67211

**Re: BZA2014-06: City Administrative Adjustment to allow a side yard setback reduction from 6-feet to 3-feet on property zoned Single-family Residential ("SF-5").**

**Legal Description: LOT 17, BLOCK A, BAY COUNTRY 2ND ADDITION, Wichita, Sedgwick County, KS. Generally located south of Central Avenue and west of 119<sup>th</sup> Street West (southwest of the intersection of Jaxx and Hardtner Circle.)**

Dear Applicant:

We have reviewed your request for a Zoning Adjustment to reduce the side yard setback from 6-feet to 3- feet (50%) on 0.19 acre. From reviewing your application, we understand that you propose to construct a residential structure on the aforementioned property. We understand from the drawing submitted, the proposed residence will be located 3-feet from the lot's northeast property line (interior side yard) abutting a platted reserve.

Section V-I.2.a of the Unified Zoning Code ("UZC") allows reducing interior side setbacks (required by the property development standards of the zoning district) by up to 50 percent when adjacent to a Reserve. We find that permitting a residential structure on your property meets the four conditions required by Sec. V-I.6 of the Unified Zoning Code as set out below:

- 1) **Impact on safety and convenience of vehicular and pedestrian circulation**: The subject property is the future site of a single-family residence, and is primarily surrounded by undeveloped lots and a platted reserve on the northeast and southeast property lines. The development will not impact vehicular and pedestrian circulation.
- 2) **Impact on existing uses in surrounding areas**: There should be no negative impact on the existing uses in surrounding areas as a result of reducing the interior side yard setback from 6-feet to 3-feet, as it is immediately adjacent to a platted reserve that is 80 feet wide by 114 feet deep where adjacent to lot.

City Hall • 10th Floor • 455 North Main • Wichita, Kansas 67202-1688

T 316.268.4421 F 316.268.4390

[www.wichita.gov](http://www.wichita.gov)

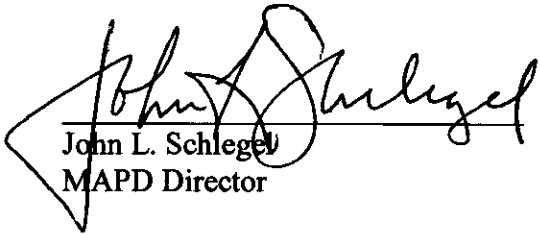
*File Copy*

- 3) Compatibility with existing or permitted uses on abutting sites: Abutting sites are zoned for single-family residential development and the proposed development will not have a negative impact on existing or permitted uses.
- 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 an interior side yard reduction for the aforementioned property is hereby GRANTED, subject to the following conditions:

- 1) The site shall be developed in general conformance with the approved site plan indicating the 3-foot interior side yard setback adjacent to Reserve "A."
- 2) All other structures or additions on the subject property shall conform to the development standards of the Unified Zoning Code unless a separate Zoning Adjustment or Variance is granted.
- 3) 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  
MAPD Director



Tom J. Stolz  
MABCD Director

cc: J.R. Cox, MABCD  
Paul Hays, MABCD  
Jeff Longwell, CM District V  
Martha Sanchez, NA District V

