



Wichita-Sedgwick County Metropolitan Area Planning Department

November 25, 2014

Steve Loeb sack
DBA Victoria Homes, Inc.
13533 E. Mt. Vernon.
Wichita, Kansas 67230

Re: BZA2014-00072: City request for an Administrative Adjustment to reduce an interior side yard setback by 50% on a SF-5 Single-family Residential zoned property located west of 159th Street East, approximately a ½-mile south of Harry Street, southeast of the corner of Woodcreek and Rosewood Streets (15502 E. Rosewood)

Lot 35, Block 1, Whispering Lakes Addition, Wichita, Sedgwick County, Kansas.

Dear Applicant:

We have reviewed your request for a Zoning Adjustment to reduce the interior side yard setback from 6-feet to 3-feet (50%) on 0.20 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, 11-inches from the lot's north 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 north, northeast and northwest 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.

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

T 316.268.4421 F 316.268.4390

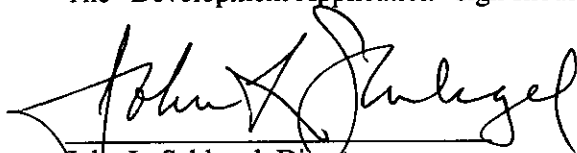
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- 3) Compatibility with existing or permitted uses on abutting sites: Abutting sites are zoned for single-family residential development and the proposed development will not have a negative impact on existing or permitted uses.
- 4) Effect on public 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 setback 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.
- 2) The site shall be developed in conformance with all applicable codes, including but not limited to building, fire, and health codes.
- 3) The setback reduction shall apply only to the interior 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.


John L. Schlegel, Director
Metropolitan Area Planning Department
Thomas J. Stolz, Director
Metropolitan Area Building and Construction
Department

cc: JR Cox, MABCD
Paul Hays, MABCD
Pete Meitzner, CM District II
Alana Haynes, CL District II



924 NORTH MAIN WICHITA, KANSAS 67203 P (316) 264-8008 F (316) 264-4621
WWW.RBKANSAS.COM

SITE PLAN