



Wichita-Sedgwick County Metropolitan Area Planning Department

November 5, 2015

Fawn Grove Properties, LLC
Clint Miller
1907 S. Hydraulic
Wichita, KS 67211

Re: BZA2015-61: City Administrative Adjustment to allow a 50% interior side yard reduction on property zoned Single-Family Residential (SF-5).

Legal Description: LOT 30, BLOCK 6, SAWMILL ADDITION, Wichita, Sedgwick County, KS. Generally located East of Rock Road and north of East 45th Street (8229 Old Mill Court.)

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%) to allow construction of a cantilevered floor area of less than 300 square feet for a new dwelling. We understand from the drawing submitted, the north side of the structure will be located 3-feet from the lot's north property line (interior side yard).

Section V-I.2.a of the Unified Zoning Code ("UZC") allows an Administrative Adjustment to reduce the interior side yard setback by up to 50% when the adjustment does not exceed 300 square. We find that permitting the construction of the cantilevered floor area for the new 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 location of the addition 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 location of the primary structure. All neighboring properties are zoned SF-5.
- 3) Compatibility with existing or permitted uses on abutting sites: Abutting sites are zoned for single-family residential development. The interior side yard reduction 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.

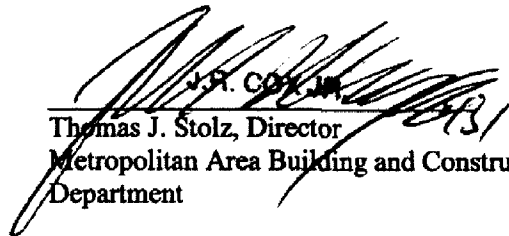
Our signatures below indicate that an interior side yard reduction from 6-feet to 3-feet for the aforementioned property is hereby GRANTED, subject to the following conditions:

- 1) 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.
- 2) The residential structure shall have gutters installed that drain water run-off away from the adjacent structures. The sump pump drain line shall run along the north exterior wall of the new residence and drain away from the adjacent structure. The air intake (on the north side of the new residence) for the HVAC system shall have an appropriate vent cover installed.
- 3) The interior side yard reduction shall apply only to the structure on the approved site plan. 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.
- 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.



Dale Miller, Director
Metropolitan Area Planning Department



Thomas J. Stolz, Director
Metropolitan Area Building and Construction
Department

cc: J.R. Cox, MABCD
Paul Hays, MABCD
Pete Meitzner, CM District II
Laura Rainwater, Community Services Representative District II