



Wichita-Sedgwick County Metropolitan Area Planning Department

May 3, 2018

Thane Nelson
7540 W. Northwind
Wichita, KS 67205

Sawmill Properties, LLC
Attn: Thader
240 N. Rock Road, #250
Wichita, KS 67209

Re: BZA2018-00026: Administrative Adjustment to reduce the rear yard setback by 50% on property zoned SF-5 Single-Family Residential.

Legal Description: Lot 12, Block 1, Saw Mill Creek Addition, Wichita, Sedgwick County, Kansas; generally located east of North Rock Road and north of East 45th Street North.

Dear Applicant,

We have reviewed your request for a Zoning Adjustment to reduce the rear yard setback on the aforementioned property. From reviewing the application, we understand that you desire to reduce the rear yard setback from 20 feet to 10 feet to allow no more than 300 square feet of new residential construction to be located in the rear yard adjacent to an open reserve area.

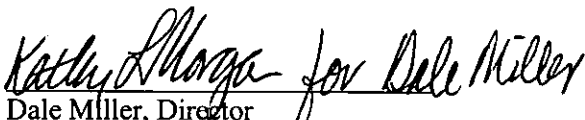
Section V-1.2.a of the Unified Zoning Code ("UZC") allows reducing minimum rear yard setbacks (required by the property development standards of the zoning district) by up to 50% if not in excess of 300 square feet. These adjustments are permissible when the provisions of those sections and the Zoning Adjustment Criteria of Section V-1.6 are met. We find that the reduction of the rear yard setback as proposed meets the provisions of Section V-1.2.a and the four criteria required by Section V-1.6 as set out below:

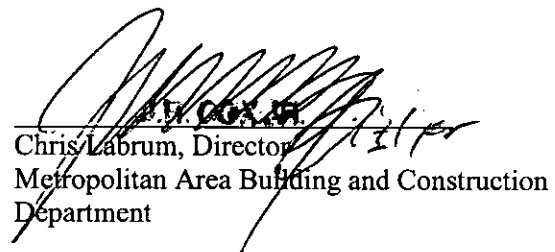
- 1) Impact on safety and convenience of vehicular and pedestrian circulation: The location of the new residence will have no impact on the safety and convenience of vehicular and pedestrian circulation in the vicinity as right-of-way and driveways are not affected.
- 2) Impact on existing uses in surrounding areas: There will be no impact on the existing uses in surrounding areas as a result of the new residential construction; street visibility will be unchanged for neighboring properties.
- 3) Compatibility with existing or permitted uses on abutting sites: Abutting sites are zoned SF-5 and a reserve area and the rear yard setback 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 a Zoning Adjustment to reduce the rear yard setback by 50% 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 rear 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.


Dale Miller, Director
Metropolitan Area Planning Department


Chris Labrum, Director
Metropolitan Area Building and Construction
Department

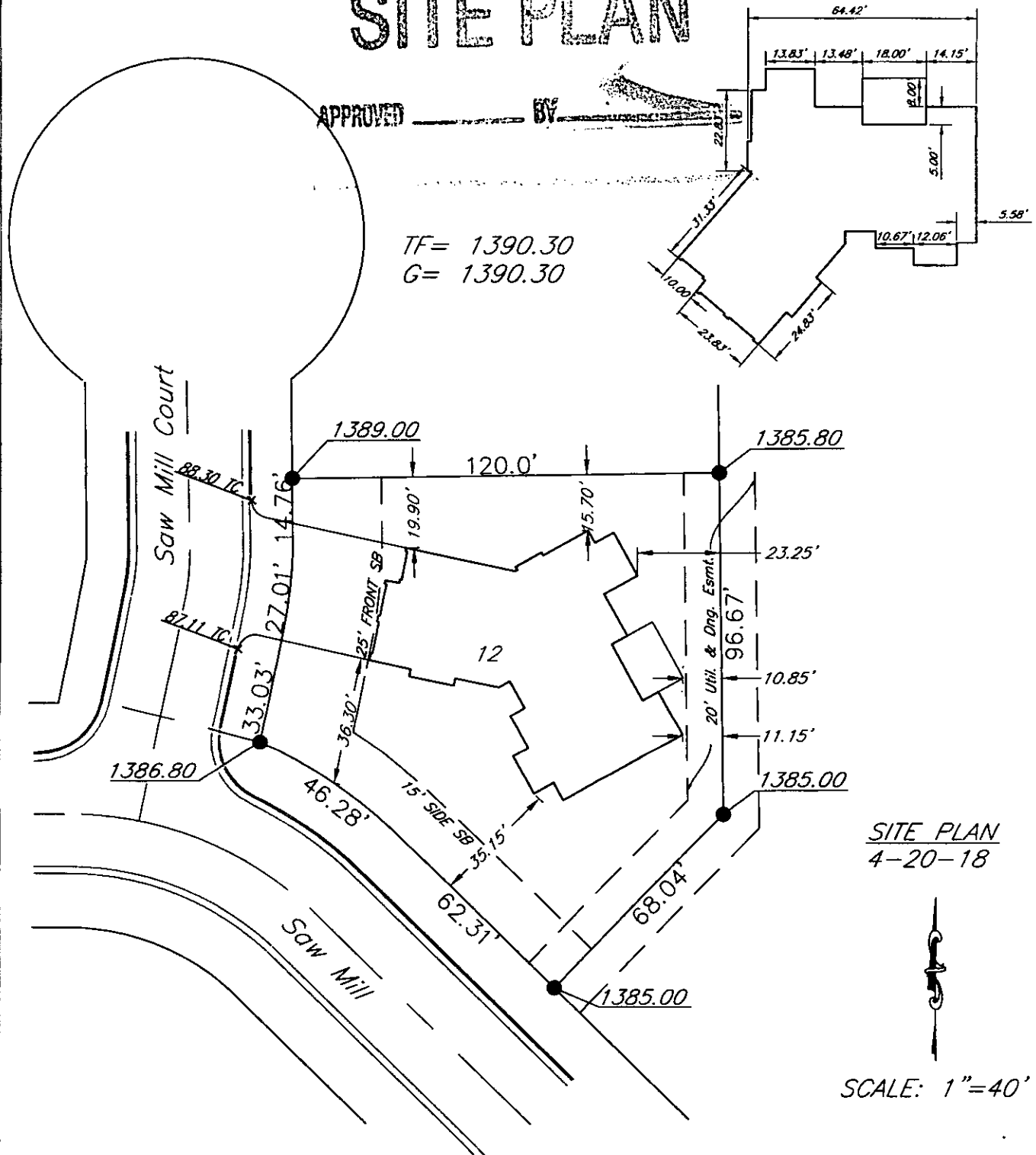
cc: MABCD
Pete Meitzner, CM District II
Laura Rainwater, CSR District II

Plot Plan for
 Lot 12, Block 1
 Sawmill Creek Addition
 Wichita, Sedgwick County, Kansas

SITE PLAN

APPROVED _____ BY _____

TF = 1390.30
 G = 1390.30



SITE PLAN
 4-20-18

SCALE: 1"=40'