



Wichita-Sedgwick County Metropolitan Area Planning Department

July 29, 2020

Elite USA Construction, LLC
240 N. Rock Road, #250
Wichita, KS 67206

K.E. Miller Engineering, P.A.
Attn: Kirk Miller
117 E. Lewis
Wichita, KS 67202

Re: BZA2020-00025: Administrative Adjustment to reduce the Street Side Setback from 15-feet to 12-feet on East Saw Mill Road to allow a new residential structure to be built on property zoned SF-5 Single-Family Residential.

Legal Description: Lot 1, Block 1, Sawmill Creek Addition, Wichita, Sedgwick County, Kansas (8202 East Saw Mill Court)

Dear Applicant,

We have reviewed your request for a Zoning Adjustment to reduce the Street Side Setback from 15-feet to 12-feet to allow a new residential structure to be built on the aforementioned property. From reviewing the application, we understand that you desire to reduce the Street Side Setback by 20 percent.

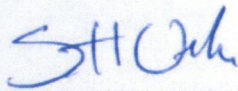
Section V-1.2.a of the Unified Zoning Code ("UZC") allows reducing minimum Street Side Setbacks (required by the property development standards of the zoning District) by up to 20 percent. This adjustment is permissible when the provisions of the Zoning Adjustment Criteria of Section V-1.6 are met. We find that the reduction of the Street Side Setback for the new residential structure 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: Reduction of the Street Side Setback from 15-feet to 12-feet 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 Street Side Setback reduction. Street visibility will be unchanged for neighboring properties.
- 3) Compatibility with existing or permitted uses on abutting sites: The properties to the north, east south and west are zoned SF-5 and are undeveloped or are developed with single-family residences. The 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 rights-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.

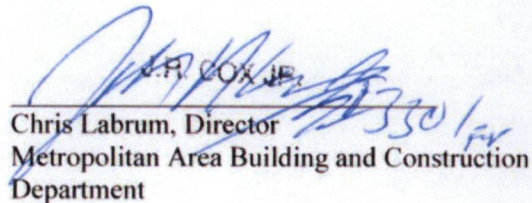
Our signatures below indicate that a Zoning Adjustment to reduce the Street Side Setback from 15-feet to 12-feet is hereby **GRANTED** for the aforementioned property, subject to the following conditions:

- 1) The Street Side Setback reduction shall apply only to the location of the new residential structure 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.
- 2) 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.



Scott Wadle, Interim Director
Metropolitan Area Planning Department



Chris Labrum, Director
Metropolitan Area Building and Construction
Department

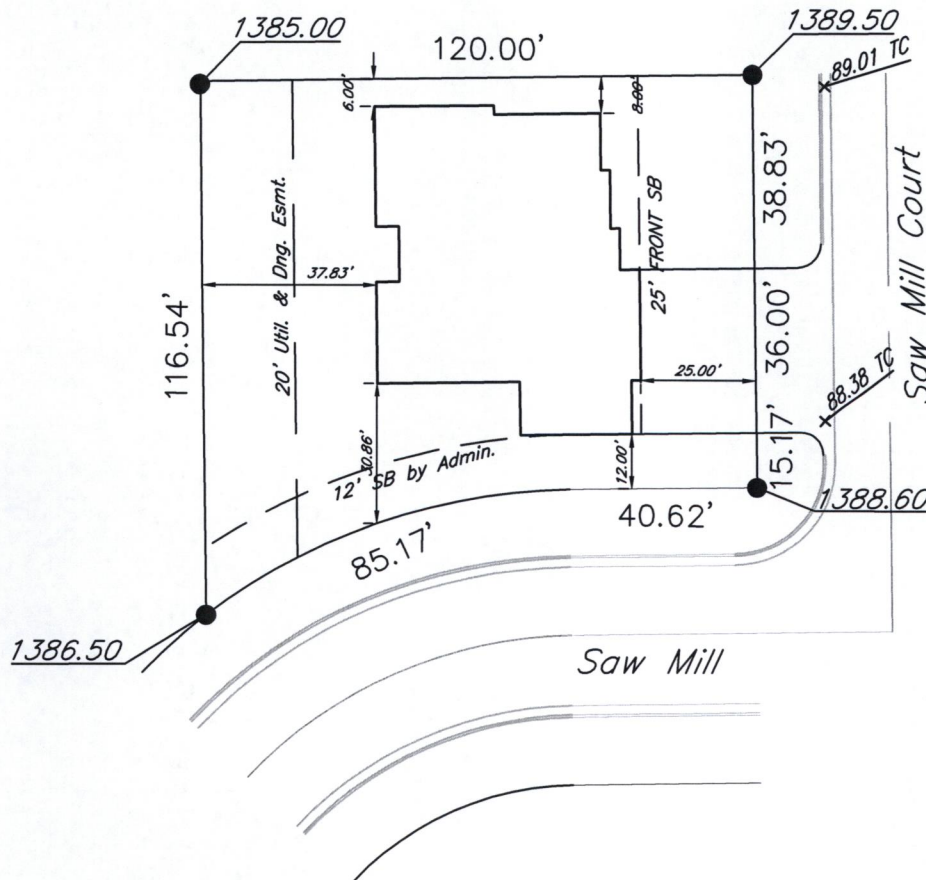
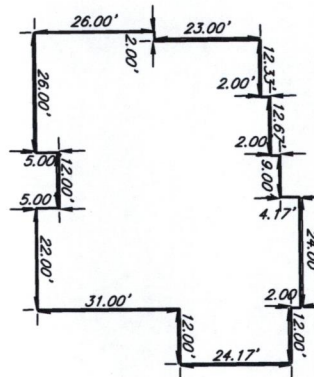
cc: MABCD
Becky Tuttle, CM District II
Cory Buchta, Community Service Representative, District II

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

FF = 1400.80

SITE PLAN

APPROVED 7/29/20 BY *Elmorga*



SITE PLAN
 7-6-20



SCALE: 1"=40'