



Wichita-Sedgwick County Metropolitan Area Planning Department

February 15, 2022

Ryan and Erin Potter
240 N. Dellrose Avenue
Wichita, KS 67208

Re: BZA2022-00003: Administrative Adjustment to reduce the north interior side yard setback from three feet (3) to 18 inches on property zoned SF-5 Single-Family Residential to allow construction of a new garage.

Legal Description: N 20 FT LOT 68, ALL LOT 69 & S 15 FT LOT 70 EAST LAWN ADDITION, Wichita, Sedgwick County, Kansas; generally located within one block west of North Oliver Avenue and within one block south of East 2nd Street North (240 N Dellrose)

Dear Applicant,

We have reviewed your request for a Zoning Adjustment to reduce the north interior side yard setback on the aforementioned property. From reviewing the application, we understand that you desire to reduce the interior north side yard setback from 3 feet to 18 inches allow construction of a new garage.

Section V-I.2.a of the Unified Zoning Code ("UZC") allows reducing the minimum interior side yard setback (required by the property development standards of the zoning district) by up to 50 percent if not in excess of 300 square feet in the rear half of the lot. These adjustments are permissible when the provisions of those sections and the Zoning Adjustment Criteria of Section V-I.6 are met. This adjustment is permissible when the provisions of those sections and the Zoning Adjustment Criteria of Section V-I.6 are met. We find that the reduction of the setbacks as proposed meets the provisions of Section V-I.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 proposed reduction of the north interior side yard setback will have no impact on the safety and convenience of vehicular and pedestrian circulation in the right-of-way.
- 2) Impact on existing uses in surrounding areas: There will be no impact on the existing residential uses; street visibility will be unchanged for neighboring properties.
- 3) Compatibility with existing or permitted uses on abutting sites: Abutting sites to the east are zoned TF-3 Two-Family Residential and are developed with single-family dwelling units. Properties north, south, and west of the subject site are zoned SF-5 Single-Family Residential and are developed with single-family dwelling units.
- 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 north interior side yard setback from

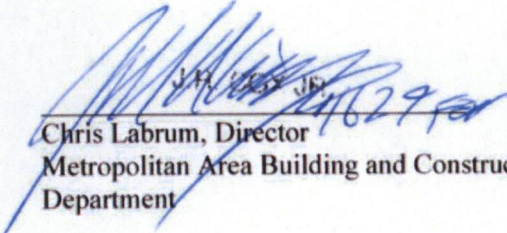
three (3) feet to 18 inches is hereby GRANTED, subject to the following conditions:

- 1) The site shall be developed in general conformance with the approved site.
- 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 north interior side yard setback as illustrated on the approved site plan and shall not encroach into the rear setback. 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.



Scott Wadle, Director
Metropolitan Area Planning Department



Chris Labrum, Director
Metropolitan Area Building and Construction
Department

cc: MABCD
Brandon Johnson, CM District I, Mail Stop 1-13
Tasha Hayes, CSR District I, Mail Stop 1-135

