



**Wichita-Sedgwick County
Metropolitan Area
Planning Department**

October 31, 2024

Smithbuilt Properties, LLC
Edward L. Smith
1929 Orient Blvd.
Wichita, KS 67213

Amy Lopez
1743 S. Glenn Ave.
Wichita, KS 67213

Re: BZA2024-00072: Administrative Adjustment in the City to reduce the north street side setback from 20 feet to 16 feet and reduce the east rear setback from 20 feet to 16 feet in order to construct a duplex on property zoned MF-29 Mult-Family Residential District, generally located on the southeast corner of West Dora Avenue and South Hiram Ave.

Legal Description: Lots 2 and 4, Block 14, Whitlocks Replat of Orchard Grove Addition, Wichita, Sedgwick County, Kansas.

Dear Applicants,

We have reviewed your request for Zoning Adjustments to reduce the north street side setback from 20 feet to 16 feet (20 percent) and to reduce the east rear setback from 20 feet to 16 feet (20 percent) on the aforementioned property in order to construct a duplex.

Section V-I.2.a of the Unified Zoning Code ("UZC") allows reducing the minimum side and rear yard setback (required by the property development standards of the zoning district) by up to 20 percent. These adjustments are 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 reductions to the north street side setback and the east rear setback from 20 feet to 16 feet each 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 uses. By reducing the street side setback and the rear setback, the duplex will maintain the minimum six-foot interior side setback along the south property line and will not encroach closer to the existing dwellings to the south.
- 3) Compatibility with existing or permitted uses on abutting sites: Properties to the north, south, west, and east are zoned MF-29 and developed with a mixture of duplex and single-family dwellings. In 2009, the property to the west was approved for administrative adjustments, reducing the street side and front setbacks by 20 percent for the construction

of a duplex. By reducing the street side setback and rear setback, the proposed duplex will maintain the minimum six-foot interior side setback along the south property line and will not encroach closer to the existing dwellings to the south.

- 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 Zoning Adjustments to reduce the north street side setback and the east rear setback from 20 feet to 16 feet each are 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 within one year of the Administrative Adjustment approval. The site shall conform to all codes including but not limited to zoning, building, health, and fire.
- 3) The setback reduction shall apply only to 16-foot north street side setback and 16-foot east rear 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.



Scott Wadle, Director
Metropolitan Area Planning Department

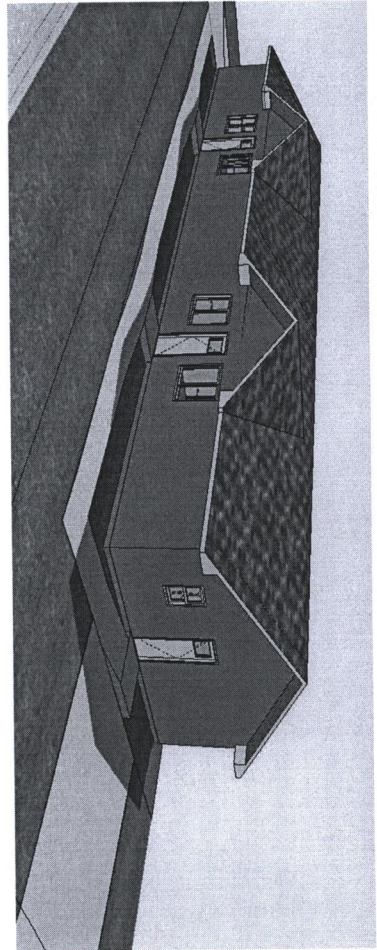


Chris Labrum, Director
Metropolitan Area Building and Construction
Department

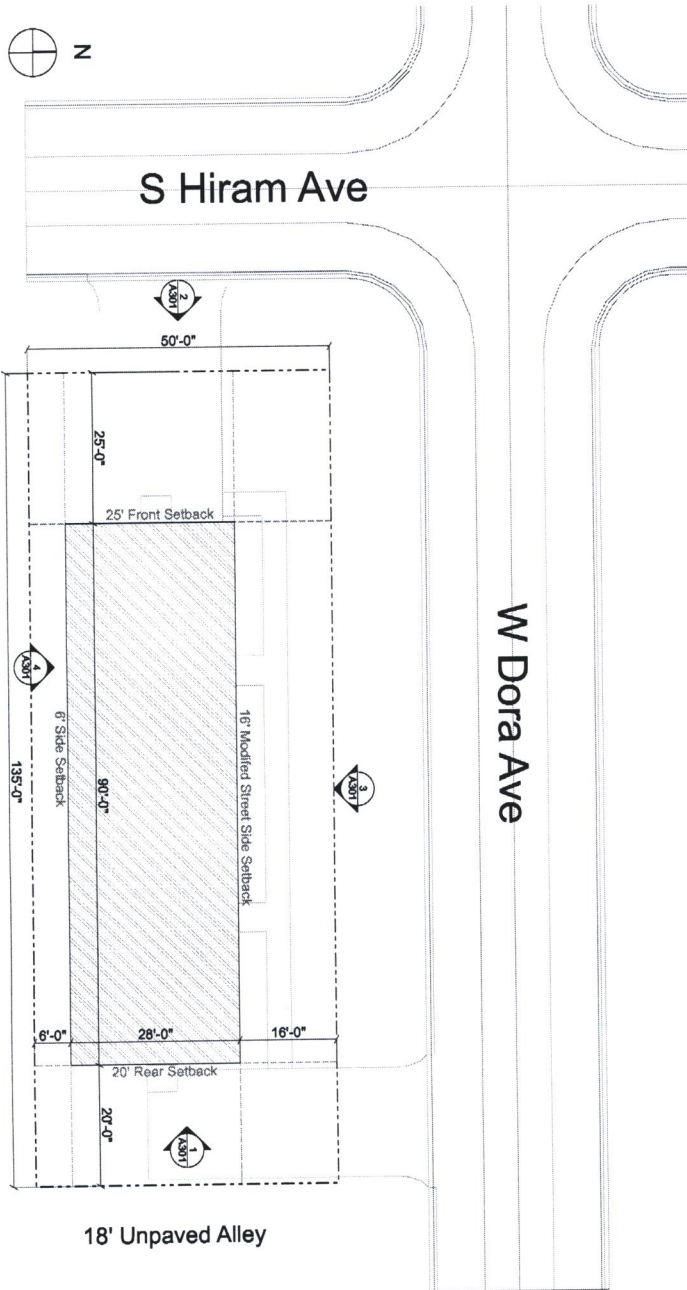
cc: MABCD
Dalton Glasscock, City Councilmember, District IV
Brooke Kauchak, CSR District IV

SITE PLAN

APPROVED 10/21/24 BY *[Signature]*
BZA 24-70



Property Information	
Smith Built Properties LLC	
Residential Project	
Site Address: TBD Dora Wichita Kansas 67213	
Legal Description: LOTS 2-4 BLOCK 14 WHITELOCK'S REPLAT	
Zoning: MF-29 Multi Family	
Floor Area	2,520 Sq Ft
Square Footage:	



1 Site
A001 SCALE: 1" = 10'

* Plan shows 20' ft rear set back
we are requesting rear set back to be at 14' 0 ft
* Street side setback is shown as 16' 0 ft
on this plan.

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Legal Description: LOTS 2-4 BLOCK 14 WHITELOCK'S REPLAT	Zoning: MF-29 Multi Family
Floor Area: 2,520 Sq Ft	Square Footage:
Smith Duplex	
A001	