



Wichita-Sedgwick County Metropolitan Area Planning Department

September 10, 2007

Mennonite Housing Rehabilitation Services
Atten: Andrew L. Bias
2145 N Topeka Avenue
Wichita, KS, 67214

Re: BZA2007-42: Zoning Adjustment to reduce the front, street side and interior side yard setbacks by 20% on the described property zoned "TF-3" Two-family Residential.

Legal: The front setbacks on Lots 1-36, on Breckinridge, now Madison Avenue, Solomon's 2nd Addition and the front and street side yard setbacks on Lots 7, 8, 9, 10, 11, 12, & 13, on 9th Street North, Solomon's 2nd Addition, and the interior side yard setback on Lot 13, on 9th Street, Solomon's 2nd Addition. Generally located between 9th & 10th Streets North, on both the east and west sides of Madison Avenue.

Dear Applicant,

We have reviewed your request for a Zoning Administrative Adjustment for a 20% reduction of the described front, street side and interior side yard setbacks. The exhibit you have provided shows proposed 20-foot front yard, 12-foot street side yard and 5-foot interior yard setbacks on the described lots. The Unified Zoning Code (UZC) provides a minimum 25-foot front yard, a 15-foot street side yard setback and a 6-foot interior yard setback for the "TF-3" zoning district. Therefore, you have requested an adjustment to reduce the required setbacks.

Section V-I.2.a. of the Unified Zoning Code allows up to a 20% reduction of the street side setback for a principle structure when the provisions of that section and the Zoning Adjustment Criteria of Section V-I.6. are met. We find that the reduction of the described 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 setback reductions should have no impact on the safety and convenience of vehicular and pedestrian circulation in the vicinity because the street right-of-way and sidewalk will not be affected.
- 2) Impact on existing uses in surrounding areas: There should be no negative impact on the existing uses in surrounding areas as a result of the setback reduction, as sufficient separation

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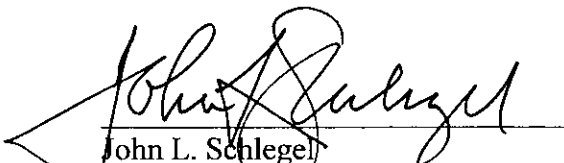
between buildings and the street right-of-way is maintained, and the street side setback reduction is within allowable limits.

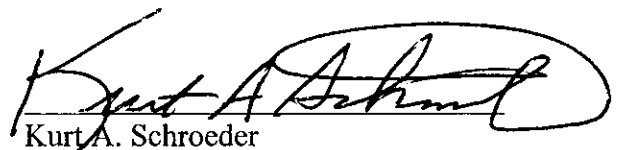
- 3) Compatibility with existing or permitted uses on abutting sites: The proposed multi-family residential buildings will replace existing vacant residential structures and are compatible with permitted and existing uses on abutting sites, and their encroachment into the described setback should not reduce compatibility with abutting and adjacent sites.
- 4) Effect on public health, safety or welfare: There will be no encroachment into public utility easements or right-of-way. Therefore, there should 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 Administrative Adjustment to reduce the described 25-foot front yard, 15-foot street side yard and 6-foot interior yard setbacks to 20-foot front yard, 12-foot street side yard and 5-foot interior yard setbacks on the described lots is hereby granted, subject to the following conditions:

- 1) The site shall be developed in general conformance with the approved site plan.
- 2) The setback reductions shall apply only to the setbacks as illustrated on the approved site plan. and the corresponding legal description: A 20% reduction of the UZC's 25-foot front yard setbacks on Lots 1-36, on Breckinridge, now Madison Avenue, Solomon's 2nd Addition, a 20% reduction of the UZC's 25-foot the front and 15-foot street side yard setbacks on Lots 7, 8, 9, 10, 11, 12, & 13, on 9th Street North, Solomon's 2nd Addition, and a 20% reduction of the UZC's 6-foot interior side yard setback on Lot 13, on 9th Street, Solomon's 2nd Addition. 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.
- 3) 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.


John L. Schlegel
Planning Director


Kurt A. Schroeder
Superintendent of Central Inspection

Enclosure



1300 E. Lawn
Wichita, KS 67211
316.267.8233
316.247.8546 fax
krehbielarchitecture.com

MADISON AVENUE
2126 E. 9th Street
Wichita, Kansas

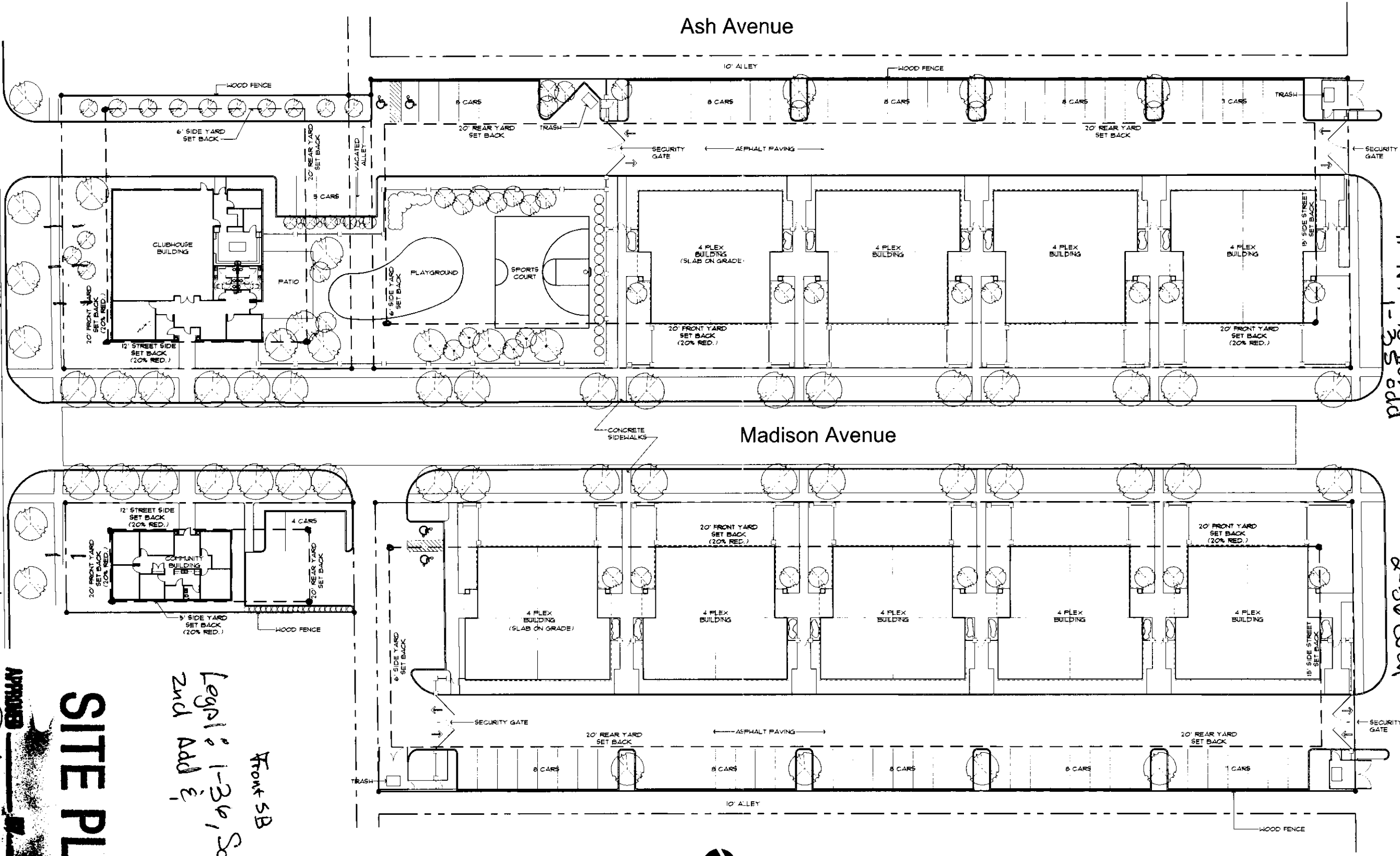
U2L
194 →
TF-3
F → 25'
SS → 15'

8,9,10 & 11
9th Street North 12 & 13

Bill Longner Rev
Sept 10, 2007

SITE PLAN

Legal: 1-36, Solomon's
2nd Add &
Front SB



SITE DEVELOPMENT PLAN
1" = 20'