



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

October 17, 2007

Manuel Jimenez  
117 N Mt. Carmel Street  
Wichita, KS 67203

**Re: BZA2007-60: Zoning Administrative Adjustment to reduce the interior side yard setback by 20%, from 6-feet to 4.8-feet in "MF-29" Multi-family Residential zoning.**

**Lot 4, Block 4, Woodlake 2<sup>nd</sup> Addition to Wichita, Sedgwick County, Kansas. Generally located north of Douglas Avenue, east of Sheridan Street, on the west side of Mt. Carmel Street (117 N Mt. Carmel Street).**

Dear Applicant,

We have reviewed your request for to reduce the interior side yard setback for an addition to your attached garage on the described property. From reviewing the application, we understand that the proposed addition/expansion to your attached garage will encroach 1.2-feet into your property's "MF-29" zoned 6-foot interior side yard setback, thus the request to reduce that setback by 20%, as permitted by the Zoning Administrative Adjustment process.

Section V-I.2.a. of the Unified Zoning Code allows up to a 20% reduction of the side setback 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 side setback 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 encroachment should have no impact on the safety and convenience of vehicular and pedestrian circulation in the vicinity because street and alley right-of-way are 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, provided that sufficient separation between buildings is maintained. You have exercised due diligence by having a surveyor locate your property pin. The interior side yard setback reduction is within allowable limits.
- 3) Compatibility with existing or permitted uses on abutting sites: The addition/expansion to your attached double car garage is compatible with existing and permitted uses on abutting sites, the encroachment into the interior side yard setback should not reduce compatibility with abutting and adjacent sites.

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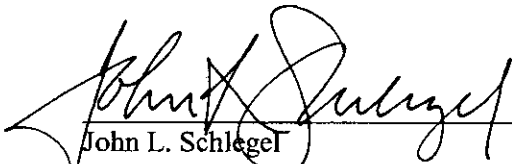
[www.wichita.gov](http://www.wichita.gov)

- 4) Effect on public health, safety or welfare: There will be no encroachment into public utility easements or right-of-way, as you have exercised due diligence in locating all easements, platted or dedicated by separate instrument. 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.

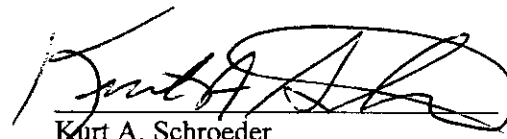
Our signatures below indicate that a Zoning Administrative Adjustment to reduce the south interior side yard setback for Lot 4, Block 4, Woodland 2<sup>nd</sup> Addition from 6-feet to 4.8-feet 5-inches is hereby granted, subject to the following conditions:

- 1) The site shall be developed in general conformance with the approved site plan.
- 2) The site shall be developed in conformance with all applicable codes, including but not limited to building and health codes.
- 3) The setback reduction shall apply only to the interior side 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.



John L. Schlegel  
Planning Director



Kurt A. Schroeder  
Superintendent of Central Inspection

Enclosure

cc: Kurt Schroeder, OCI  
Mike Gable, OCI

(2090 Adm Adj)  
1.2'  
lot 4

M. J. L. JIMÉNEZ,  
117 N. MT. CARMEL  
WICHITA KS. 67203.

1F29  
8775#  
6' sideyard

3.4"

117'

