

BZA RESOLUTION NO. BZA2020-00050

WHEREAS, German Granados & William Rivas (Applicants); pursuant to Kansas Statutes Annotated 12-759, request a Variance to reduce a side setback to two feet to permit an existing carport and garage structure on property zoned SF-5 Single-Family Residential, and legally described as follows:

The West 87.5 feet of Lots 188, 190, and 192 on Mosley Avenue, in Ranson and Kays
2nd Addition, Wichita, Sedgwick County, Kansas.

WHEREAS, proper notice as required by ordinance and by the rules of the Board of Zoning Appeals has been given; and

WHEREAS, the Board of Zoning Appeals did, at the meeting of November 19, 2020, consider said application; and

WHEREAS, the Board of Zoning Appeals has proper jurisdiction to consider said request for a variance under the provisions of Kansas Statutes Annotated 12-759 *et. seq.*; and

WHEREAS, it is the opinion of Board of Zoning Appeals that the conditions of the request are unique to the subject property. In this case, the owner purchased the carport from a manufacturer that indicated no permits were required for installation; and

WHEREAS, it is the opinion of Board of Zoning Appeals that the variance will not impact the use and enjoyment of the adjacent properties; and

WHEREAS, it is the opinion of Board of Zoning Appeals that a denial would have presented an adverse hardship to the applicant; and

WHEREAS, it is the opinion of the Board of Zoning Appeals that the requested variance would not adversely affect the public interest, health, safety or welfare; and

WHEREAS, it is the opinion of the Board of Zoning Appeals that the spirit and intent of the Zoning Code is being met in this case; and

WHEREAS, each of the five conditions required by Kansas Statutes Annotated 12-759, are found to be present for a variance to be granted.

NOW, THEREFORE, BE IT RESOLVED by the Board of Zoning Appeals, pursuant to Kansas Statutes Annotated 12-759, a Variance to reduce a side setback to two feet to permit an existing carport and garage structure on property zoned SF-5 Single-Family Residential, and legally described as follows:

The West 87.5 feet of Lots 188, 190, and 192 on Mosley Avenue, in Ranson and Kays
2nd Addition, Wichita, Sedgwick County, Kansas.

The variance is hereby GRANTED, subject to the following conditions:

1. The interior side setback reduction shall only apply to the enclosed garage structure and carport as shown in the site plan.

2. The applicant must install guttering along the northern roofline of the garage structure and carport.
3. The applicant shall obtain the proper building permit and an inspection. Modifications must comply with all State, County, and any other applicable standards.

Adopted this 17 Day of December 2020.

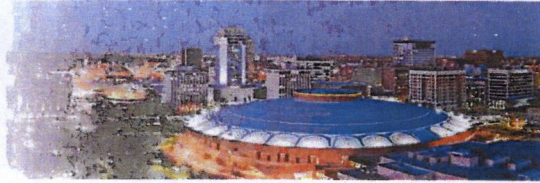


Michael C. Greene, BZA Board Chair

ATTEST:



Scott Wadle, BZA Secretary



AFFIDAVIT OF PUBLICATION

Account #	Ad Number	Identification	PO	Amount	Cols	Depth
453868	0004780586			\$0.00	1	15.00 In

Attention: Betsy Pagán

CITY OF WICHITA/PLANNING DEPT
271 WEST THIRD ST., 2ND FL, SU 203
WICHITA, KS 67202

In The STATE OF KANSAS
In and for the County of Sedgwick
AFFIDAVIT OF PUBLICATION

1 Insertions

Beginning issue of: 10/15/2020

Ending issue of: 10/15/2020

STATE OF KANSAS)

.SS

County of Sedgwick)

VICTORIA RODELA, of lawful age, being first duly sworn, depose and saith: That he is Record Clerk of The Wichita Eagle, a daily newspaper published in the City of Wichita, County of Sedgwick, State of Kansas, and having a general paid circulation on a daily basis in said County, which said newspaper has been continuously and uninterruptedly published in said County for more than one year prior to the first publication of the notice hereinafter mentioned, and which said newspaper has been entered as second class mail matter at the United States Post Office in Wichita, Kansas, and which said newspaper is not a trade, religious or fraternal publication and that a notice of a true copy is hereto attached was published in the regular and entire Morning issue of said The Wichita Eagle from 10/15/2020 to 10/15/2020.

I certify (or declare) under the penalty of perjury that the foregoing is true and correct.

V Rodela

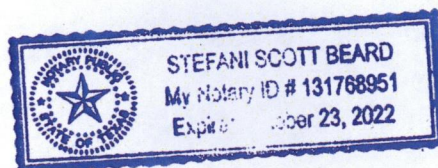
Signature of Principal Clerk

DATED: 10/16/2020

[Signature]

Notary Public Dallas County, Texas

Extra charge for lost or duplicate affidavits.
Legal document please do not destroy!



LEGAL PUBLICATION

OCA 15504

PUBLISHED IN THE WICHITA EAGLE
ON OCTOBER 15, 2020 (478956)

City of Wichita
MAPC 6724 November 5, 2020

OFFICIAL HEARING NOTICE

NOTICE IS HEREBY GIVEN that on Thursday, November 5, 2020 no earlier than 1:30 p.m., the Wichita-Sedgewick County Metropolitan Area Planning Commission/Board Zoning Appeals will consider the following applications. The meeting will be held virtually, public participation is available in multiple ways, these without technology on lists can participate by going to Century II - Room 1018, 225 West Douglas Avenue, Wichita, Kansas 67202 (located at the bottom of this notice). If you have any questions regarding the meeting or items on this notice, please call the Wichita-Sedgewick County Metropolitan Area Planning Department at (316) 268-4421.

EZA302-0058 City Variance to allow carport in front setback and interior site artwork; generally located south of E. Corral and west of N. Webb Road (3 Laurel Drive).

EZA302-0050 City Variance to reduce side setback to two feet to permit existing carport on property zoned SF-5 Single Family Residential and generally located on the north side of East 4th Avenue and one block west of South Washington Avenue (off E. 4th Avenue).

EZA302-0051 City BZA Variance to increase the height and site of a sign located in the parking lot south of 233 W. University Ave. that is located south of University Ave. and east of 26th St. increase sign height from 20' to 30'; and increase sign size from 14x11 to 20x11.

CON202-0023 City Conditional Use to permit multi-family development (3 dwelling units) on property zoned TF-2 generally located one block south of East Douglas Avenue and east of 1st mile west of South River (217 S. Fountain).

CON202-0029 City Conditional Use for accessory apartment on property zoned SF-5 Single-Family Residential located 400 feet north of 7th Street South, 150 feet east of South Seneca Street (3215 S. Manual).

CON202-0031 City Conditional Use for site located south of E. 21st St. and south of Heaver Rd. to allow a minor utility and an adjustment to an existing and the removal of existing PO 39 (w. CON202-0028).

ZON302-0007 City Zoning Change from SF-5 Single Family Residential to TF-2 Two Family Residential to permit the development of duplexes on property generally located one block east of South Seneca and one-quarter mile south of West 4th Street South (east of the intersection of 50th St. S. and Geary).

ZON202-0025 City rezoning from SF-5 to LC for commercial development of property generally located south of East Pawnee Avenue and west of South Hillside Avenue (3438 South Hillside Avenue).

ZON302-0004 City rezoning from GO General Office to HQ Neighborhood Retail with a Protective Overlay to allow development of property generally located north of East Kellogg and east of South Esplanade Drive.

ZON302-0003 City rezoning from GC (General Commercial) to CSD (Central Business District) on parcel located on the northwest corner of N. Texas Ave. and S. Sycamore St. also known as 601 W. Texas Ave.

ZON302-0008 City rezoning from SF-5 (Single Family) to IP (Industrial Parcel) for parcel located south of W. 21st St. and E. of Heaver Road at approximately the 5000 block of W. 21st St. due to modification of the water treatment plant. (w. CON202-0031)

VAC302-0023 City vacation of plat utility easements for new construction on property zoned LC generally located south of East Pawnee Avenue and west of South Hillside Avenue (1416 South E. Rancho Road).

VAC302-0025 City vacation of a portion of a plat utility easement, generally located south of E. 21st Street North and North Grosvenor Road (1006 E. Grosvenor Circle).

VAC302-0024 City vacation of a plat utility easement, generally located south of E. 17th Street North and North and approximately 1,500 feet east of North Hillside Avenue.

VAC302-0027 City Vacation of drainage and utility easement (0.37 acre) Reserve A Uses (0.38 acre) for address on West University (6216, 6220, 6226 and 6230); generally located one block south of Alamo Street between Maple Lane and Arroyo Drive.

VAC302-0040 City Vacation of a plat utility easement on Reserve L to permit parking for a neighborhood swimming pool on property zoned SF-5 Single Family Residential and generally located one-half mile west of North 12th Street East and one-quarter mile south of East 20th Street North.

VAC302-0041 City Vacation of a 34-foot utility easement to permit accessory structure on property zoned SF-5 Single Family Residential generally located one-half mile north of West 29th Street North and one-quarter mile east of North Arroyo Avenue (3242 N. Riverside).

Complete legal descriptions are available for public inspection at the Metropolitan Area Planning Department, 271 W. Third St., 2nd Floor, Wichita, Kansas 67202. As provided in Section 17 of the Wichita-Sedgewick County Unified Zoning Code, the same will then and there be discussed and considered by the said MAPC, and all persons interested in said matters will be heard at this time concerning their views and wishes in the premises, and any protest against any of the provisions of the proposed changes to the zoning regulations will be considered by the MAPC as by law provided.

PLEASE NOTE THIS MEETING IS CONSIDERED AN EMERGENCY MEETING OF THE WICHITA-SEDGEWICK COUNTY METROPOLITAN AREA PLANNING COMMISSION DUE TO COVID-19. WHICH WILL IMPROVE SPECIAL PROCEDURES TO PARTICIPATE IN THE PUBLIC HEARING. THESE ARE AS FOLLOWS:

The meeting will be conducted "virtually" using Go-To-Meeting. You have multiple options to participate: 1) submit comments ahead of time, 2) participate remotely, or 3) attend a virtual connection site in-person (see below).

Submit Comments Ahead of Time
You can submit comments regarding items on the Planning Commission agenda to the Wichita-Sedgewick County Metropolitan Area Planning Department (Planning Department). Comments must be received by the Planning Department no later than 5 days prior to the meeting. Please be sure to provide contact information (name, email, address, phone and fax number, etc.). The comments should indicate which item they pertain to and be less than three (3) minutes in duration. The comments should be submitted to Planning Department staff using the contact information below. The comments received ahead of the submission deadline will be shared with the MAPC, prior to or during the meeting.

Email	BPagan@wichita.gov
Meeting Address	Wichita-Sedgewick County Metropolitan Area Planning Department 271 W. Third Street 271 W. 3rd Street - Suite 201 Wichita, KS 67202
Phone	316.268.4421
Fax	316.6367-744

Participate Remotely

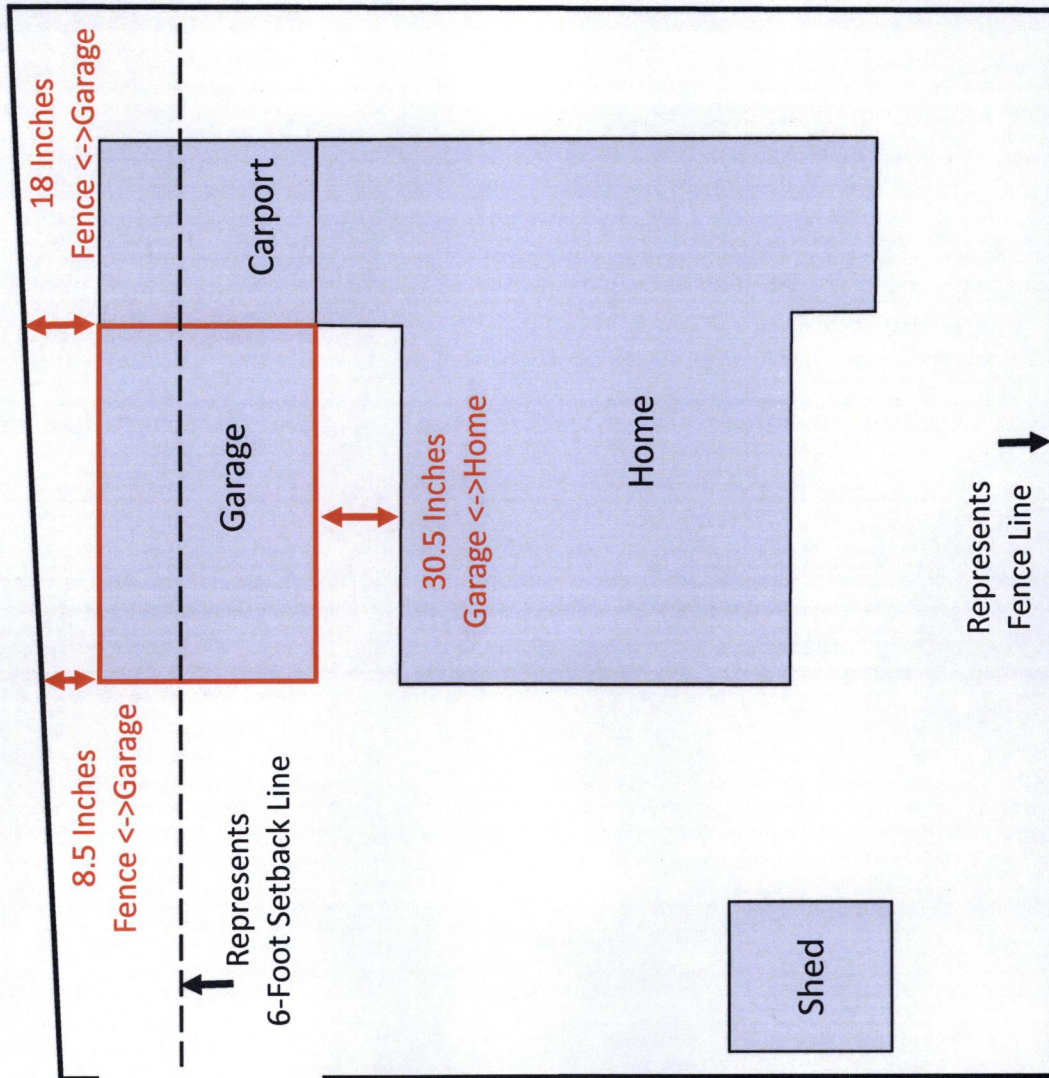
Please join our meeting from your computer, tablet or smartphone. <https://join.zoomb.us/meeting/join-75320123>

You can also dial in using your phone.
United States: +1 (201) 601-1112
Access Code: 751-332-133

Attend a Virtual Connection Site in-Person
You may also participate in the meeting by going to meeting room 1018 at Century II (225 West Douglas) to participate in the Planning Commission meeting by "virtual" connection. Planning Department staff members will be available to assist in your participation at this location. This option is intended for those without other technology options, and who have not previously submitted recorded audio or video comments. If you have any written or visual materials you wish to present, please contact Planning Department Graphics staff (316-6367) by 5pm, 3 days prior to the meeting.

WITNESS MY HAND on October 12, 2020
Scott Webb, Secretary
Wichita-Sedgewick County
Metropolitan Area Planning Commission

BZA
2020-50



SITE PLAN

APPROVED 12/28/20 BY MW

ITEM
2

Diagram Not To Scale