Wichita-Sedgwick County Metropolitan Area Planning Department

February 9, 2023

Kenneth Ray Thomas
1014 N Cleveland
Wichita, KS 67214

Re: **BZA2023-00007: Administrative Adjustment in the City for a 50 percent reduction in the interior side setback from 6 feet to 3 feet to build an attached carport; generally located on the east side of North Cleveland Avenue and within one block north of East 9th Street North (1014 North Cleveland Avenue).**

Legal Description: Lots 11 and 13, Cleveland Avenue, Getto's Addition, Wichita, Sedgwick County, Kansas.

Dear Applicant,

We have reviewed your request for a Zoning Adjustment to reduce the south interior side yard setback from 6 feet to 3 feet (for an area less than 300 square feet) on the aforementioned property in order to construct an attached carport.

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 the area to be reduced does not exceed 300 square feet. 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 south interior side yard setback from 6 feet to 3 feet 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 and adjacent properties are zoned SF-5 Single-Family Residential District on the west, north, and south side and are developed with single-family dwelling units. Property to the east is zoned B Multi-Family Residential District and developed with a vacant building.

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 south interior side yard setback from

6 feet to 3 feet (for an area less than 300 square feet) is hereby GRANTED, subject to the following conditions:

1) The site shall be developed in general conformance with the approved site plan. The site plan shall be revised to show the attached carport 3 feet from the south property line.

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 3-foot, 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.

Scott Wadle, Director
Metropolitan Area Planning Department

J.P. COX JR.

Chris Labrum, Director
Metropolitan Area Building and Construction Department

cc: MABCD
Brandon Johnson, CM District I
Tasha Hayes, CSR District I

SITE PLAN

APPROVED 4/4/23 BY