CITY OF WICHITA

Wichita-Sedgwick County Metropolitan Area Planning Department

July 17, 2024

Reyna Morales and
Santos Mendez Gomez
1831 N. Payne
Wichita, KS 67203

Re: **BZA2024-00039:** Administrative Adjustment in the City to reduce the front setback from 25 feet to 23 feet in order to construct a covered porch on property zoned TF-3 Two-Family Residential District, generally located within one-block south of West 18th Street North and one-half mile west of North Arkansas Ave. (1831 North Payne).

Legal Description: North 50 feet of the east ½ of Lot 31, on Payne Ave., Ford's 2nd Addition, Wichita, Sedgwick County, Kansas.

Dear Applicants,

We have reviewed your request for a Zoning Adjustment to reduce the east front setback from 25 feet to 23 feet (8 percent) on the aforementioned property in order to construct a porch onto the existing dwelling.

Section V-I.2.a of the Unified Zoning Code ("UZC") allows reducing the minimum front setback (required by the property development standards of the zoning district) by up to 20 percent. This adjustment is permissible when the provisions of this section and the Zoning Adjustment Criteria of Section V-I.6 are met. We find that the reduction of the 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 proposed reduction to the east front side setback from 25 feet to 23 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 uses. The interior side setbacks will be maintained, and the construction of the porch is not anticipated to have significant detrimental impacts on surrounding properties.

3) Compatibility with existing or permitted uses on abutting sites: Properties to the north, east, and south are zoned TF-3 Two-Family Residential District. Properties to the west are zoned SF-5 Single-Family Residential District. Surrounding properties are developed with a mixture of single-family and duplex dwellings. Constructing a front porch onto an existing single-family dwelling is compatible with the surrounding uses.

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 east front setback from 25 feet to 23 feet is 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 the 23-foot east front 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.R. COX JR.

Chris Labrum, Director
Metropolitan Area Building and Construction Department

cc: MABCD
Maggie Ballard, City Councilmember, District VI
Ana Lopez, CSR District VI

SITE PLAN

APPROVED 7/17/24 BZA 24-37



1831 N Payne

Site plan

legal discription: lot 31

Block - payne Plat - 2nd addition

CURRENT SIDE SETBACK: 7.5 FT

3 x 26 = 78 FT.