



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

April 10, 2026

Jose Chacon
1536 N. Topeka Ave.
Wichita, KS 67214

Re: BZA2026-00028: Administrative Adjustment in the City to reduce the south interior side setback from 5 feet to 2.5 feet (50 percent for an area less than 300 square feet) for placement of a carport on property zoned B Multi-Family Residential District, generally located on the east side of North Topeka Avenue and within two-blocks north of East 13th Street North (1536 North Topeka Ave.).

Legal Description: Lots 11 & 13, Haste & Marlow Addition, Wichita, Sedgwick County, Kansas.

Dear Applicant,

We have reviewed your request for a Zoning Adjustment to reduce the south interior side setback from 5 feet to 2.5 feet (50 percent) on the aforementioned property to place a carport. The total area of reduction is 60 square feet, which is under the maximum allowable area of 300 square feet.

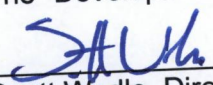
Section V-1.2.a of the Unified Zoning Code ("UZC") allows reducing the minimum side setback (required by the property development standards of the zoning district) by up to 50 percent (for an area less than 300 square feet). This adjustment is permissible when the provisions of this section and the Zoning Adjustment Criteria of Section V-1.6 are met. We find that the reduction of the setback as proposed meets the provisions of Section V-1.2.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 setback from 5 feet to 2.5 feet will have no impact on the safety and convenience of vehicular and pedestrian circulation in the right-of-way. The carport would be set back 30 feet from the front property line.
- 2) Impact on existing uses in surrounding areas: There will be no impact on the existing uses. The surrounding properties zoned a mixture of TF-3 Two-Family Residential District and B Multi-Family Residential District and developed with single-family dwellings and an ancillary parking lot (to the west). The degree of encroachment for a 10-foot-high carport is not likely to have significant negative impacts on the dwelling to the south.
- 3) Compatibility with existing or permitted uses on abutting sites: An accessory structure like a carport is a compatible use in the area. The degree of encroachment for a 10-foot-high carport is not likely to have significant negative impacts on the dwelling to the south.
- 4) Effect on public health, safety, or welfare: There will be no negative impact on the public health, safety, or welfare, nor will properties or improvements in the vicinity be materially injured.

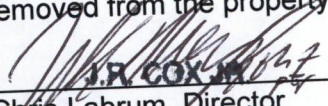
Our signatures below indicate that the Zoning Adjustment to reduce the south side interior setback from 5 feet to 2.5 feet for an area less than 300 square feet is hereby GRANTED, subject to the following conditions:

- 1) The site shall be developed in general conformance with the approved site plan.
- 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 2.5-foot south interior side 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



Chris Labrum, Director
Metropolitan Area Building and Construction
Department

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

Side Setback Reduction to 2.5ft for Carport on 1536 N Topeka Ave Property.

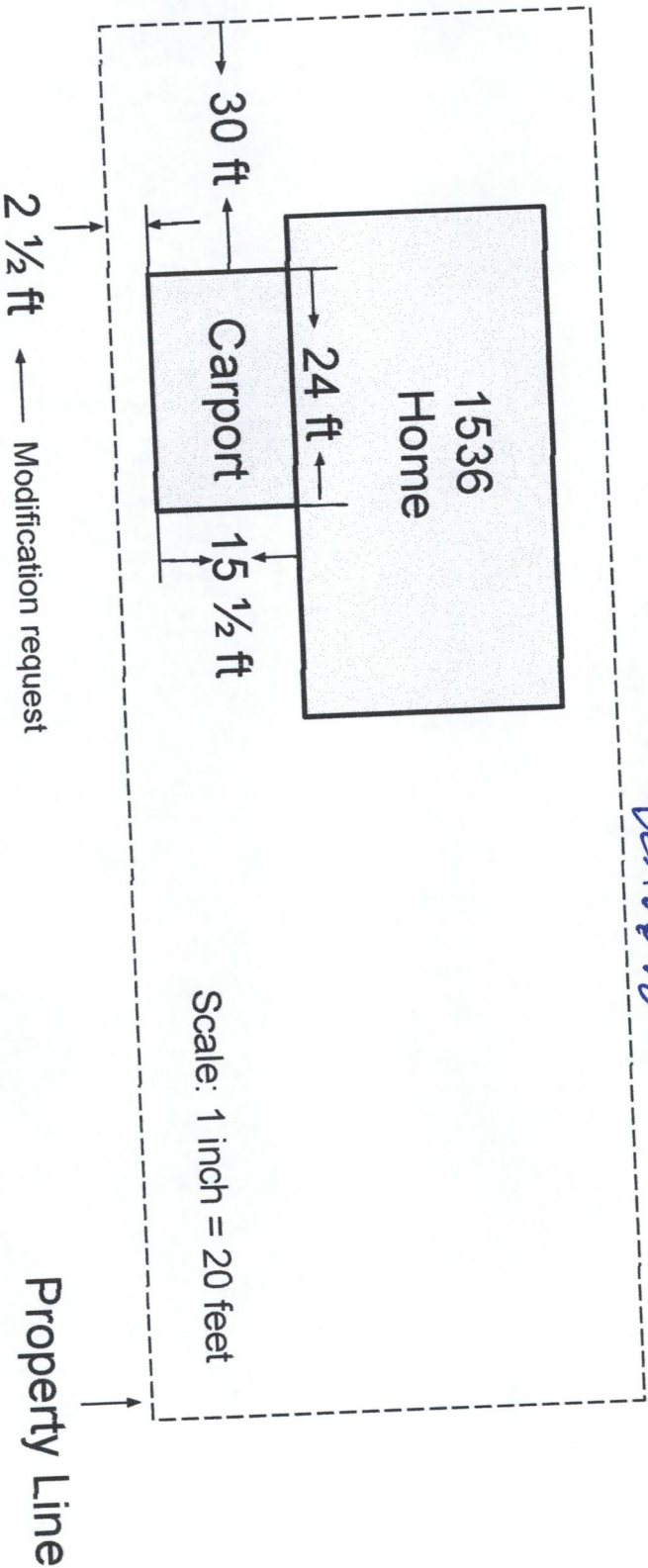


Topeka AVE

SITE PLAN

APPROVED

4/10/26 BY *[Signature]*
BZA 26-28



*North end of the carport, along the wall of the home, height is 10 ft. At the south end, the height is 8 ft.

Applicant: Jose L Chacon