



Wichita-Sedgwick County Metropolitan Area Planning Department

May 10, 2012

Carlos Francisco
3228 N. Jeanette
Wichita, KS 67204

Re: BZA2012-24: City Administrative Adjustment to reduce front setback by 20% and to allow an accessory structure in front of the principle structure on SF-5 Single-family Residential ("SF-5") zoned property, generally located midway between Woodland and Arkansas Avenues, north of 31st Street North on the east side of Jeanette Street.

Legal Description: N 200 FT E 135 FT W 497.76 FT OF THAT PART NE1/4 SW1/4 LY S OF N 990 FT THEREOF SEC 32-26-1E, Wichita, Sedgwick County, Kansas.

Dear Applicant,

We have reviewed your request for a Zoning Adjustment to reduce front setback by 20% and to allow an accessory structure in front of the principle structure on the aforementioned property. From reviewing the application, we understand that you placed an accessory structure, a car port, 21 feet from the front property line and in front of the primary structure. The SF-5 district requires a 25-foot front setback and requires accessory structures behind primary structures.

Section V-I.2.a of the Unified Zoning Code ("UZC") allows administrative adjustments reducing minimum front, side and rear setbacks (required by the property development standards of the zoning district) by up to 20 percent, and Section V-I.2.n allows an administrative adjustment to place an accessory structure in front of a primary structure. These adjustments are 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 front setback and placement of the accessory structure as proposed meets the four criteria required by Section V-I.6 as set out below:

- 1) Impact on safety and convenience of vehicular and pedestrian circulation: The setback encroachment and accessory structure location should have no impact on the safety and convenience of vehicular and pedestrian circulation in the vicinity because right-of-way, the driveway, and sidewalk will 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 or accessory structure location, as sufficient separation between buildings is maintained and the setback reductions are within allowable limits.
- 3) Compatibility with existing or permitted uses on abutting sites: The single-family residence is

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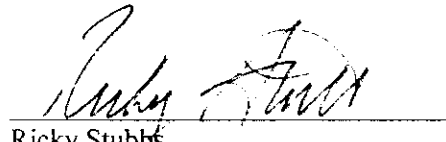
compatible with existing and permitted uses on abutting sites; the encroachment into the setback and accessory structure location should not reduce compatibility with abutting and adjacent sites. The nearest neighboring residence is over 100 feet from the accessory structure, and existing vegetation screens the application area from this neighbor.

- 4) Effect on public health, safety or welfare: There will be no encroachment into public utility easements or right-of-way. There should be no impact on the public health, safety or welfare nor will properties or improvements in the vicinity be materially injured.

Our signatures below indicate that Zoning Adjustments to reduce the front setback for the aforementioned accessory structure to 21-feet and allow an accessory structure in front of a primary structure is hereby granted, subject to the following conditions:

- 1) The site shall be developed in general conformance with the approved site plan.
- 2) The adjustments shall apply only to the car port accessory structure 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.
- 3) 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
Ricky Stubbs
Interim Co-superintendent of Central Inspection

cc: Rick Stubbs, Office of Central Inspection
J.R. Cox, Office of Central Inspection
Mike Gable, Office of Central Inspection
Janet Miller, CM District VI
Terry Dozal, NA District VI

Existing

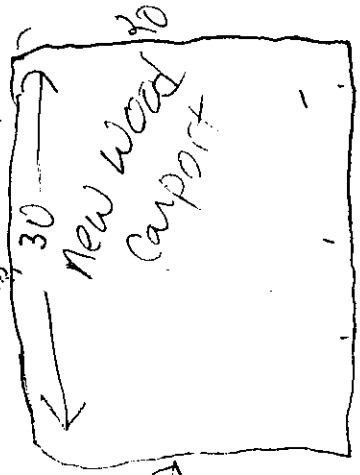
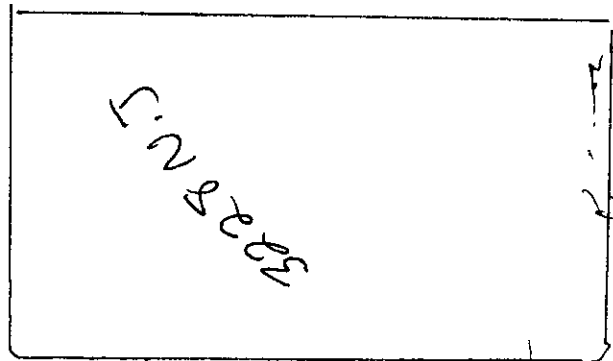
to Remodel
& Replace



septic

+10th Floor
Planning -
Access structure
in front of
primary store

Health Dept.
~~1900 E 19th~~
1900 E 9th St N
septic



39'

25'

21'

SF5

3228 N. Jewett

N. 200th E 1355

3228 N. Jewett