CITY OF WICHITA

Wichita-Sedgwick County Metropolitan Area Planning Department

November 20, 2013

Rafael Miranda
1708 E. Millair
Wichita, KS 67219

Re: **BZA2013-51: City Administrative Adjustment to allow a side yard setback reduction from 6-feet to 4.8-feet on property zoned Single-family Residential ("SF-5").**

Legal Description: S 90 FT LOT 4 COWAN'S REPLAT, Wichita, Sedgwick County, KS. Generally located on the north side of East Millair Street between North Hydraulic Avenue and North Kansas Avenue (1708 E. Millair).

Dear Applicant:

We have reviewed your request for a Zoning Adjustment to reduce the side yard setback from 6-feet to 4.8- feet (20%) on 0.12 acre. From reviewing your application, we understand that you propose to construct a carport on the west end of the house on the aforementioned property. We understand from the drawing submitted, the proposed carport will be located 4.8-feet from the lot's west property line (interior side yard).

Section V-I.2.a of the Unified Zoning Code ("UZC") allows reducing minimum front, side and rear setbacks (required by the property development standards of the zoning district) by up to 20 percent. The adjustment is permissible when the provisions of Section V-I.2.a and the Zoning Adjustment Criteria of Section V-I.6 are met. We find that permitting a carport your property meets the four conditions required by Sec. V-I.6 of the Unified Zoning Code as set out below:

1) Impact on safety and convenience of vehicular and pedestrian circulation: This request is for a carport structure on a private lot with the structure located 4.8 feet from the west interior property line, as shown on the attached site plan. Public vehicular and pedestrian circulation will not be affected and will not interfere with traffic circulation patterns.

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 reducing the interior side yard setback from 6-feet to 4.8-feet in "SF-5".

3) Compatibility with existing or permitted uses on abutting sites: Placing a carport is within allowable adjustments and should not detract from the existing or permitted uses on abutting sites, which are single family residences.

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 an interior side yard reduction on less than five acres of land for the aforementioned property is hereby GRANTED, subject to the following conditions:

1) The site shall be developed in general conformance with the approved site plan and all permits necessary to construct the improvements shall be acquired and structure built within one year.

2) The interior side yard reduction shall apply only to the proposed carport illustrated on the approved site plan. All other structures or additions on the subject property shall conform to the development standards of 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.

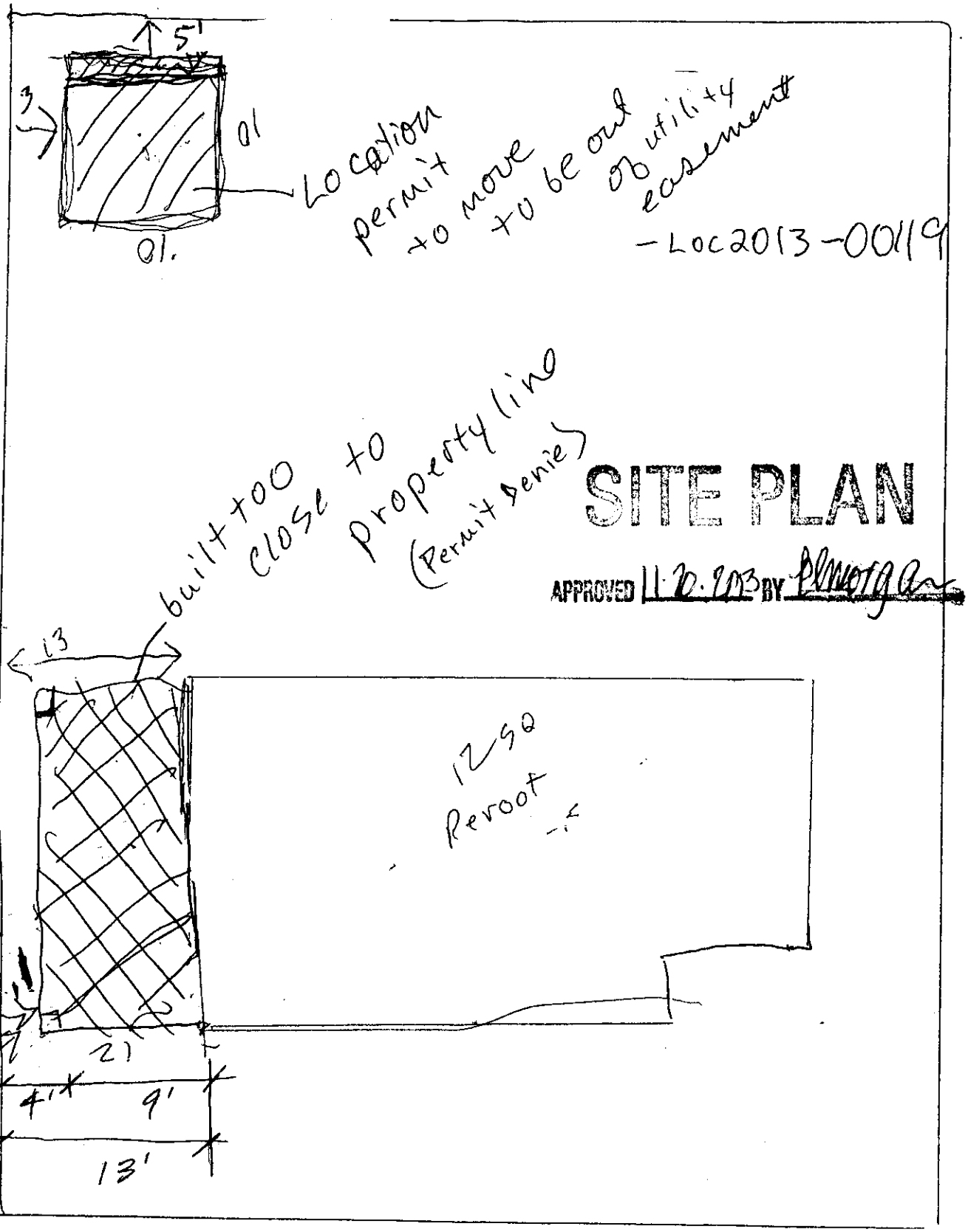
The "Development Application" sign should now be removed from the property.

John L. Schlegel
MAPD Director

Tom J. Stolz
MABCD Director

cc: J.R. Cox, MABCD
Paul Hays, MABCD
Lavonta Williams, CM District I
Megan Buckmaster, NA District I

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