Wichita-Sedgwick County Metropolitan Area Planning Department

March 7, 2014

Clara Christianson
344 N Richmond Street
Wichita, KS 67203

Re: **BZA2014-15: City Administrative Adjustment to allow a 20% street side yard setback reduction on property zoned Two-Family Residential ("TF-3").**

Legal Description: LOTS 48-50, BLOCK 16, J.O. DAVIDSON'S 2ND ADDITION, Wichita, Sedgwick County, KS. Generally located on the northeast corner of West 3rd Street and North Edwards (402 N. Edwards Street).

Dear Applicant:

We have reviewed your request for a Zoning Adjustment to reduce the street side yard setback from 15-feet to 12-feet, approximately 20%, on 0.15 acre. From reviewing your application, we understand that you are requesting a street side yard reduction to allow a carport/covered patio. We understand from the drawing submitted, the carport/patio cover is located 12-feet from the lot's south property line (street side yard).

Section V-I.2.a of the Unified Zoning Code ("UZC") allows an administrative adjustment to reduce street side yard setback by up to 20 percent. We find that permitting an attached carport/patio cover to the primary structure on 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: The location of the attached carport should have no impact on the safety and convenience of vehicular and pedestrian circulation in the vicinity as right-of-way and driveways are not affected.

2) Impact on existing uses in surrounding areas: There will be no impact on the existing uses in surrounding areas as a result of the carport location as street visibility will be unchanged for neighboring properties.

3) Compatibility with existing or permitted uses on abutting sites: Abutting sites are zoned for two-family residential development and the street side yard reduction will not have a negative impact on existing or permitted 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 an street side yard reduction 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.

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 street side yard reduction shall apply only to the carport attached to the principal structure 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.

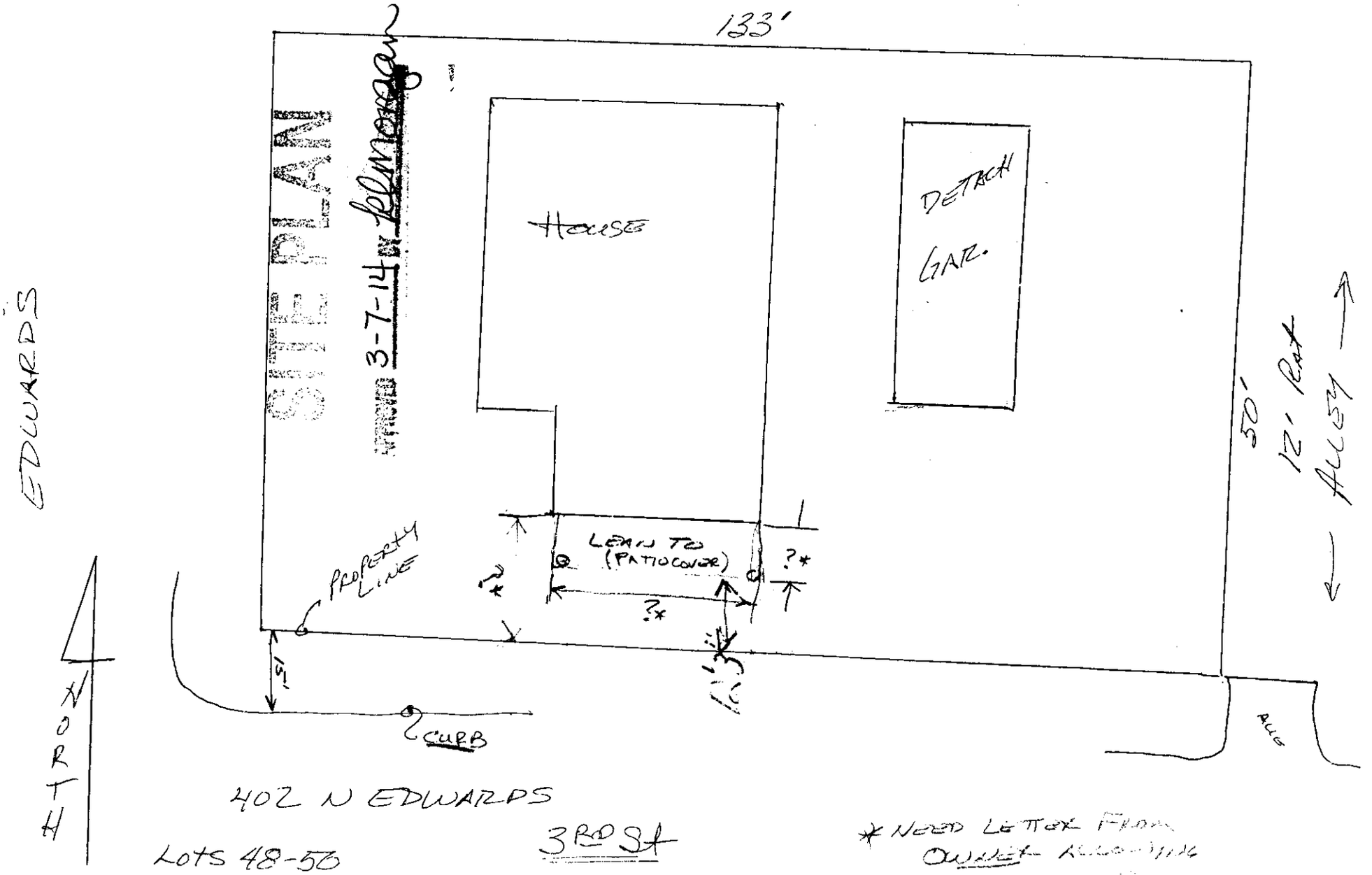
4) If the Zoning Administrator finds that there is a violation of any of the conditions of the Zoning Adjustment, the Zoning Administrator, in addition to enforcing the other remedies set forth in the Unified Zoning Code, may, with the concurrence of the Planning Director, declare that the Zoning Adjustment is null and void.

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

John L. Schlegel
MAPD Director

Tom J. Stolz
MABCD Director

cc: J.R. Cox, MABCD
Paul Hays, MABCD
Janet Miller, CM District VI
Martha Sanchez, NA District VI



402 N EDWARDS

3RD St

LOTS 48-50
BLOCK 16
J. O. DAVIDSON'S 2ND

* NEED LETTER FROM OWNER ALLOWING CAN TO BE LEFT