CITY OF WICHITA

Wichita-Sedgwick County Metropolitan Area Planning Department

July 25, 2014

Carlos Obregon
2347 S. Mosley
Wichita, KS 67211

Re: **BZA2014-00053: Administrative Adjustment to reduce the front setback by 20% on property zoned SF-5 Single Family Residential.**

Legal Description: Lots 85-87, MOSELY AVE. ROCK ISLAND 3RD ADDITION, Wichita, Sedgwick County, Kansas; generally located north of Pawnee Avenue on S. Mosley Avenue (2347 S. Mosley Avenue.)

Dear Applicant,

We have reviewed your request for a Zoning Adjustment to reduce the front setback on the aforementioned property. From reviewing the application, we understand that you desire to reduce the front setback from 25-feet to 20-feet so that an open, unenclosed carport with a sloped roof can encroach into the setback 8-feet, as allowed by the Unified Zoning Code Art. III Sec.E.1.e(1)(i).

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. 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 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 location of the new carport should have no impact on the safety and convenience of vehicular and pedestrian circulation in the vicinity as right-of-way is 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; sufficient separation between the buildings will be maintained, street visibility will be unchanged for neighboring properties.

3) Compatibility with existing or permitted uses on abutting sites: Abutting sites are single-family residences and the front yard setback 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 a Zoning Adjustment to reduce the front setback for the aforementioned property to 20-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 carport shall remain open and not be enclosed.

3) 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.

4) The setback reduction shall apply only to the 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.

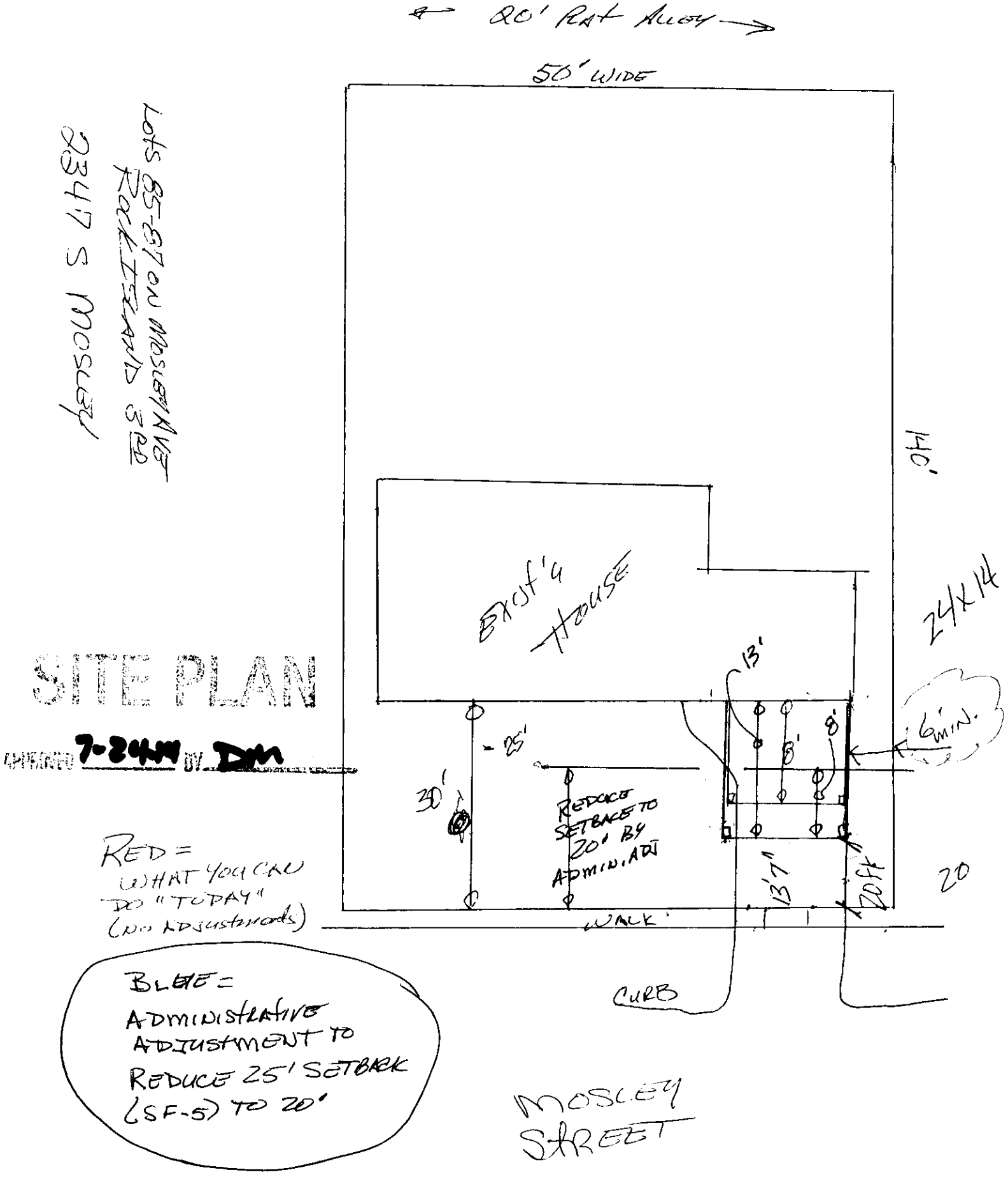
4) If the Zoning Administrator finds that there is a violation of any of the conditions of the Zoning Adjustment, the Zoning Administrator, in addition to enforcing the other remedies set forth in the Unified Zoning Code, may, with the concurrence of the Planning Director, declare that the Zoning Adjustment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

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

John L. Schlegel, Director
Metropolitan Area Planning Department

Thomas J. Stolz, Director
Metropolitan Area Building and Construction Department

cc: JR Cox, MABCD
James Clendenin, CM District III
Case Bell, NA District III


20' RAT ALLEY
50' WIDE
Lots 65-67 on Mossman Ave
Partitioned 3RD
3917 S Mosley
140'
Exist'g House
24x14
13'
8'
8'
6' MIN.
25'
30'
REDUCE SETBACK TO 20' BY ADMIN. ADJ
13'7"
20'4"
20
WALK
CURB
SITE PLAN
UPDATED 7-24-14 BY DM
RED = WHAT YOU CAN DO "TODAY" (NO ADJUSTMENTS)
BLUE = ADMINISTRATIVE ADJUSTMENT TO REDUCE 25' SETBACK (SF-5) TO 20'
MOSLEY STREET