CITY OF WICHITA

Wichita-Sedgwick County Metropolitan Area Planning Department

May 29, 2008

Bert Morrison
1756 S Water
Wichita, KS 67213

Re: BZA2008-24: Zoning Adjustment to reduce the rear setback from 20 from to 5 feet in TF-3 zoning for a car port addition to a single-family residence.

WEST 75' OF LOTS 91 & 93 & 95; ENGLISH'S 6TH ADDITION, SEDGWICK COUNTY, KANSAS. Generally located at the N.E. corner of Water and Funston (1756 South Water).

Dear Applicant,

We have reviewed your request for a Zoning Adjustment to reduce the rear setback for a carport addition to a residence on the aforementioned property. From reviewing the application, we understand that you desire to construct a carport within 5 feet of the rear property line, a 15 foot encroachment into the required 20 foot rear building setback for the TF-3 zoning district. Therefore, you have requested an adjustment to reduce the required setback.

Section V-I.2.c. of the Unified Zoning Code allows the rear setback to be reduced to 5 feet when all parts of the principal structure that are extending into the rear yard setback are located more than one-half the depth of the lot behind the front property line, and when the addition does not obstruct or eliminate the required off-street parking. Extended portions of the principal structure shall not occupy more than one-half of any required rear yard nor be more than 60 percent of the maximum height allowed by the property development standards of the district.

We find that the reduction of the side setback as proposed meets the provisions of Section V-I.2.c. 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 setback encroachment should have no impact on the safety and convenience of vehicular and pedestrian circulation in the vicinity as no public right-of-way is affected, nor is traffic visibility 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, provided that sufficient separation between buildings is maintained. The rear setback reduction is within allowable limits.

3) Compatibility with existing or permitted uses on abutting sites: The proposed residence is compatible with existing and permitted uses on abutting sites; the encroachment into the

rear setback should not reduce compatibility with abutting and adjacent sites.

4) Effect on public health, safety or welfare: There will be no encroachment into public utility easements or right-of-way. Therefore, there should 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 rear setback for the aforementioned property from 20 feet to 5 feet is hereby granted, subject to the following conditions:

1) The site shall be developed in general conformance with the approved site plan, the carport addition shall not exceed 21 feet in height.

2) The site shall be developed in conformance with all applicable codes, including but not limited to building, fire, and health codes.

3) The setback reduction shall apply only to the rear 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.

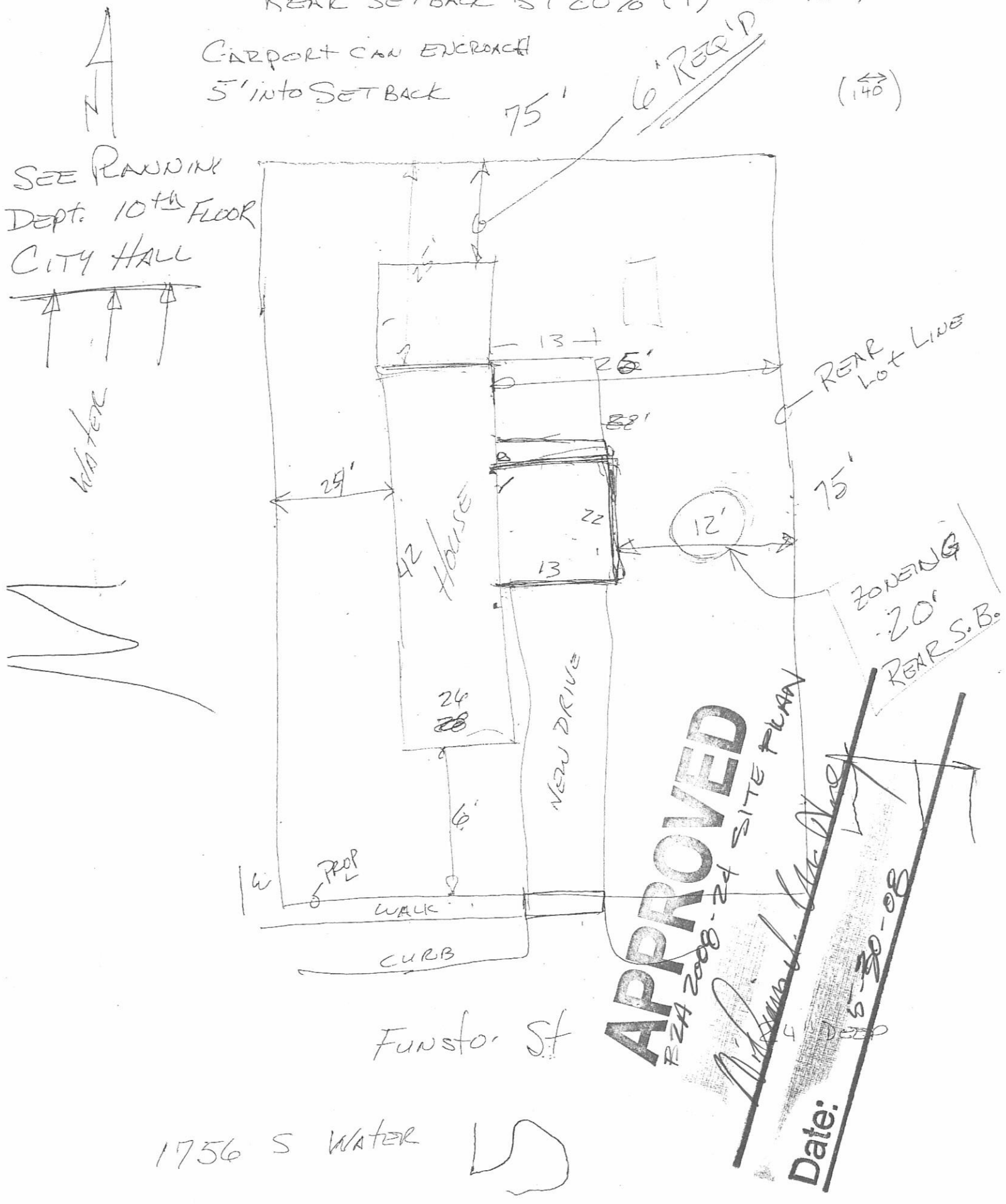
The "Development Application" sign should now be removed from the property.

John L. Schlegel
Planning Director

Kurt A. Schroeder
Superintendent of Central Inspection

Enclosure

cc: Kurt Schroeder, OCI
Mike Gable, OCI
Jim Skelton, District III, mailstop 1-13


* VARIANCE - ADMIN ADJ TO REDUCE REAR SETBACK BY 20% (4') TO 16'.
CARPORT CAN ENCROACH 5' INTO SETBACK
N
SEE PLANNING Dept. 10th FLOOR CITY HALL
75'
6' REQ'D
(1"=40')
REAR LOT LINE
13
25'
22'
29'
42' HOUSE
22
13
12'
75'
ZONING -20' REAR S.B.
24
NEW DRIVE
6'
PROP
WALK
CURB
APPROVED
RZA 2008-24 SITE PLAN
Date: 5-30-08
Funston St
1756 S Water