



FILE COPY

Wichita-Sedgwick County Metropolitan Area Planning Department

May 13, 2003

Katrina Corns
2525 S. Exchange
Wichita, KS 67217

Re: BZA2003-00022: Zoning Adjustment to reduce the front setback.

Legal Description: Lot 13, Block 3, Francis Harvey 2nd Addition, Wichita, Sedgwick County, Kansas. Generally located south of Pawnee and west of McLean (2525 S. Exchange).

We have reviewed your request for a Zoning Adjustment to reduce the front setback on the aforementioned property. From reviewing your application, we understand that you desire to construct a carport that encroaches 13 feet into the 25-foot front setback required by the "SF-5" Single Family zoning district. Since Section III-E.2.e.(1)(i) the Unified Zoning Code allows an open carport to encroach into the front setback by only 8 feet, you are requesting to reduce the front setback from 25 feet to 20 feet so that the encroachment of the proposed carport into the front setback will be only 8 feet.

Section V-I.2.a. of the Unified Zoning Code allows an adjustment to reduce building setbacks by up to 20 percent when the four conditions required by Section V-I.6. of the Unified Zoning Code are met. We find that the reduction of the front setback from 25 feet to 20 feet meets the four conditions required by Section V-I.6. of the Unified Zoning Code as set out below:

- 1) Impact on safety and convenience of vehicular and pedestrian circulation: The proposed encroachment should have no impact on the safety and convenience of vehicular and pedestrian circulation in the vicinity because the carport will provide for vehicular access to the garage and the sides of the carport will not be enclosed to limit pedestrian circulation.
- 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 reduction of the front setback, as existing uses in surrounding areas contain 8-foot encroachments into the front setback for open porches and the additional 5-foot encroachment for the open carport is minor.
- 3) Compatibility with existing or permitted uses on abutting sites: The proposed open carport is compatible with existing and permitted uses on abutting sites, and the additional 5-foot encroachment into the front setback should not reduce the compatibility of the improvements with abutting 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 not be a negative impact on the public health, safety or welfare nor will properties or improvements in the vicinity be materially injured.

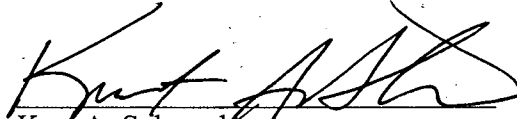
Our signatures below indicate that a Zoning Adjustment to reduce the front setback for the aforementioned property from 25-feet to 20-feet is hereby granted, subject to the following conditions:

- 1) The site shall be developed in general conformance with the approved site plan.
- 2) The setback reduction shall apply only to "Open Carport" 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) The carport shall match the character of the house in terms of material and color.
- 4) The sides of the carport shall not be enclosed.
- 5) 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 Article VIII of the Unified Zoning Code, may, with the concurrence of the Planning Director, declare that the Zoning Adjustment is null and void.

The zoning adjustment sign may now be removed from the property.



Dale Miller
Acting Planning Director

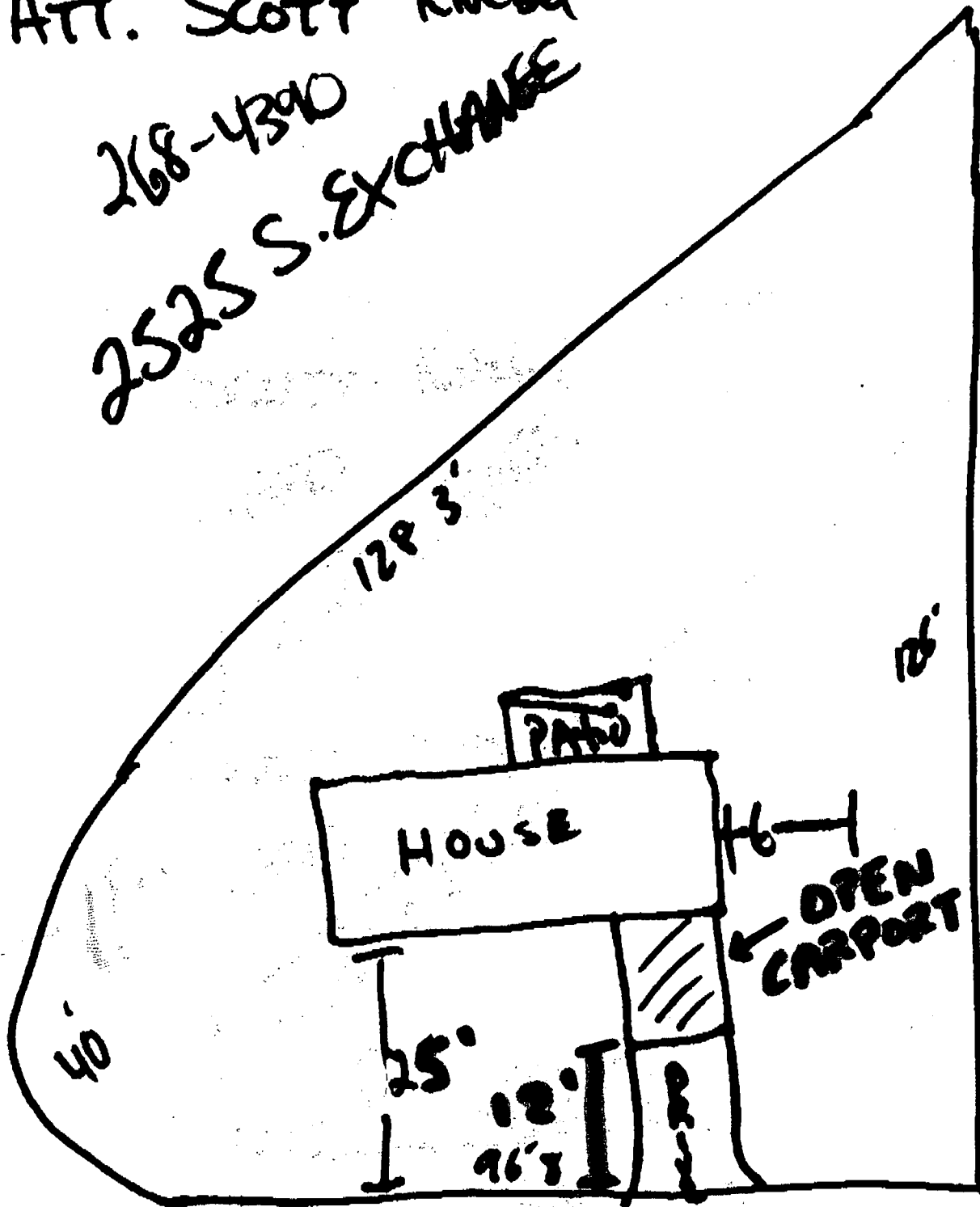


Kurt A. Schroeder
Superintendent of Central Inspection

Enclosure

cc: Kurt Schroeder, Office of Central Inspection
Paul Hays, Office of Central Inspection
Randy Sparkman, Office of Central Inspection
J.R. Cox, Office of Central Inspection

ATT: Scott Knebel
268-4390
2525 S. EXCHANGE



BZA2003-00022

SITE PLAN

APPROVED 5-13-03 BY SK

~~EXCHANGE~~

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