



File Copy

Wichita-Sedgwick County Metropolitan Area Planning Department

December 4, 2019

Maria del Rosario Ibarra
2547 N. Jackson
Wichita, KS 67204

Re: BZA2019-00050: Administrative Adjustment to reduce the street side setback from 15 feet to 12 feet along West 25th Street North to build a 20-foot X 20-foot carport and allow an accessory structure in front of the principal structure on property zoned TF-3 Two Family Residential.

Legal Description: Lots 380, 382, 384 and 386, Rosenthal's Addition, Wichita, Sedgwick County, Kansas (2547 N. Jackson)

Dear Applicant,

We have reviewed your request for a Zoning Adjustment to reduce the street side setback and allow an structure in front of the principal structure on the aforementioned property. From reviewing the application, we understand that you desire to reduce the side yard building setback from 15-feet to 12-feet to build a carport and allow the carport to be located in front of the primary structure.

Section V-1.2.a and n of the Unified Zoning Code ("UZC") allows reducing minimum Street Side Setbacks (required by the property development standards of the zoning District) by up to 20 percent and allowing an accessory structure in front of the primary structure. These adjustments are permissible when the provisions of the Zoning Adjustment Criteria of Section V-1.6 are met. We find that the reduction of the street side setback and the accessory structure in front of the primary structure as proposed meets the provisions of Section V-1.2.a and the four criteria required by Section V-1.6 as set out below:

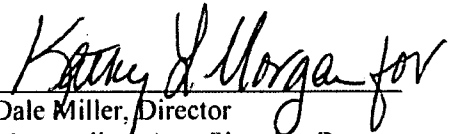
- 1) Impact on safety and convenience of vehicular and pedestrian circulation: Reduction of the street side setback from 15-feet to 12-feet and allowing an accessory structure in front of the primary structure will have no impact on the safety and convenience of vehicular and pedestrian circulation in 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 street side building setback reduction and an accessory structure in front of the primary structure; street visibility will be unchanged for neighboring properties.
- 3) Compatibility with existing or permitted uses on abutting sites: The properties to the north, east south and west are zoned TF-3 and are developed with single-family and duplex residences. The setback reduction will not have a negative impact on existing or permitted uses.

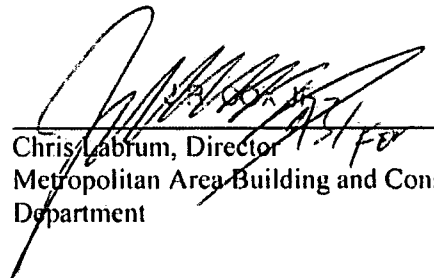
- 4) Effect on public health, safety or welfare: There will be no encroachment into public utility easements or rights-of-way. There will be no negative impact on the public health, safety or welfare, nor will properties or improvements in the vicinity be materially injured.

Our signatures below indicate that a Zoning Adjustment to reduce the street side setback to 12-feet and allow a detached accessory structure in front of the primary structure is hereby for the aforementioned property **GRANTED**, subject to the following conditions:

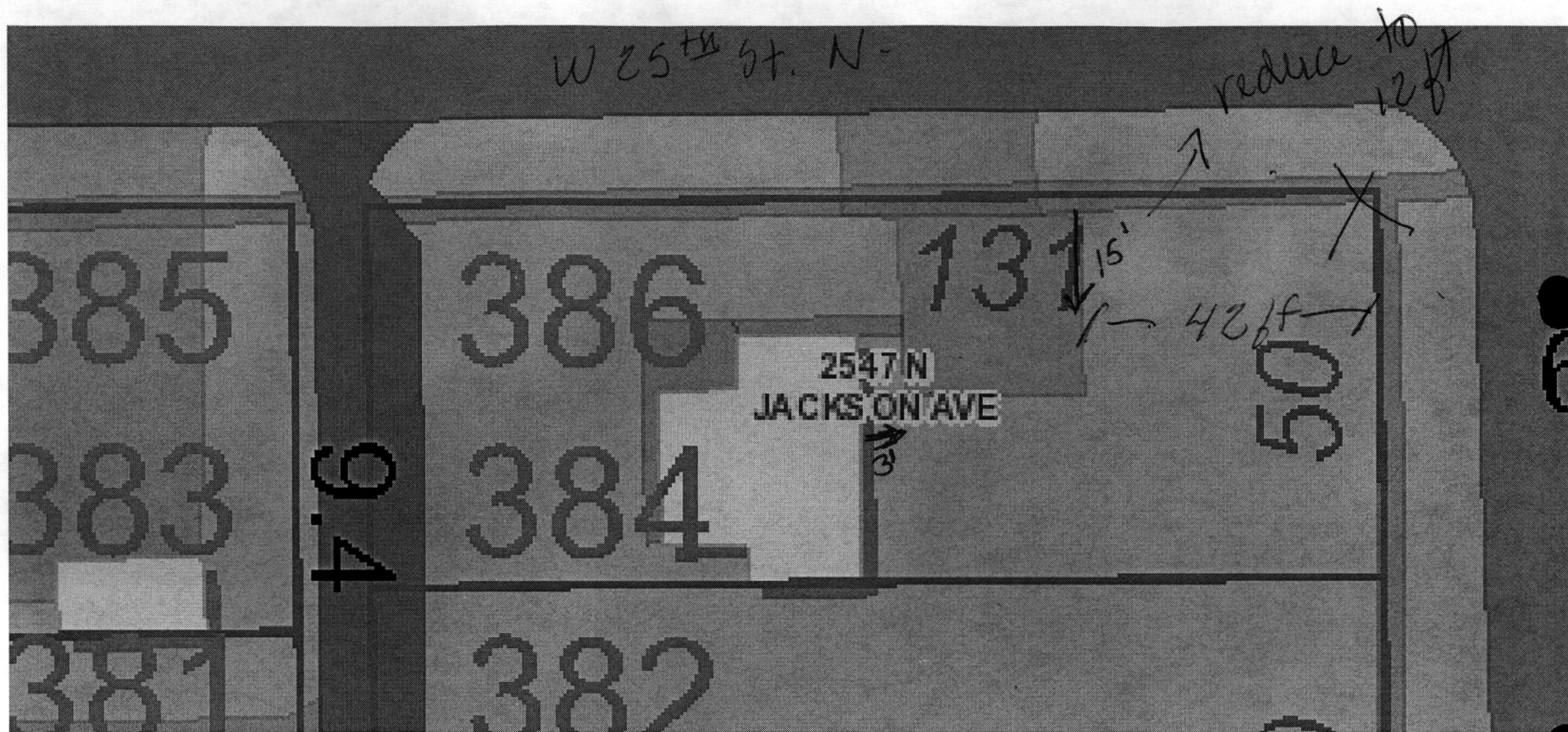
- 1) The setback reduction and location of the accessory structure in front of the primary structure shall apply only to the street side setback and location of the carport as illustrated on the approved site plan. All other structures or additions on the subject property shall conform to the setbacks permitted by the Unified Zoning Code unless a separate Zoning Adjustment or Variance is granted.
- 2) 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.


Dale Miller, Director
Metropolitan Area Planning Department


Chris Labrum, Director
Metropolitan Area Building and Construction
Department

cc: MABCD
Cindy Claycomb, CM District VI
Ana Lopez, Community Service Representative, District VI



SITE PLAN

APPROVED 12/4/19 BY R. Morgan