



Wichita-Sedgwick County Metropolitan Area Planning Department

May 5, 2023

Timothy Stark
3209 South Edwards Ave.
Wichita, KS 67217

Re: BZA2023-00027: Administrative Adjustments in the City for a 33 percent reduction in the interior side setback from 6 feet to 4 feet and to place an accessory structure in front of a principal structure for a carport; generally located within one block south of West 31st Street South and within one quarter mile west of South Meridian Avenue (3209 S. Edwards Ave).

Legal Description: Lot 17, Block 6, Southwest Village 3rd Addition, Wichita, Sedgwick County, Kansas.

Dear Applicant,

We have reviewed your request for Zoning Adjustments to reduce the north interior side yard setback by 33 percent from 6 feet to 4 feet (for an area less than 300 square feet) and to place an accessory structure in front of a principal structure on the aforementioned property in order to construct a carport. As shown on the site plan, the proposed carport will be placed 17 feet from the front property line in front of the principal dwelling.

Section V-I.2.a of the Unified Zoning Code (“UZC”) allows reducing the minimum interior side yard setback (required by the property development standards of the zoning district) by up to 50 percent if the area to be reduced does not exceed 300 square feet. Sec. V-I.2.n of the Unified Zoning Code allows a Zoning Adjustment that would permit an accessory structure to be placed in front of the principal structure on less than five acres of land, when the conditions required by Sec. V-I.6 of the Code are met. 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 setback and the placement of the accessory structure in front of a principal structure as proposed meets the provisions of Section V-I.2.a and Section V-I.2.n 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 proposed reduction of the north interior side yard setback from 6 feet to 4 feet and the placement of an accessory structure in front of the principal structure will have no impact on the safety and convenience of vehicular and pedestrian circulation in the right-of-way.
- 2) Impact on existing uses in surrounding areas: The placement of the carport may have possible negative impacts on surrounding properties. However, the condition of approval restricting the carport from having over 50 percent of the sides covered up with opaque panels is designed to help mitigate possible negative impacts.

- 3) Compatibility with existing or permitted uses on abutting sites: Abutting and adjacent properties are zoned SF-5 Single-Family Residential District on all sides. Properties to the north, south, and west are developed with single-family dwellings. Property to the east is developed with a church.
- 4) Effect on public health, safety, or welfare: There will be no encroachment into public utility easements or right-of-way. It is not anticipated to have any significant negative impacts on the public health, safety, or welfare, nor will properties or improvements in the vicinity be materially injured.

Our signatures below indicate that Zoning Adjustments to reduce the north interior side yard setback from 6 feet to 4 feet and to place an accessory structure in front of a principal structure are 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 setback reduction shall apply only to the 4-foot, side yard 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) The carport shall not be placed closer than 17 feet to the front property line as illustrated on the approved site plan. The sides of the carport shall not have opaque side panels that cover more than 50 percent of the either side of the carport, nor shall the front of the carport be enclosed with any opaque gates or doors.
- 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 the Unified Zoning Code, may, with the concurrence of the Planning Director, declare that the Zoning Adjustment is null and void.

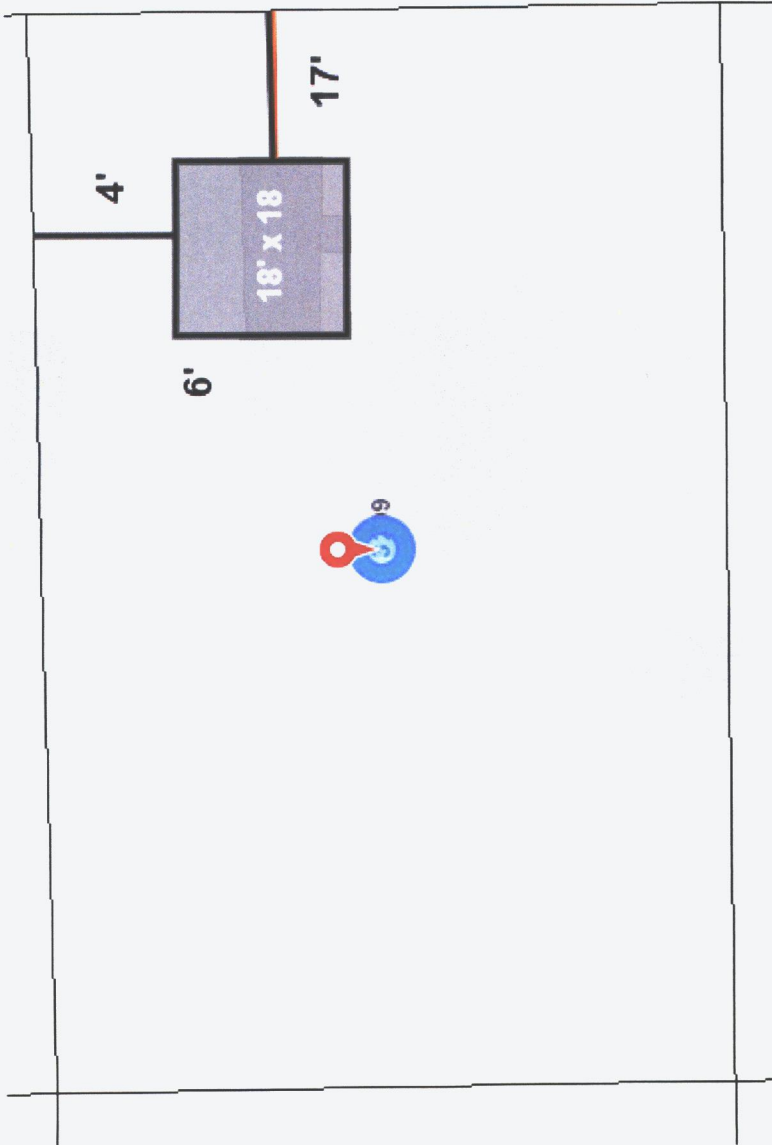
The "Development Application" sign should now be removed from the property.

 Scott Wadle, Director
 Metropolitan Area Planning Department

 Chris Labrum, Director
 Metropolitan Area Building and Construction
 Department

cc: MABCD
 Jeff Blubaugh, CM District IV
 Brooke Kauchak, CSR District IV

S EDWARDS AVE



SITE PLAN

APPROVED 5/5/23 BY [Signature]
BZA2023-27