CITY OF WICHITA

SEDGWICK COUNTY KANSAS

Wichita-Sedgwick County Metropolitan Area Planning Department

November 19, 2024

Sam Say Siriphong
2617 S. El Rancho Rd.
Wichita, KS 67216

Re: **BZA2024-00076:** Administrative Adjustment in the City to reduce the southwesterly interior side setback from 6 feet to 3 feet (for an area less than 300 square feet) to bring an existing carport into compliance, on property zoned SF-5 Single-Family Residential District, generally located within one-quarter mile west of South Hillside Avenue and one-quarter mile south of West Pawnee Avenue (2617 S. El Rancho Rd.).

Legal Description: LOT 20 EXC BEG NE COR SWLY 50 FT NWLY PARALLEL WITH NELY LI TO PT IN LI BETWEEN LOTS 2 & 20 NELY TO COMMON COR OF LOTS 1-2 & 20 SELY 135 FT TO BEG, Block 9, Pawnee Ranch Addition, Wichita Sedgwick County, Kansas.

Dear Applicant,

We have reviewed your request for a Zoning Adjustment to reduce the southwesterly interior side setback from 6 feet to 3 feet (50 percent for an area less than 300 square feet) on the aforementioned property in order to bring an existing carport into compliance. According to the site plan, the carport is constructed on the southwesterly side of the existing house and measures 20 feet by 41 feet. The southwesterly 3 feet of the carport encroaches into the 6-foot interior zoning setback. The area of encroachment is 123 square feet.

Section V-I.2.a of the Unified Zoning Code ("UZC") allows reducing the minimum side yard setback (required by the property development standards of the zoning district) by up to 50 percent when the area does not exceed 300 square feet. This adjustment is permissible when the provisions of this section and the Zoning Adjustment Criteria of Section V-I.6 are met. We find that the reduction of the 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 proposed reduction of the southwesterly interior side setback from 6 feet to 3 feet will have no impact on the safety and convenience of vehicular and pedestrian circulation in the right-of-way. The carport is constructed behind the front plane of the existing house and should not have any negative visual impact on neighboring vehicles backing out of a driveway onto South El Rancho Rd.

2) Impact on existing uses in surrounding areas: There will be no impact on the existing uses. The carport is not enclosed and is constructed behind the front plane of the existing house. It is not likely to have significant negative impact on surrounding uses. Furthermore, the space between the carport and the dwelling to the southwest is a dry creek/drainage swale. The carport is approximately 110 feet from the neighboring dwelling.

3) Compatibility with existing or permitted uses on abutting sites: Properties to the north, south, east, and west are zoned SF-5 Single-Family Residential District and developed with single-family dwellings. Given the presence of the dry creek/drainage swale and the additional open space it provides, the reduction of the setback to permit the carport is not likely to have significant negative impacts on abutting sites.

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 Zoning Adjustment to reduce the southwesterly interior side setback from 6 feet to 3 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 not be completely enclosed on all four sides.

3) The applicant shall obtain a building permit for the accessory structure within one year of the Administrative Adjustment approval. The site shall conform to all codes including but not limited to zoning, building, health, and fire.

4) The setback reduction shall apply only to the 3-foot southwesterly interior side 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.

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

J.M. COX JR.

Chris Labrum, Director
Metropolitan Area Building and Construction Department

cc: MABCD
Mike Hoheisel, City Councilmember, District III
Rebecca Johnson, CSR District III

SITE PLAN

APPROVED 11/19/24 BY