



**Wichita-Sedgwick County
Metropolitan Area
Planning Department**

August 23, 2024

Esteban Valenzuela
4021 E. Bellaire Ave.
Wichita, KS 67218

Re: BZA2024-00055: Administrative Adjustment in the City to reduce the west interior side setback by 33.33 percent (from 6 feet to 4 feet) for an area less than 300 square feet to permit construction of a breezeway on an attached garage, on property zoned SF-5 Single-Family Residential District, generally located within one-block east of South Bluff Ave. and two-blocks south of East Mount Vernon Rd. (4021 E. Bellaire St.).

Legal Description: Lot 33, Meadowlark 4th Addition, Wichita, Sedgwick County, Kansas.

Dear Applicants,

We have reviewed your request for a Zoning Adjustment to reduce the west interior side setback from 6 feet to 4 feet (33.33 percent for an area less than 300 square feet) on the aforementioned property in order to permit construction of a breezeway onto an existing attached garage. The site plan, in addition to a site visit, confirmed that the house and the garage is attached via an unenclosed, covered breezeway where the roof is attached to the house and garage. Therefore, the garage must adhere to the principal 6-foot interior side setback of the main house. The proposed breezeway on the west side of the garage would encroach into the side setback by 2 feet for a total area of 84 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 west interior side setback from 6 feet to 4 feet 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: There will be no impact on the existing uses. The garage is only considered attached due to an unenclosed, covered breezeway with a roof that is attached to the house and the garage. If the garage was a detached structure, the side setback for an accessory structure on the rear half of the lot would be 3 feet. If that were the case, the proposed breezeway on the west side of the garage would be permitted by-right.
- 3) Compatibility with existing or permitted uses on abutting sites: Properties to the north, east, south, and west are zoned SF-5 and are developed with single-family dwellings. The

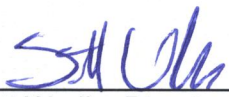
proposed breezeway that would be attached to the west side of the garage is on the rear half of the property and is not likely to have significant detrimental impacts on abutting sites.

- 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.

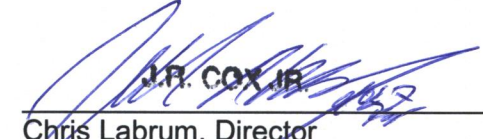
Our signatures below indicate that a Zoning Adjustment to reduce the west interior side setback from 6 feet to 4 feet is hereby GRANTED, subject to the following conditions:

- 1) The site shall be developed in general conformance with the approved site plan.
- 2) The applicant shall obtain a building permit and construct the breezeway 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.
- 3) The setback reduction shall apply only to the 4-foot west 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.
- 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.



Scott Wadle, Director
Metropolitan Area Planning Department



J.R. COX JR.
Chris Labrum, Director
Metropolitan Area Building and Construction
Department

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

← 4021 E. Bellaire st 67218 →

SITE PLAN

75'
FRONT YARD

APPROVED 8/23/24 BY ~~City~~
BZA 24-55

