



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

June 29, 2015

Richard and Wanda Jones  
5411 E. Funston  
Wichita, KS 67218

**Re: BZA2015-00033: City zoning administrative adjustment to reduce the west interior side yard setback by 50% since the required yard to be adjusted does not exceed 300 square feet in order to build a 10 foot by 20 foot patio awning.**

**Legal Description: Lot 2, Block 6; Builders 3rd Addition, Wichita, Sedgwick County, Kansas. The property is generally located west of South Edgemoor Drive, along the south side of East Funston Street (5411 E. Funston St.)**

Dear Applicant:

We have reviewed your request for a Zoning Adjustment to reduce the interior side yard setback from 6-feet to 3-feet on 0.17 acre. From reviewing your application, we understand that you are requesting the setback reduction to build a patio awning attached to the principal structure, over an existing patio. The total area of the awning that would encroach into the setback is 60 square feet (3' x 20').

Section V-I.2.a of the Unified Zoning Code ("UZC") allows an Administrative Adjustment to reduce interior side yard setbacks by up to 50% when the required yard to be adjusted does not exceed 300 square feet. We find that permitting the construction of a patio awning attached to the primary structure with the reduced setback meets the four conditions required by Sec. V-I.6 of the Unified Zoning Code as set out below:

- 1) Impact on safety and convenience of vehicular and pedestrian circulation: The location of the awning should 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 awning's location; sufficient separation between the

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buildings will be maintained, street visibility will be unchanged for neighboring properties. The nearest structure is about 10-feet to the west of the proposed location.

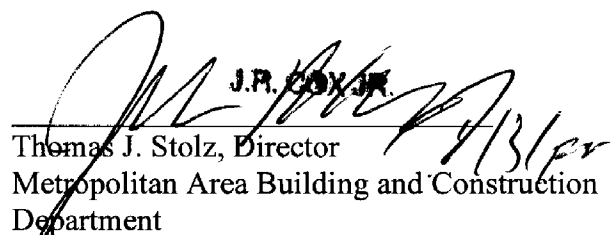
- 3) Compatibility with existing or permitted uses on abutting sites: Abutting sites are zoned for single-family residential development and the interior side yard reduction will not have a negative impact on existing or permitted uses.
- 4) Effect on public health, safety or welfare: There will be no encroachment into public utility easements or 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 reduction of the interior side yard setback from 6-feet to 3-feet for the aforementioned property 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 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 interior side yard reduction shall apply only to the proposed awning attached to the principal structure on the approved site plan. All other structures or additions on the subject property shall conform to the development standards of 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.

  
John L. Schlegel, Director  
Metropolitan Area Planning Department

  
Thomas J. Stolz, Director  
Metropolitan Area Building and Construction  
Department

cc: J.R. Cox, MABCD  
Paul Hays, MABCD  
James Clendenin, CM District III  
Case Bell, CLD III

159. = 6"

House

2x6 Bolted to House w' 6" Lag Bolts

2x4 rafters on 16" centers

2x6

6x6 post

2x6

6x6 post

2x6

6x6 post

6x6 post

3

Property Line (Fence)

