



Wichita-Sedgwick County Metropolitan Area Planning Department

January 6, 2015

Joaquin Martinez Torres
122 N. Athenian
Wichita, KS 67203

Re: BZA2015-00071: City Administrative Adjustment to allow a front yard setback reduction on a Single-Family Residential (SF-5) zoned lot to allow for a 14-foot by 6-foot enclosed porch.

Legal Description: LOT 32-33, BLOCK 5, MARTINSON'S 7TH ADDITION, WICHITA, SEDGWICK COUNTY, KS. The property is generally located on the east side of North Athenian, north of West Douglas (122 N. Athenian Avenue).

Dear Applicant:

We have reviewed your request for a Zoning Adjustment to reduce the front yard setback from 25-feet to approximately 23-feet on 0.16 acre. We understand that you are requesting the setback reduction to enclose the porch on the front (west) side of your house at the above-mentioned location.

Section V-I.2.a of the Unified Zoning Code ("UZC") allows an Administrative Adjustment to reduce front yard setbacks by up to 20 percent. We find that permitting the construction of enclosed porch 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 addition 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 addition; separation between the structures will be maintained, and street visibility will be unchanged for neighboring properties.
- 3) Compatibility with existing or permitted uses on abutting sites: Properties surrounding the site are zoned SF-5 Single-Family Residential and TF-3 Two-Family Residential. The front 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.

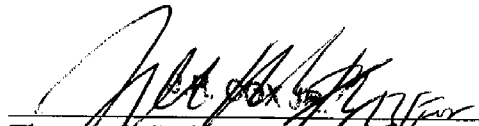
Our signatures below indicate that a reduction of the front yard setback from 25-feet to approximately 23-feet for the aforementioned property is hereby GRANTED, subject to the following conditions:

- 1) The site shall be developed in general conformance with the approved site plan.
- 2) The west wall of the addition shall contain two windows compatible in size to the windows in the existing structure.
- 3) 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.
- 4) The front yard reduction shall apply only 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.
- 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.



Dale Miller, Director
Metropolitan Area Planning Department



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

cc: J.R. Cox, MABCD
Janet Miller, CM District VI
Martha Sanchez, Community Services Representative District VI