



Wichita-Sedgwick County Metropolitan Area Planning Department

July 22, 2021

Jeffrey and Sherry Hamilton
3614 N Beach Club Cir
Wichita, KS 67205

Baughman Company, P.A.
Attn: Russ Ewy
315 Ellis
Wichita, KS 67211

RE: BZA2021--00030 – City Variance to reduce the rear setback to zero feet to construct a swimming pool and accessory structures on SF-5 zoned property generally located west of North Ridge Road, south of West 37th Street North (3614 N Beach Club Cir). Dear Applicants,

The official action of the Board of Zoning Appeals was to grant the requested variances. You will receive an executed copy of BZA2021-00030 Resolution adopted by the Board of Zoning Appeals on July 22, 2021 once it has been processed. The approval of the request is subject to the following conditions:

1. The rear yard setback reduction shall only apply to the in-ground swimming pool and accessory structures as shown in the site plan.
2. The applicant shall obtain the proper building permits and inspections. Modifications must comply with all State, County, and any other applicable standards.
3. The resolution authorizing this Variance may be declared null and void upon findings by the Board that the applicant has failed to comply with any of the foregoing conditions.

If you have any questions concerning this matter, please call our office at (316)-268-4421.

Sincerely,

A handwritten signature in blue ink that reads 'Kathy L. Morgan'.

Kathy L. Morgan, Senior Planner
Wichita-Sedgwick County Metropolitan Area Planning Department

Copies to: MABCD

BZA RESOLUTION NO. BZA2021-00030

WHEREAS, Jeffrey and Sherry Hamilton (Applicant); pursuant to Kansas Statutes Annotated 12-759, requests Variances to reduce the rear building setback on property zoned SF-5 Single Family Residential from five (5) feet to zero (0) feet to construct an in-ground swimming pool and accessory structure, and legally described as follows:

Lot 5, Block A, Pier 37 Addition, Sedgwick County, Kansas.

WHEREAS, proper notice as required by ordinance and by the rules of the Board of Zoning Appeals has been given; and

WHEREAS, the Board of Zoning Appeals did, at the meeting of July 22, 2021, consider said application; and

WHEREAS, the Board of Zoning Appeals has proper jurisdiction to consider said request for a variance under the provisions of Kansas Statutes Annotated 12-759 *et. seq.*; and

WHEREAS, it is the opinion of the Board of Zoning Appeals that the requested variance would not adversely affect the public interest, health, safety or welfare; and

WHEREAS, It is the opinion of Board of Zoning Appeals that the spirit and intent of the Zoning Code is being met in this case; and

WHEREAS, each of the five conditions required by Kansas Statutes Annotated 12-759, are found to be present for a variance to be granted.

NOW, THEREFORE, BE IT RESOLVED by the Board of Zoning Appeals, pursuant to Kansas Statutes Annotated 12-759, in the case of a Variance to reduce the rear building setback on property zoned SF-5 Single Family Residential from five (5) feet to zero (0) feet to construct an in-ground swimming pool and accessory structure, and legally described as follows:

Lot 5, Block A, Pier 37 Addition, Sedgwick County, Kansas.

The variances are hereby GRANTED, subject to the following conditions:

1. The rear yard setback reduction shall only apply to the in-ground swimming pool and accessory structures as shown in the site plan.
2. The applicant shall obtain the proper building permits and inspections. Modifications must comply with all State, County, and any other applicable standards.
3. The resolution authorizing this Variance may be declared null and void upon findings by the Board that the applicant has failed to comply with any of the foregoing conditions.

ADOPTED AT WICHITA, KANSAS, this 22nd Day of July, 2021.

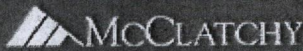
ATTEST:



Scott Wadle, BZA Secretary



Michael Greene, BZA Board Chair



Beaufort Gazette
Belleville News-Democrat
Bellingham Herald
Bradenton Herald
Centre Daily Times
Charlotte Observer
Columbus Ledger-Enquirer
Fresno Bee

The Herald - Rock Hill
Herald Sun - Durham
Idaho Statesman
Island Packet
Kansas City Star
Lexington Herald-Leader
Merced Sun-Star
Miami Herald

el Nuevo Herald - Miami
Modesto Bee
Raleigh News & Observer
The Olympian
Sacramento Bee
Fort Worth Star-Telegram
The State - Columbia
Sun Herald - Biloxi

Sun News - Myrtle Beach
The News Tribune Tacoma
The Telegraph - Macon
San Luis Obispo Tribune
Tri-City Herald
Wichita Eagle

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
16399	90563	Print Legal Ad - IPL0030264	OCA 150004	\$159.39	2	95 L

Attention: Betsy Pagan

CITY OF WICHITA/PLANNING DEPT
271 WEST THIRD ST., 2ND FL, SU 203
WICHITA, KS 67202

LEGAL PUBLICATION

OCA 150004
Published in The Wichita Eagle on July 1, 2021
MAPC/BZA July 22, 2021

NOTICE IS HEREBY GIVEN that on Thursday, July 22, 2021 no earlier than 1:30 p.m., the Wichita-Sedgwick County Metropolitan Area Planning Commission/Board Zoning Appeals will consider the following applications. The meeting will be held virtually, public participation is available in multiple ways, those without technology options can participate by going to the Wichita City Hall Building - 1st Floor Council Chambers - 455 N. Main Street, Wichita, Kansas 67202 (specified at the bottom of this notice). If you have any questions regarding the meeting or items on this notice, please call the Wichita-Sedgwick County Metropolitan Area Planning Department at (316) 268-4421.

BZA2021-00030 City variance request to reduce the rear setback to zero feet to construct a swimming pool and accessory structures on SF-5 zoned property generally located west of North Ridge Road, south of West 37th Street North (3614 N Beach Club Cir).

CUP2021-00039 City CUP amendment to DP-320, to remove a parcel, allow storage units, a billboard and match the plat of the abutting property, on LC Limited Commercial zoned property generally located one quarter mile east of South 135th Street West, on the south side of West Kellogg Drive.

VAC2021-00027 City vacation to reduce the platted 35-foot front building setback to 20 feet on property zoned LC Limited Commercial with CUP DP-229; generally located on the east side of North Greenwich Road and within one quarter mile south of East Central Avenue.

VAC2021-00028 City request to vacate a platted street right-of-way on LI Limited Industrial zoned property generally located south of East 45th Street North and east of North Webb Road.

Complete legal descriptions are available for public inspection at the Metropolitan Area Planning Department, 271 W. Third St., 2nd Floor, Wichita, Kansas 67202. As provided in Section V of the Wichita-Sedgwick County Unified Zoning Code, the same will then and there be discussed and considered by the said MAPC, and all persons interested in said matters will be heard at this time concerning their views and wishes in the premises, and any protest against any of the provisions of the proposed changes to the zoning regulations will be considered by the MAPC as by law provided.

PLEASE NOTE THIS MEETING IS CONSIDERED AN EMERGENCY MEETING OF THE WICHITA-SEDGWICK COUNTY METROPOLITAN AREA PLANNING COMMISSION DUE TO COVID-19, WHICH WILL IMPOSE SPECIAL PROCEDURES TO PARTICIPATE IN THE PUBLIC HEARING. THESE ARE AS FOLLOWS:

The meeting will be conducted "virtually" using Go-To-Meeting. You have multiple options to participate: 1) submit comments ahead of time, 2) participate remotely, or 3) attend in-person at the Wichita City Hall Building (see below).

Submit Comments Ahead of Time

You can submit comments regarding items on the Planning Commission agenda to the Wichita-Sedgwick County Metropolitan Area Planning Department (Planning Department). Comments must be received by the Planning Department no later than 5pm 3 days prior to the meeting. Please be sure to provide ample time for delivery. The comments can be submitted in the following formats: email; letter; video; and audio message (mp3, etc.). The comment should indicate which item they pertain to and be less than three (3) minutes in duration. The comments should be submitted to Planning Department staff using the contact information below. The comments received ahead of the submission deadline will be shared with the MAPC, prior to or during the meeting.

Email: Planning@wichita.gov

Mailing Address: Wichita-Sedgwick County Metropolitan Area Planning Department

Attn: Scott Wadley
271 W. 3rd Street - Suite 201
Wichita, KS 67202
Phone 316.268.4421
Fax 316.858.7764

Participate Remotely

Please join my meeting from your computer, tablet or smartphone.

<https://global.gotomeeting.com/join/651544141>

You can also dial in using your phone.

United States: +1 (571) 317-3112

Access Code: 651-544-141

Join from a video-conferencing room or system.

Dial in or type: 67.217.95.2 or incomlink.gotob.com

Meeting ID: 651 544 141

Or dial directly: 651544141@67.217.95.2 or 67.217.95.2#651544141

New to GoToMeeting? Get the app now and be ready when your first meeting starts: <https://global.gotomeeting.com/install/651544141>

Attend in-Person

You may also participate in the hearing in-person at the Wichita City Hall Council Chambers (455 N. Main Street, Wichita, KS 67202). Please note that security screening is required for public access to the building, self-paid parking is available nearby, and COVID-19 protocols are in place. For more information please visit www.wichita.gov/visitcityhall. The in-person option is primarily intended for those without other technology options, and who have not previously submitted recorded audio or video comments. If you have any written or visual materials you wish to present, please contact Planning Department Graphics staff (316-268-4464) by 5pm, 3 days prior to the meeting.

WITNESS MY HAND on July 1, 2021

Scott Wadley, Secretary
Wichita-Sedgwick County
Metropolitan Area Planning Commission
IPL0030264
Jul 1 2021

In The STATE OF KANSAS
In and for the County of Sedgwick

No. of Insertions: 1

Beginning Issue of: 07/01/2021

Ending Issue of: 07/01/2021

STATE OF KANSAS)

SS

County of Sedgwick)

Hayley Martin, of lawful age, being first duly sworn, depose and saith: That he is Record Clerk of The Wichita Eagle, a daily newspaper published in the City of Wichita, County of Sedgwick, State of Kansas, and having a general paid circulation on a daily basis in said County, which said newspaper has been continuously and uninterruptedly published in said County for more than one year prior to the first publication of the notice hereinafter mentioned, and which said newspaper has been entered as second class mail matter at the United States Post Office in Wichita, Kansas, and which said newspaper is not a trade, religious or fraternal publication and that a notice of a true copy is hereto attached was published in the regular and entire Morning issue of said The Wichita Eagle from 07/01/2021 to 07/01/2021.

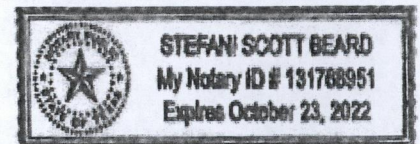
M. Hayley

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

DATED: 08/12/2021

Stefani Beard

Notary Public in and for the state of Texas, residing in
Dallas County



Extra charge for lost or duplicate affidavits.
Legal document please do not destroy!

BEACH CLUB CIR.

20' STR., DRNG.
& UTIL. ESMT.

40' BUILD. S.B.

3614 N. Beach Club Cir.

6' SIDEYARD S.B.

4

10' PRVT. DRNG. ESMT.

5 (A)

5' REAR YARD S.B.
(To be reduced to 0')

±10'

5'

14'

±10'

Future Pool

6

SITE PLAN

APPROVED

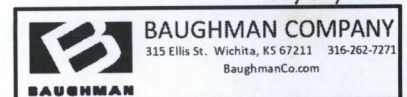
11-22-2021 *Baumga*

LOT 5, BLOCK A
PIER 37 ADDITION
POOL EXHIBIT

06/14/2021



SCALE: 1" = 30'



FILE: P:\SKETCHPIER 37 HAMILTON HOUSEPIER 37 LOTS_BKA.DWG