



Wichita-Sedgwick County Metropolitan Area Planning Department

May 5, 2023

Christopher Sharp
19103 W 109th Street North
Sedgwick, KS 67135

Re: BZA2023-00026: Administrative Adjustment in the County for a 50 percent reduction in the rear setback from 5 feet to 2.5 feet for an existing accessory structure; generally located on the south side of West 109th Street North, one-half mile west of North 183rd Street West (19103 W. 109th Street North).

Legal Description: BEG NW COR NE1/4, E 660 FT, S 598 FT, W 573 FT, NWLY 88 FT M-L TO W LI, N 583 FT TO BEG, EXC RD ON N SEC 17-25-2W, Sedgwick County, Kansas.

Dear Applicant,

We have reviewed your request for a Zoning Adjustment to reduce the south rear setback from 5 feet to 2.5 feet (for an area less than 300 square feet) on the aforementioned property in order to bring an existing accessory structure into compliance. This is with the understanding that this reduction will permit the existing southwest corner of the building to remain 2.4 feet (according to the attached survey) from the south property line (52 percent reduction) knowing that said survey shows the distance of the building wall from the rear property line increases to at least 2.5 feet farther east.

Section V-I.2.a of the Unified Zoning Code ("UZY") allows reducing the minimum interior side yard setback (required by the property development standards of the zoning district) by up to 50 percent if the area to be reduced does not exceed 300 square feet. This adjustment is permissible when the provisions of those sections and the Zoning Adjustment Criteria of Section V-I.6 are met. We find that the reduction of the setbacks 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 south rear setback from 5 feet to 2.5 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 residential uses; street visibility will be unchanged for neighboring properties. The abutting property to the south is an agricultural field.
- 3) Compatibility with existing or permitted uses on abutting sites: Abutting and adjacent properties are zoned RR Rural Residential District. Property on the east, south, and west are agricultural fields. Property to the north is an undeveloped parcel.

- 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.

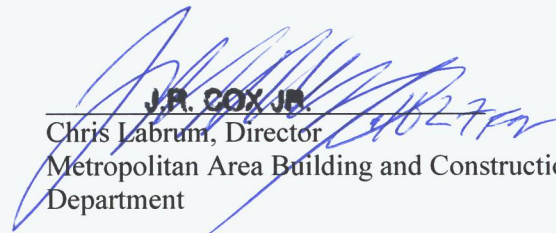
Our signatures below indicate that a Zoning Adjustment to reduce the south rear setback from 5 feet to 2.5 feet (for an area less than 300 square feet) is hereby GRANTED, subject to the following conditions:

- 1) The site shall be developed in general conformance with the approved site plan.
- 2) The applicant shall obtain a building permit and 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 setback reduction shall apply only to 2.4-foot to 2.5-foot rear 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
David Dennis, County District III

NW CORNER NE 1/4 SECTION 17, T25S, R2W FROM TIES AT K.S.H.S.

NE CORNER NE 1/4 SECTION 17, T25S, R2W FROM TIES AT K.S.H.S.

DESCRIPTION: AND IN THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 25 SOUTH, RANGE 2 WEST OF THE 10TH PRINCIPAL MERIDIAN, SEDGWICK COUNTY, KANSAS, BEGINNING AT THE NORTHWEST CORNER OF SAID NORTHEAST QUARTER, THENCE EAST ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER FOR 660.0 FEET; THENCE SOUTH PARALLEL WITH THE WEST LINE OF SAID NORTHEAST QUARTER FOR 980.0 FEET; THENCE WEST PARALLEL WITH THE NORTH LINE OF SAID NORTHEAST QUARTER FOR 571.0 FEET THENCE NORTHWESTERLY FOR 88 FEET MORE OR LESS TO THE WEST LINE OF SAID NORTHEAST QUARTER; THENCE NORTH FOR 581.0 FEET TO THE POINT OF BEGINNING, SAID TRACT CONTAINING 9.04 ACRES MORE OR LESS, SUBJECT TO EXISTING ROAD RIGHT-OF-WAY.

GENERAL NOTES:
1) SECTION CORNER REFERENCE TIES FILED WITH THE KANSAS STATE HISTORICAL SOCIETY AND THE SEDGWICK COUNTY PUBLIC WORKS DEPARTMENT AS REQUIRED BY KSA 1907 SUPP. 58-2011.
2) AFFECTING SUBJECT PROPERTY MAY NOT BE SHOWN.

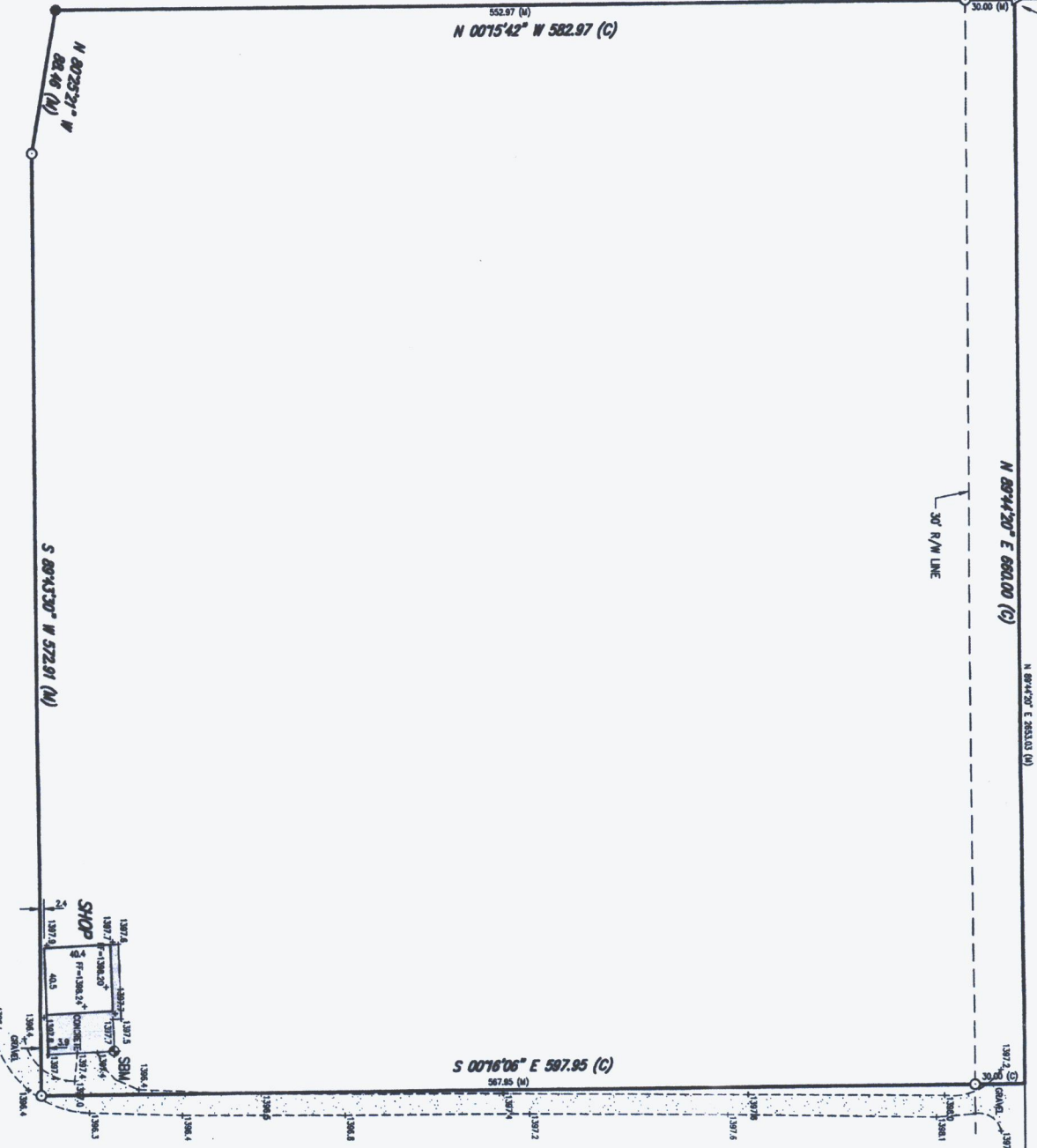
SITE BENCHMARK:
CHISELED "X" CUT ON THE NORTHEAST CORNER OF DRIVEWAY SLAB ON THE EAST SIDE OF SHOP BUILDING APPROXIMATELY 44.6 FEET NORTH AND 28.8 FEET WEST FROM THE SOUTHEAST CORNER OF SUBJECT PROPERTY.
ELEVATION=1397.45(NAD83)

FLOOD ZONE INFORMATION AS DETERMINED BY THE NATIONAL FLOOD INSURANCE PROGRAM FLOOD INSURANCE RATE MAP FOR SEDGWICK COUNTY, KANSAS, COMMUNITY PANEL NUMBER 2077500456, EFFECTIVE DATE DECEMBER 22, 2016.
FLOOD ZONE "AE", WITHOUT BASE FLOOD ELEVATION.

BASE FLOOD ELEVATION = 1397.0 (NAD83) DETERMINED BY SCALING ON DEPICTED UNDER HAZARD PROGRAM

SURVEYORS CERTIFICATE:
I HEREBY CERTIFY THAT THIS SURVEY WAS MADE UNDER MY SUPERVISION ON MARCH 6, 2023.

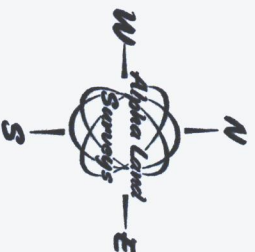
LLOYD P. DORFMEIER, P.S.-685
ALPHA LAND SURVEYS, INC.
885
KANSAS
LAND SURVEYORS



SITE PLAN

APPROVED 5/5/23 W. [Signature]
KZA 2023-26

0 60 120
BASIS OF BEARINGS IS NAD83 GRID
KANSAS SOUTH ZONE



LEGEND:
○ - FOUND 1/2" REBAR WITH PLASTIC CAP STAMPED "ALPHA C.S.-194"
△ - FOUND SECTION SUBDIVISION CORNER
R - RECORD
M - MEASURED
C - CALCULATED MEASURE
TF - TRANSIT FLOOD
SBM - SITE BENCHMARK

SURVEY FOR:
EX CAT CONSTRUCTION
BOUNDARY/FLOOD

Alpha Land Surveys, Inc.
102 EAST 4TH AVENUE
HUTCHINSON, KANSAS 67301
PH (620) 728-0012 FAX (620) 728-0413

SURVEY DATE: 03/06/2023 PLOT DATE: 03/31/2023
DRAWN BY: RB PROJ. NO.: 23030909F
CHECKED BY: LPD SHEET 1 OF 1