CITY OF WICHITA

Wichita-Sedgwick County Metropolitan Area Planning Department

September 30, 2024

Michael Harp
15100 W. 72nd Street North
Colwich, KS 67030

Re: **BZA2024-00064:** Administrative Adjustment in the County to reduce the east interior side setback from 20 feet to maximum of 13.25 feet (for an area less than 300 square feet) to permit construction of an accessory structure, on property zoned RR Rural Residential District, generally located on the east side of North 151st Street West and one-half mile north of West 69th Street North (15100 W. 72nd Street North).

Legal Description: Lot 1, Block 1, Imbler Estates Addition, Sedgwick County, Kansas.

Dear Applicants,

We have reviewed your request for a Zoning Adjustment to reduce the east interior side setback from 20 feet to a maximum of 13.25 feet (34 percent for an area less than 300 square feet) on the aforementioned property in order to permit construction of an accessory structure. According to the site plan, the proposed accessory structure would be constructed on the front one-half of the property, which requires adherence to principal structure setbacks. Furthermore, the site plan illustrates the proposed structure would be constructed at an angle to the east property line, which matches the angle of construction of the existing house, so that the front corner would be 27 feet from the property line and the rear corner would be 13.25 feet from the property line. Therefore, only a portion of the proposed structure would encroach into the side setback.

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 reductions 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 east interior side setback from 20 feet to a maximum of 13.25 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 proposed encroachment would only apply to a portion of the proposed building due to the angle it would be constructed, which matches the angle of the existing house. The residential subdivision is made up of large lot residential development and the nearest dwelling to the east is over 100 feet from the subject property line. Approval of the adjustment is not likely to have significant negative impact on the neighboring property.

3) Compatibility with existing or permitted uses on abutting sites: Properties to the north, south, east, and west are zoned RR Rural Residential and developed with large lot residential or agricultural fields. Approval of the adjustment is not likely to have significant negative impact on the neighboring property.

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 Zoning Adjustment to reduce the east interior side setback from 20 feet to a maximum of 13.25 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 proposed accessory structure 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 13.25-foot east 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.

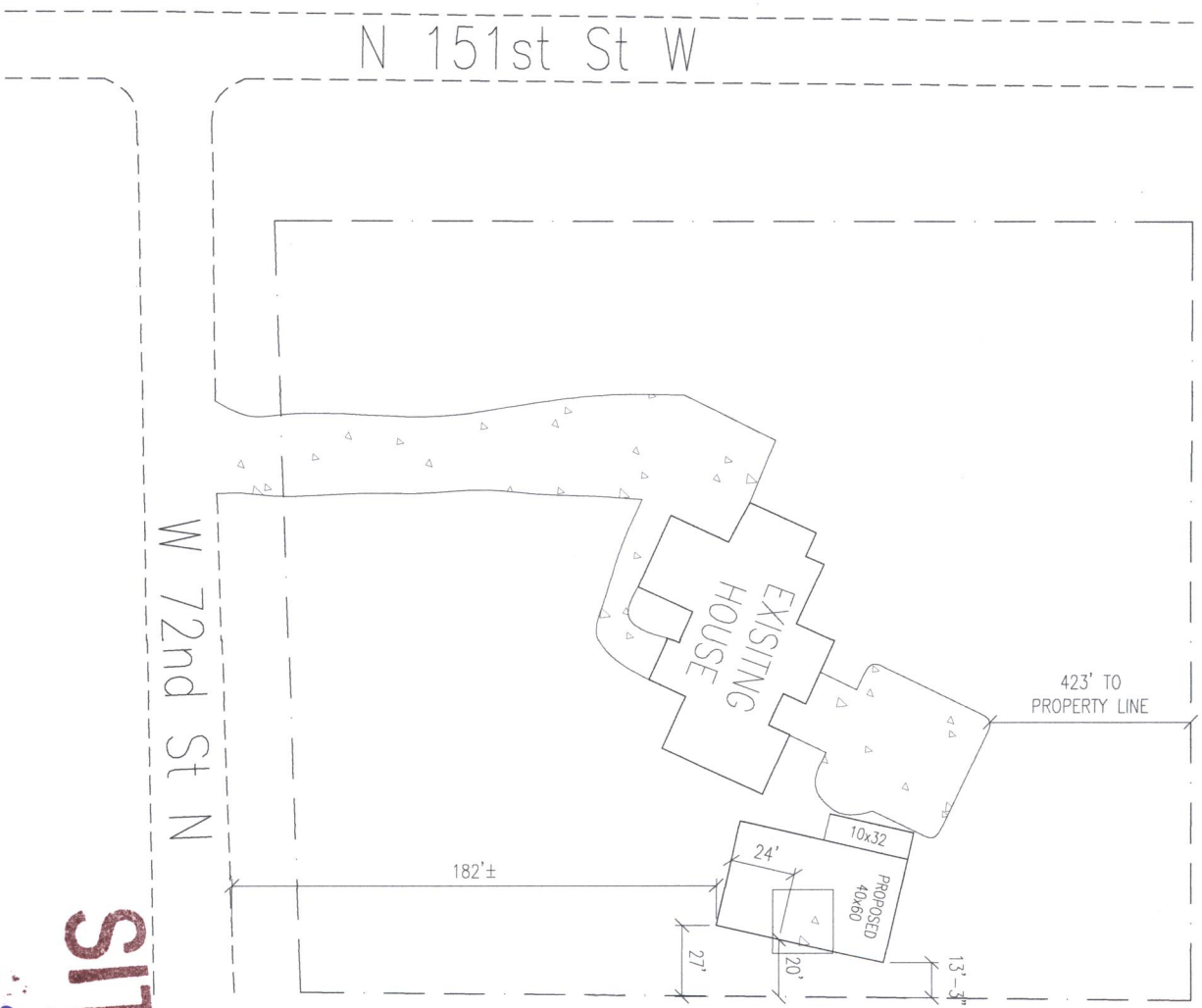
The "Development Application" sign should now be removed from the property.

Scott Wadle, Director
Metropolitan Area Planning Department

J.R. Cox Jr. for
Chris Labrum, Director
Metropolitan Area Building and Construction Department

cc: MABCD
David Dennis, BoCC District 3

File Name and Path: I:\Commercial\1CAD FILES\2024\2024102455\SITE PLAN\SITE-PLAN-1.dwg
Printed By: Michael Waldera Date Printed: 8/23/2024 3:26 PM



SITE PLAN

APPROVED 9/30/24 W

BZA 24-04

CLEARY BUILDING CORP.
190 PAOLI STREET / P.O. BOX 800220
VERONA, WI 53593 / (800) 373-6550

DRAWN BY: WALDERA
DATE DRAWN: 8/22/24

PLAN REVISIONS:

NUMBER	DATE	BY
1		
2		
3		
4		

PROJECT NAME:
HARP, MIKE

PROJECT SITE ADDRESS:
15100 W72ND
COLWICH, KS 67030 (SEDGWICK)

BUILDING SIZE:
40' 0" x 64' 0" x 17' 8"

SHEET NAME:
SITE PLAN

PROJECT NUMBER:
2024102455

SHEET NUMBER:
100

WHEN PRINTED ON 24"X36" PAPER SCALE IS N.T.S.