



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

November 4, 2024

Chad and Angela Dolan
14500 W. 72nd Street North
Colwich, KS 67030

Re: BZA2024-00074: Administrative Adjustment in the County to reduce the west interior side setback from 20 feet to 16 feet (20 percent) to permit construction of an accessory structure, on property zoned RR Rural Residential District, generally located within one-quarter mile east of North 151st Street West and one-half mile north of West 69th Street North (14500 W. 72nd Street North).

Legal Description: Lot 6 except beginning at the southeast corner; thence northeasterly along the east line 607.19 feet; thence southwesterly 600.34 feet to the south line; thence easterly 25 feet to the beginning, Block 1, Imbler Estates Addition, Sedgwick County, Kansas.

Dear Applicants,

We have reviewed your request for a Zoning Adjustment to reduce the west interior side setback from 20 feet to 16 feet (20 percent) 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 west property line so that the front corner would be 24 feet from the property line and the rear corner would be 16 feet from the property line. Therefore, only a portion of the proposed structure would encroach into the side setback.

Section V-1.2.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 20 percent. This adjustment is permissible when the provisions of this section and the Zoning Adjustment Criteria of Section V-1.6 are met. We find that the reduction of the setback as proposed meets the provisions of Section V-1.2.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 west interior side setback from 20 feet to 16 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. The residential subdivision is made up of large lot residential development and the nearest dwelling to the west is over 90 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 west interior side setback from 20 feet to 16 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 16-foot west 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

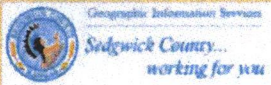
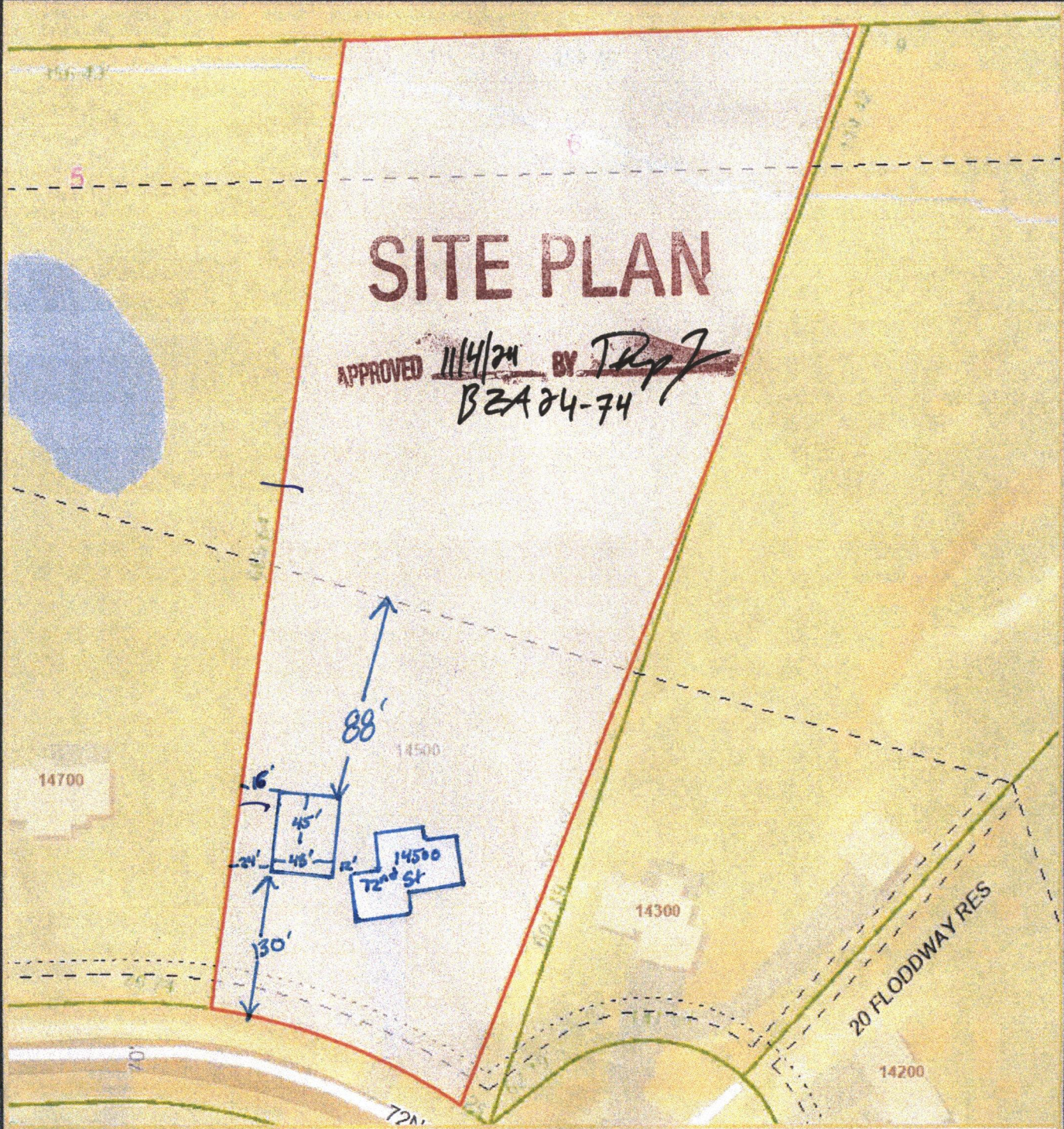


Chris Labrum, Director
Metropolitan Area Building and Construction
Department

cc: MABCD
David Dennis, BoCC District 3

SITE PLAN

APPROVED 11/14/24 BY *TRJ*
BZA 24-74



Date: 9/24/2024

It is understood that the Sedgwick County GIS Division of Information and Operations has no indication or reason to believe that there are inaccuracies in information incorporated in the base map.
The GIS personnel make no warranty or representation, either expressed or implied, with respect to the information or the data displayed.

© 2024 Sedgwick County Kansas Government.
All rights reserved.

My Map

Sedgwick County, Kansas



1:1,128

