CITY OF WICHITA

Wichita-Sedgwick County Metropolitan Area Planning Department

Michael Scott
3410 E. 103d Ct. S.
Mulvane, KS 67110

September 23, 2013

Re: BZA2013-33: County Administrative Adjustment for a 20% reduction of the required side yard setback in RR Rural Residential zoning, generally located east of Hillside and north of 103rd Street South (3410 E. 103d Ct. S.).

Legal Description: Lot 3 Southwood Farms ADD., Sedgwick County, Kansas.

Dear Applicants,

We reviewed your request for a Zoning Adjustment to reduce the side setback by 20% for an accessory building on the aforementioned property. From reviewing the application and site plan, we understand that you wish to add a building to your property within 16 feet of the south side property line. The Zoning Code requires a 20-foot side setback in RR zoning.

Section V-I.2.a of the Unified Zoning Code allows an administrative adjustment to reduce setbacks by 20% when the provisions of that section and the Zoning Adjustment Criteria of Section V-I.6 are met. We find that reducing the setback by 20% as proposed meets 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 accessory building location 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 building location; sufficient separation between the buildings will be maintained and adequate street visibility is maintained for neighboring properties.

3) Compatibility with existing or permitted uses on abutting sites: The side setback reduction for a building will be compatible with the abutting property to the south. The nearest house will be over 50 feet from the proposed building.

4) Effect on public health, safety or welfare: There will be no encroachment into public utility easements or right-of-way. There should be no 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 side setback from 20 to 16 feet for an accessory building in RR zoning is hereby granted, subject to the following conditions:

1) The site shall be developed in general conformance with the approved site plan; the accessory structure shall not be located closer to the front property line than the primary structure on the site.

2) The adjustment shall apply only to the accessory building as illustrated on the approved site plan. All other structures or additions on the subject property shall conform to the locations and setbacks permitted by the Unified Zoning Code unless a separate Zoning Adjustment or Variance is granted.

3) The applicant shall obtain a building permit 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) 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.

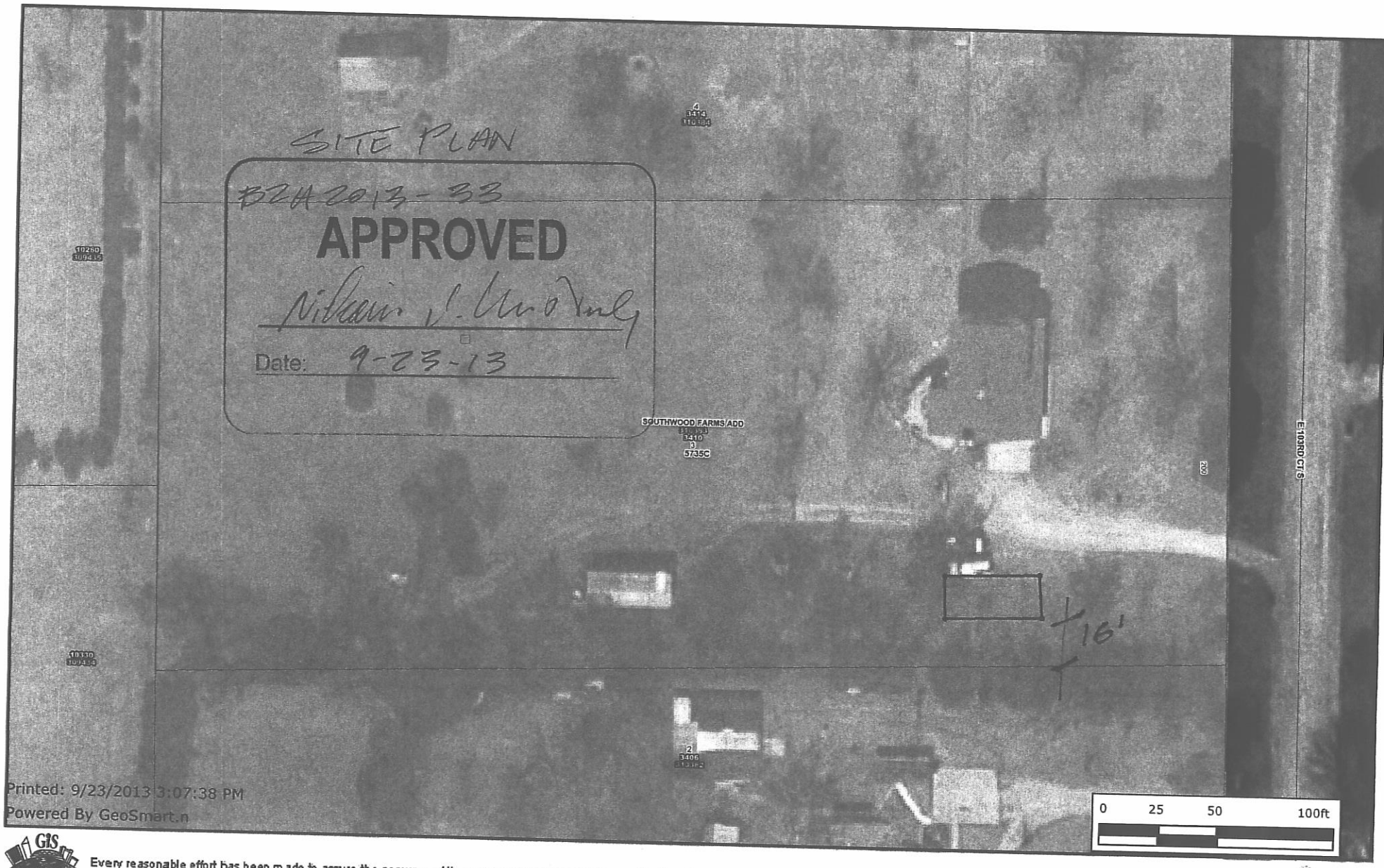
The "Development Application" sign should now be removed from the property.

John L. Schlegel
Planning Director

Tom Stolz
MABCD Director

cc: Kelly Dixon, MABCD
JR Cox, MABCD
Tim Norton, BOCC District II

3410 E 103 S Ct.



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