CITY OF WICHITA

FILE COPY

Wichita-Sedgwick County Metropolitan Area Planning Department

Steve May
19109 West Baalman Avenue
Colwich, KS 67030

October 30, 2013

Re: BZA2013-00043: County Administrative Adjustment for a 20% reduction of the required front and interior side yard setbacks in RR Rural Residential zoning, generally located south of W 29th Street N, mid-way between N 183rd Street West and N 199th Street West on Baalman Avenue (lots are associated with 19109 West Baalman Avenue).

Legal Description: Lots 3 and 4, Baalman ADD., Sedgwick County, Kansas.

Dear Applicant,

We reviewed your request for a Zoning Adjustment to reduce the front and interior side yard 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 24-feet of the south (front) property line of lots 3 and 4, and within 16-feet of the east property line of lot 4. The Zoning Code requires a 30-foot front setback and a 20-foot interior 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 interior side yard setback reduction for a building will be compatible with the abutting property (Lot 2, Baalman ADD) rear yard setback to the east.

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 front yard setback from 30-feet to 24-feet and the interior side yard setback from 20-feet 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.

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 I. Schlegel
Planning Director

Tom J. Stolz
MABCD Director

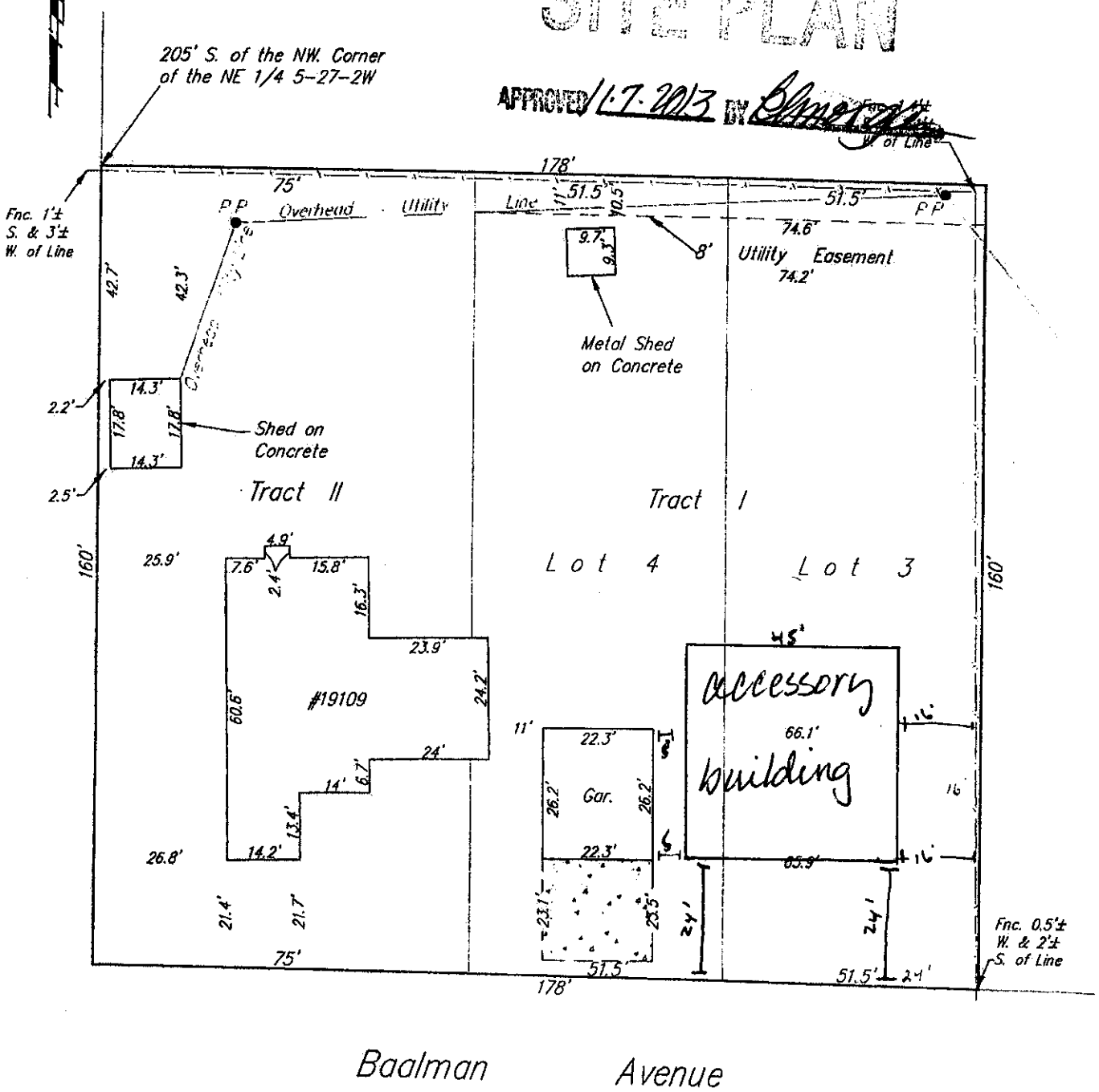
cc: Kelly Dixon, MABCD
JR Cox, MABCD
Paul Hays, MABCD
Karl Peterjohn, BOCC District 3

BAUGHMAN COMPANY, P.A.
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MORTGAGEE TITLE INSPECTION
(This Does Not Constitute A Boundary Survey)
An accurate location of fences would require a boundary survey.
There is a positional tolerance of 0.7'± for setback and offside dimensions, which are measured perpendicular/radial to the respective lines, unless noted otherwise.

SITE PLAN

APPROVED 1-7-2013 BY



Baalman Avenue

Drawing File: 0008\0008120-MAB
Project No. 00-08-G120