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 permit the existing encroachment of the primary structure for the aforementioned property is hereby GRANTED, subject to the following conditions:

1) The permitting of the encroachment of the principal structure shall apply only to the existing structure shown on the approved site plan. All other structures or additions on the subject property shall conform to the development standards of the Unified Zoning Code unless a separate Zoning Adjustment or Variance is granted.

2) 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
MAPD Director

Tom J. Stolz
MABCD Director

cc: J.R. Cox, MABCD
Paul Hays, MABCD
Kelly Dixon, MABCD
Tim R. Norton, District 2

920 W 79th Street
Haysville KS

87
24
75
186

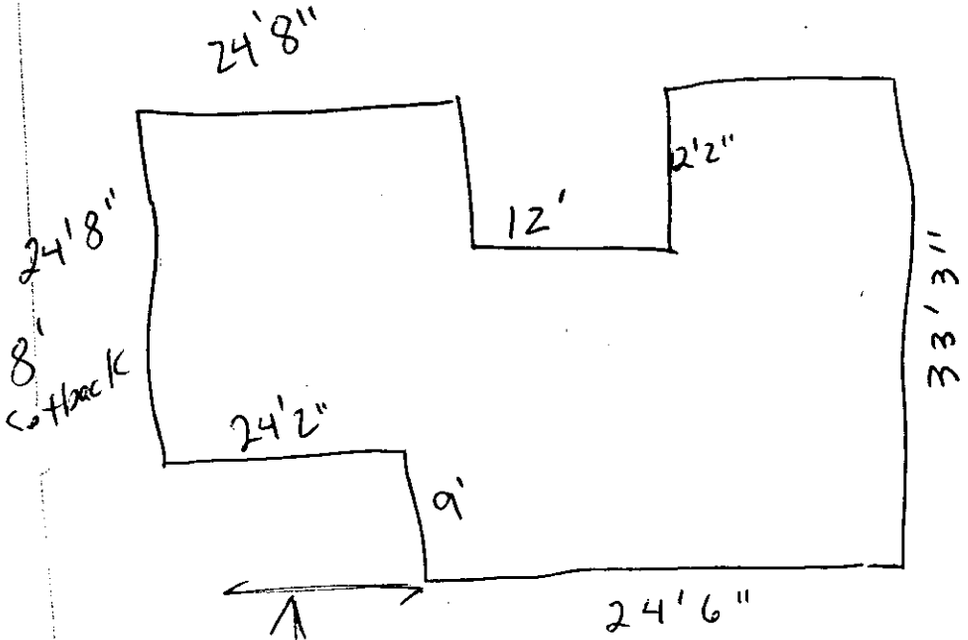
237'

186 to Center of Street

49'

SITE PLAN

APPROVED 12/31/2013 BY



161'

Center of Street

75'

Center of Street

231'

79th Street

CITY OF WICHITA

Wichita-Sedgwick County Metropolitan Area Planning Department

December 24, 2013

Lawrence J. Beck
P.O. Box 513
Derby, KS 67037

Re: BZA2013-54: County Administrative Adjustment to remove an existing encroachment of the principal structure on property zoned SF-20 single family.

Legal Description: BEG 40 RDS E SW COR SW1/4 N 190 FT E 230 FT S 190 FT W TO BEG. SEC 5-29-1E, generally located north of West 79th Street, east of Seneca Street (920 W. 79th Street South).

Dear Applicant:

We have reviewed your request for a Zoning Adjustment to remove an existing encroachment into the required 85-feet major street setback. From reviewing your application, we understand that you are requesting an 11.8% reduction in the front setback because the existing primary structure is located within the required 85-ft setback per the zoning district development requirements. From the drawing submitted, the existing primary structure is located 75-feet from the center of a section line road (W. 79th Street South).

Sec. V-I.2.a of the Unified Zoning Code allows a Zoning Adjustment to permit a primary structure within the front setback, when the conditions required by Sec. V-I.6 of the Code are met. We find that permitting the existing encroachment of the primary structure on your property, built circa 1953, meets the four conditions required by Sec. V-I.6 of the Unified Zoning Code as set out below:

1) Impact on safety and convenience of vehicular and pedestrian circulation: Public vehicular and pedestrian circulation will not be affected as the structure will provide space for the property owner's personal property and will not interfere with traffic circulation patterns.

2) Impact on existing uses in surrounding areas: There should be no impact on the existing uses in surrounding areas.

3) Compatibility with existing or permitted uses on abutting sites: Allowing the primary structure within allowable adjustments and should not detract from the existing or permitted uses on abutting sites, which primarily are single family residences.