CITY OF WICHITA

Wichita-Sedgwick County Metropolitan Area Planning Department

Michael and Jenny Ramsey
11755 N. 167th Street W.
Sedgwick, KS 67135

April 14, 2014

Re: BZA2014-27 - County Administrative Adjustment to reduce the setback from the centerline of a section line road in RR Rural Residential zoning, generally located west of North 167th Street West and south of West 117th Street North (11755 N. 167th Street W.)

Legal Description: BEG NE COR NE 1/4 S 410 FT W 205 FTN 410 FT E TO BEG EXC N 30 FT & E 30 FT FOR RDS. SEC 9-25-2W, Sedgwick, Sedgwick County, Kansas. The property is generally located at the southwest corner of West 117th Street North and west of North 167th Street West (11755 N 167th Street W.)

Dear Applicants:

We have reviewed your request for a County Administrative Adjustment to reduce the setback requirement from 85-feet to 61-feet in RR Rural Residential zoning for an unenclosed carport. Article III, Sec. III.E.1.e.(1).i allows for certain features (unenclosed carport) to be located eight feet into a street yard setback. You are requesting a 20% reduction from 77-feet to 61-feet setback.

Section V.I.2.a of the UZC allows an Administrative Adjustment to reduce the required street setback by up to 20% when the conditions required by Sec. V.I.6 of the Code are met. We find that reducing the setback as requested meets the four conditions required by Sec. V.I.6 of the Code as set out below:

1) Impact on safety and convenience of vehicular and pedestrian circulation: This request is to reduce the front setback by 20%, all vehicular circulation will occur on private property and public circulation should not be affected.

2) Impact on existing uses in surrounding area: The location of the proposed unenclosed carport is compatible with surrounding agricultural properties. The setback reduction from 77-feet to 61-feet will not impact uses in the surrounding area.

3) Compatibility with existing or permitted uses on abutting sites: The subject property and the property to the east is developed with a single-family residence on a large lot surrounded by agricultural land. The setback reduction is compatible with surrounding properties.

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 street setback along the east property line from 77-feet to 61-feet for the aforementioned property is hereby granted, subject to the following conditions:

1) The site shall be developed in general conformance with the approved site plan.

2) The setback reduction shall apply only to the unenclosed carport as illustrated on the approved site plan. All other structures or additions on the subject property shall conform to the setbacks required by the Unified Zoning Code unless a separate Zoning Adjustment or Variance is granted.

3) The applicant shall obtain a building permit and complete construction 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, Director
Metropolitan Area Planning Department

Thomas J. Stolz, Director
Metropolitan Area Building and
Construction Department

cc: J.R. Cox, MABCD
Kelly Dixon, MABCD
James Weber, Deputy Director, Sedgwick County Public Works
County Commissioner Karl Peterjohn, District 3

SITE PLAN

APPROVED 4-16-2014 KMorga