CITY OF WICHITA

Wichita-Sedgwick County Metropolitan Area Planning Department

July 8, 2015

Jason Eberhart
12910 E Killenwood Dr.
Wichita, KS 67230

Bryan Lagaly
13602 Lost Creek
Wichita, KS 67235

Re: **BZA2015-31: County Administrative Adjustment to reduce the rear setback from 20 feet to 8 feet in SF-5 Single Family Residential zoning.**

Legal Description: LOT 1, BLOCK 1, CCCE KIMBERLY HILLS ADDITION, Sedgwick County, Kansas. The property is generally located northeast of Killenwood and 127th Street (12910 E Killenwood Dr.)

Dear Applicant,

We reviewed your request for a Zoning Adjustment to reduce the rear setback from 20-feet to 8-feet to build a garage addition approximately 22-feet deep by 12-feet wide. The Unified Zoning Code (UZC) requires a 20 foot rear setback in SF-5 zoning.

Section V-I.2.c of the UZC allows an Administrative Adjustment to reduce rear yard setbacks to five feet when the addition does not obstruct or eliminate the required off-street Parking and provided the adjustment does not increase lot coverage more than ten percent and extended portions of the Principal Structure do not occupy more than one-half of any required rear yard nor be more than 60 percent of the maximum height allowed by the property development standards of the zoning District. We find that reducing the rear yard setback to eight feet, 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 garage 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 garage addition on the rear of the house; sufficient separation between the buildings will be maintained, adequate street visibility is maintained for neighboring properties.
3) Compatibility with existing or permitted uses on abutting sites: The rear setback reduction will be compatible with existing and permitted uses on abutting SF-5 zoned residential and

the SF-20 zoned golf course.

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 rear setback from 20-feet to 8-feet is hereby granted, subject to the following conditions:

1) The site shall be developed in general conformance with the approved site plan and a maximum ridge height of 21 feet.

2) The adjustment shall apply only to the garage addition 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 are 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.

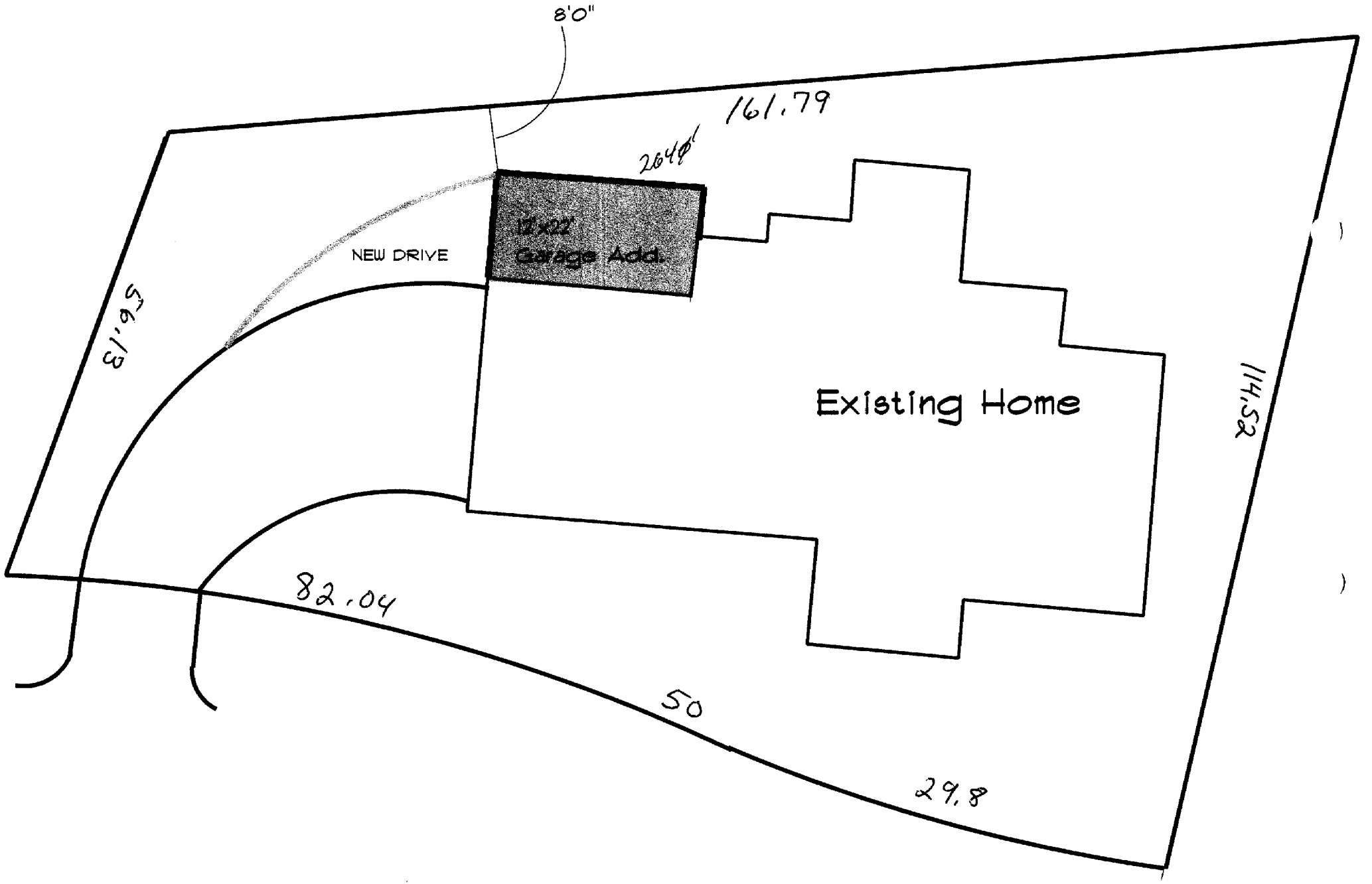
4) If the Zoning Administrator finds that there is a violation of any of the conditions of the Zoning Adjustment, the Zoning Administrator, in addition to enforcing the other remedies set forth in the Unified Zoning Code, may, with the concurrence of the Planning Director, declare that the Zoning Adjustment is null and void.

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

John L. Schlegel, Director
Metropolitan Area Planning Department

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

cc: J.R. Cox, MABCD
Dave Unruh, County Commission District I



12910 E. Kilenwood Dr.