CITY OF WICHITA

Wichita-Sedgwick County Metropolitan Area Planning Department

Shannon Austin
5600 S. 116th Circle E.
Derby, KS 67037

February 16, 2016

Re: BZA2016-02 County Administrative Adjustment to reduce the required section line road street setback from the centerline of road in RR – Rural Residential zoning from 85-feet to 68-feet and adjust CON2015-00022 Condition #2, for a new carport on an existing building.

Legal Description: BEG 495.66 FT W NE COR NW1/4 TH W 570 FT S 196.45 FT SELY ALG CUR 290.07 FT SELY 35.89 FT E 448.27 FTN 490.18 FT TO BEG. EXC FOR RDS SEC 27-28-2E, Sedgwick County, Kansas. The property is generally located south of East 55th Street South and east of Greenwich Road (5600 S. 116th Street Circle East.)

Dear Applicants:

We have reviewed your request for a County Administrative Adjustment of 20% to reduce the required arterial street setback from 85-feet to 68-feet in RR – Rural Residential zoning and adjust CON2015-00022 Condition #2, to accommodate a new carport on an existing building.

Section V.I.2.a of the UZC allows an Administrative Adjustment to reduce the required arterial 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 major street 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 existing structure is compatible with surrounding agricultural and large lot residential properties. The setback reduction from 85-feet to 68-feet will not impact uses in the surrounding area.

3) Compatibility with existing or permitted uses on abutting sites: The subject property and the surrounding properties are developed with a single-family residences on large lots

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 arterial street setback along the north property line (E. 55th Street South) from 85-feet to 68-feetand adjust CON2015-00022 Condition #2, for the aforementioned property is hereby granted, subject to the following conditions:

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

2) CON2015-00022, condition #2 shall be modified to include the addition of the 26 X 17 feet carport. The setback reduction shall only apply to the width of the carport, not the entire street side yard along East 55th Street South. No other changes shall be made to CON2015-00022.

3) 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.

Dale Miller, 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 Jim Howell, District 5