CITY OF WICHITA

Wichita-Sedgwick County Metropolitan Area Planning Department

Greg and Dianne Fenster
3515 W. 79th Street South
Haysville, KS 67060

March 9, 2016

Re: BZA2016-11 County Administrative Adjustment to reduce the required interior side yard setback in RR – Rural Residential zoning from 20-feet to 16-feet for a new detached garage.

Legal Description: BEG 883.11 FT W OF NE COR NW1/4 S 660 FT W 330 FT N 660 FT E 330 FT TO BEG EXC N 50 FT FOR RD SEC 12-29-1W, Sedgwick County, Kansas. The property is generally located southeast of South West Street and West 79th Street South on the south side of W. 79th Street South (3515 W. 79th Street South.)

Dear Applicants:

We have reviewed your request for a County Administrative Adjustment of 20% to reduce the interior side yard setback from 20-feet to 16-feet in order to accommodate a new detached garage.

Section V.I.2.a of the UZC allows an Administrative Adjustment to reduce the required side yard 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 side yard setback by up to 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 new structure is compatible with surrounding agricultural and large lot residential properties. The setback reduction from 20-feet to 16-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 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 interior side yard setback along the east property line from 20-feet to 16-feet for the aforementioned property is hereby granted, subject to the following conditions:

1) The setback reduction shall apply only to the new detached garage 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) 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 Tim R. Norton, District 2

NO FLOODPLAIN PER GIS

APPROVED 3/9/2011 BY klmorgan



Sedgwick County GIS

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Division of Information & Operations
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Tue Feb 23 14:00:39 GMT-0600 2016

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