



Wichita-Sedgwick County Metropolitan Area Planning Department

November 13, 2018

Jason and Krystie Boatright
6613 E. 47th Street South
Derby, KS 67037

Re: BZA2018-00066: Administrative Adjustment to reduce the street side yard setback by 20% on property zoned SF-20 Single-Family Residential (SF-20).

Legal Description: Lot 6, Block B, Holmes Valley View Estates Addition, Sedgwick County, Kansas; generally located on the south side of East 47th Street South, east of South Woodlawn Boulevard at the southeast corner of South Mission Road and East 47th Street (6613 E. 47th Street South)

Dear Applicant,

We have reviewed your request for a Zoning Adjustment to reduce the street yard setback from 20 feet to 16 feet on the aforementioned property. From reviewing the application, we understand that you desire to reduce the setback by 20 percent to allow construction of a 30-foot by 50-foot pole barn to the west of the existing residence.

Section V-I.2.a of the Unified Zoning Code ("UZC") allows reducing minimum street side setbacks (required by the property development standards of the zoning district) by up to 20 percent. This adjustment is permissible when the provisions of those sections and the Zoning Adjustment Criteria of Section V-I.6 are met. We find that the reduction of the setback as proposed meets the provisions of Section V-I.2.a and the four criteria required by Section V-1.6 as set out below:

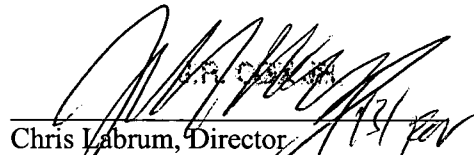
- 1) Impact on safety and convenience of vehicular and pedestrian circulation: The location of the new pole barn will have no impact on the safety and convenience of vehicular and pedestrian circulation in the right-of-way.
- 2) Impact on existing uses in surrounding areas: There will be no impact on the existing uses in surrounding areas; street visibility will be unchanged for neighboring properties.
- 3) Compatibility with existing or permitted uses on abutting sites: Abutting sites are zoned to allow residential development and street side yard setback reductions will not have a negative impact on existing or permitted uses. The property to the north of the site is zoned IP-A Industrial Park-Airport and is currently undeveloped.
- 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 reduce the street yard side setback by 20% is hereby GRANTED, subject to the following conditions:

- 1) The site shall be developed in general conformance with the approved site plan.
- 2) 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.
- 3) The setback reduction shall apply only to the street side setback as illustrated on the approved site plan. All other structures or additions on the subject property shall conform to the setbacks permitted by the Unified Zoning Code unless a separate Zoning Adjustment or Variance is granted.
- 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.


Dale Miller, Director
Metropolitan Area Planning Department


Chris Labrum, Director
Metropolitan Area Building and Construction
Department

cc: MABCD
Jim Howell, BoCC District 5
Teia Wair, CSR District III

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