



Wichita-Sedgwick County Metropolitan Area Planning Department

September 30, 2019

David and Carrie Nottingham
12200 N. Seneca
Wichita, KS 67135

Re: **BZA2019-00040**: Administrative Adjustment to reduce the interior side setback by 20% on property zoned RR Rural Residential.

Legal Description: BEG SE COR NW1/4 TH N 449.82 FT TH W 813.09 FT S 431.03 FT TO S LI E 812.91 FT TO BEG SEC 5-25-1E, Sedgwick County, Kansas; generally located one-half mile north of West 117th Street North on the east side of North Seneca (12200 N. Seneca)

Dear Applicants,

We have reviewed your request for a Zoning Adjustment to reduce the side yard setback on the aforementioned property. From reviewing the application, we understand that you desire to reduce the side setback from 20-feet to 16-feet so that you may build a new pole barn.

Section V-1.2.a of the Unified Zoning Code ("UZC") allows reducing minimum side setbacks (required by the property development standards of the zoning district) by up to 20 percent. These adjustments are permissible when the provisions of those sections and the Zoning Adjustment Criteria of Section V-1.6 are met. We find that the reduction of the front setback as proposed meets the provisions of Section V-1.2.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**: Construction of a new pole barn 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 new construction; street visibility will be unchanged for neighboring properties.
- 3) **Compatibility with existing or permitted uses on abutting sites**: Abutting sites are zoned RR Rural Residential which allows residential development and the side yard setback reduction will not have a negative impact on existing or permitted uses.
- 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.

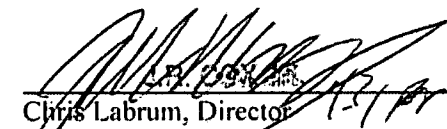
Our signatures below indicate that a Zoning Adjustment to reduce the interior side setback for the aforementioned property to 16-feet is hereby **GRANTED**, subject to the following conditions:

- 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 side yard 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.

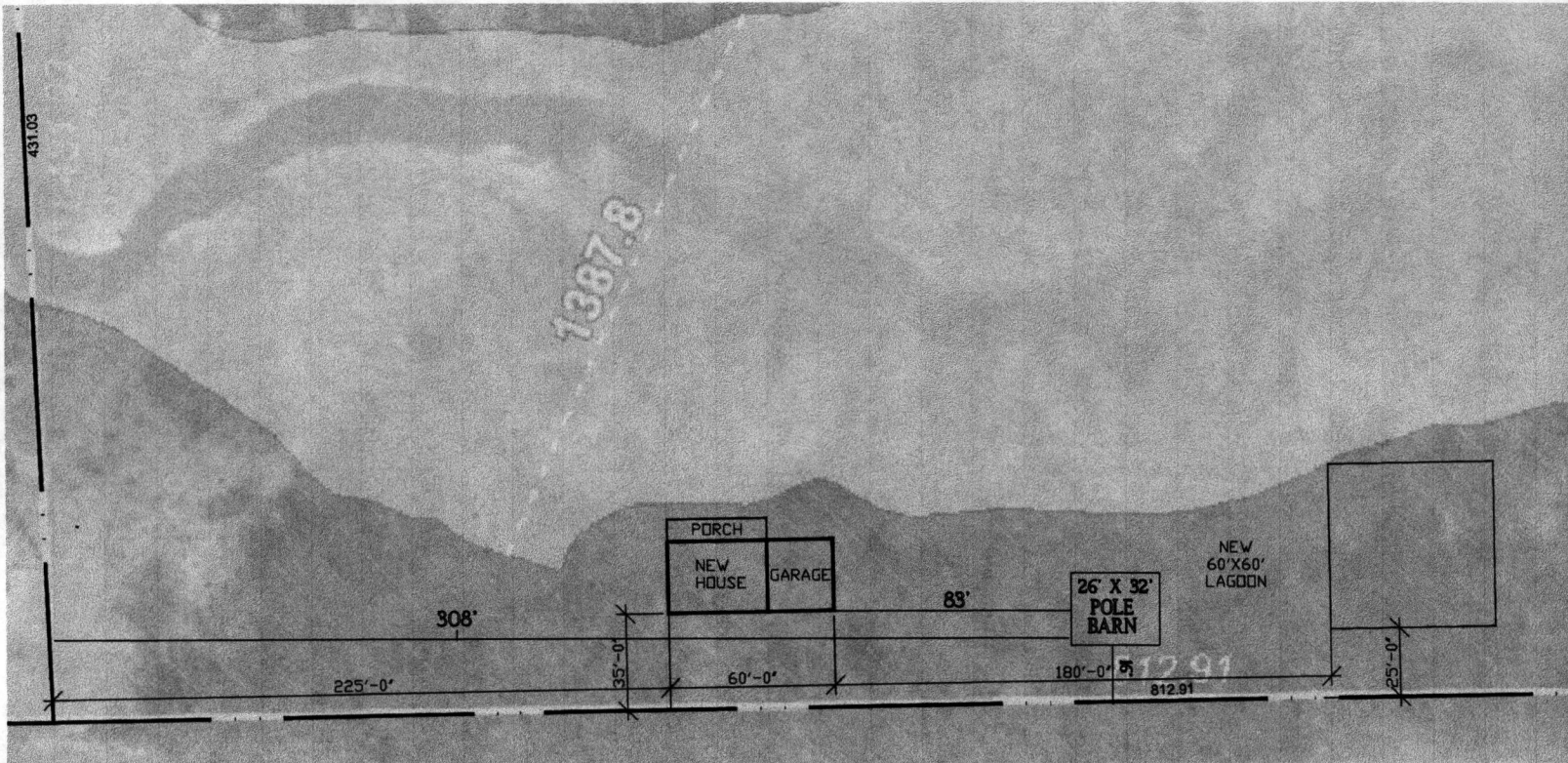
The "Development Application" sign should now be removed from the property.


Dale Miller, Director
Metropolitan Area Planning Department


Clitis Labrum, Director
Metropolitan Area Building and Construction
Department

cc: MABCD
Lacey Cruse, BoCC District 4

P.2 01/04/15



832 #

SITE PLAN

1" = 40'-0"



SITE PLAN

APPROVED 9/30/14 BY [Signature]