



**Wichita-Sedgwick County
Metropolitan Area
Planning Department**

October 21, 2024

Ronny McFall
6639 S. Eagle Dr.
Derby, KS 67037

Re: **BZA2024-00067:** Administrative Adjustment in the County to reduce the interior side setback from 20 feet to 18 feet (10 percent) to construct a garage addition on property zoned RR Rural Residential District, generally located within one-half mile east of South Greenwich Road and within one-half mile south of East 63rd Street South (6639 S. Eagle Dr.).

Legal Description: Lot 12, Block 7, Fairway Meadows Addition, Sedgwick County, Kansas.

Dear Applicant,

We have reviewed your request for a Zoning Adjustment to reduce the north interior side setback from 20 feet to 18 feet (10 percent) on the aforementioned property in order to build a garage addition.

Section V-1.2.a of the Unified Zoning Code ("UZC") allows reducing the minimum interior side setback (required by the property development standards of the zoning district) by up to 20 percent. This adjustment is permissible when the provisions of this section and the Zoning Adjustment Criteria of Section V-1.6 are met. We find that the reduction of the 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:** The proposed reduction of the north interior side setback from 20 feet to 18 feet 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. The surrounding properties are zoned RR Rural Residential District. The proposed garage addition will only encroach into the interior side setback by 2 feet. The construction of this garage will not likely to have significant detrimental impacts on the neighboring property to the north.
- 3) **Compatibility with existing or permitted uses on abutting sites:** The surrounding properties are zoned RR Rural Residential District. The proposed reduction of the interior side setback is to construct a garage addition, which would create a 3-car garage on the subject site. Many of the existing homes in the area have 3 garages. Therefore, the proposed use is compatible with the abutting sites.

- 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 the Zoning Adjustment to reduce the north interior side setback from 20 feet to 18 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 within one year of the Administrative Adjustment approval. The site shall conform to all codes including but not limited to zoning, building, health, and fire.
- 3) The setback reduction shall apply only to the 18-foot north interior 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.

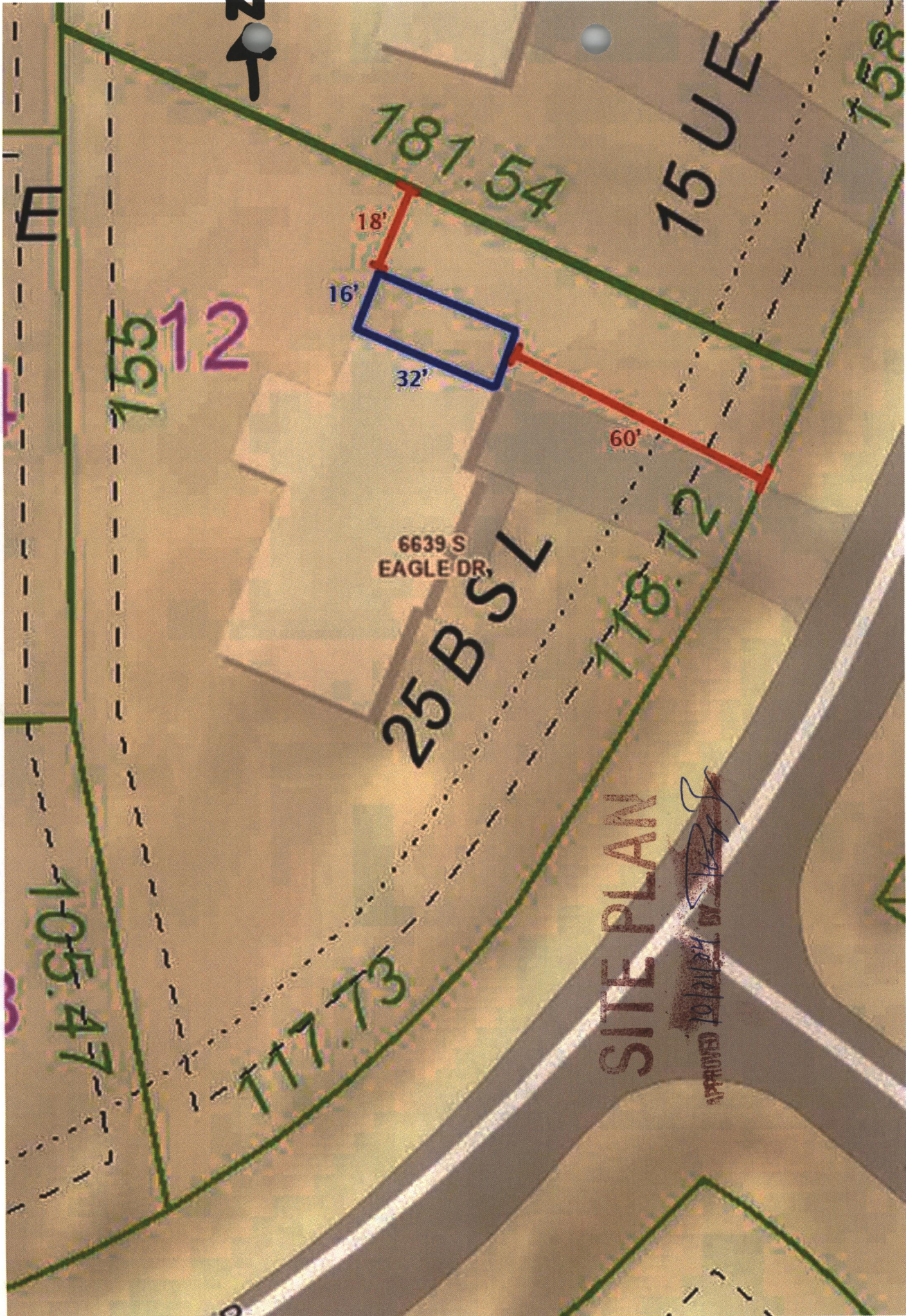


Scott Wadle, Director
Metropolitan Area Planning Department



Chris Labrum, Director
Metropolitan Area Building and Construction
Department

cc: MABCD
Jim Howell, BoCC, District 5



SITE PLAN

DATE: 11/19/17
BY: [Signature]