

APPROVED

PARTIAL SITE PLAN
1"=20'-0"



SITE PLAN
BZH2006-19

Richard W. Nally

LEGAL DESCRIPTION: EL PASO CEMETERY EAST ADDITION TO
SEDGWICK COUNTY, KANSAS

Date: 3-20-06

THESE
PLANS
SHOWN
WITHOUT
COUNTY
APPROVAL
SHALL
BE
VOID
AND
CORRECT

SANDY ROBERTS ARCHITECT
667 Oak Forest Ln. Derby, Ks.
788-8600 fax 700-7042

OFFICE BUILDING for HILLCREST CEMETERY
10000 E. 95TH ST. S.

date:
12/01/05

revised
2/15/06
2/21/06

SHEET
A1

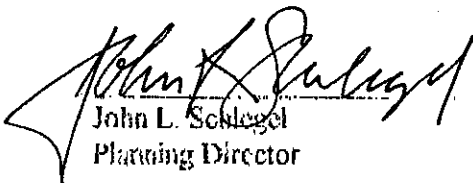


easements or right-of-way. Therefore, there should be no negative impact on the public health, safety or welfare nor will properties or improvements in the vicinity be materially injured.

Our signatures below indicate that a Zoning Adjustment to reduce the side setback for the aforementioned property from 20-feet 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 setback reduction shall apply only to the 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.
- 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.



John L. Schlegel
Planning Director



Glen Wiltse
Code Enforcement Director

cc: Glen Wiltse, Sedgwick County Code Enforcement



FILE COPY

Wichita-Sedgwick County Metropolitan Area Planning Department

March 20, 2006

El Paso Cemetery District
PO Box 915
Derby, KS 67037

Re: **BZA2006-19: Zoning Adjustment to reduce the side setback from 20 feet to 16 feet.**

Legal Description: Lot 1, Block A, El Paso Cemetery East Addition, Sedgwick County, Kansas. Generally located north of E 95th Street S and east of Webb (10000 E 95th Street S).

Dear Applicants,

We have reviewed your request for a Zoning Adjustment to reduce the side setback on the aforementioned property. From reviewing the application, we understand that you desire to construct a building with a 16-foot side setback, a four-foot encroachment into the required 20-foot side setback for the "RR" Rural Residential zoning district. Therefore, you have requested an adjustment to reduce the required side setback.

Section V-I.2.a. of the Unified Zoning Code allows up to a 20% reduction of the side setback for a structure when the provisions of that section and the Zoning Adjustment Criteria of Section V-I.6. are met. We find that the reduction of the side 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 setback encroachment should have no impact on the safety and convenience of vehicular and pedestrian circulation in the vicinity because right-of-way and driveway will not be affected.
- 2) Impact on existing uses in surrounding areas: There should be no negative impact on the existing uses in surrounding areas as a result of the side setback reduction, as sufficient separation between buildings is maintained.
- 3) Compatibility with existing or permitted uses on abutting sites: The proposed structure is compatible with existing and permitted uses on abutting sites, the encroachment into the side setback should not reduce compatibility with abutting and adjacent sites.