

with the garage is compatible with similar existing and permitted uses on abutting sites, the encroachment into the setback should not reduce compatibility with abutting and adjacent sites.

- 4) Effect on public health, safety or welfare: There will be no encroachment into public utility 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 north side yard setback for the aforementioned property to sixteen feet is hereby granted, subject to the following conditions:

- 1) The site shall be developed in general conformance with the approved site plan.
- 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.

  
John L. Schlegel  
Planning Director

  
Glen Wiltso  
County Zoning Administrator

cc: Glen Wiltso, Sedgwick County Code Enforcement



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

July 24, 2006

Joel Troyer  
2021 N 215<sup>th</sup> Street West  
Goddard, KS 67052

**Re: BZA2006-51: Zoning Adjustment for a 20% side setback reduction of an "RR" Rural Residential zoned lot.**

**Legal Description: E 430 FT N 189.4 FT S 1658.08 FT NE1/4 EXC E 50 FT FOR RD SEC 12-27-3W, Sedgwick County, Kansas. Generally located southwest of 21<sup>st</sup> Street North and 215<sup>th</sup> Street West (2021 N 215 W).**

Dear Applicant,

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 build a detached garage. Your lot is zoned "RR" Rural Residential, which requires a twenty-foot side building setback. The proposed garage addition will encroach four-feet into your side yard setback. Therefore, you have requested an adjustment to reduce the required setback.

Article V, Section V-I.2.a, of the Unified Zoning Code allows a 20% reduction of an interior side yard setback. This adjustment is permissible when the provisions of the Zoning Adjustment Criteria of Article V, Section V-I.6. are met. We find that the reduction of the east interior side yard setback as proposed meets the provisions of Article V, Section V-I.2.a, and the four criteria required by Article V, Section V-1.6. as set out below:

- 1) Impact on safety and convenience of vehicular and pedestrian circulation: The interior side yard 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 setback reduction, as sufficient separation between buildings is maintained and the setback reduction is within allowable limits.
- 3) Compatibility with existing or permitted uses on abutting sites: The single-family residence

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