



Wichita-Sedgwick County Metropolitan Area Planning Department

October 4, 2006

Rose Sullivan
139 W. 83rd S.
Haysville, KS 67060

Kelly Williams, Custom Sets and Transporting
9926 W 95th S.
Clearwater, KS

Re: BZA2006-72: Zoning Adjustment for a 20% front setback reduction, from 65 feet to 52 feet from the street centerline, for an "SF-20" Single-family Residential zoned lot.

Legal Description: E1/2 TR - BEG 1083.1 FT S & 1320 FTW NE COR S1/2 NE1/4 E 165 FT S 234.15 FT W 165 FT N TO BEG SEC 8-29-1E. **Generally located south of 83rd Street S. and west of Broadway (139 W. 83rd S.).**

Dear Applicant,

We have reviewed your request for a Zoning Adjustment to reduce the front setback on the aforementioned property. From reviewing the application, we understand that you desire to place a mobile home on the property. Your lot is zoned "SF-20", which requires a 65-foot front building setback from the street centerline. The proposed mobile home will encroach 13-feet into your front setback, therefore you have requested an adjustment to reduce the required setback.

Article V, Section V-1.2.a, of the Unified Zoning Code allows a 20% reduction of a front setback. This adjustment is permissible when the provisions of the Zoning Adjustment Criteria of Article V, Section V-1.6. are met. We find that the reduction of the east interior side yard setback as proposed meets the provisions of Article V, Section V-1.2.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 front setback encroachment should have no impact on the safety and convenience of vehicular and pedestrian circulation in the vicinity because the street right-of-way 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 proposed residence 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.

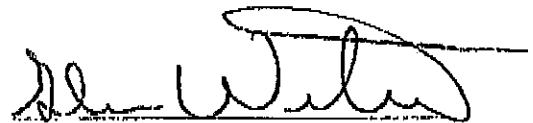
Our signatures below indicate that a Zoning Adjustment to reduce the front setback for the aforementioned property from 65 feet to 52 feet is hereby granted, subject to the following conditions:

- 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. Scudgel
Planning Director



Glen Wiltse
County Zoning Administrator

cc: Glen Wiltse, Sedgwick County Code Enforcement

APPROVED

SITE PLAN BZA 2000-72

William J. McNulty

Date: 10-6-06

