



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

January 28, 2008

Edward Sykes  
6721 S 159<sup>th</sup> St E  
Rose Hill, KS 67133

**Re: BZA2008-01: Zoning Adjustment to reduce the front setback from 85' to 74' for a 12' house addition in RR zoning.**

**E 10A. S 330 FT NE 1/4 SEC 36-28-2E, Sedgwick County, Kansas. Generally located east of 159<sup>th</sup> Street East and south of 66<sup>th</sup> Street South (6721 S 159<sup>th</sup> Street East).**

Dear Applicant,

We have reviewed your request for a Zoning Adjustment to reduce the front setback for an addition on the aforementioned property. From reviewing the application, we understand that you desire to expand the existing house with a 12' addition. The existing house sits 85' from the 159<sup>th</sup> Street centerline; the proposed addition will sit 74' from the centerline, a 12' or 14% encroachment into the required setback.

Section V-I.2.c. of the Unified Zoning Code allows the front setback to be reduced by up to 20% 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 front 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 as no public right-of-way is 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; the nearest residence is over 200' from the proposed addition. The front setback reduction is within allowable limits.
- 3) Compatibility with existing or permitted uses on abutting sites: The house addition is compatible with existing and permitted uses on abutting sites; the encroachment into the front setback should not reduce compatibility with abutting sites.

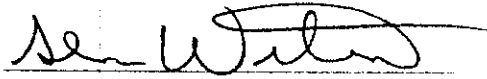
- 4) Effect on public health, safety or welfare: There will be no encroachment into public utility easements or right-of-way. Therefore, there should be no negative impact on the public health, safety or welfare, nor will properties or improvements in the vicinity be materially injured.

Our signatures below indicate that a Zoning Adjustment to reduce the front setback for the aforementioned property from 85 feet to 74 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 site shall be developed in conformance with all applicable codes, including but not limited to building, fire, and health codes.
- 3) The setback reduction shall apply only to the front 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.

  
John L. Schlegel  
Planning Director

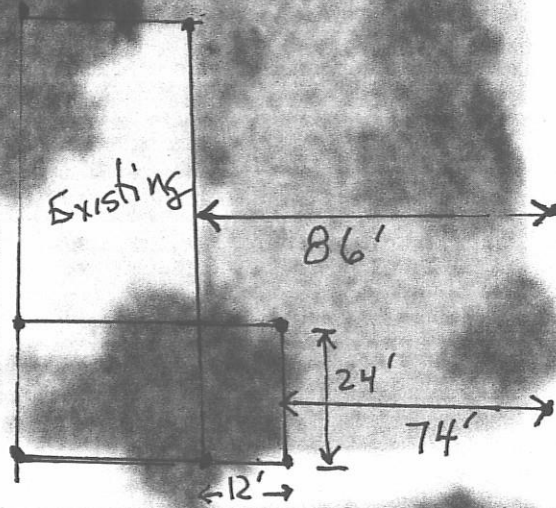
  
Glen Wiltse  
Director of Code Enforcement

Enclosure

cc: Glen Wiltse, County Code Enforcement

N ↑

159th St E



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Google™

Pointer 37°34'15.35" N 97°09'11.24" W elev 409 m Streaming 100% Eye alt 490 m

Sedgwick Co ← → Butler Co

Request Administrative Adjustment  
to set setback from the road  
from 86' to 74' (Existing setback is  
86' -- code calls for 85').