

June 19, 2018

Marion County Board of Zoning and Appeals  
203 South Third Street  
Marion, Kansas 66861

RE: Case No. BZA-18-01  
Property: 53 Lakeshore Marion, Kansas

To Whom It May Concern:

Wiebe Siding Inc. hereby requests a variance with regard to the roof overhang on a porch that was added to the above referenced property. The current code for a primary structure side yard setback is 8'. The overhang as constructed is approximately 6" from the property line therefore I am requesting a 0' variance be granted.

The unique shape of the lot coupled with the position of the existing structure on the lot puts additional constraints to this situation. Prior to the project the primary structure was not in compliance to the code and was no less set back than is currently and again assuming due to the shape of the lot and wanting to access the most square footage available for the primary structure. Due to this constraint if the variance is not granted, the only cure for the tolerance is to cut back the roof further which would destroy the entire project eliminating the western slope, concrete and footings.

The granting of the permit for the variance will not adversely affect the rights of the adjacent property owners or residents nor place a hardship upon the property owner represented in the application. The overhang remains on the property of the homeowner not encroaching over the property line. The property did not have gutters at all on the west side. The west side of the roof now has full gutters and a only a small 14' x 12' rise therefore it can't adversely affect the adjacent property owner any differently than the old structure and in theory less as water will now be flowing down the downspouts instead of off the side of the roof.

The granting of this variance allows the homeowner to retain the improvement and the appearance of his property thus improving the ability to attract new property owners to the Marion County Lake. It does so with no adverse effects to the public health, safety, morals, order, convenience, prosperity or general welfare of the public interest.

Thank you in advance for your consideration of this variance request.

Respectfully Submitted,

L. Jake Wiebe  
Wiebe Siding and Construction Inc.  
1140 190<sup>th</sup>  
Hillsboro, Kansas 67063

BOARD OF ZONING APPEALS

Case No. BZA-18-01

Date Filed 6/05/18

APPLICATION FOR VARIANCE

\* 1. <sup>Agent</sup> Name of Appellant Wiche siding  
 Mailing Address 1140 190th Hillsboro Ks Phone 620-381-1219  
 Name of Agent Mitch Gomer 67204  
 Mailing Address 5360 N. St. Clair Wichita Phone 316-259-3866  
 Relationship of applicant to property is that of \_\_\_\_\_  
 (owner, tenant, lessee, other).

App

2. The variance requested is: zero foot setback on south side yard  
 for property located 53 Lakeshore Marion, Kansas  
 and legally described as \_\_\_\_\_  
 in Marion County, which is presently zoned "L1" lake lot  
 (Attach metes & bounds description on separate sheet.)

\* 3. The applicant herein acknowledges:

A. That he has received an instruction sheet concerning the filing and hearing of this matter.

B. That he has been advised of the fee requirements established; and that the appropriate fee is herewith tendered.

C. That he has been advised of his right to appeal of the decision of the Board to the District Court.

L. Gab Wietes  
 (Name)

OFFICE USE ONLY: Received by the Zoning Administrator, at 2:45 (A.M.) (P.M.)  
 on June 5th, 2018, together with appropriate fee of \$ 400.<sup>00</sup>

Emma Dejchman Director  
 Name and Title

060518

TO WHOM IT MAY CONCERN,

I, MITCHELL L. GARNER, GIVE

WRITE SIDING AND CONSTRUCTION  
PERMISSION TO APPLY AND PAY FOR  
ANY PERMITS, VARIANCES, ETC FOR  
MY PROPERTY AT 53 LAKESHORE, MARION, KS,



MJGARNER@gmail.com

316-259-3866

