



MARION COUNTY, KANSAS
January 20, 2011

MARION COUNTY, KANSAS
PLANNING & ZONING/ENVIRONMENTAL HEALTH

230 E. MAIN ST.
MARION, KANSAS 66861
PHONE: 620-382-2945
TOLL FREE: 1-800-305-8848

Jeff Saxton
821 Country Lane
Newton, KS 67114

RE: Zoning Permit Violation

Dear Mr. Saxton,

Upon a complaint letter received from the public, I have confirmed that construction of your new build at 21 Jerome is in violation of Marion County's Zoning Regulations. When obtaining your building permit, I measured setbacks from the already partially erected garage. The plans you submitted with your building permit application showed the erection of the living quarters above the garage flush with the wall of the lower level two car garage. After inspection, the eaves are in actuality extending beyond the garage and into the setback requirements.

Marion County's regulations state 20-103: *b) every part of a required yard shall be open to the sky, except as authorized by this Article. Ordinary projections of sills, awnings, canopies, belt courses, air conditioning units, chimneys, cornices, and ornamental features may project a distance not to exceed 24 inches into a required yard setback.* Currently you are exceeding over three feet into the required setback.

You may remediate the situation by altering the construction to meet zoning standards or you may apply for a variance for relief of the setbacks, but the burden of proof under state law is on you to show that any hardship is not "self-imposed." The application deadline is January 28, 2011, for consideration by the Marion County Planning Commission/Board of Zoning Appeals at its next meeting on February 24, 2011. An application for a Variance is enclosed with this letter.

Should you have any additional questions, please contact me at 620-382-2945 or by email at trichards@marioncoks.net.

Sincerely,

A handwritten signature in black ink, appearing to read "Tonya Richards", with a long, sweeping underline.

Tonya Richards
Marion County Zoning Administrator

cc. Marion County Commissioners, Planning Commission Board, County Attorney,
Planning Consultant, file

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