CITY OF WICHITA

Wichita-Sedgwick County Metropolitan Area Planning Department

September 9, 2002

Randle L. & Frankie L. Ward
956 W. 21st St. N.
Wichita, KS 67204

Re: **BZA2002-00056: Zoning Adjustment to reduce the front setback from 25 feet to 20 feet and to permit an accessory structure to be placed in front of the principle structure on less than five acres of land.**

Legal Description: Lots 13, 15, 17, 19, 21, & 23, on Madge (now Jeanette), Crawford Addition, Wichita, Sedgwick County, Kansas. Located on the northeast corner of 21st Street North and Jeanette (956 W. 21st St. N.).

Dear Mr. & Mrs. Ward:

We have reviewed your request for a Zoning Adjustment to reduce the front setback and permit an accessory structure to be placed in front of the principle structure on less than five acres of land. You state in your application that you propose to construct a 22' x 26' detached garage west of the westernmost point of your house. In reviewing the site plan, we find that the house is oriented such that the front faces the platted side yard to the south along 21st Street North, and the side faces the platted front yard to the west along Jeanette. You further state in your application that landscaping and other improvements on your property prevent placing the garage further north on the property; therefore, you also propose the reduce the front setback from 25 feet to 20 feet.

Sec. V-I.2.a. and Sec. V-I.2.n. of the Unified Zoning Code allow a Zoning Adjustment that would reduce setbacks by up 20 percent and permit an accessory structure to be placed in front of the principle structure on less than five acres of land when the conditions required by Sec. V.I.6. of the Code are met. We find that reducing the front setback from 25 feet to 20 feet and permitting an accessory structure in front of the principle structure on your property meets the four conditions required by Section V-I.6. of the Code as set out below:

1) Impact on safety and convenience of vehicular and pedestrian circulation: Vehicular circulation in the area likely will be improved since the primary access drive to the property currently is located off an arterial street and constructing the garage on the west side of the property will relocate the primary access drive to the side street.

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 garage being placed in front of the house, as the garage

will be located in the platted front yard but will have the impact of being placed in the side yard because the house faces the platted side yard. Reducing the front setback to 20 feet also should not create negative impacts on existing uses in surrounding areas as the garage will have the same design and construction materials as the house.

3) Compatibility with existing or permitted uses on abutting sites: Reducing the front setback and placing an accessory structure in front of a principal structure is within allowable adjustments and should not detract from the existing or permitted residential uses, which are developed in a similar fashion with single family residences, many of which have front setbacks of less than 25 feet.

4) Effect on public health, safety or welfare: There will be no encroachment into public utility easements or right-of-way; therefore, there should not be a 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 from 25 feet to 20 feet and to permit an accessory structure to be placed in front of the principle structure on less than five acres of land for the aforementioned property is hereby GRANTED, subject to the following conditions:

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

2) The 22' x 26' garage shall match the character of the existing single-family residence in terms of materials and color and roof pitch.

3) The reduction of the front setback and the allowance of an accessory structure in front of the principle structure shall apply only to the 22' x 26' garage as illustrated on the approved site plan. Future structures or additions on the subject property shall conform to the setback and location requirements of 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 Article VIII of the Unified Zoning Code, may, with the concurrence of the Planning Director, declare that the Zoning Adjustment is null and void.

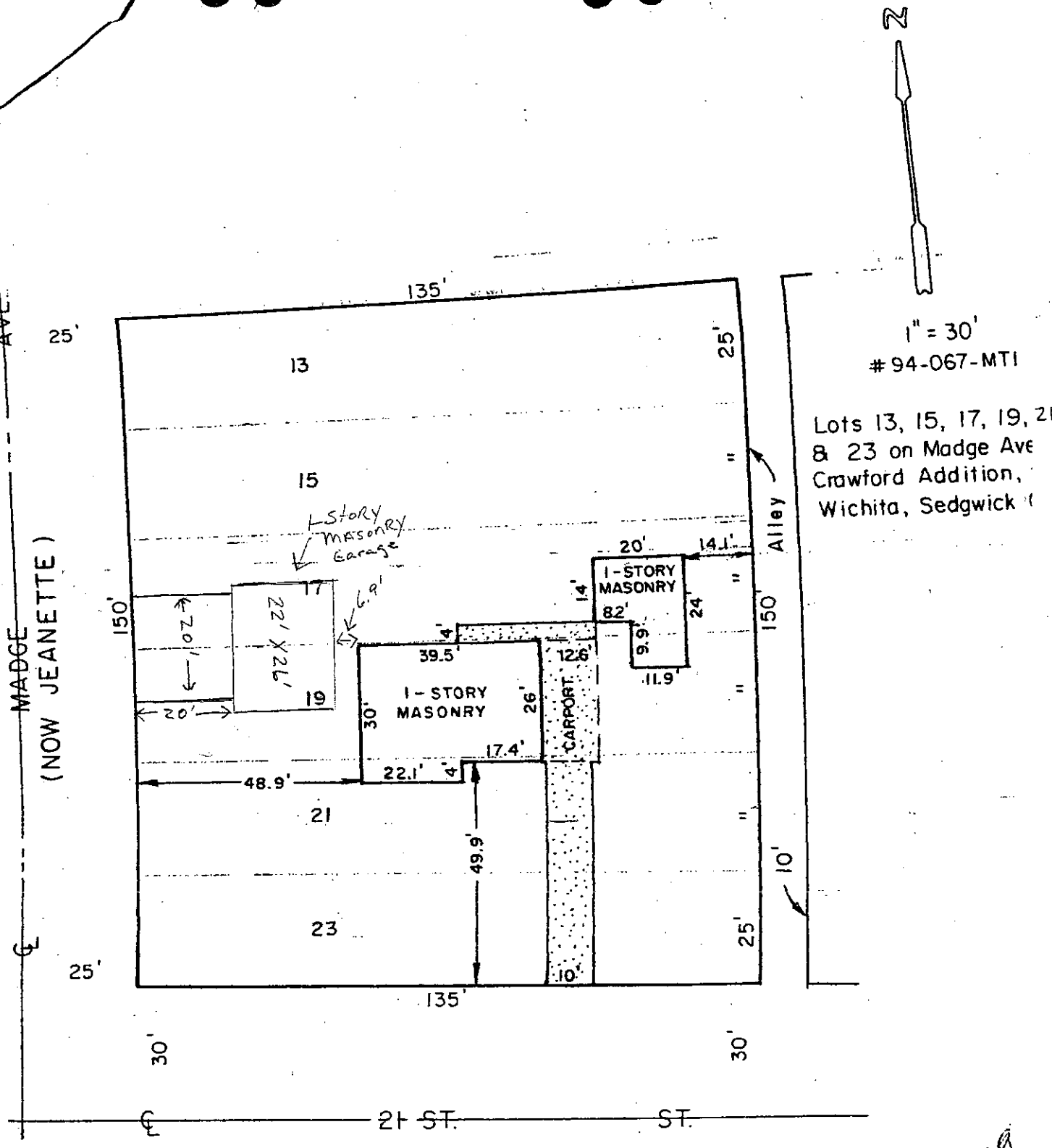
The zoning adjustment sign may now be removed from the property.

Michael E. Lindebak
Planning Director

Kurt A. Schroeder
Superintendent of Central Inspection

Enclosure

cc: Kurt Schroeder, Office of Central Inspection
Paul Hays, Office of Central Inspection
Randy Sparkman, Office of Central Inspection
J.R. Cox, Office of Central Inspection



BZA2002-00056

SITE PLAN

APPROVED 9-9-02 BY SK

CRAIG MOELLING
REGISTERED
LS-875
KANSAS
LAND SURVEYOR

April 4 1994