CITY OF WICHITA

Wichita-Sedgwick County Metropolitan Area Planning Department

July 25, 2024

TB Holdings, LLC
4634 W Emerald Bay Ct.
Wichita, KS 67205

Armstrong Land Survey
1601 E. Harry St.
Wichita, KS 67211

Re: **BZA2024-00050:** Administrative Adjustment in the City to permit an accessory structure (detached garage) in front of the principal structure on property zoned MF-18 Multi-Family Residential District with Protective Overlay #413; generally located within one-half mile east of North Hoover Avenue and within two-blocks north of West Central Avenue (south of 741 N. Clara).

Legal Description: The South Half of Lot 25, Pettett Gardens Addition, Wichita, Sedgwick County, Kansas.

Dear Applicant:

We have reviewed your request for a Zoning Adjustment to permit an accessory structure (detached garage, 24 feet X 32 feet) in front of the principal structure on 0.31 acres. The existing detached garage was formerly accessory to a principal single-family dwelling addressed as 741 North Clara Street. The dwelling and detached garage were developed on all of Lot 25, Pettett Gardens Addition. Recently, a Lot Split was approved, splitting Lot 25 in half. The single-family dwelling is on the north half of Lot 25 and the detached garage is on the south half of Lot 25. In 2023, a zone change (ZON2023-00034) was approved with Protective Overlay #413 to rezone all of Lot 25 from SF-5 Single-Family Residential District to MF-18 Multi-Family Residential District. PO #413 restricts the types of dwellings to single-family or duplex.

The site plan submitted with the application illustrates a proposed duplex on the south half of Lot 25, behind the existing detached garage. The existing detached meets all principal structure setbacks. The proposed duplex would be 34.8 feet behind the existing detached garage, and the proposed duplex would meet all principal structure setbacks as well.

Sec. V-I.2.n of the Unified Zoning Code allows a Zoning Adjustment that would permit an accessory structure to be placed in front of the principal 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 permitting the accessory structure in front of the principal structure on the subject property meets the four conditions required by Sec. V-I.6 of the Unified Zoning Code as set out below:

1) Impact on safety and convenience of vehicular and pedestrian circulation: Public vehicular and pedestrian circulation will not be affected, and the structure will not interfere with traffic circulation patterns. The accessory structure is an existing detached garage that meets all principal structure setbacks.

2) Impact on existing uses in surrounding areas: It is not anticipated that there will be any negative impact on the existing uses in surrounding areas as a result of the structure being placed in front of the house. The accessory structure is an existing detached garage that was constructed in 1941.

3) Compatibility with existing or permitted uses on abutting sites: Placing an accessory structure in front of a principal structure is within allowable adjustments and should not detract from the existing or permitted uses on abutting sites, which are single family residences. The existing detached garage has been on-site since 1941. A duplex dwelling is proposed to be placed behind the detached garage. The duplex is permitted in the underlying zoning district per ZON2023-00034 with PO #413.

4) Effect on public health, safety or welfare: There will be no encroachment into public utility easements or right-of-way. There will 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 permit an accessory structure to be placed in front of the principal structure on less than five acres of land for the aforementioned property is hereby GRANTED, subject to the following conditions:

1) The permitting of an accessory structure in front of the principal structure shall apply only to the existing detached garage illustrated on the approved site plan. All other structures or additions on the subject property shall conform to the development standards of the Unified Zoning Code unless a separate Zoning Adjustment or Variance is granted.

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.

Scott Wadle, Director
Metropolitan Area Planning Department

J.P. COX JR

Chris Labrum, Director
Metropolitan Area Building and Construction Department

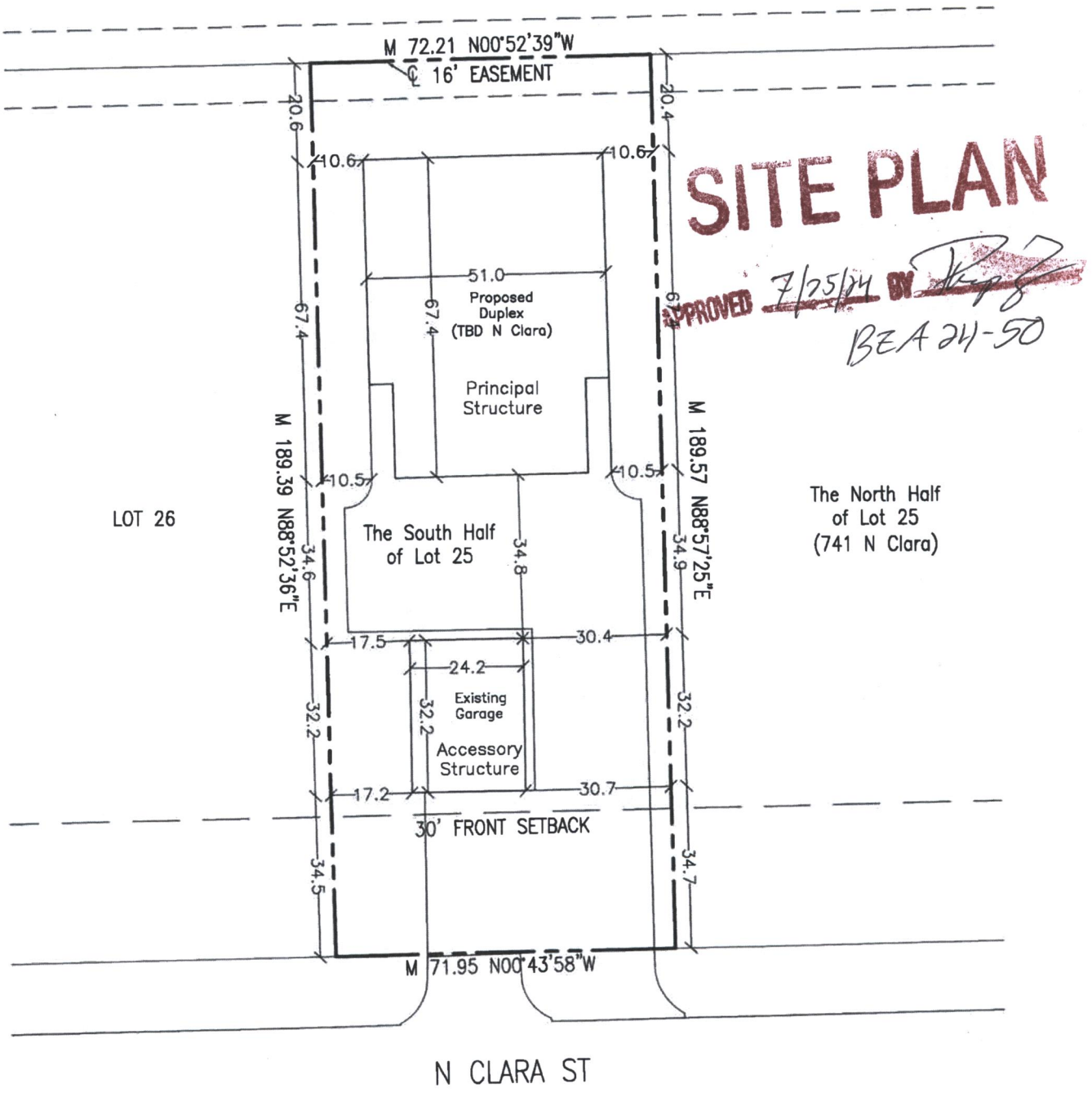
cc: MABCD
Maggie Ballard, City Council District VI
Ana Lopez, CSR District VI

ADMINISTRATIVE ADJUSTMENT SITE PLAN

The South Half of Lot 25, Pettett Gardens Addition, Wichita, KS

TBD N Clara – TB Holdings LLC

Allow Accessory Structure to be placed in front of Principal Structure



SITE PLAN

APPROVED 7/25/24 BY

BEA 24-50

Date of Drawing: July 12, 2024

W.O. #43081
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SCALE 1"=30'

ARMSTRONG LAND SURVEY, P.A.

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WICHITA, KS 67216
PH. (316) 263-0082
info@armstrongsurvey.com

Armstrong Land Survey, P.A.

1601 E Harry St
WICHITA, KS 67211

Ph. (316)263-0082
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Administrative Adjustment

The South Half of Lot 25, Pettett Gardens Addition, Wichita, KS
TBD N Clara – TB Holdings LLC
Allow Accessory Structure to be placed in front of Principal Structure

This property is Parcel B from Lot Split No. LSP2024-00006 recorded on April 1, 2024 on Doc.#/Flm-Pg: 30299456. There is an existing garage that was built in 1981 according to tax records. The garage is located towards the front of the property. The applicant would like to build a new Principal Structure behind the existing garage.

According to Wichita-Sedgwick County Unified Zoning Code in Section III-D.7.e(2):

> *"Accessory Structures shall not be located nearer to the front property line than the Principal Structure except on Lots five acres or more in area where the Front Setback for Accessory Structures shall be the same as required for Principal Structures."*

The applicant would like to apply for an Administrative Adjustment to allow a Principal Structure to be constructed behind the existing garage. This will place an Accessory Structure in front of the Principal Structure on less than five acres of land and is an acceptable "Zoning Adjustment" according to Wichita-Sedgwick County Metropolitan Area Planning Departments Administrative Adjustments found in Section 3-n which reads:

> *3. Administrative Adjustments to zoning standards (shown as "Zoning Adjustment" on the application form) shall be limited to the following:*
>
> *n. Permitting an Accessory Structure to be placed in front of the Principal Structure on less than five acres of land as specified in Sec. III-D.7.e(2);"*