CITY OF WICHITA

Wichita-Sedgwick County Metropolitan Area Planning Department

Michael Feil
6404 Legion
Wichita, KS 67226

Nov 7, 2008

Re: BZA2008-61: **Administrative adjustment for an accessory structure to be placed in front of principle structure in SF-5 Single-family Residential zoning; generally located east of Legion and north of 61st St. N. (6404 N Legion).**

Legal Description: North 158.13 Feet and South 1273.16 Feet of Lot G,Fairfield Addition (PER AGREEMENT SURVEY FILED 8-12-64), Wichita, Sedgwick County, Kansas.Wichita, Sedgwick County, Kansas.

Dear Applicants:

We have reviewed your request for a Zoning Adjustment to permit an accessory structure in front of the principal structure on less than five acres. From reviewing your application, we understand that you propose to construct a 30' x 60' detached building on a 3.5-acre lot, northwest of the primary structure, and therefore in front of the primary structure.

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 an accessory structure in front of the principal structure on your 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: This request is for a detached building on a residential lot. Public vehicular and pedestrian circulation will not be affected as the site will provide sufficient space for parking vehicles on the property and will not interfere with traffic circulation patterns.

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 building being placed in front of the house, as the structure will meet the zoning required building setback. Likewise, the primary structure is located over half way towards the rear of the lot. A detached accessory structure already exists in front of

the primary structure. Any visual impact will be mitigated by extensive vegetation on the site and on the surrounding large lots.

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.

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

2) The detached building shall meet all other code requirements, to include but not limited to zoning, building, and fire code. All permits necessary to construct the improvements shall be acquired.

3) 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

Kurt A. Schroeder
Superintendent of Central Inspection

cc: Kurt Schroeder, Office of Central Inspection
Mike Gable, Office of Central Inspection
Herb Shaner, Office of Central Inspection
Sharon Fearey, District VI

LEGION

LITTLE ARK

Gravel

3' ±

Gravel

12.9' 12.9'

585'±

157

157.1'

BUILDING

#6404

190'

158.13'

163'±

GRAVEL DRIVE

732'

625'±

40' Gas Esm't
(Misc. Bk. 630, Pg. 155)

Previous location

ENLARGEMENT

38.1'

8.3'

6.1'

12.3'

BUILDING

6.2'

1.9'

15.3'

8.7'

10.2'

#6404

44.3'

11.3'

34.3'

1115.03'

RR