CITY OF WICHITA

Wichita-Sedgwick County Metropolitan Area Planning Department

February 3, 2014

Daniel and Pamela Girrens
23530 W. 39th Street South
Wichita, KS 67052

Re: **BZA2014-00007: County Administrative Adjustment to allow an accessory structure in front of the principal structure and reduce the east interior side yard setback by 20% on property zoned Rural Residential ("RR").**

Legal Description: BEG SW COR E 1/2 SE 1/4 N 662.6 FT E 197.74 FT S 622.6 FT W 65.74 FT N 20 FT W 132 FT TO BEG EXC S 60 FT FOR RD SEC 11-28-3W

Dear Applicant:

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-foot by 110-foot building on the aforementioned property. We understand that you propose to construct the accessory structure approximately 100 feet from the center line of a county arterial road (MacArthur/W 39th Street South) located approximately 100 feet in front of the primary dwelling and approximately 16 feet from the east interior side yard.

Sec. V-I.2.n of the Unified Zoning Code allows a Zoning Adjustment to permit an accessory structure in front of the principal structure on less than five acres. Sec. V-I.2.a allows an interior side yard setback of 20 percent. The proposed construction of an accessory building on the abovementioned 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 to allow an accessory structure in front of the principal structure and a 20% reduction of the east interior side yard. Public vehicular and pedestrian circulation will not be affected as the structure complies with development standards for arterial streets.

2) Impact on existing uses in surrounding areas: The surrounding property is Rural Residential and is adjacent to a large tract of farm land. There should be no impact on the existing uses in surrounding areas as a result of the structure being placed in front of the house and a 20% interior side yard setback.

3) Compatibility with existing or permitted uses on abutting sites: Placing an accessory structure in front of a principal structure with an interior side yard reduction is within allowable adjustments and should not detract from the existing or permitted uses on abutting sites, which are single family residences and farm land.

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 and a 20% interior side yard setback 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, and all permits necessary to construct the improvements shall be acquired and the building constructed within one year.

2) The permitting of an accessory structure in front of the principal structure with a side yard reduction shall apply only to the proposed structure 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.

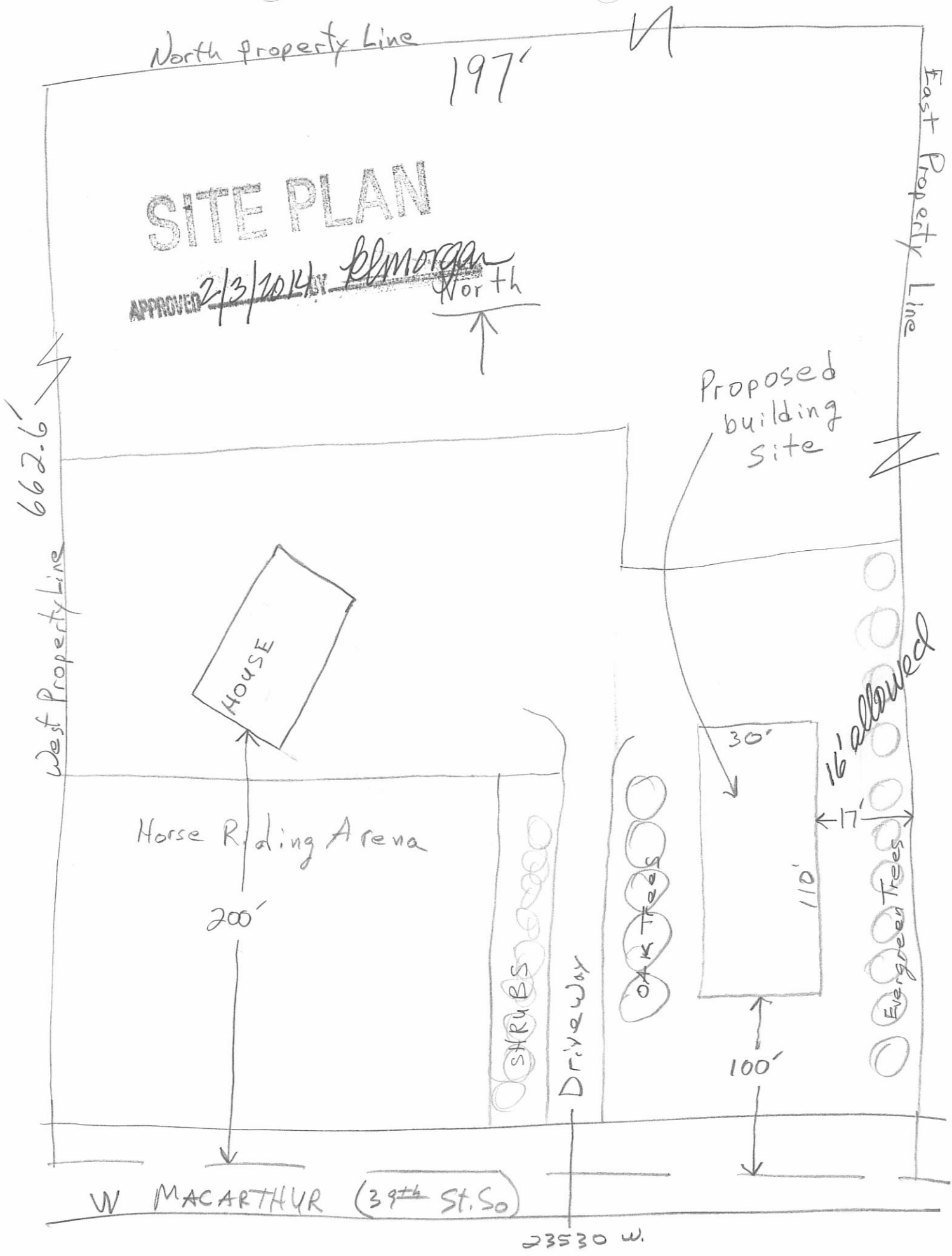
3) If the Zoning Administrator finds that there is a violation of any of the conditions of the Zoning Adjustment, the Zoning Administrator, in addition to enforcing the other remedies set forth in the Unified Zoning Code, may, with the concurrence of the Planning Director, declare that the Zoning Adjustment is null and void.

The "Development Application" sign should now be removed from the property.

John L. Schlegel
MAPD Director

Tom J. Stolz
MABCD Director

cc: J.R. Cox, MABCD
Paul Hays, MABCD
Kelly Dixon, MABCD
Karl Peterjohn, District 3


North property Line
197'
East Property Line
SITE PLAN
APPROVED 2/3/2014 BY klmorgan
North
Proposed building site
West Property Line
662.6'
HOUSE
Horse Riding Arena
200'
SHRUBS
Driveway
OAK Trees
30'
16' allowed
17'
110'
Evergreen Trees
100'
W MACARTHUR (39th St. So)
23530 W.