CITY OF WICHITA

Wichita-Sedgwick County Metropolitan Area Planning Department

May 6, 2014

Brett and Lauren Winter
24537 W. Lost Court
Andale, KS 67001

Re: **BZA2014-00035: County Administrative Adjustment to allow an accessory structure (detached garage) in front of the principal structure on property zoned Rural Residential ("RR").**

Legal Description: LOT 20, BLOCK A, HEDGECREEK ESTATES ADDITION to Sedgwick County, Kansas, generally located east of 247th Street West, south of 45th Street North, south of Lost Point Street, on the north side of Lost Court (24537 W Lost Ct.)

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 40-foot detached garage on the aforementioned property. We understand that you propose to construct the accessory structure 40 feet from the front property line. Hedgecreek Estates Addition has a 30-foot platted front setback.

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. 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. Public vehicular and pedestrian circulation will not be affected.

2) Impact on existing uses in surrounding areas: The surrounding property is Rural Residential and is adjacent to one residence and several undeveloped residential lots. There should be no impact on the existing uses in surrounding areas as a result of the structure being placed in front of the primary structure as it will be located behind the platted setback.

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 platted for single family residences.

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 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 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, Director
Metropolitan Area Planning Department

Thomas J. Stolz, Director
Metropolitan Area Building and Construction Department

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

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