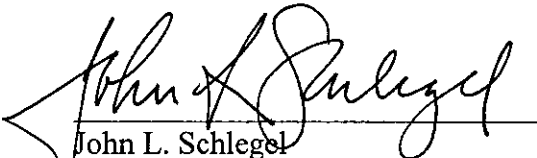


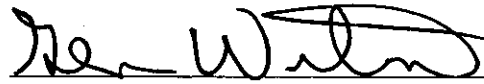
- 2) Impact on existing uses in surrounding areas: There should be no negative impact on the existing uses in surrounding areas as a result of the garage being placed in front of the house and closer to the street, as the structure will not be visible from the street right-of-way due to a thick row of evergreen trees along the front property line.
- 3) Compatibility with existing or permitted uses on abutting sites: Placing an accessory structure in front of a principal structure and reducing the front setback are within allowable adjustments and should not detract from the existing or permitted uses on abutting sites, which are primarily large lot rural residential developments.
- 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 permit an accessory structure to be placed in front of the principal structure on less than five acres of land and to reduce the setback for the accessory structure from the centerline of 127<sup>th</sup> Street East from 85 feet to 75 feet 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 adjustment shall apply only to the 30' x 40' barn 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  
Planning Director

  
Glen Wiltse  
Code Enforcement Director

Enclosure

cc: Glen Wiltse, Sedgwick County Code Enforcement



FILE COPY

**Wichita-Sedgwick County Metropolitan Area Planning Department**

June 13, 2005

Mike Sage  
6747 N. 127<sup>th</sup> St. E.  
Wichita, KS 67226

**Re: BZA2004-00078: 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 to reduce the setback from the centerline of a section line road from 85 feet to 75 feet.**

**Legal Description: See attached. Generally located south of 69<sup>th</sup> Street North and west of 127<sup>th</sup> Street East.**

Dear Mr. Sage:

We have reviewed your request for 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 to reduce the setback for the accessory structure from the centerline of 127<sup>th</sup> Street East from 85 feet to 75 feet. From reviewing your application, we understand that you propose to construct a 30' x 40' barn on your 4.8 acre lot. We understand that the barn needs to be constructed in front of the house because the area behind the front wall line of the house slopes steeply towards a pond. We further understand that the barn needs to be constructed closer than 85 feet from the centerline of 127<sup>th</sup> Street East because the flat area on property that is available for constructing the barn is near the front of the lot.

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. Sec. V-I.2.a. of the Unified Zoning Code allows a Zoning Adjustment to reduce setbacks by up to 20 percent. Both adjustments are permitted when the conditions required by Sec. V-I.6. of the Code are met. We find that the requested adjustments 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 barn on a private lot. Public vehicular and pedestrian circulation will not be affected because sufficient space remains on the 4.8 acre lot to provide for the circulation of vehicles and pedestrians.

