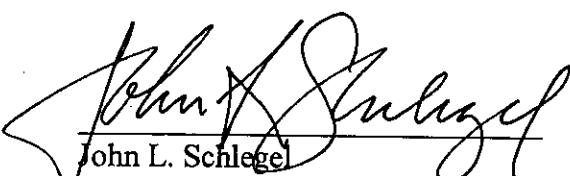


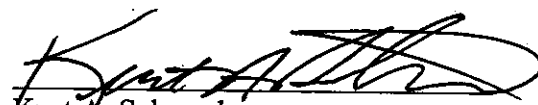
- 3) Compatibility with existing or permitted uses on abutting sites: Placing an accessory structure in front of a principal structure is within allowable adjustments and should not detract from the existing or permitted uses on abutting sites, which are single family residences located closer to the street than the proposed garage.
- 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 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 garage shall match the character of the house in terms of materials, colors, and roof pitch.
- 3) The allowance of an accessory structure in front of the principal structure shall apply only to the "Proposed New 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.
- 4) 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
Paul Hays, Office of Central Inspection
Randy Sparkman, Office of Central Inspection
Herb Shaner, Office of Central Inspection



FILE COPY

Wichita-Sedgwick County Metropolitan Area Planning Department

December 14, 2004

Dale Henning
20510 SW Hopkins Switch
Douglass, KS 67039

Re: BZA2004-00090: A Zoning Adjustment to permit an accessory structure to be placed in front of the principal structure on less than five acres of land.

Legal Description: Lots 69 and 71 on Rutan and half of the vacated alley on the west, Indiana Subdivision in Vincennes Addition. Generally located south Kellogg and east of Hillside (633 S. Rutan).

Dear Mr. Henning:

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. From reviewing your application, we understand that you propose to construct a 20' x 20' detached garage on typical residential lot. We understand that the garage needs to be constructed in front of the house because the house is located at the rear of property and there is not sufficient space on the property to construct the garage behind or beside the house. Therefore, you have requested a Zoning Adjustment to permit an accessory structure to be placed in front of the principal structure on less than five acres of land.

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 garage on a private lot. Public vehicular and pedestrian circulation will not be affected as the garage 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 garage being placed in front of the house, as the garage will be set back approximately 25 feet further from the street than other structures in this block.

633 So. RUTAN

OWNER: DALE HENNING (PHONE: 747-2129)
MAIL: 20510 SW HOPKINS SWICH
DOUGLAS, KS. 67039

