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 structure will be set back 268 feet from the street right-of-way.

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 agricultural fields.

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 allowance of an accessory structure in front of the principal structure shall apply only to the "Pole Building" 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

CITY OF WICHITA

FILE COPY

Wichita-Sedgwick County Metropolitan Area Planning Department

October 27, 2004

Dennis Shipman
19021 W. 87th St. S.
Viola, KS 67149

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.**

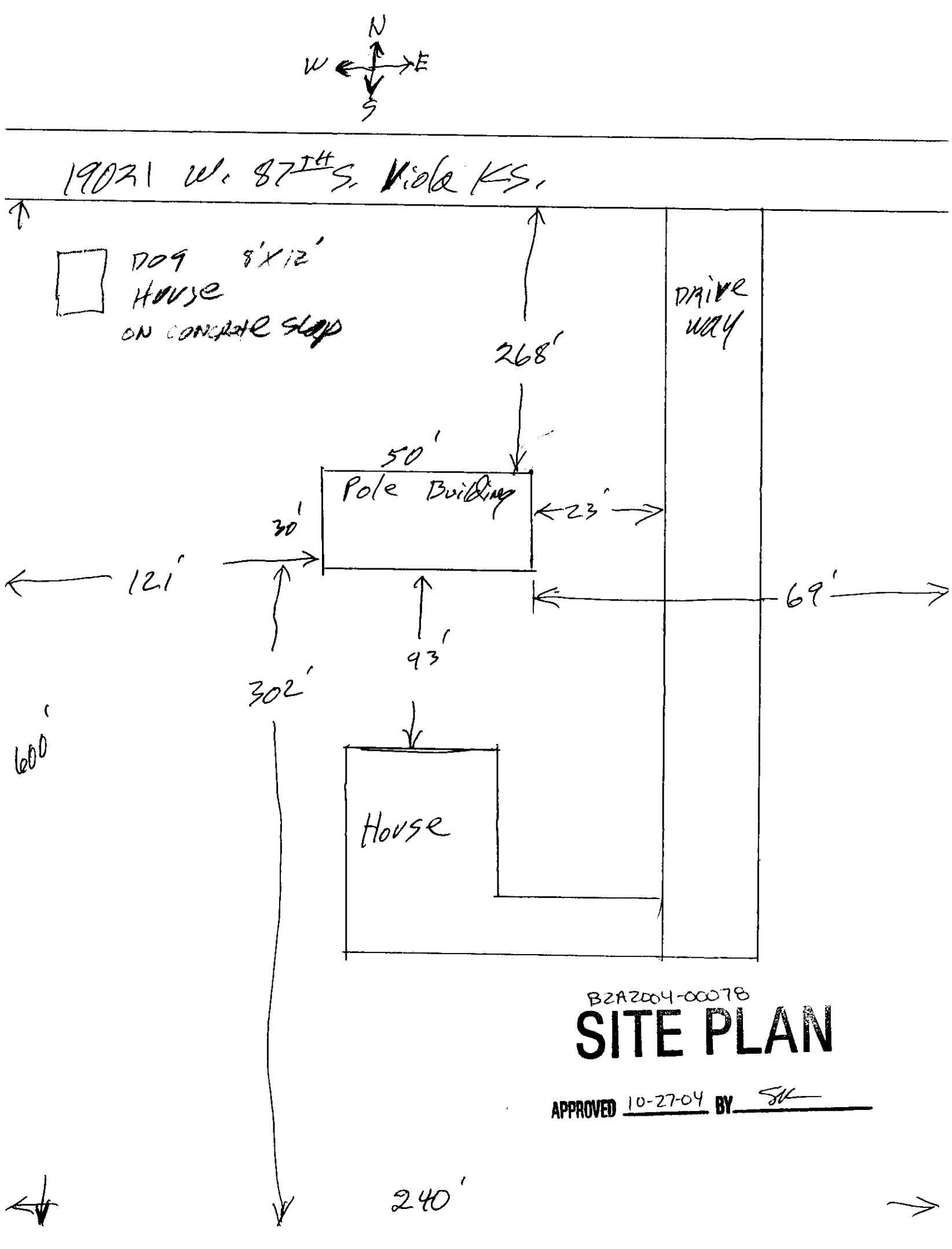
Legal Description: Commencing at the northwest corner of the northeast Quarter of Section 17 - Township 29 South -Range 2 west of the 6th P.M., Sedgwick County, KS; thence easterly on the north line of said northeast, Quarter, on an assumed bearing of N90°00'00"E, 606.17 feet to the point of beginning; thence N90°00'00" E, 240.00 feet; thence S00°23'58"W, 600 feet; thence N90°00'00"W, 240.00 feet; thence N00°23'58" E, 600 feet to the point of beginning. Generally located south 87th Street South and west of 183rd Street West (19021 W. 87th St. S.).

Dear Mr. Shipman:

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 30' x 50' pole barn on your 3.3 acre lot. We understand that the pole barn needs to be constructed in front of the house because the area behind the front wall line of the house is either already developed with structures or is heavily wooded. 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 pole barn on a private lot. Public vehicular and pedestrian circulation will not be affected because sufficient space remains on the 3.3 acre lot to provide for the circulation of vehicles and pedestrians.



BZA2004-00078

SITE PLAN

APPROVED 10-27-04 BY SK