



FILE COPY

Wichita-Sedgwick County Metropolitan Area Planning Department

January 2, 2002

John D. & Rhonda M. Murphy
1801 W. 35th St. N.
Wichita, KS 67204

Re: BZA2001-00068: An administrative adjustment to permit an accessory structure to be placed in front of the principle structure on less than five acres of land.

Legal Description: A tract beginning 717 1/2 feet west of the northwest corner of Lot 13, Walnut Grove Addition, Sedgwick County, Kansas; thence west 286 1/4 feet; thence south to the center of the Little Arkansas River; thence easterly along the center of said river to a point south of beginning; thence north to beginning; being part of Park in the recorded plat of Walnut Grove Addition (1801 W. 35th St. N.).

Dear Mr. & Mrs. Murphy:

We have reviewed your request for an Administrative Adjustment to permit an accessory structure to be placed in front of the principle structure on less than five acres of land. You state in your application that you propose to construct an 30'x 50' garage north of the northernmost point of your house. In reviewing the site plan, we find that the house is oriented such that it faces the platted rear yard to the south with the rear of the house facing the platted front yard to the north along 35th St. N.

The Unified Zoning Code allows an Administrative Adjustment that would permit an accessory structure to be placed in front of the principle structure on less than five acres of land. We find that permitting an accessory structure in front of the principal structure on your property meets the four conditions required by Section V-1.6 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 1,500 square foot detached garage on a residential lot. Public vehicular and pedestrian circulation will not be affected because sufficient space remains on the 3.5 acre lot to provide for the circulation of vehicles and pedestrians.
- 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 located in the platted front yard but will have the impact of being placed in the rear yard because the house faces the platted rear yard. The garage also will be setback over 150 feet from the front property line and will be screened by a large grove of mature trees.

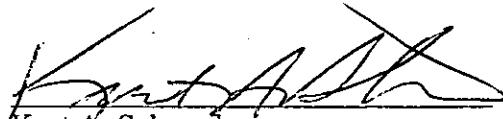
- 3) Compatibility with existing or permitted uses on abutting sites: Placing an accessory structure in front of a principal structure is within allowable adjustments and should not detract from the existing or permitted residential uses on abutting sites. The garage will be of similar design and materials as numerous other accessory structures in the neighborhood.
- 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 an Administrative Adjustment to permit an accessory structure to be placed in front of the principle 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 accessory structure shall be located no closer than 150 feet from the north property line.
- 3) Any violation of these conditions shall render the Administrative Adjustment null and void.

The zoning adjustment sign may now be removed from the property.


Marvin S. Krout
Planning Director


Kurt A. Schroeder
Superintendent of Central Inspection

Enclosure

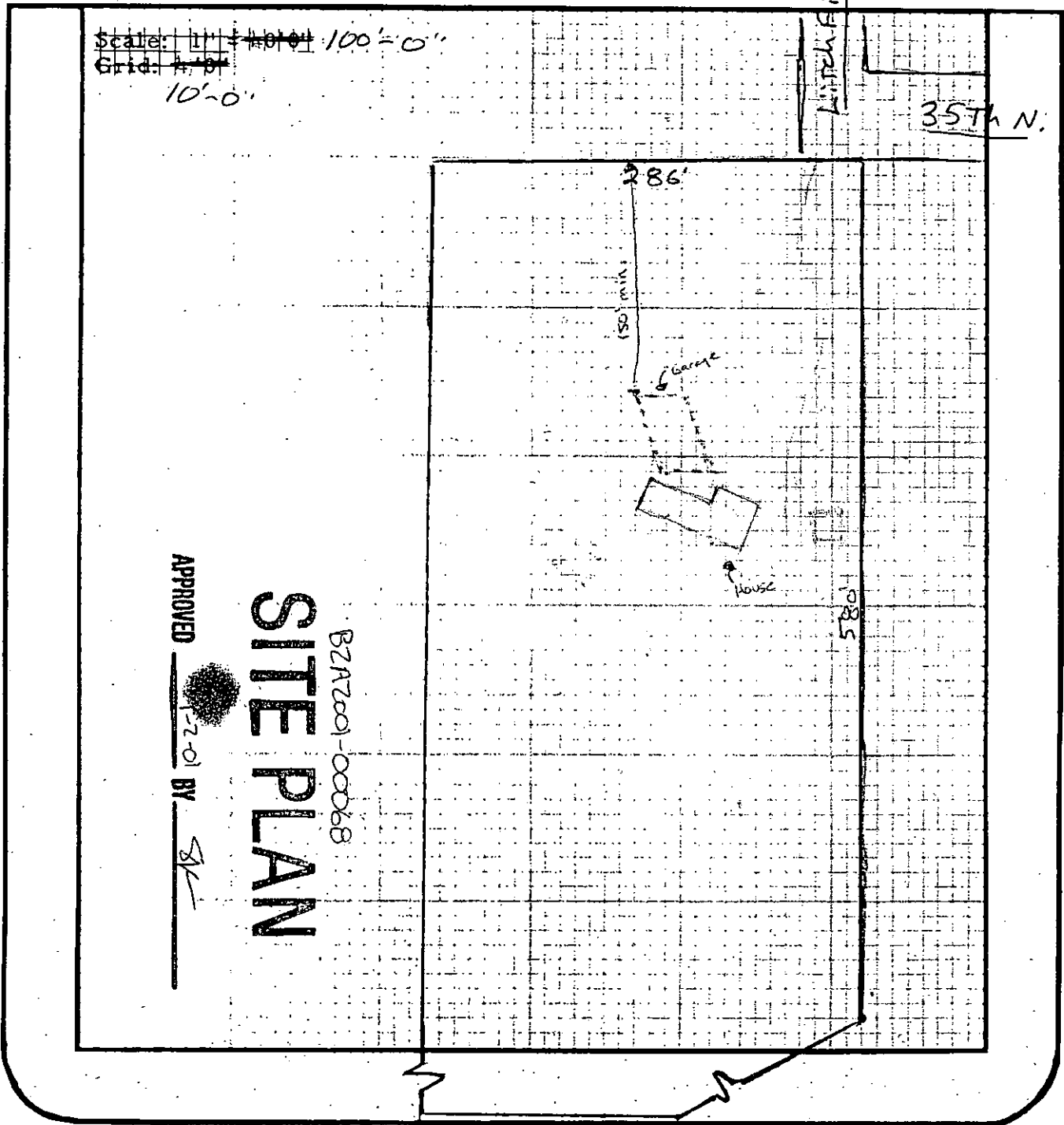
cc: Kurt Schroeder, Office of Central Inspection
Paul Hays, Office of Central Inspection
Randy Sparkman, Office of Central Inspection
J.R. Cox, Office of Central Inspection

RESIDENTIAL PLOT PLAN

ADDRESS: 1801 W. 35TH ST. N. PERMIT NO. 1

LOT(S): _____ BLK. _____ OF _____ ZONING _____

REQUIRED SETBACKS: FRONT _____ SIDE _____ SIDE _____ REAR _____



I certify that the above plat complies with applicable zoning setbacks and subdivision covenants and restrictions.

Signed: Rhonda M. Murphy
(Applicant)
John D. Murphy

White Copy - File

Yellow Copy - Applicant