



Wichita-Sedgwick County Metropolitan Area Planning Department

July 15, 2002

Russell & Susan Snowbarger
11601 E. 2nd St. N.
Wichita, KS 67206

FILE COPY

Re: BZA2002-00040: Zoning Adjustment to permit two accessory structures to be placed in front of the principle structure on less than five acres of land.

Legal Description: Lots 1-4, Block C, Gott Addition, Sedgwick County, Kansas. Generally located south of Central and east of Greenwich (11601 E. 2nd St. N.).

Dear Mr. & Mrs. Snowbarger:

We have reviewed your request for an Zoning Adjustment to permit two accessory structures 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 expand an existing non-conforming 30' x 30' garage west of the westernmost point of your house. We understand that you desire to expand the garage to the 16' to the south and 6' to the west into a 36' x 46' garage. We further understand than an existing non-conforming 24' x 14' garage that is located west of the westernmost point of your house will remain on the property. In reviewing the site plan, we find that the house is oriented such that the front faces the platted side yard to the south along 2nd Street North, and the side faces the platted front yard to the east where the right-of-way for Ellson is located but the street is not constructed. Therefore, the accessory structures technically are located in the front yard but functionally are located in the side yard of your 1.9 acre tract.

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 principle 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 two accessory structures in front of the principle structure on your property meets the four conditions required by Section V-I.6. of the Code as set out below:

- 1) Impact on safety and convenience of vehicular and pedestrian circulation: This request is for 36' x 46' and 24' x 14' detached garages on a residential lot. Public vehicular and pedestrian circulation will not be affected because sufficient space remains on the 1.9 acre tract 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 garages being placed in front of the house, as the garages

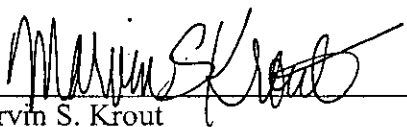
will be located in the platted front yard but will have the impact of being placed in the side yard because the house faces the platted side yard. The garages also will be setback over 100 feet from 2nd Street North; therefore, significant separation exists between the garages and existing residential structures in surrounding areas.

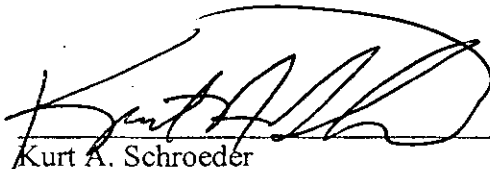
- 3) Compatibility with existing or permitted uses on abutting sites: Placing accessory structures in front of a principal structure is within allowable adjustments and should not detract from the existing or permitted residential uses on abutting sites since the remodeled garage will have the same siding and roof pitch and material as the house.
- 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 Zoning Adjustment to permit two accessory structures 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 36' x 46' garage shall match the character of the existing single-family residence in terms of materials and color and roof pitch.
- 3) The allowance of accessory structures in front of the principle structure shall apply only to the 36' x 46' and 24' x 14' garages as illustrated on the approved site plan. Future structures or additions on the subject property shall not be placed in front of the principle structure unless a separate Zoning Adjustment 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 Article VIII of the Unified Zoning Code, may, with the concurrence of the Planning Director, declare that the Zoning Adjustment is 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

LOT 1

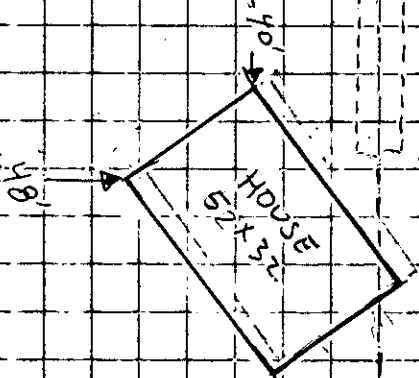
LOT 2

LOT 3

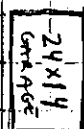
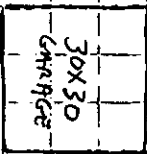
LOT 4

18' EASEMENT FOR 4 MILE CREEK SEWER

2ND STREET



DRIVEWAY



40' SET BACK

(TYPICAL)

102.5

ELLSON STREET (NOT THROUGH YET)

BZA2002-00040

SITE PLAN

APPROVED 7-15-02 BY SK

NORTH