



Wichita-Sedgwick County Metropolitan Area Planning Department

Roger Clark
227 W 83rd Street South
Wichita, KS, 67060

May 31, 2011

Reference: BZA2011-00017: County Zoning Adjustment to permit an accessory structure to be placed in front of the principal structure on less than five acres in SF-20 Single-family Residential zoning; generally located west of Broadway Avenue/US 81 Highway, on the south side of 83rd Street South.

Legal Description: See attached legal; Exhibit A.

Dear Applicant:

We have reviewed your request for a Zoning Adjustment to permit an expansion of an accessory structure in front of the principal structure on less than five acres. From reviewing your application, we understand that you propose to add an additional 22' (x) 37' to your 16' (x) 37' garage on a 0.07-acre lot, east of the primary structure, and technically in front of the primary structure. There is no record of the existing accessory structure being built in front of the residence.

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:

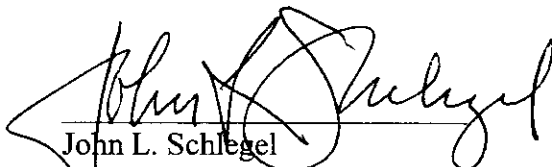
- 1) Impact on safety and convenience of vehicular and pedestrian circulation: This request is for a detached garage on a residential lot. Public vehicular and pedestrian circulation will not be affected as the garage will provide sufficient space for parking vehicles on the property and will not interfere 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 structure will meet the zoning required building setback.

- 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.
- 4) Effect on public health, safety or welfare: There will be no encroachment into public utility easements or right-of-way; therefore, there should be no negative impact on the public health, safety or welfare nor will properties or improvements in the vicinity be materially injured.

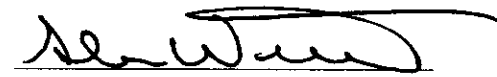
Our signatures below indicate that a Zoning Adjustment to permit an accessory structure to be placed in front of the principal structure on less than five acres of land for the aforementioned property is hereby GRANTED, subject to the following conditions:

- 1) The site shall be developed in general conformance with the approved site plan, and all permits necessary to construct the improvements shall be acquired.
- 2) The allowance of an accessory structure in front of the principal structure shall apply only to the "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.
- 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.

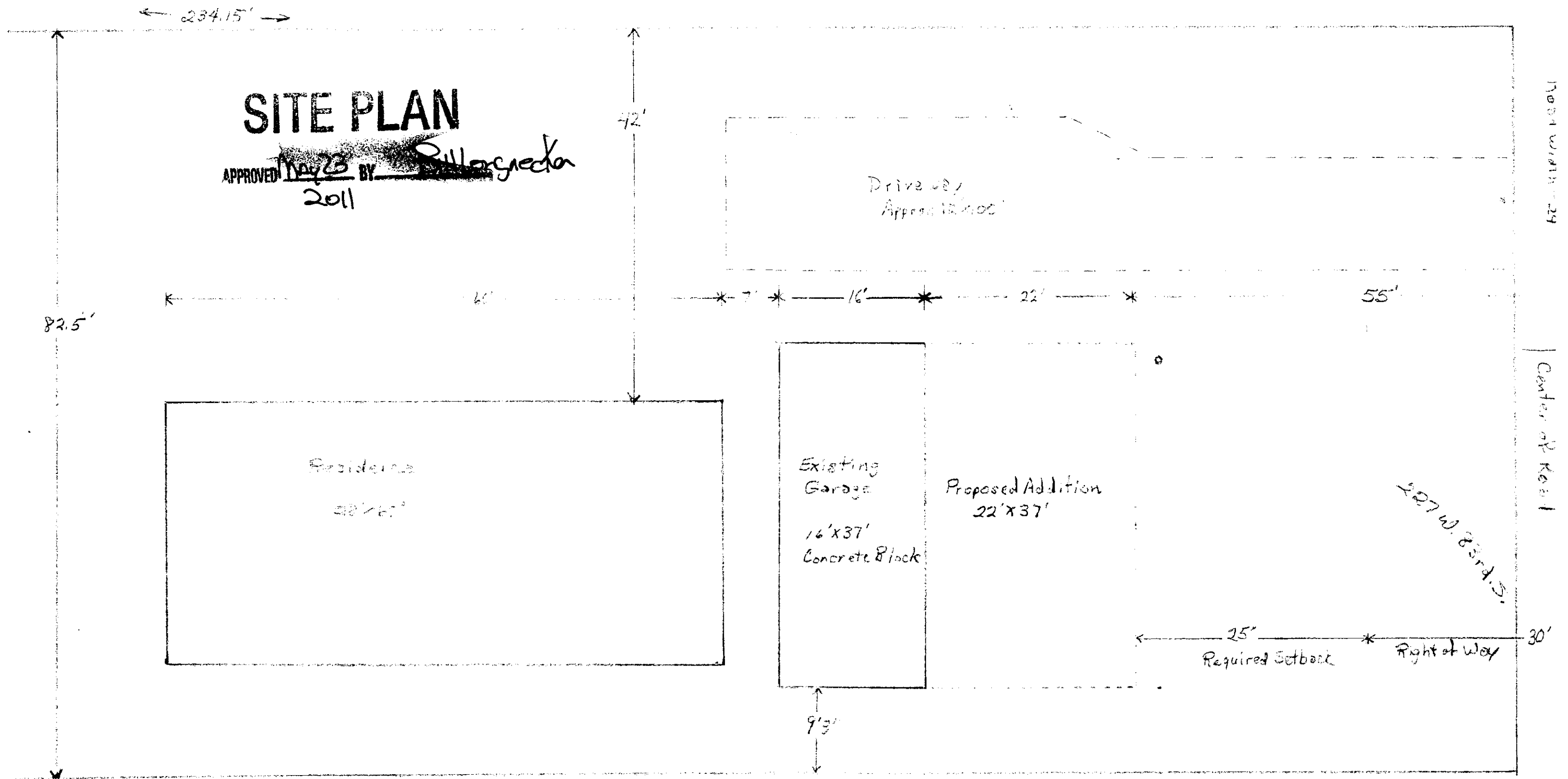


John L. Schlegel
Planning Director



Glen Wiltse
Zoning Administrator

cc: Glen Wiltse Sedgwick County Superintendent of Central Inspection, 1144 S Seneca, Wichita, KS, 67213
Jim Weber, Sedgwick County Public Works Engineer, 1144 S Seneca, Wichita, KS, 67213
Kelly Dixon, Sedgwick County Code Enforcement, 1144 S Seneca, Wichita, KS 67213



Measurements were obtained by measuring from center of existing road bed. Allowance was made for the 30' Right of way and the 25' setback to obtain dimensions for the proposed addition.