



Wichita-Sedgwick County Metropolitan Area Planning Department

April 2, 2002

Kerry Brown
15601 E. 54th St. S.
Derby, KS 67037

FILE COPY

Re: BZA2002-00013: 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: Beginning at the SW corner of the E 1/2 of the SE 1/4 of Sec. 24-28-2E, thence E 331.04', thence N 661.38', thence W 331.59', thence S to point of beginning, excluding roads on N and S (15601 E. 54th St. S.).

Dear Mr. Brown:

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. Although your property has street frontage along both the north and south property lines, your property is oriented such that the drive entrance is from the north; therefore, the north property line is the front of the lot. From reviewing your application we have determined that you propose to construct an 30' x 50' metal building and that the northernmost point of the metal building will be 17 feet further north than the northernmost point of your house. You state in your application that site of the metal building was selected because it is the most cost efficient location in terms of the existing location of utilities. You further state in your application that you will be using the building for the storage of vehicles and as a recreation room with a bathroom.

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-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 1,500 square foot detached garage and recreation room on a rural residential lot. Public vehicular and pedestrian circulation will not be affected because sufficient space remains on the 4.4 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 and recreation room being placed

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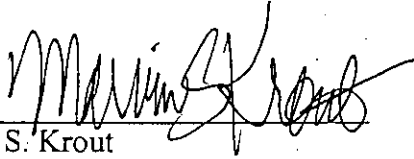
in front of the house, as the structure will be setback 90 feet from the front property line and will be screened by existing evergreen trees.


- 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 structure 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 not be used for any rural home occupation listed in Section IV.E.7. of the Unified Zoning Code without approval from the Metropolitan Area Planning Commission, Sedgwick County Board of Zoning Appeals, and/or Board of Sedgwick County Commissioners, as applicable.
- 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


Glen Wiltse
Code Enforcement Director

Enclosure

cc: Glen Wiltse, Code Enforcement Director.

5601 E. 54th St. So.

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Kerry Brown

