



FILE COPY

**Wichita-Sedgwick County Metropolitan Area Planning Department**

June 26, 2003

Branch Janssen  
1307 N. Coolidge  
Wichita, KS 67203

**Re: BZA2003-00031: Zoning Adjustment to reduce the north side setback for an accessory structure located in the rear half of the lot from 3 feet to 2.4 feet.**

**Legal Description: Lots 249 and 251 on Coolidge, Riverside Addition, Wichita, Sedgwick County, Kansas. Located south of 13<sup>th</sup> St. N. on the west side of Coolidge (1307 N. Coolidge).**

Dear Mr. Janssen:

We have reviewed your request for a Zoning Adjustment to reduce the side setback on the above-referenced property. From reviewing your application, we understand that you propose to replace the existing one-car detached garage on the property with a new two-car detached garage. We further understand that the existing garage encroaches into the 3-foot side yard setback required for accessory structures, and that you propose to maintain an encroachment into the side yard setback to allow for easier vehicular access to the garage and to avoid a conflict with the sanitary sewer service line. Therefore, you have requested a Zoning Adjustment to reduce the north side setback required for accessory structures located in the rear half of the lot by 20% from 3 feet to 2.4 feet.

Sec. V-I.2.a. of the Unified Zoning Code allows an adjustment to reduce a building setback by up to 20 percent when the conditions required by Sec. V-I.6. of the Code are met. We find that the reduction of the setback as proposed meets the four conditions required by Sec. V-I.6 of the Code as set out below:

- 1) Impact on safety and convenience of vehicular and pedestrian circulation: The proposed encroachment into the setback should improve vehicular safety by allowing more direct vehicular access to the garage with fewer requirements for turns and backing on the residential property.
- 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 reduction of the setback, as the encroachment into the side yard setback is minimal and the addition will match the character of the existing residence.
- 3) Compatibility with existing or permitted uses on abutting sites: The proposed detached garage is compatible with abutting sites, which are developed with single family residences and also have detached garages with similar and in some cases greater side yard setback encroachments.

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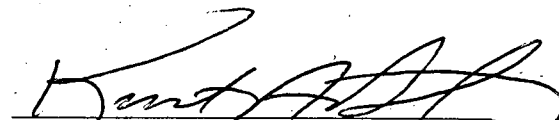
- 4) Effect on public health, safety or welfare: There will be no encroachment into public utility easements or right-of-way; therefore, there should not be a negative impact on the public health, safety or welfare nor will properties or improvements in the vicinity be materially injured.

Our signatures below indicate that a Zoning Adjustment to reduce the north side setback for an accessory structure located in the rear half of the lot from 3 feet to 2.4 feet 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 setback reduction shall apply only to "Proposed New Location" as illustrated on the approved site plan. All other structures or additions on the subject property shall conform to the setbacks permitted by the Unified Zoning Code unless a separate Zoning Adjustment or Variance is granted.
- 3) The detached garage shall match the character of the existing single-family residence in terms of materials and color and roof pitch.
- 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.

  
Dale Miller  
Acting Planning Director

  
Kurt A. Schroeder  
Superintendent of Central Inspection

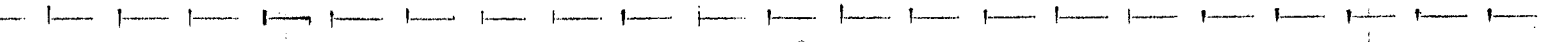
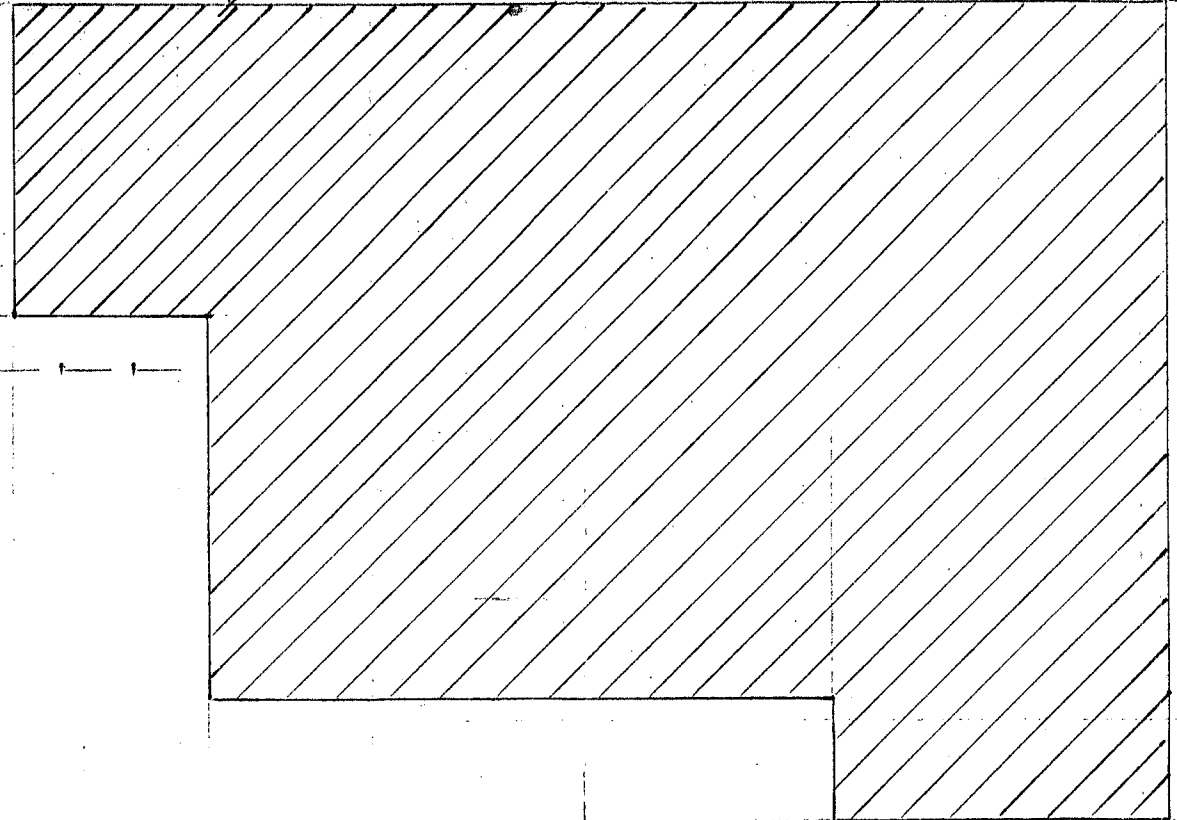
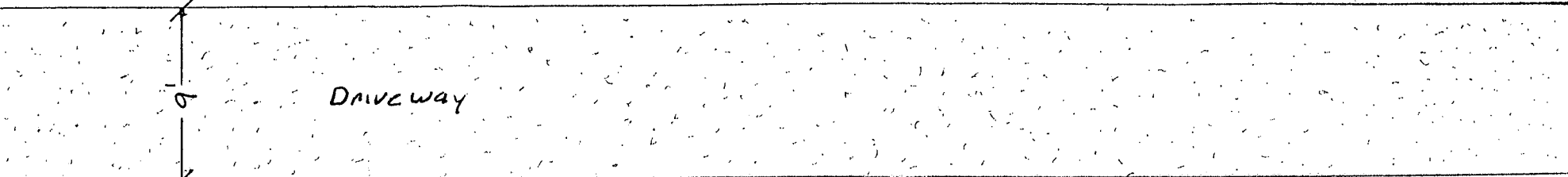
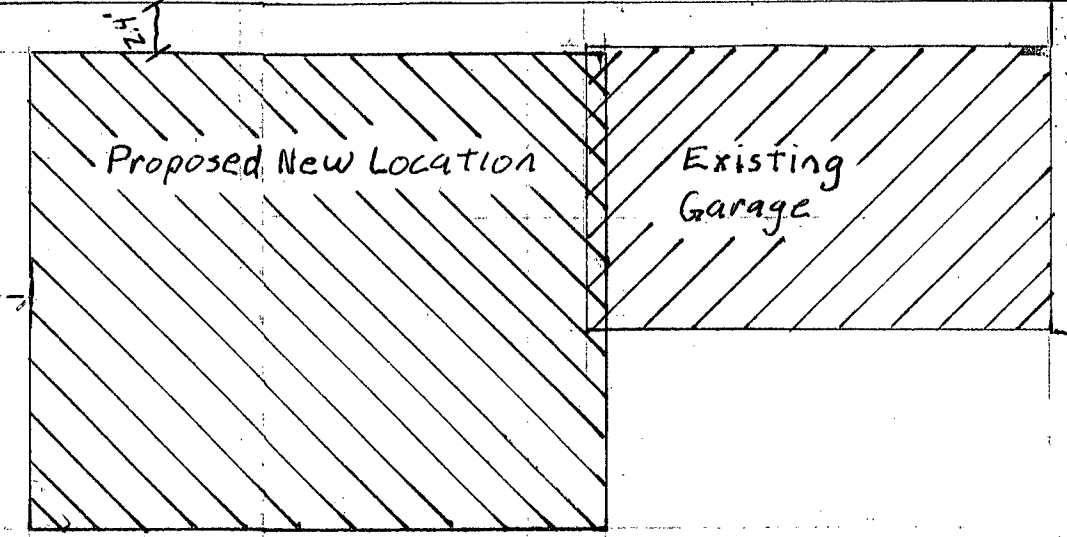
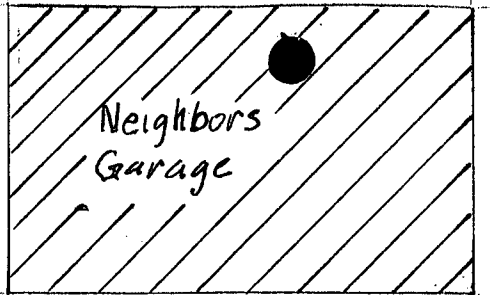
cc: Kurt Schroeder, Office of Central Inspection  
Paul Hays, Office of Central Inspection  
Randy Sparkman, Office of Central Inspection  
J.R. Cox, Office of Central Inspection

Property Line

Centerline

Alley

Property Line



B2A2003-00031  
**SITE PLAN**

APPROVED 6-26-03 BY SK  
 MAPD Copy

140'

50'



Scale: 1/8" = 1'

Notes: The location of the sewer line for the proposed detached garage are not to scale.