



METROPOLITAN AREA PLANNING
DEPARTMENT

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WICHITA, KANSAS 67202-1688
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June 3, 1996

William E. Knapp
2620 N. Coolidge
Wichita, KS 67204

RE: CU-396 Conditional Use to allow an accessory apartment

Dear Mr. Knapp:

At its regular meeting on May 30, 1996, the Metropolitan Area Planning Commission considered the above-captioned request. The action of the MAPC was to APPROVE the request, subject to the following conditions:

- A. Only one accessory apartment shall be allowed on the zoning lot at 2620 N. Coolidge and this accessory apartment shall be a renovation and expansion of the existing 16' x 18' building located near the south property line. The expanded building shall not exceed 1000 square feet.
- B. The appearance of the accessory apartment shall be compatible with the main dwelling and with the character of the neighborhood. The accessory apartment shall be constructed with exterior materials similar to those of the main dwelling and the accessory apartment shall not exceed one story in height.
- C. The accessory apartment shall remain accessory to and under the same ownership as the main dwelling at 2620 N. Coolidge and shall not be subdivided or sold as a condominium.
- D. Even though Lot Split L/S-0556 divided this lot into two separate building sites, only one principal dwelling unit shall be permitted on Lot 10 as long as an accessory apartment also exists on Lot 10.
- E. Prior to renovation of the existing building into an accessory apartment, the applicant shall obtain a building permit and shall comply with all building and zoning code requirements.

If there are no valid appeals or protest petitions filed opposing this action by June 13, 1996, the action of the MAPC will be considered final. If appeals or protest petitions are filed, you will be advised of the date your application will be forwarded to the Governing Body for review and final action.

The zoning adjustment sign(s) should now be removed from the property. If you have any questions concerning this case, please contact our office.

Sincerely,

A handwritten signature in black ink, appearing to read 'Russ Ewy', with a stylized flourish at the end.

Russ Ewy
Associate Planner

cc: Office of Central Inspection

STAFF REPORT

May 30, 1996

CASE NUMBER: CU-396

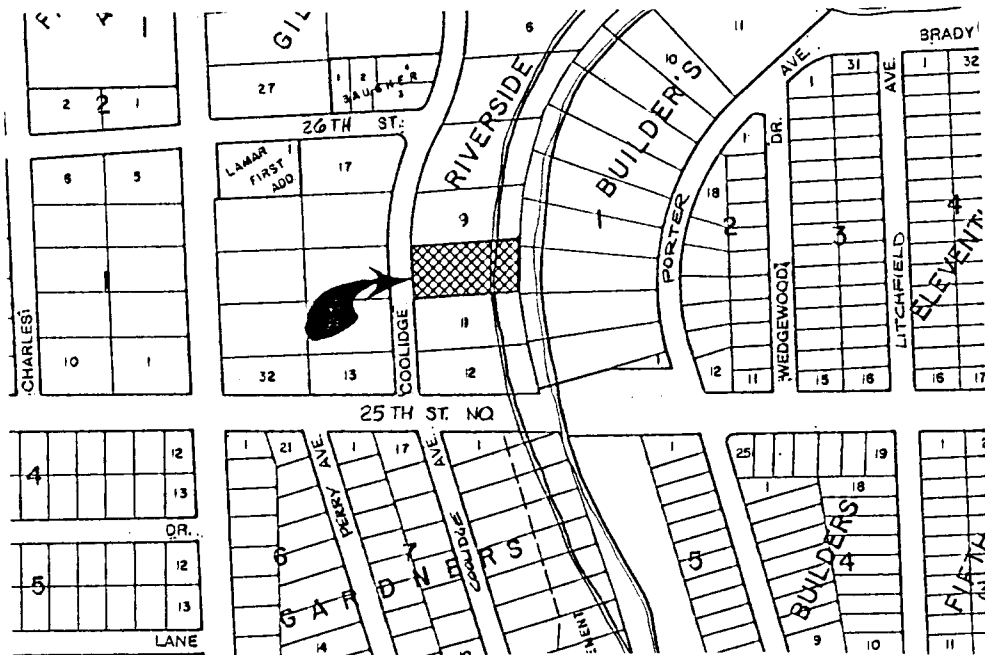
APPLICANT/AGENT: William E. Knapp

REQUEST: Conditional Use to permit an accessory apartment

CURRENT ZONING: SF-6 Single-Family District

SITE SIZE: 31,289 sq. ft. (inc. 12, 663 sq. ft. riverbank easement)

LOCATION: North of 25th Street on the east side of Coolidge
(2620 N. Coolidge)



BACKGROUND: The applicant requests conditional use approval for an accessory apartment in the SF-6 Single-Family District at 2620 N. Coolidge. The application site is legally described as Lot 10 in Gilder's Riverside. This is the first such request filed under the new Unified Zoning Code which provides for accessory apartments in all residential districts if approved as a conditional use, subject to the three conditions specified in Sec. III-D.6.a. and any other special conditions deemed necessary to assure full compliance with the UZC. By definition, an accessory apartment must be subordinate to the main dwelling on the property but may be either attached to or detached from the principal dwelling. On this application lot, a single-family residence, an 18-foot-wide detached garage, and two detached accessory buildings identified on a survey as "sheds", already exist. The shed on the south side of the property is proposed to be renovated and enlarged to provide living accommodations for a college-age son. This building is presently 292 sq. ft. and will be enlarged to 734 sq. ft. The principal dwelling unit on this lot is approximately 1400 sq. ft. (See lot survey attached.)

Original lot sizes in this subdivision were generally 1/2- to 1-acre but many lots have been split or subdivided into smaller sites. Many of the lots have detached garages or other small accessory buildings such as the ones on the application lot. In 1983, a previous owner of the application lot (Lot 10) split the lot into two approved building sites, the north site containing the house and 20' x 20' shed; the south site containing the garage and the 16' x 18' shed which is now proposed for renovation into an accessory apartment. No residence was ever constructed on the south site and perhaps the full lot has never been divided into two separate ownerships even though approved for such division. However, the recorded lot split document (Film 566 Page 403) does create the possibility of two separate zoning lots under two separate ownerships. Accessory apartments are required to be on the same zoning lot as the principal residence and are required to remain under the same ownership as the principal residence.

Because of the approved lot split (L/S-0556), the applicant could construct a single-family dwelling unit on the south site without a conditional use, however, the unit would be considered a principal dwelling unit and would be required to observe a 6-foot side yard, provide one on-site parking space, have utility connections separate from the connections for 2620 N. Coolidge, and generally comply with all development standards for principal single-family dwellings. The existing south shed could not be converted into a principal dwelling unit without a side yard variance because it is only 4.3 feet from the south property line. The applicant's intent is to create an apartment which is accessory to the dwelling at 2620, not to create a second principal dwelling, and therefore he has filed a conditional use request.

When asked why the smaller, more remote building was chosen for the apartment, the applicant said it was because the smaller building is more structurally sound and because the north building already houses his workshop. Conversion of the south

structure into an accessory apartment should not be detrimental to the property to the south or to the neighborhood in general if developed in accordance with the recommended conditions.

CASE HISTORY: L/S-0556 was approved administratively in January 1983. This created separate building sites for the north 64 feet and for the south 70 of Lot 10.

ADJACENT ZONING AND LAND USE:

NORTH:	SF-6	Single-family
SOUTH:	SF-6	Single-family
EAST:	SF-6	Little Arkansas River and Single-family
WEST:	SF-6	Undeveloped lot

PUBLIC SERVICES: Municipal sewer and water are available in Coolidge. Coolidge is an asphalt mat street without curb and gutter.

CONFORMANCE TO PLANS/POLICIES: One of the objectives of the Housing and Neighborhood section of the Comprehensive Plan is to "coordinate and support activities which create greater access to affordable housing opportunities". One of the recommended strategies to achieve this objective was to allow accessory apartments in single-family districts, subject to appropriate limitations. The new Unified Zoning Code does provide for accessory apartments by conditional use and this request was filed under the conditional use provisions of the UZC.

RECOMMENDATION: Based upon information available prior to the public hearings, planning staff recommends that the request be APPROVED, subject to the following conditions:

- A. Only one accessory apartment shall be allowed on the zoning lot at 2620 N. Coolidge and this accessory apartment shall be a renovation and expansion of the existing 16' x 18' building located near the south property line. The expanded building shall not exceed ~~800~~^{1,000} square feet.
- B. The appearance of the accessory apartment shall be compatible with the main dwelling and with the character of the neighborhood. The accessory apartment shall be constructed with exterior materials similar to those of the main dwelling and the accessory apartment shall not exceed one story in height.
- C. The accessory apartment shall remain accessory to and under the same ownership as the main dwelling at 2620 N. Coolidge and shall not be subdivided or sold as a condominium.
- D. Even though Lot Split L/S-0556 divided this lot into two separate building sites,

only one principal dwelling unit shall be permitted on Lot 10 as long as an accessory apartment also exists on Lot 10.

- E. Prior to renovation of the existing building into an accessory apartment, the applicant shall obtain a building permit and shall comply with all building and zoning code requirements.

This recommendation is based on the following findings:

1. The zoning, uses and character of the neighborhood: The subject property is located in a single-family neighborhood with large lots and numerous detached accessory structures. The size of the proposed accessory apartment and the size of the application lot are in character with the general area.
2. Extent to which removal of the restrictions will detrimentally affect nearby property: The proposed accessory apartment has adequate land area and is sufficiently separated from adjacent habitable structures to the extent that nearby properties will not be adversely affected.
3. Conformance of the requested change to the adopted or recognized Comprehensive Plan: The Comprehensive Plan suggested the establishment of accessory apartments in single-family districts, subject to limitations, and the new Unified Zoning Code implements this suggestion by allowing accessory apartments through the conditional use procedure.
4. Impact of the proposed development on community facilities: Municipal sewer and water are available to serve the accessory apartment and Coolidge is a paved street.