



Wichita-Sedgwick County Metropolitan Area Planning Department

October 24, 2013

Leo Hoch
4025 N. Dale
Wichita, KS 67204

Re: BZA2013-39: City Administrative Adjustment to allow an accessory structure (detached carport 24 X 40 feet) in front of the principal structure on property zoned SF-5 Single-family Residential ("SF-5").

Legal Description: W 190 FT N 57 FT, Lot 10, Riverside Acres Addition; generally located west of the northwest corner of North Dale and West 40th Street North.

Dear Applicant:

We have reviewed your request for a Zoning Adjustment to permit an accessory structure in front of the principal structure on 0.25 acre. From reviewing your application, we understand that you propose to construct a 24-foot by 40-foot detached carport on the aforementioned property. We understand that you propose to construct the accessory structure closer to West 40th Street North than the primary dwelling. From the drawing submitted, the proposed accessory structure will be located 25 feet from the lot's south property line, approximately five feet in front of the primary structure.

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 accessory structure on a private lot with the structure located 25 feet from the south property line, as shown on the attached site plan. Public vehicular and pedestrian circulation will not be affected as the garage will provide space for the property owner's personal 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 carport being placed in front of the house, as

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the structure will be set back 25-feet from the public street which is standard front yard setback in "SF-5".

- 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, Wichita-Valley Center Floodway and I-235 right-of-way.
- 4) Effect on public health, safety or welfare: There will be no encroachment into public utility easements or right-of-way. There will be no negative impact on the public health, safety or welfare, nor will properties or improvements in the vicinity be materially injured.

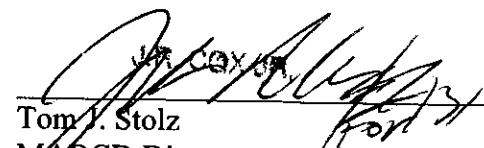
Our signatures below indicate that a Zoning Adjustment to permit an accessory structure to be placed in front of the principal structure on less than five acres of land for the aforementioned property is hereby GRANTED, subject to the following conditions:

- 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 and installed within one year.
- 2) The permitting of an accessory structure in front of the principal structure shall apply only to the proposed carport 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
MAPD Director



Tom J. Stolz
MABCD Director

cc: J.R. Cox, MABCD
Paul Hays, MABCD
Janet Miller, CM District VI
Terri Dozal, NA District VI



BZA2013-00039

4015 N. Dale Street

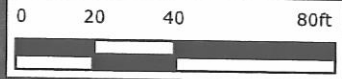
SITE PLAN

APPROVED *B. Munro* 10-24-2013



- McConnell AOI
- City Limit Boundaries
- Historic Districts
- Old Town Delano Overlay District
- NO
- YES
- Property Parcels
- Lot Block
- Subdivisions
- Roads
 - State Highway
 - US Federal Highway
 - Interstate
 - KTA
 - Arterial
 - Collector
 - Minor
 - Ramp
 - Railroads
 - HOA
- Local Investment Area
- Historic Sites**
 - REGIONAL
 - STATE/NATIONAL
 - STATE
 - Historic Environs
- Case Tracking
- Zoning Cases
- NoiseContours-2004
- NoiseContours-1994

W 40TH STN 3 ft



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