



Wichita-Sedgwick County Metropolitan Area Planning Department

February 5, 2014

Lowell G. Toothman
2251 S Mosley
Wichita, KS 67211

Brehm Contracting
Chad Brehm
1653 S. Selma
Wichita, KS 67216

Re: BZA2014-10: City Administrative Adjustment to allow an accessory structure (detached garage 30 X 60 feet) in front of the principal structure on property zoned TF-3 Two-family Residential ("TF-3").

Legal Description: LOTS 39-41-43 MOSLEY AVE. ROCK ISLAND 3RD ADDITION, Wichita, Sedgwick County, KS. Generally located on the west side of South Mosley Street between East Kinkaid and East Blake (2251 S. Mosley).

Dear Applicant:

We have reviewed your request for a Zoning Adjustment to permit an accessory structure in front of the principal structure on 0.21 acre. From reviewing your application, we understand that you propose to construct a 30-foot by 60-foot detached garage on the aforementioned property 25-feet back from the front property line. From the drawing submitted, the proposed accessory structure will be located 25 feet from the lot's east property line and 6 feet from the north property line.

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. 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 east property line and 6 feet from the north property line, as shown on the attached site plan. Public vehicular and pedestrian circulation will not be affected and will not interfere with traffic circulation patterns.

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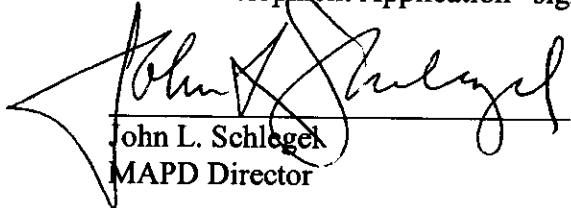
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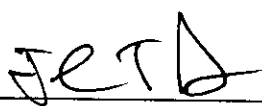
- 2) Impact on existing uses in surrounding areas: There should be no negative impact on the existing uses in surrounding areas as a result of the detached garage being placed in front of the primary structure, as the structure will be set back 25-feet from the public street which is the standard front yard setback in "TF-3" zoning district.
- 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 and two-family residences.
- 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 structure built within one year.
- 2) The permitting of an accessory structure in front of the principal structure shall apply only to the proposed 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. Schloegel
MAPD Director


Tom J. Stolz
MABCD Director

cc: J.R. Cox, MABCD
Paul Hays, MABCD
James Clendenin, CM District III
Case Bell, NA District III

20' Alley

≈

75'

SITE PLAN

APPROVED 2/5/2014 BY *R. Morgan*

Existing
House

NEW
30x60
Garage

← 140' →

approx
70'

6ft

25ft
Set Back

2251 S Mosley