



Wichita-Sedgwick County Metropolitan Area Planning Department

May 16, 2002

Scott Land LLC
c/o Randy Johnson, Manager
12602 W. 13th St. N.
Wichita, KS 67235

FILE COPY

Re: BZA2002-00027: Administrative adjustment to permit parking in a residential district to be located within the required front yard.

Legal Description: Reserve E, Shoal Creek Addition, Wichita, Sedgwick County, Kansas. Generally located south of the Kansas Turnpike (I-35) and west of 143rd Street East (14028 E. Siefkes).

Dear Mr. Johnson:

We have reviewed your request for an Administrative Adjustment to permit parking in a residential district to be located within the required front yard. You state in your application that parking in the required front yard is requested to allow the drive aisle for a neighborhood pool parking lot to be located within the 25-foot front yard setback but no closer than eight feet from the front property line.

Sec. V-I.2.1. of the Unified Zoning Code allows an Administrative Adjustment that would permit parking in a residential district within the required front yard, but in no case closer to a front property line than eight feet, when the conditions required by Sec. V-I.6. of the Code are met. We find that permitting parking on the subject property within the required front yard, but in no case closer to a front property line than eight feet, 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: This request is to allow the drive aisle for a parking lot to be located within the required front yard. Since the parking lot will be located no closer than eight feet from the front property line, public vehicular and pedestrian circulation should not be affected.
- 2) Impact on existing uses in surrounding areas: There should not be a negative impact on the existing uses in the surrounding areas as a result of parking within the setback. Parking for the pool should not encroach or encumber any uses adjacent to this property, none of which front the same street segment as the pool, and the parking area will be appropriately screened and buffered from adjacent uses.

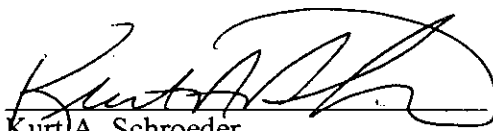
- 3) Compatibility with existing or permitted uses on abutting sites: Neighborhood swimming pools and associated accessory uses such as parking are permitted in residential zoning districts, and the allowance of parking within the setback should not compromise existing or permitted uses on abutting sites due to the minor nature of the encroachment of the parking area into the front setback and the provision of landscaping for the parking lot.
- 4) Effect on public health, safety or welfare: There will be no encroachment of structures 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 allow parking in a residential district within the required front yard, but in no case closer to a front property line than eight feet on 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) All parking areas shall be paved and marked.
- 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 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.


Marvin S. Krout
Planning Director


Kurt A. Schroeder
Superintendent of Central Inspection

Enclosure

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

