



Wichita-Sedgwick County Metropolitan Area Planning Department

April 12, 2002

Joe Hoover
USD 259
3850 N. Hydraulic
Wichita, KS 67219

FILE COPY

Re: BZA2002-00017: An administrative adjustment to allow parking in the street side setback on property zoned "TF-3" Two-Family Residential.

Legal Description: Beginning 30' E of the SW corner of the NW 1/4 of Sec. 13-27-1E, thence E 363', thence N 630', thence W 363' to a point 30' E of the W line of said NW 1/4, thence S 630' to point of beginning, excluding that part dedicated for street right-of-way. Located at the southeast corner of 10th Street North and Oliver (1002 N. Oliver).

Dear Mr. Hoover:

We have reviewed your request for an administrative adjustment to allow parking in the street side setback on the aforementioned property. You state in your application that you plan to use this area for required off-street parking in conjunction with the expansion of Adams Elementary School and that you desire to park in the street side setback no closer than 10 feet from the property line in order to preserve as much land as possible for use as a playground.

The Unified Zoning Code allows an adjustment to permit parking in residential districts to be located within required street side setback, but in no case closer to the property line than 8 feet. Therefore, we find that allowance of parking within the street side setback no closer than 10 feet from the property line meets the four conditions required by Section V-1.6 of the Unified Zoning Code as set out below:

- 1) Impact on safety and convenience of vehicular and pedestrian circulation: Providing additional off-street parking may improve the safety and convenience of vehicular and pedestrian circulation in the area by reducing the number of vehicles parking along the street. Sufficient open space between the parking area and the property line will remain to prevent vehicles from encroaching upon the sidewalk.
- 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 school should not encroach or encumber any uses adjacent to this property and will be appropriately screened and buffered from adjacent uses.

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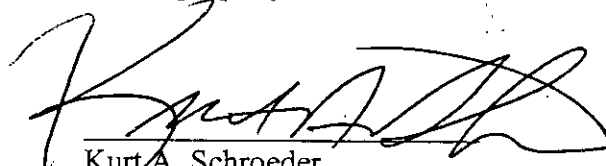
- 3) Compatibility with existing or permitted uses on abutting sites: Schools and associated accessory uses such as parking are permitted in residential zoning districts, and the allowance of parking within the setback should not compromise existing or permitted uses on abutting sites due to the minor 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 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 the front and street side setbacks, but no closer than 10 feet from the property line, is hereby granted subject to the following conditions:

- 1) The parking lot shall be developed in accordance with the approved site plan.
- 2) All parking areas shall be paved and marked.
- 3) Any violation of these conditions shall render the Administrative Adjustment 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

MK/KS/sk

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

