CITY OF WICHITA

Wichita-Sedgwick County Metropolitan Area Planning Department

March 28, 2003

Diocese of Wichita
Attn: Msgr. Robert Hemberger
424 N Broadway
Wichita, KS 67202

St. Francis of Assisi Church
Attn: Wilbur Freund
861 N Socora
Wichita, KS 67212

Re: **BZA2003-00011: Zoning Adjustment to allow parking in the front setback on property zoned "SF-5" Single-Family Residential.**

Legal Description: Lot 1 and the N 47 feet of Lot 2, Block 1, Tyler Acres First Addition, Sedgwick County, KS (866 N Socora).

Dear Msgr. Hemberger and Mr. Freund:

We have received your request for a Zoning Adjustment to allow parking within the front yard setback on Socora. We understand that you intend to park no closer than eight feet from the property line. The property directly across Socora is developed with the main church and the school for St. Francis of Assisi.

Sec. V-I.2.l. of the Unified Zoning Code allows an adjustment to permit parking in residential districts to be located within required front and street side setbacks, but in no case closer to the property line than eight feet, when the conditions required by Sec. V-I.6. of the Code are met. We find that allowance of parking within the front setback no closer than eight 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: Sufficient open space between the parking area and the property line will remain to prevent vehicles from encroaching upon the sidewalk; therefore, the safety and convenience of vehicular and pedestrian circulation should not be negatively impacted.

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 as no residential front yards are located adjacent to the parking area, and the parking area will be appropriately screened from institutional uses located across the street.

3) Compatibility with existing or permitted uses on abutting sites: Institutional uses 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 setbacks 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 a Zoning Adjustment to allow parking in the front setback, but no closer than eight 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) 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.

Dale Miller
Acting Planning Director

Kurt A. Schroeder
Superintendent of Central Inspection

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