CITY OF WICHITA

FILE COPY

Wichita-Sedgwick County Metropolitan Area Planning Department

April 8, 2003

Bob & Patsy Scott
4055 N. Tyler
Maize, KS 67101

Re: **CON2003-00010: An Administrative Adjustment to approve minor adjustments to the approved site plan for CU-323.**

Legal Description: A tract in the east half of the Southeast Quarter of Section 29, Township 26 South, Range 1 West of the 6th P.M., Sedgwick County, Kansas, described as follows: Beginning at a point on the east line of said Southeast Quarter, 1,728.61 feet north of the southeast corner of said Southeast Quarter; thence northwesterly to a point 1,847 feet north and 96.15 feet west of the east line of said Southeast Quarter; thence west parallel to the south line of said Southeast Quarter, 1,219.34 feet to the west line of said east half; thence north 785.28 feet to the northwest corner of said east half of said Southeast Quarter; thence east on the north line of said east half of said Southeast Quarter, 1,315.83 feet to the northeast corner of said Southeast Quarter; thence south 911.14 feet to the point of beginning, except the right-of-way of the C.R.I. & P. Railroad, containing 21.87 acres, more or less. Generally located on the west side of Tyler Road, approximately one-half mile north of 37th Street North.

Dear Mr. & Mrs. Scott:

We have reviewed your request for an Administrative Adjustment to approve minor adjustments to the approved site plan for CU-323. Condition of Approval #2 for CU-323 states, "Any additional buildings to be constructed for public occupancy in conjunction with the private park and playground uses will require a new application to be submitted for review and approval." Therefore, you have submitted an Administrative Adjustment request for review and approval of additional buildings you propose for the subject property. As shown on the enclosed site plan and stated in your application, you propose nine small music rehearsal buildings, a ticket booth, an agricultural building, and 26' x 72' building for restrooms, food preparation, and an office.

Sec. V-D.14. of the Unified Zoning Code allows the Planning Director, with the concurrence of the Zoning Administrator, to approve minor adjustments to approved site plans for a Conditional Use as long as the adjustment does not have any of the negative impacts stated in Sec. V-I.6. We find that adjusting the approved site plan as proposed 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: The proposed site plan adjustments have no impact on the safety and convenience of vehicular and pedestrian circulation.

2) Impact on existing uses in surrounding areas: The proposed new buildings are set back significantly from the all property lines and are screened from view from adjoining properties by existing landscaping. There should be no impact on existing uses in surrounding areas.

3) Compatibility with existing or permitted uses on abutting sites: Use of the subject property for a private park and playground has been found to be compatible with existing or permitted uses on abutting sites through the approval of CU-323. The compatibility with existing or permitted uses on abutting sites should not be reduced by allowing the additional proposed buildings due to their small scale in relation to the overall site.

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 approve minor adjustments to the approved site plan for CU-323 on the aforementioned property is hereby granted subject to the following conditions:

1) The subject property shall be platted prior to the issuance of a building permit for the 26' x 72' building for restrooms, food preparation, and an office.

2) The site shall be developed in general conformance with the adjusted site plan.

3) If the Zoning Administrator finds that there is a violation of any of the conditions of the Administrative 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 Administrative Adjustment is null and void.

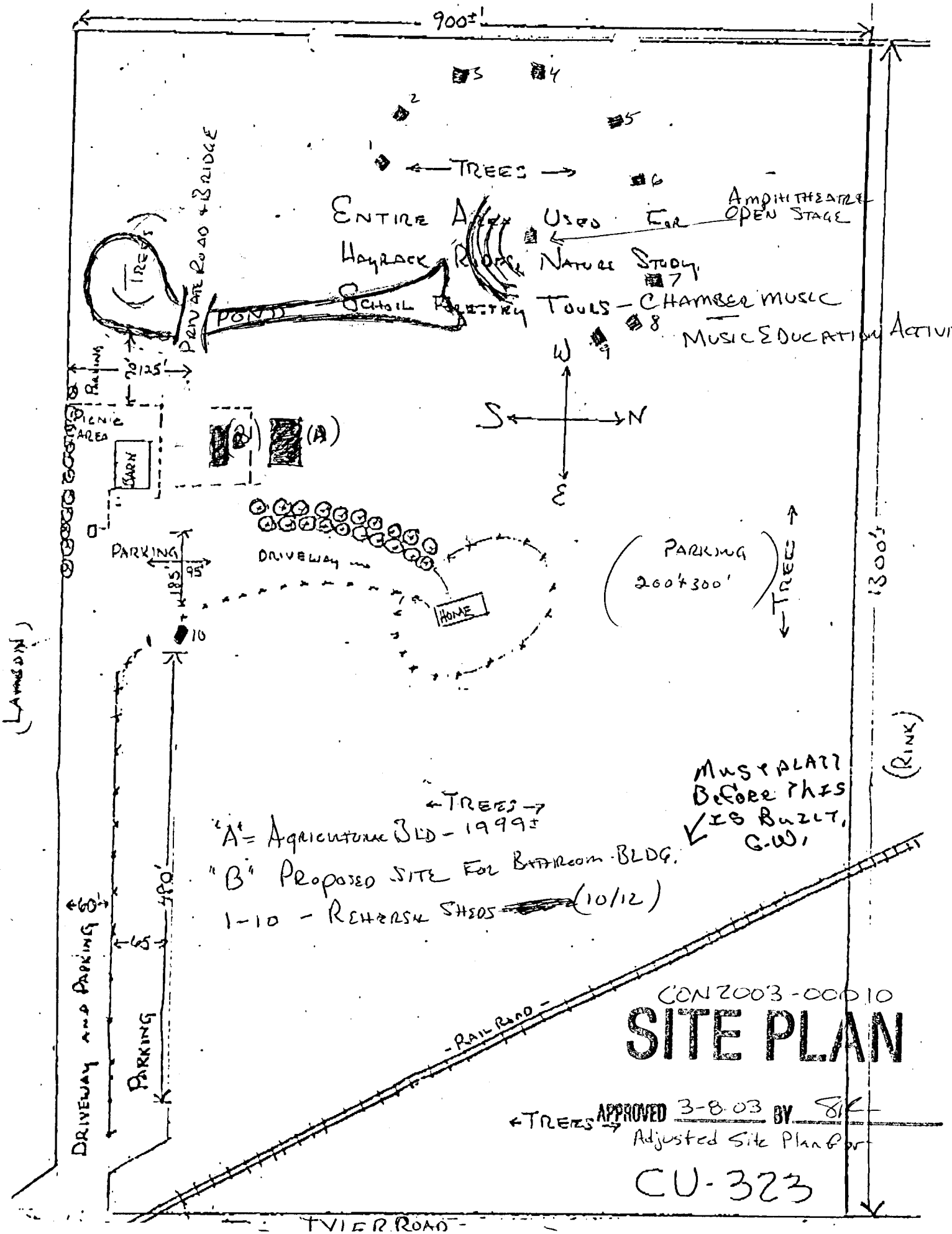
The zoning adjustment sign may now be removed from the property.

Dale Miller
Acting Planning Director

Glen Wiltse
Code Enforcement Director

Enclosure

cc: Glen Wiltse, Sedgwick County Code Enforcement



CON2003-00010

SITE PLAN

APPROVED 3-8-03 BY

Adjusted Site Plan for

CU-323