CITY OF WICHITA

Wichita-Sedgwick County Metropolitan Area Planning Department

October 2, 2009

Starkey Development Center Inc.
144 S Young
Wichita, KS 67209

Don Folger
234 S Topeka
Wichita, KS 67202

Re: BZA2009-44: Zoning Adjustment to permit parking within the front setback, but no closer than 8 feet from the property line, in SF-5 zoning, for single-family residential parking.

Lots 3, 5 and 6, Block A, Fran Ketta Second Addition to Wichita, Sedgwick County, Kansas. Generally located north of Douglas and east of Clara (4940 W Douglas). .

Dear Applicants,

We have reviewed your request for a Zoning Adjustment to permit parking within the front setback for a parking lot on the aforementioned property. From reviewing the application, we understand that you desire to construct three residences with associated parking spaces within 25 feet of the front property line but no closer than 8 feet.

Section V-I.2.l. of the Unified Zoning Code allows an administrative adjustment for parking within the front setback, but no closer than 8 feet from the property line when the provisions of that section and the Zoning Adjustment Criteria of Section V-I.6. are met. We find that the parking as proposed meets the provisions of Section V-I.2.l. and the four criteria required by Section V-1.6. as set out below:

1) Impact on safety and convenience of vehicular and pedestrian circulation: The setback encroachment should have no impact on the safety and convenience of vehicular and pedestrian circulation in the vicinity as no public right-of-way is affected.

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 parking within the front setback; the front yard will maintain a minimum of 8 feet.

3) Compatibility with existing or permitted uses on abutting sites: The proposed parking configuration is compatible with existing and permitted uses on abutting sites; parking

within the front setback should not reduce compatibility with abutting and adjacent sites.

4) Effect on public health, safety or welfare: There will be no encroachment into public utility easements or right-of-way. Therefore, there should 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 parking within the front setback, but no closer than 8 feet from the property line, 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.

2) Parking on the site shall be paved and developed in conformance with all other City standards.

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.

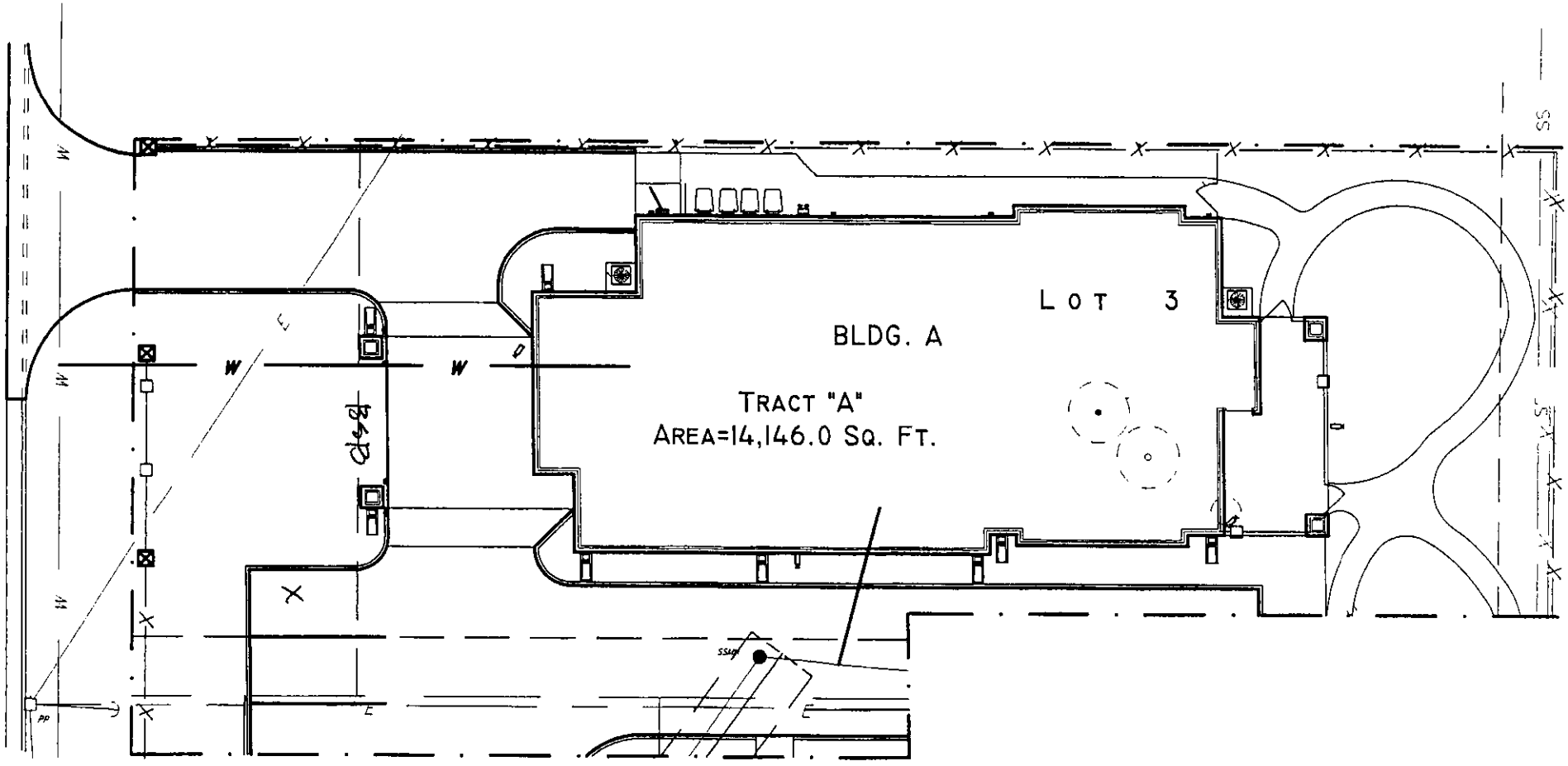
The "Development Application" sign should now be removed from the property.

John L. Schlegel
Planning Director

Kurt A. Schroeder
Superintendent of Central Inspection

Enclosure

cc: Kurt Schroeder, OCI
Paul Hays, OCI
Mike Gable, OCI
JR Cox, OCI
Paul Gray, District IV, mailstop 1-13



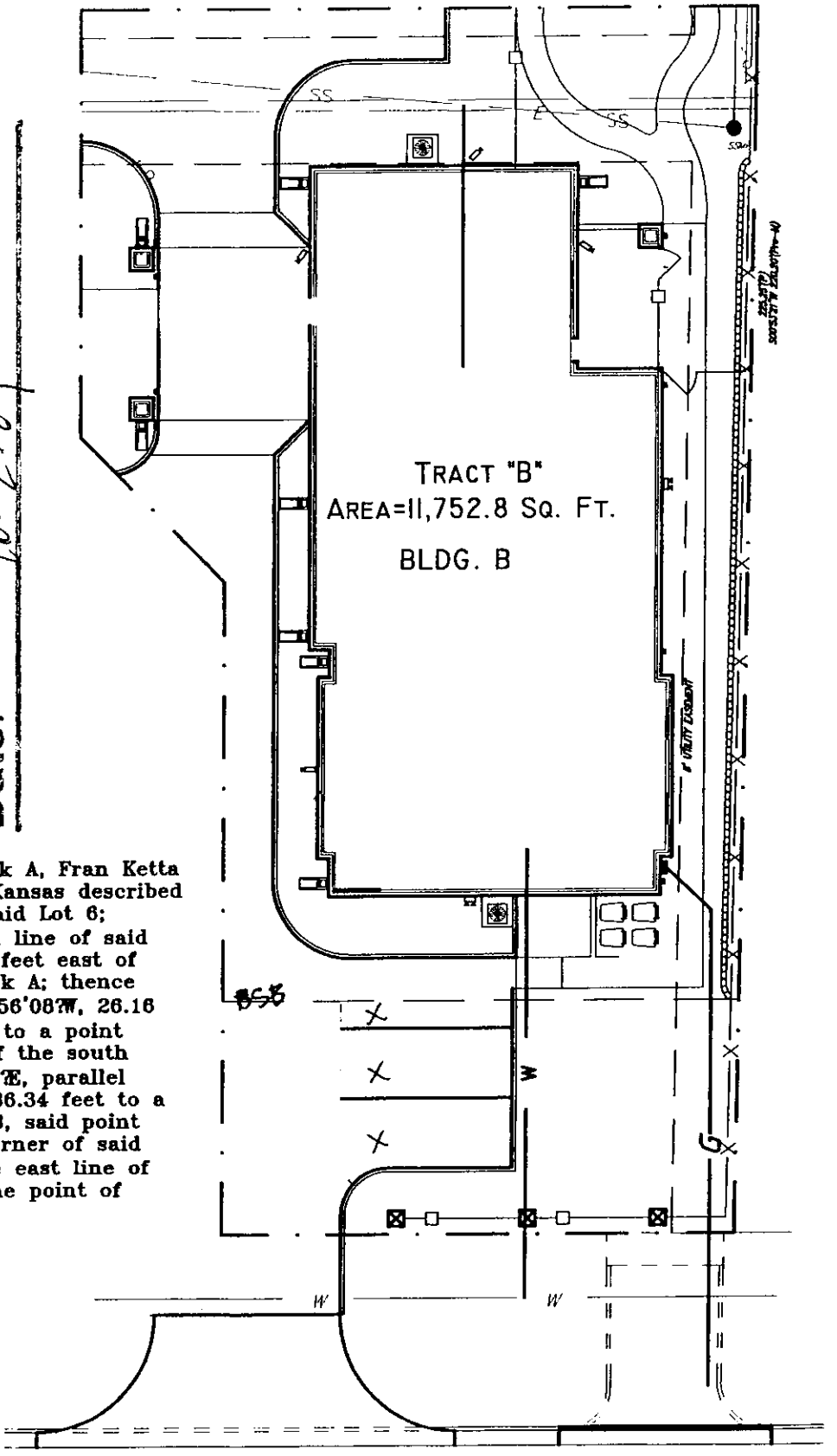
APPROVED
SITE PLAN BZA2009-44

Date: 10-2-09

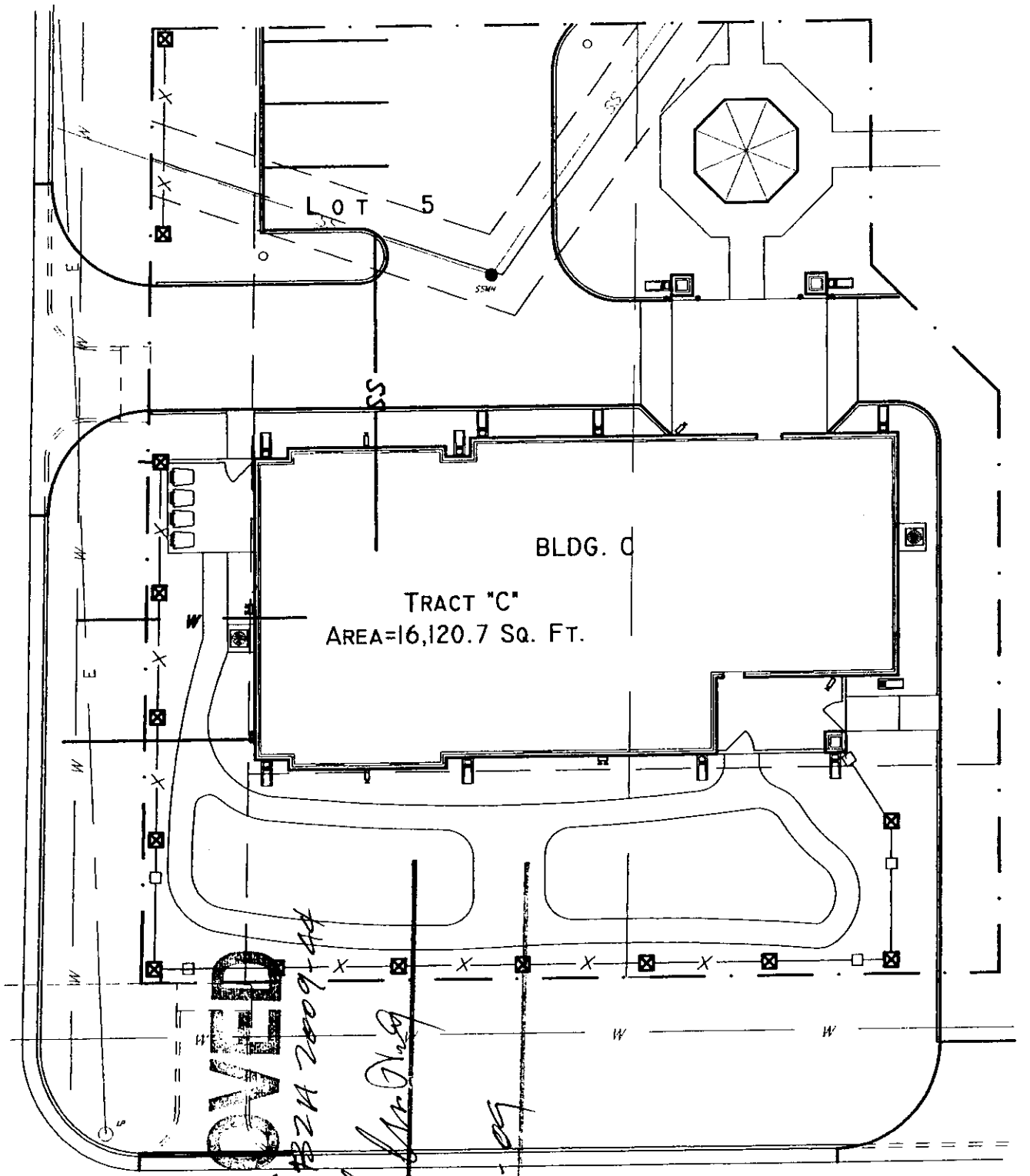
Tract A
A portion of Lots 3, 5 and 6, Block A, Fran Ketta Second Addition, Sedgwick County, Kansas described as commencing at the SE corner of said Lot 3; thence N01°00'00"E, along the east line of said Lot 3, 11.49 feet to the point of beginning; thence S90°00'00"W, parallel with the south line of said Lot 3, 86.34 feet; thence S00°00'00"W, 19.49 feet to a point 8.00 feet normally distant south of the north line of said Lot 6; thence S90°00'00"W, parallel with the north line of said Lots 5 and 6, 103.65 feet to a point on the west line of said Lot 5, said point being 8.00 feet south of the NW corner of said Lot 5; thence N01°00'00"E, along the west line of said Lots 5 and 3, 83.00 feet to the NW corner of said Lot 3; thence N90°00'00"E, along the north line of said Lot 3, 189.65 feet to the NE corner of said Lot 3; thence S01°00'00"W, along the east line of said Lot 3, 63.51 feet to the point of beginning.

APPROVED
SITE PLAN PZH 2009-44

Date: 10-2-09



Tract B
A portion of Lots 3 and Lot 6, Block A, Fran Ketta Second Addition, Sedgwick County, Kansas described as beginning at the SE corner of said Lot 6; thence N90°00'00"W, along the south line of said Lot 6, 65.13 feet to a point 124.52 feet east of the SE corner of Lot 5 in said Block A; thence N00°00'00"E, 83.46 feet; thence N44°56'08"W, 26.16 feet; thence N00°00'00"E, 54.74 feet to a point 11.49 feet normally distant north of the south line of said Lot 3; thence N90°00'00"E, parallel with the south line of said Lot 3, 86.34 feet to a point on the east line of said Lot 3, said point being 11.49 feet north of the SE corner of said Lot 3; thence S01°00'00"W, along the east line of said Lots 3 and 6, 156.74 feet to the point of beginning.



APPROVED
SITE PLAN #228-04
Date: 10-2-05

Tract C
A portion of Lots 5 and 6, Block A, Fran Ketta Second Addition, Sedgwick County, Kansas described as beginning at the SW corner of said Lot 5; thence N90°00'00"E, along the south line of said Lots 5 and 6, 124.52 feet; thence N00°00'00"E, 83.46 feet; thence N44°56'08"W, 26.16 feet; thence N00°00'00"E, 35.25 feet to a point 8.00 feet normally distant south of the north line of said Lot 6; thence S90°00'00"W, parallel with the north line of said Lots 5 and 6, 103.65 feet to a point on the west line of said Lot 5, said point being 8.00 feet south of the NW corner of said Lot 5; thence S01°00'00"W, along the west line of said Lot