



Wichita-Sedgwick County Metropolitan Area Planning Department

October 26, 2011

Charlene Fair
22 Beaver Creek Ct.
Goddard, KS 67052

Nitride Solutions
Attn: Jeremy Jones
3333 W. Pawnee
Wichita, KS 67230

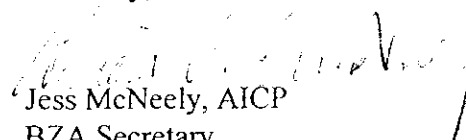
RE: BZA2011-00049 – City variance request to reduce the off-street parking requirement from 31 to 18 spaces on property zoned LI Limited Industrial (“LI”); generally located south of Pawnee and east of Leonine (3333 W. Pawnee).

Dear Applicants:

Enclosed is a signed copy of the above-referenced BZA Resolution adopted by the City Board of Zoning Appeals on October 25, 2011. This resolution reflects the official action of the Board. It is forwarded to you for your information and files.

If you have any questions concerning this matter, please call our office at 268-4421.

Sincerely,


Jess McNeely, AICP
BZA Secretary
Current Plans Division

cc: Kurt Schroeder, Office of Central Inspections, 1-72
Paul Hays, Office of Central Inspections, 1-72
J R Cox Office of Central Inspection, 1-72
Michael O'Donnell, WCC IV Mailstop 1-13
Kelli Geier, WCC IV NA, Mailstop 1-135

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BZA RESOLUTION NO. BZA2011-00049

WHEREAS, Charlene Fair, (Owner) pursuant to Section 2.12.590.B, Code of the City of Wichita, requests a variance to Art. IV, Sec. IV-A.4 of the Unified Zoning Code to reduce the off-street parking requirement from 31 to 18 spaces on property zoned LI Limited Industrial ("LI"); generally located south of Pawnee and east of Leonine (3333 W. Pawnee).

Lot 1, except the south 465 Feet; Block 2, Westport Industrial Park 2nd Addition, Wichita, Sedgwick County, Kansas.

WHEREAS, proper notice as required by ordinance and by the rules of the Board of Zoning Appeals has been given; and

WHEREAS, the Board of Zoning Appeals did, at the meeting of October 25, 2011, consider said application; and

WHEREAS, the Board of Zoning Appeals has proper jurisdiction to consider said request for a variance under the provisions of Section 2.12.590.B, Code of the City of Wichita; and

WHEREAS, the Board of Zoning Appeals has found that this property is unique, as the industrial building on this site does not require the code specified number of parking spaces, and already has more existing parking than necessary for the building's use.

WHEREAS, the Board of Zoning Appeals has found that the granting of the variance requested will not adversely affect the rights of adjacent property owners, as adequate parking exists on the site, and on-street parking on Leonine will accommodate parking overflow from this and neighboring sites.

WHEREAS, the Board of Zoning Appeals has found that the strict application of the provisions of the Code will constitute an unnecessary hardship upon the applicant, as the space required to meet the parking standards would require additional paving on a sloping site.

WHEREAS, the Board of Zoning Appeals has found that the requested variance would not adversely affect the public interest, as renovation of this industrial building is in the public interest, and additional parking is not required. Reducing the parking requirement on this site will have the effect of preventing additional paving on this site; maintaining green space on this site is in the public interest to prevent future storm water runoff problems in the immediate area.

WHEREAS, the Board of Zoning Appeals has found that the granting of the variance requested would not be opposed to the general spirit and intent of the zoning regulations, as existing parking is adequate to meet this site's parking needs.

WHEREAS, each of the five conditions required by Section 2.12.590.B, Code of the City of Wichita, are found to be present for a variance to be granted.

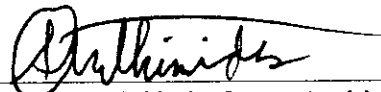
NOW, THEREFORE, BE IT RESOLVED by the Board of Zoning Appeals, pursuant to Section 2.12.590.B, Code of the City of Wichita, a variance to Art. IV, Sec. IV-A.4 of the Unified Zoning Code to reduce the off-street parking requirement from 31 to 18 spaces on property zoned LI Limited Industrial ("LI"); generally located south of Pawnee and east of Leonine (3333 W. Pawnee).

Lot 1, except the south 465 Feet; Block 2, Westport Industrial Park 2nd Addition, Wichita, Sedgwick County, Kansas.

The variance is hereby **GRANTED**, subject to the following conditions:

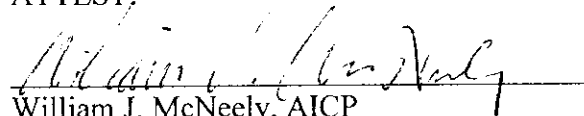
1. The site shall be developed in conformance with the approved site plan.
2. The applicant shall obtain all permits necessary to renovate the site.
3. Parking spaces on the site shall be paved and marked in accordance with City standards.
4. The above conditions are subject to enforcement by any legal means available to the City of Wichita.

ADOPTED AT WICHITA, KANSAS, this 25th Day of October, 2011.



BZA Board Chair, Steve Anthimides

ATTEST:



William J. McNeely, AICP
BZA Secretary

