CITY OF WICHITA

Wichita-Sedgwick County Metropolitan Area Planning Department

January 14, 2012

Unified School District #259
Attn: Shane Schumacher
3850 N. Hydraulic
Wichita, KS 67219

Re: BZA2012-71: **City Administrative Adjustment to allow parking within the required building setback but no closer than eight feet of the right-of-way line on property zoned B Multi-family Residential ("B").**

Legal Description: Lots 1, 3, 5, 7, and 9, Walter Morris and Sons 5th Addition to Wichita, Sedgwick County, Kansas; generally located west of Laura and south of Skinner (1901 S. Laura).

Dear Applicants:

We reviewed your request for an Administrative Adjustment to permit parking within the building setback for a parking lot on a B Multi-family Residential zoned ("B") school on the aforementioned property. From reviewing the application, we understand that you desire to construct parking spaces within 12 feet of the north property line on Skinner Street. The Unified Zoning Code's (UZC) minimum front building setback for the B zoning district is 20 feet. The UZC does not permit parking spaces within a required setback in residential districts without approval of an Administrative Adjustment.

Section V-I.2.l of the UZC allows an Administrative Adjustment for institutional use parking within the setback, but no closer than eight 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 a beneficial impact on the safety and convenience of vehicular and pedestrian circulation in the vicinity as no public right-of-way is affected by the parking, but the lot will allow more off-street parking. Additional off-street parking will result in fewer vehicles parked on the public street.

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 setback. This request provides an on-site parking lot which has had no negative impacts on surrounding areas. Increased parking on the school property will improve surrounding areas by decreasing the need for on-street parking.

3) Compatibility with existing or permitted uses on abutting sites: The proposed parking configuration is compatible with existing and permitted uses on adjacent sites. Parking within the setback should not reduce compatibility with adjacent sites so long as the 12-foot setback is maintained.

4) Effect on public health, safety or welfare: There will be no encroachment into public utility easements or right-of-way. There should be no 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 street side setback, but no closer than 12 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) The site shall maintain conformance with the Landscape Code.

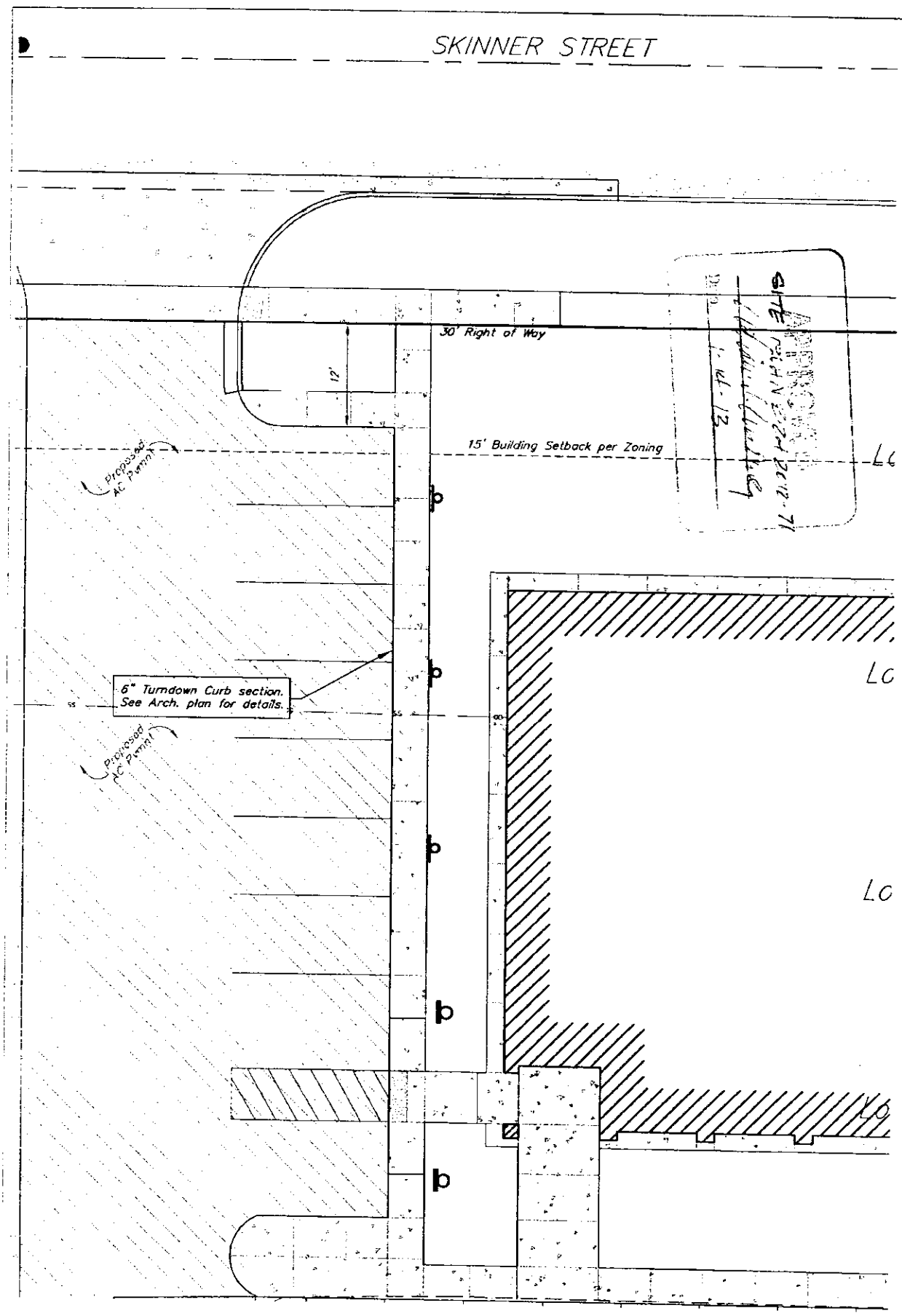
4) If the Zoning Administrator finds that there is a violation of any of the conditions of the Zoning Adjustment, the Zoning Administrator, in addition to enforcing the other remedies set forth in the Unified Zoning Code, may, with the concurrence of the Planning Director, declare that the Zoning Adjustment is null and void.

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

John L. Schlegel
Planning Director

Rick Stubbs
Superintendent of Central Inspection

cc: Rick Stubbs, OCI
Paul Hays, OCI
James Clendenin, CM District III
Janet Johnson, NA District III



Administrative Adjustment Exhibit

Scale 1"= 10'0"