CITY OF WICHITA

Wichita-Sedgwick County Metropolitan Area Planning Department

April 24, 2015

USD 259
C/O Shane Shumacher
3850 N. Hydraulic
Wichita, KS 67219

Re: **BZA2015-00004: City Administrative Adjustment to permit parking within the front and street side yard setback in MF-29 Multi-family Residential zoning, but no closer than 8 feet from the property lines, generally located at the northeast corner of Bleckley Drive and 3rd Street, for a temporary parking area.**

Legal Description: South 10 feet of Lot 21, All of Lot 23, South 20 Feet of Lot 19 and North 40 Feet of Lot 21, Block 2 East Boulevard Addition, Wichita, Sedgwick County, Kansas.

Dear Applicants,

We reviewed your request for a Zoning Adjustment to permit parking within the front setback in MF-29 Multi-family Residential zoning, but no closer than 8 feet from the property line on the aforementioned property. From reviewing the application and site plan, we understand that you wish to add parking for a middle school site within the front setback.

Section V-I.2.1 of the Unified Zoning Code ("UZC") allows an administrative adjustment to permit parking within the front setback in residential zoning, but no closer than 8 feet from the property line. This adjustment is permissible when the provisions of that section and the Zoning Adjustment Criteria of Section V-I.6 are met.

We find that permitting parking within the front and street yard setback, but no closer than 8 feet from the property lines, as proposed meets 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 additional parking should have no impact on the safety and convenience of vehicular and pedestrian circulation in the vicinity because right-of-way, the driveways, and sidewalk will not be 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 the parking within the setback; additional parking should benefit surrounding uses by providing additional off-street parking.

3) Compatibility with existing or permitted uses on abutting sites: The proposed parking is compatible with existing and permitted uses on abutting sites; the parking within the setback should not reduce compatibility with adjacent sites as additional off-street parking will be provided, and parking areas will be landscaped.

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 front and street side yard setbacks in MF-29 Multi-family Residential zoning, but no closer than 8 feet from the property line is hereby granted, subject to the following conditions:

1) The site shall be developed in general conformance with the approved site plan.

2) The adjustments shall apply only to the parking as illustrated on the approved site plan and shall only be used until permanent parking is installed according to code unless otherwise adjusted. All other structures, additions, or parking on the subject property shall conform to the locations and setbacks permitted by the Unified Zoning Code unless a separate Zoning Adjustment or Variance is granted.

3) A landscape plan, meeting the requirements of the Landscape Code, shall be submitted and approved by Planning Staff for this site.

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

Thomas J. Stolz, Director
Metropolitan Area Building and Construction Department

cc: JR Cox, MABCD
Paul Hays, MABCD
Lavonta Williams, CM District I
Janet Johnson, CL District I

E 3RD ST
TO ROBINSO
ALLEY
PROPERTY LINE
SETBACK
8'-0"
12'-6"
EXISTING
DRIVEWAY
N BLECKLEY DR
8'-0"
GARAGE
SETBACK
PROPERTY LINE
25'-0"
8'-0"