



Wichita-Sedgwick County Metropolitan Area Planning Department

October 15, 2001

Joe Hoover
USD 259
3850 N. Hydraulic
Wichita, KS 67219

Re: BZA2001-00053: An administrative adjustment to allow parking in the front setback on property zoned "B" Multi-Family Residential.

Legal Description: Reserve A and odd lots 73 through 83 on Market Street and even lots 74 through 96 on Broadway, Powell's Addition, Wichita, Sedgwick County, Kansas (1642 N. Market).

Dear Mr. Hoover:

We have reviewed your request for an administrative adjustment to allow parking in the front setback on the aforementioned property. You state in your application that you plan to use this area for required off-street parking in conjunction with the expansion of Irving Elementary School and that you desire to park in the front setback within 13 feet of the property line in order to preserve as much land as possible for use as a playground.

The Unified Zoning Code allows an adjustment to permit parking in residential districts to be located within a required front setback, but in no case closer to the property line than eight feet. Therefore, we find that allowance of parking within the front setback within 13 feet of the property line 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 school's existing off-street parking is currently below the amount required by the zoning code. Providing additional off-street parking may improve the safety and convenience of vehicular and pedestrian circulation in the area.
- 2) Impact on existing uses in surrounding areas: There should not be a negative impact on the existing uses in the surrounding areas as a result of the reduction of the setbacks. Parking for the school should not encroach or encumber any uses adjacent to this property.

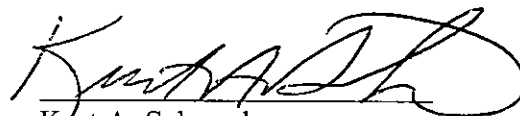
- 3) Compatibility with existing or permitted uses on abutting sites: The allowance of parking within the setbacks should not compromise existing or permitting uses on abutting sites due to the minor nature of the encroachment of the parking area into the front setback.
- 4) Effect on public health, 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 allow parking in the front setback, but no closer than 13 feet to the property line, is hereby granted subject to the following conditions:

- 1) The parking lot shall be developed in accordance with the approved site plan.
- 2) All parking areas shall be paved and marked.
- 3) Any violation of these conditions shall render the Administrative Adjustment null and void.

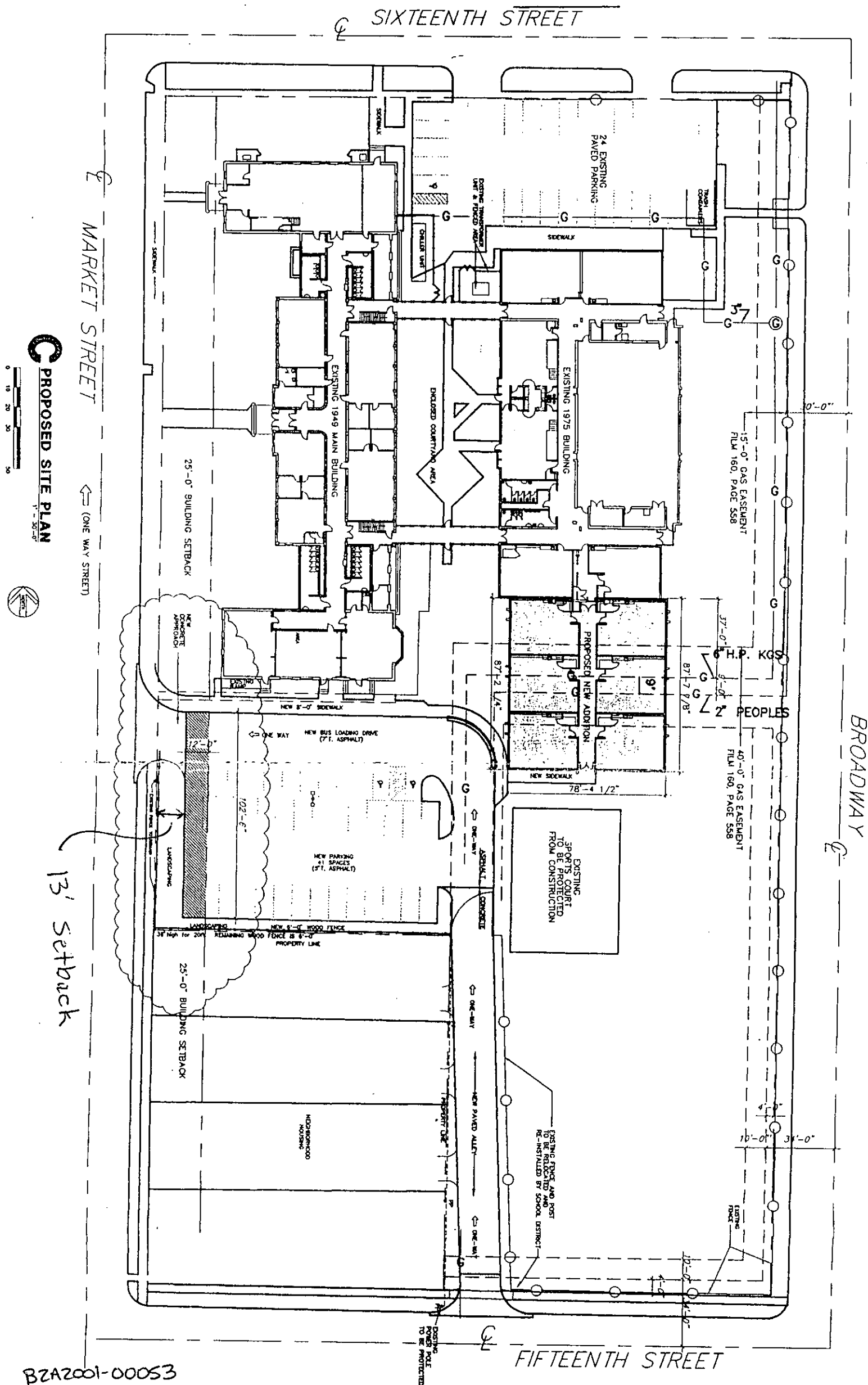
The zoning adjustment sign may now be removed from the property.


Marvin S. Krout
Planning Director


Kurt A. Schroeder
Superintendent of Central Inspection

MK/KS/sk

cc: Paul Hays, Office of Central Inspection
Randy Sparkman, Office of Central Inspection
J.R. Cox, Office of Central Inspection



BZA2001-00053 **SITE PLAN**

APPROVED 10-15-01 BY SK

CLARIFICATION NO. IEC-(



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