



FILE COPY

Wichita-Sedgwick County Metropolitan Area Planning Department

August 21, 2002

Sawmill Creek LLC
P.O. Box 696
Goddard, KS 67052

Re: BZA2002-00051: Zoning Adjustment to permit parking in a residential district to be located within the required front yard.

Legal Description: Lots 49 & 50, Block 7, Sawmill Creek Addition, Wichita, Sedgwick County, Kansas. Generally located north of 45th Street North and west of Rock Road (8370 E. Old Mill). *East*

We have reviewed your request for a Zoning Adjustment to permit parking in a residential district to be located within the required front yard. From reviewing your application we have determined that one parking space would be located in the required front yard but will be located no closer than eight feet from the front property line.

Sec. V-I.2.1. of the Unified Zoning Code allows an adjustment that would permit parking in a residential district within the required front yard, but in no case closer to a front property line than eight feet, when the conditions required by Sec. V-I.6. of the Code are met. We find that permitting parking on the subject property within the required front yard, but in no case closer to a front property line than eight feet, meets the four conditions required by Sec. V-I.6 of the Code as set out below:

- 1) Impact on safety and convenience of vehicular and pedestrian circulation: This request is to allow one parking space to be located within the required front yard. Since the parking lot will be located no closer than eight feet from the front property line, public vehicular and pedestrian circulation should not be affected.
- 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 parking within the setback. Parking for the pool should not encroach or encumber any uses adjacent to this property, none of which front the same street segment as the pool. The parking area will be appropriately screened and buffered from adjacent uses.
- 3) Compatibility with existing or permitted uses on abutting sites: A neighborhood swimming pool and associated accessory uses such as parking may be permitted in residential zoning districts, and in this case has been determined to be compatible with surrounding uses

through the approval of a Conditional Use (CON2002-00031) by the Planning Commission. The allowance of parking within the setback should not compromise existing or permitted uses on abutting sites due to the minor nature of the encroachment of the parking area into the front setback and the provision of landscaping for the parking lot.

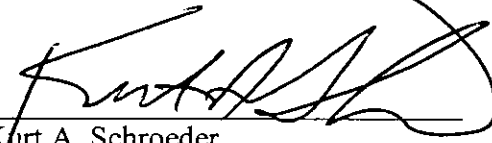
- 4) Effect on public health, safety or welfare: There will be no encroachment of structures into public utility easements or right-of-way; therefore, there should not be a negative impact on the public health, safety or welfare nor will properties or improvements in the vicinity be materially injured.

Our signatures below indicate that a Zoning Adjustment to allow parking in a residential district within the required front yard, but in no case closer to a front property line than eight feet, on 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) All parking areas shall be paved and marked.
- 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 Article VIII of the Unified Zoning Code, may, with the concurrence of the Planning Director, declare that the Zoning Adjustment is 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

Enclosure

cc: Kenneth Lee, Ruggles & Bohm, 924 N. Main, Wichita, KS 67203
Kurt Schroeder, Office of Central Inspection
Paul Hays, Office of Central Inspection
Randy Sparkman, Office of Central Inspection
J.R. Cox, Office of Central Inspection

DRAINAGE CALCULATIONS

PRE DEVELOPMENT

Area = 0.53 acres
 % Impervious = 0%
 Cs = 0.37
 C100 = 0.65
 Is = 4.56 in/hr
 I100 = 7.37 in/hr
 Q5 = 0.9 cfs
 Q100 = 2.5 cfs

POST DEVELOPMENT

Area = 0.53 acres
 % Impervious = 30%
 Cs = 0.54
 C100 = 0.74
 Is = 4.56 in/hr
 I100 = 7.37 in/hr
 Q5 = 1.3 cfs
 Q100 = 2.9 cfs

Developed Areas

Pervious = 16,010 S.F.
 Impervious = 6,861 S.F.

LEGAL DESCRIPTION

LOTS 49 & 50, BLOCK 7, SAWMILL CREEK ADDITION
 WICHITA, SEDGWICK COUNTY, KANSAS

GENERAL NOTES

- Existing utilities and their location, as shown on the plans, represent the best information obtainable for design. The Contractor will be required to work around existing utilities within the right-of-way which do not conflict with proposed construction.
- A saw cut of at least one-half the depth of existing surface courses or one-fourth the depth of existing total pavement thickness shall be provided at locations where proposed construction abuts an existing surface course or pavement for which partial removal of that surface or pavement is required, except when such saw cuts are within three (3) feet of an existing joint. Such saw cuts will not be paid for directly and this cost shall be considered as subsidiary to the removal of the surface or pavement.
- The Contractor shall be responsible for preserving property irons. The Contractor will be required to re-establish any property irons which are damaged or destroyed by his construction operations. Such irons shall be re-established by a licensed land surveyor in accordance with state laws.
- The Contractor shall give all property owners and/or tenants of developed property directly abutting the construction of this project a minimum of ten (10) days advance notice prior to start of construction.
- Contractor will be required to provide a minimum advance notice of twenty-four (24) hours to utility companies prior to starting any excavation as follows:

Kansas One-Call 687-2470

The Contractor must notify the following in case of an emergency:

Cox Communications	262-0661
Kansas Gas Service	383-8600
K.G.&E. Electric	383-8600
Peoples Natural Gas Company	1-800-303-0357
Southwestern Bell Telephone Company	1-800-286-8313
City of Park City Water Dept.	794-2026
City of Park City Sewer Maintenance	794-2026

6. Pavement to be constructed with asphalt or concrete pavement (thickness to be determined by a soils report). Subgrade shall be treated and compacted per geotechnical recommendations.

7. Concrete drive to be constructed per City of Wichita specifications.

8. All disturbed areas are to be seeded, fertilized and mulched per landscape requirements.

