



FILE COPY

Wichita-Sedgwick County Metropolitan Area Planning Department

May 20, 2002

Via Christi Property Services, Inc.
Attn: David M. Mohr, President
959 N. Emporia, Suite 302
Wichita, KS 67214

Catholic Diocese of Wichita
Attn: The Rev. Robert Hemberger
424 N. Broadway
Wichita, KS 67202

Re: BZA2002-00022: Administrative adjustment to reduce or waive screening and buffering requirements on property zoned "GO" General Office.

Legal Description: The south 140.00 feet of the north 276.53 feet of the east 80.00 feet of Lot 1, Replat of Part of Pineridge Addition, Wichita, Sedgwick County, Kansas; together with the north 136.53 feet of the east 192.00 feet of Lot 1, Replat of Part of Pineridge Addition, Wichita, Sedgwick County Kansas; together with Lot 2, Replat of Part of Pineridge Addition, Wichita, Sedgwick County Kansas; together with the east 199.5 feet, more or less, of Lot 3, Replat of Part of Pineridge Addition, Wichita, Sedgwick County Kansas (1515 S Clifton).

Dear Mr. Mohr and Rev. Hemberger:

We have reviewed your request for an administrative adjustment to allow buffering and screening requirements between the medical office and All Saints parish to be met by a wrought iron fence that is four feet in height, combined with deciduous plant materials placed primarily on the All Saints parish property for the common boundary extending northward from the right-of-way line to the boundary of the property with the right-of-way line for Grand Avenue. We understand that both parties have consented to this buffering and screening arrangement, as evidenced by the letter attached hereto as Exhibit 1.

The Unified Zoning Code allows an adjustment to reduce or waive the required screening requirements specified in Sec. IV-B.3.a of the Code when the adjacent residential property is developed with an institutional or multi-family uses and the location of improvements on one or both properties provides adequate screening. In this case, the adjacent residential property is zoned "TF-3" but is developed with a school and church, All Saints parish.

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Therefore, we find that altering the screening and buffering requirements as requested between the aforementioned lots meets the four conditions required by Section V-1.6 of the Unified Zoning Code as set out below:

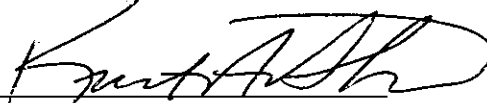
- 1) Impact on safety and convenience of vehicular and pedestrian circulation: The proposed elimination of screening requirements would have no impact on safety and convenience of vehicular and pedestrian circulation in the vicinity of the application area.
- 2) Impact on existing uses in surrounding areas: There should not be a negative impact on the existing uses in the surrounding area, which consist mainly of additional office and institutional uses.
- 3) Compatibility with existing or permitted uses on abutting sites: No residential uses are located on abutting sites. The screening requirement is only applicable between two lots that will both be developed with office and institutional (school/church) uses. The subject property is the existing site of an ancillary parking lot, which was recently approved under CON2001-00058 for such use.
- 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 a wrought iron fence that is four feet in height together with a landscape buffer consisting of deciduous trees located on one or both sides of the common property line of the aforementioned lots is hereby granted subject to the following condition:

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

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

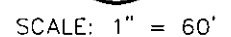
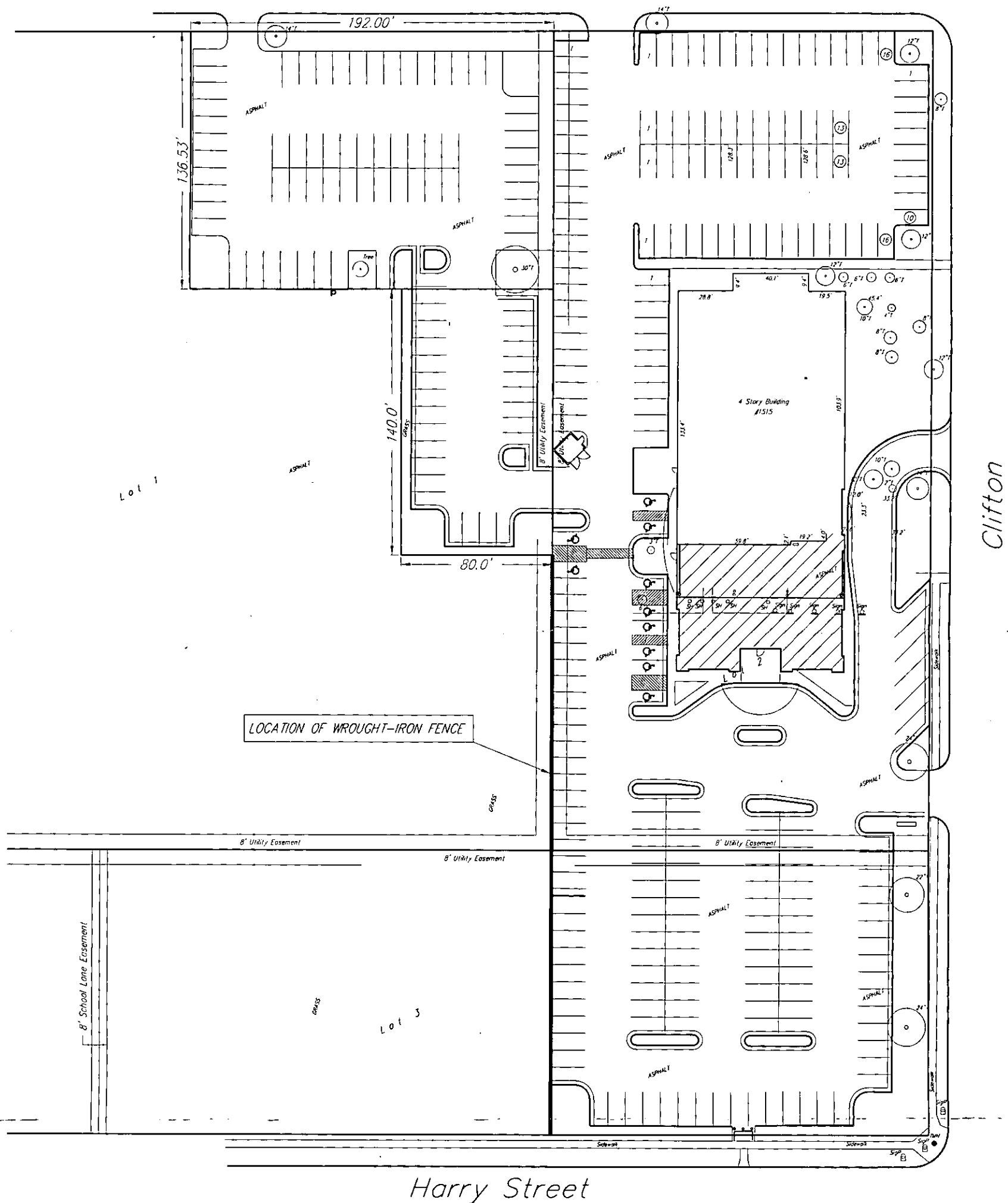

Marvin S. Krout
Planning Director


Kurt A. Schroeder
Superintendent of Central Inspection

Enclosure

cc: Paul Hays, Office of Central Inspection
Richard Chamberlin, Office of Central Inspection
Randy Sparkman, Office of Central Inspection
J.R. Cox, Office of Central Inspection
Baughman Company, P.A., c/o Russ Ewy, 315 Ellis, Wichita, KS 67211

Grand



EXHIBIT