



FILE COPY

**Wichita-Sedgwick County Metropolitan Area Planning Department**

September 2, 2003

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

**Re: BZA2003-00050: Zoning Adjustment to allow a parking area for Emerson Elementary School to be located in the front setback along 15<sup>th</sup> Street North on property zoned "SF-5" Single-Family Residential.**

**Legal Description:** The south 10 feet of Lot 150 and even Lots 152 through 186, inclusive, Block N, Victoria Park Addition to Wichita, Sedgwick County, Kansas; together with a tract more particularly described as: beginning 300 feet east of the southwest corner of the Northwest Quarter of the Southwest Quarter of Section 7, Township 27 South, Range 1 East of the 6th P.M., Sedgwick County, Kansas, thence north 490 feet, thence east 610 feet; thence south 490 feet, thence west 610 feet to the point of beginning, except the south 30 feet for street. Containing 7.8 acres more or less and located north of 15th Street North and east of Meridian (2330 W. 15th St. N.).

Dear Mr. Hoover:

We have reviewed your request for a Zoning 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 for an elementary school and that you desire to park in the front setback no closer than 19'8" from the right-of-way line for 15<sup>th</sup> Street North to preserve existing trees and to preserve as much land as possible for use as a playground.

Sec. V-I.2.1. of the Unified Zoning Code allows an adjustment to permit parking in residential districts to be located within required front and street side setbacks, but in no case closer to the property line than 8 feet, when the conditions required by Sec. V-I.6. of the Code are met. We find that allowance of parking within the setback as proposed 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: Sufficient open space between the parking area and the property line will remain to prevent vehicles from encroaching

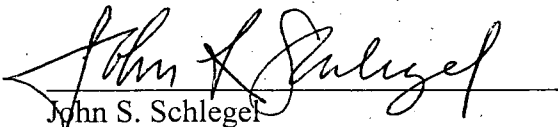
upon the sidewalk; therefore, the safety and convenience of vehicular and pedestrian circulation should not be negatively impacted.

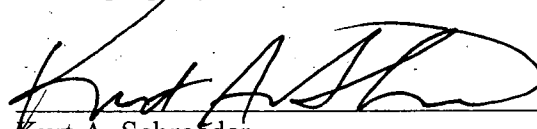
- 2) Impact on existing uses in surrounding areas: There should not be a negative impact on the existing uses in the surrounding areas as a result of parking within the setback as no residential front yards are located adjacent to the parking area.
- 3) Compatibility with existing or permitted uses on abutting sites: Schools and associated accessory uses such as parking are permitted in residential zoning districts, and 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 setbacks and the provision of landscaping for the parking lot.
- 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 a Zoning Adjustment to allow parking in the front setback along 15<sup>th</sup> Street North, but no closer than 19'8" from the property line, is hereby granted subject to the following conditions:

- 1) The parking area shall be developed in general conformance with the approved site plan.
- 2) All parking areas shall be paved and marked.
- 3) The parking area shall be developed in general conformance with the landscape ordinance.
- 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 zoning adjustment sign may now be removed from the property.

  
John S. Schlegel  
Planning Director

  
Kurt A. Schroeder  
Superintendent of Central Inspection

Enclosure

cc: 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

BZA2003-00050  
SITE PLAN

APPROVED 9-2-03 BY SK

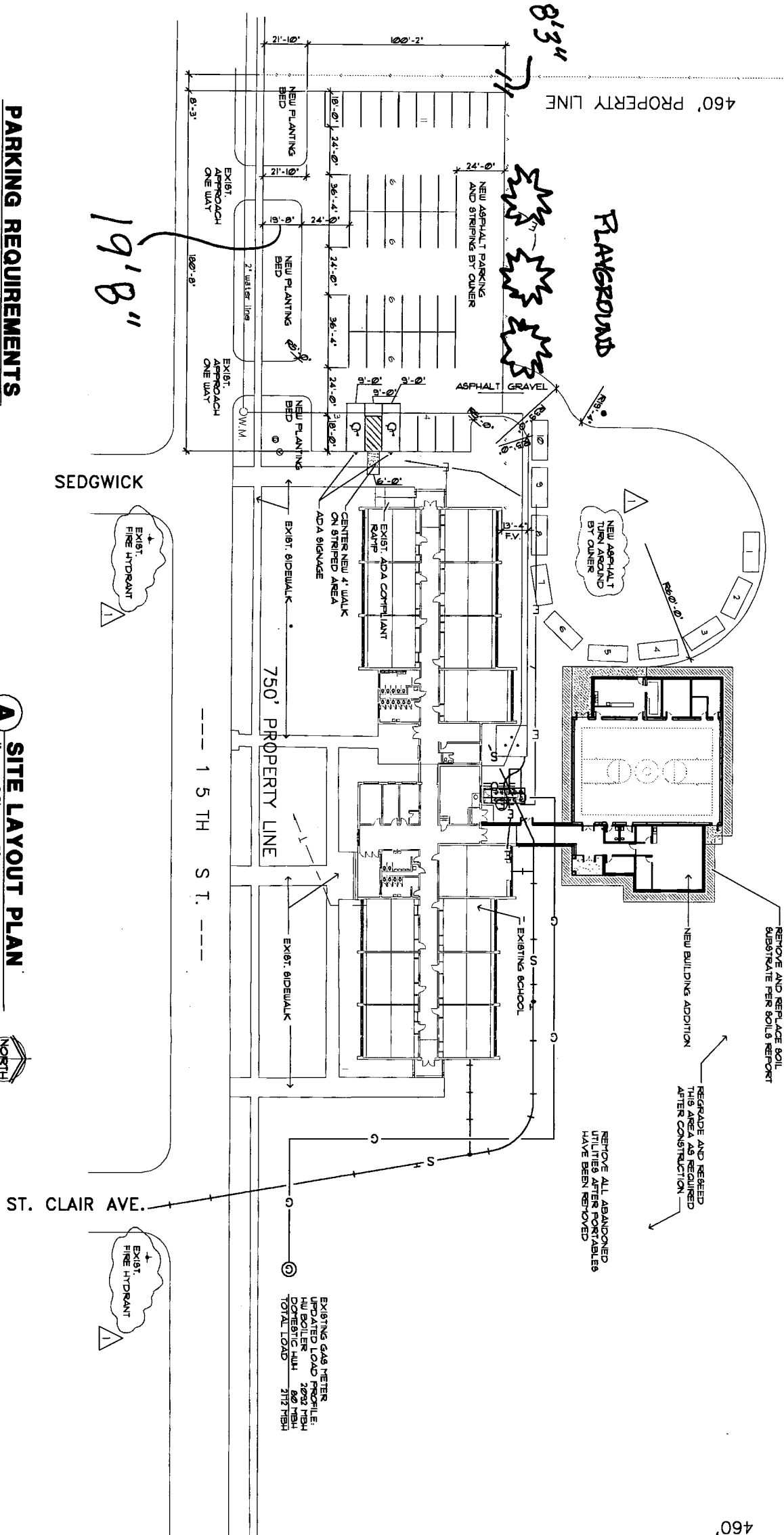
### **LEGAL DESCRIPTION**

|                                    |              |                                                                                      |
|------------------------------------|--------------|--------------------------------------------------------------------------------------|
| EMERSON (GARRISON)<br>2330 W. 15TH | D-18466-020A | BEG 835 FT E SW COR NW1/4<br>SW1/4 N 490 FT E 75 FT S<br>490 FT W TO BEG SEC 7-27-1E |
| EMERSON<br>2330 W. 15TH            | D-18466-0021 | S 530 FT W 175 FT E1/2<br>NW1/4 SW1/4 EXC N 40 FT<br>SEC 7-27-1E                     |

## **PARKING REQUIREMENTS**

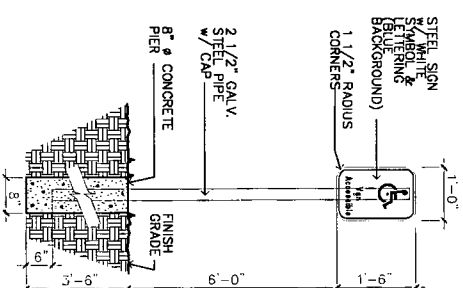
1 SPACE PER STAFF • 31  
VISITOR SPACES • 5  
ADA SPACES • 2  
MINI BUSES • 10

## **SITE LAYOUT PLAN**



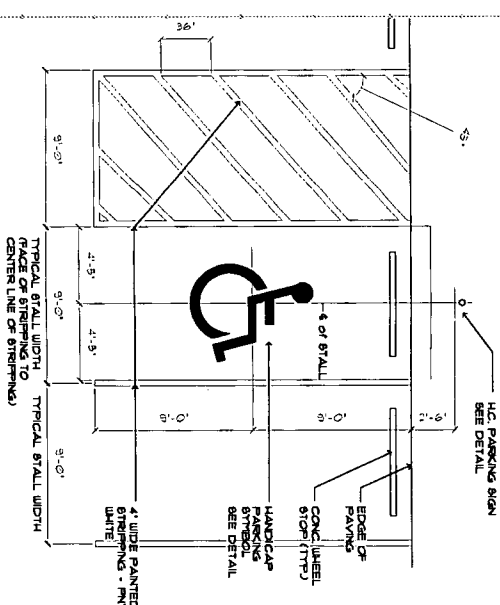
**ADA PARKING STALL**

**NTS**



## ADA PARKING SIGN

**N**  
**NTS**



# Emerson Open Magnet School USD 259 Building Expansion

2330 W. 15th North  
Wichita, Kansas

**Architectural  
Development  
Services, L.L.C.**  
P.O. Box 49405  
Wichita, Kansas 67201  
Phone: 316 902-4343  
Fax: 316 686-8084

project no.  
02144  
drawn check  
SITE LAYC  
PLAN

**prints issued**  
6-4-03  
For Construction  
Revision 8-15-03  
Per City Review

**SA-1**