



Wichita-Sedgwick County Metropolitan Area Planning Department

September 29, 2008

Central Congregation of Jehova's Witness
6007 E 29th Street N
Wichita, KS 67220

Jerry Clemans
806 N Volutsia
Wichita, KS 67214

Phil Stover
112 E Albert
Maize, KS 67101

RE: BZA2008-50 - City zoning administrative adjustment to waive screening requirements adjacent to institutional uses in SF-5 Single-family Residential zoning. Generally located south of 29th Street North and west of Woodlawn (6007 E 29th N).

Legal Description: Lot 1, Block 1, Northeast Elementary School Addition to Wichita, Sedgwick County, Kansas.

Dear Applicants:

We have reviewed your request for a Zoning Adjustment to waive screening requirements adjacent to institutional uses in SF-5 Single-family Residential zoning. From reviewing your application, we understand that you propose building on the site without the code required screening where your property abuts SF-5 zoning.

Section V-I.2.m of the Unified Zoning Code allows an adjustment to waive the screening requirement when the adjacent residential property is developed with an institutional use and the location of improvements on one or both properties provides adequate screening. This site abuts school property to the east and south, church owned property abuts the site to the west. We find that this request meets the four conditions required by the Unified Zoning Code as set out below:

- 1) Impact on safety and convenience of vehicular and pedestrian circulation: The proposed screening waiving should have no impact on the safety and convenience of vehicular and pedestrian circulation in the vicinity.
- 2) Impact on existing uses in surrounding areas: There should be no negative impact on the existing uses in surrounding areas as the surrounding residential zoned property is used for institutional land uses.
- 3) Compatibility with existing or permitted uses on abutting sites: The proposed building will comply with all other development standards. The screening waiver should not make the proposed building incompatible with the existing and permitted uses on abutting sites.
- 4) Effect on public health, safety or welfare: There will be no encroachment into public utility easements or right-of-way; therefore, there should be no 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 waive screening requirements adjacent to institutional uses for the aforementioned property is hereby granted, subject to the following conditions:

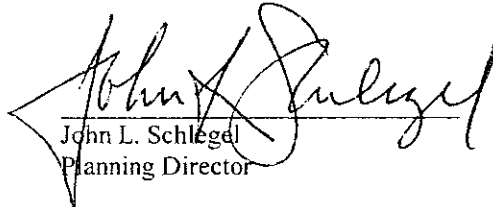
City Hall • 10th Floor • 455 North Main • Wichita, Kansas 67202-1688

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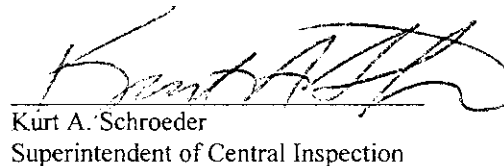
www.wichita.gov

- 1) The site shall be developed in general conformance with the approved site plan.
- 2) The applicant shall submit a landscape plan to be approved by planning staff.
- 3) The screening waiver shall apply only where abutting property is developed with institutional uses. Screening will be required in the future if abutting property is developed with residential uses.
- 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 the Zoning Adjustment null and void.

The development application sign should now be removed from the property.



John L. Schlegel
Planning Director



Kurt A. Schroeder
Superintendent of Central Inspection

attachment

cc: Kurt Schroeder, Office of Central Inspection
Paul Hays, Office of Central Inspection
Curtis Bowen, Office of Central Inspection
LaVonta Williams, WCC District I, Mailstop 1-13

INLET TOP=177.81
FL 24" N=170.35

SSMH TOP=178.15
FL 8" N=166.61
FL 8" S=166.59
FL 24" E=153.12
FL 24" W=153.06

Platted
ONE full
Movement
Opening
90.00'

Complete Access Control
146.09'

ONE full
Movement
Opening
40.00'

C.A.C.
93.55'

C.A.C. 142.54'

(By VAC2008-...)

SSMH TOP=179.43
FL 10" N=155.43
FL 10" N=165.53
FL 10" S=155.41
FL 10" S=165.63
FL 24" E=151.69
FL 24" W=151.69

29th ST. N.

Base of Bedding: N89°11'46"E(M)

N89°11'46"E 522.30'

260.80'

BLDG

STBK.

S74°23'25"E

33' RIGHT-OF-WAY EASEMENT
now known as KANEB PIPE LINE COMPANY
OPERATING PARTNERSHIP, L.P.
(MISC. BOOK 495, PAGE 35)

40°17'00"W 400.14'00N

406.64'

S00°45'14"E 416.64'

406.64'

(By VAC2008-48) ESMT. (by VAC2008-48)

(By VAC2008-48)

30' x 30'
STORAGE
BLDG
FL=183.3'

DRNG. & UTIL. ESMT. (by Sept. Inst.)

S89°11'46"W 523.16'

SSMH TOP=183.17
FL 8" N=171.51
FL 8" S=171.44

SITE PLAN B2A2008-50

Handwritten signature

9-29-08