

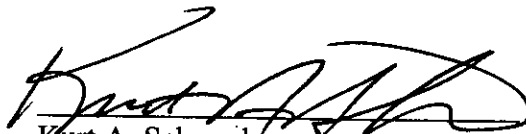
- 3) Compatibility with existing or permitted uses on abutting sites: Churches and associated accessory uses such as parking are permitted in residential zoning districts, and the allowance of a parking area within the setback should not compromise existing or permitted uses on abutting sites due to the minor nature of the encroachment into the setback and the provision of landscaping
- 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 permit a parking area to be located within the front setback in a residential zoning district but no closer than 8 feet 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) The parking area 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 "Development Application" sign should now be removed from the property.


John L. Schlegel
Planning Director


Kurt A. Schroeder
Superintendent of Central Inspection

cc: Fadel Alsoudt, 1225 S. Stoneybrook Cir., Wichita, KS 67207
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



FILE COPY

Wichita-Sedgwick County Metropolitan Area Planning Department

September 27, 2004

Islamic Society of Wichita
6655 E. 34th St. N.
Wichita, KS 67226

Re: BZA2004-00071: Zoning Adjustment for a church to permit a parking area to be located within the front setback in a residential zoning district.

Legal Description: Lot 1, Block 2, Killarney West Residential Addition, Wichita, Sedgwick County, Kansas. Generally located north of K-96 and east of Woodlawn (6655 E. 34th St. N.).

We have reviewed your request for a Zoning Adjustment to permit a parking area within the front setback in a residential zoning district. From reviewing your application, we understand that you propose to occupy a recently constructed addition, which results in an increase in the seating capacity of the church and requires the construction of an additional parking area. From reviewing your site plan, we understand that you propose to locate the additional parking area within the front setback along 34th Street North in order to preserve as much land as possible for future buildings and recreation fields. Therefore, you have requested an adjustment to permit the parking area within the front setback but no closer than eight feet from the property line.

Section V-I.2.1. of the Unified Zoning Code allows an adjustment to permit a parking area within the front setback in a residential zoning district but in no case closer than eight feet from the property line when the four conditions required by Section V-I.6. of the Unified Zoning Code are met. We find that allowing the parking area within the front setback meets the four conditions required by Section V-I.6. of the Unified Zoning Code as set out below:

- 1) Impact on safety and convenience of vehicular and pedestrian circulation: The proposal should have no impact on the safety and convenience of vehicular and pedestrian circulation in the vicinity because sufficient separation between the parking area and the property line will remain to prevent the encroachment of vehicles onto the right-of-way.
- 2) Impact on existing uses in surrounding areas: There should be no negative impact on the existing uses in surrounding areas as a result of the adjustment, as there are no residential front yards adjacent to the parking area.

