



Wichita-Sedgwick County Metropolitan Area Planning Department

November 27, 2006

Sheryl Fox
S&B Real Estate Investments LLC
3027 Keywest
Wichita, KS 67204

Russ Ewy
Baughman Company, PA
315 Ellis
Wichita, KS 67211

RE: BZA2006-85 Zoning Administrative Adjustment to waive the screening requirement for an office use in "LC" Limited Commercial zoning abutting "B" Multi-family Residential zoning.

Lot 36, on Market Street, in Munger's Original Town Addition to Wichita, Sedgwick County, Kansas. Generally located east of Market, between Pine and Elm Streets (616 N. Market).

Dear Applicant:

We have reviewed your request for a Zoning Adjustment to waive the screening requirement on the property described above. From reviewing your application, we understand that you propose to develop a parking lot on the above-mentioned property, where the Unified Zoning Code would require screening.

Section V-I.2.m of the Unified Zoning Code allows an adjustment to waive screening requirements when a site is adjacent to residential zoned property with a multi-family use and improvements on one or both properties provide adequate screening. Staff finds that screening between two parking lots is not necessary. Section V-I.2.m of the Unified Zoning Code allows an adjustment to waive screening requirements when the four conditions required by Section V-I.6 of the Unified Zoning Code are met. We find that the screening waiver 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 waiver should have no impact on the safety and convenience of vehicular and pedestrian circulation in the vicinity. The screening waiver should maintain better visibility, improving circulation safety in the immediate area.
- 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 screening waiver, the parking lot to the south does not require screening.
- 3) Compatibility with existing or permitted uses on abutting sites: The proposed site will comply with all other development standards, the screening waiver should not make the proposed site 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.

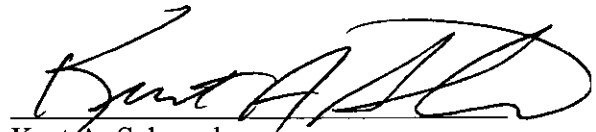
Our signatures below indicate that a Zoning Adjustment to waive the screening requirement for the aforementioned property is hereby granted, subject to the following conditions:

- 1) The site shall be developed in conformance with an approved landscape plan.
- 2) 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

Enclosure

cc: Kurt Schroeder, OCI
Paul Hays, OCI