



Wichita-Sedgwick County Metropolitan Area Planning Department

January 8, 2001

Asbury United Methodist Church
Attn: Bryson Butts
2801 W. 15th Street
Wichita, KS 67203

FILE COPY

Re: BZA2000-00067: An administrative adjustment to waive a portion of the screening along the eastern property line between the church and the adjacent institutional use, and to allow parking in the street side building setback on property zoned "SF-6" Single-Family Residential.

Legal Description: Block B, together with ½ vacated Edwards Avenue adjacent on the east, Sandlian's Third Addition, Wichita, Sedgwick County, Kansas. Located at the southeast corner of 15th Street and St. Paul (2801 W. 15th Street).

Dear Sir:

We have reviewed your request by Asbury United Methodist Church for an administrative adjustment to waive a portion of the screening requirement for the east property line. The Unified Zoning Code allows an adjustment to 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. We understand that the adjoining use is occupied by the Maude Carpenter Children's Home ("Maude Carpenter"), and that Maude Carpenter supports this request, as evidenced by the co-signature on the application.

Further, it is our understanding that a 15-foot landscaped area is provided along the majority of the property line, as shown on the site plan and the proposed landscape plan. The requested waiver is for the portion of the property line nearest the maintenance structure on the Maude Carpenter site, and generally lies between 300 to 450 feet south of 15th Street.

Therefore, we find that waiving of the screening requirements 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 areas as a result of the elimination of screening between the church use and the institutional use (Maude Carpenter). Screening will still be required for surrounding residential uses.

- 3) Compatibility with existing or permitted uses on abutting sites: The elimination of screening between the uses will not interfere with the surrounding permitted uses, as they will still have appropriate screening by landscaped street yards on the north, south and west.
- 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.

We further understand that you desire to be allowed to park within the setback of the street side yard along 14th Street. It is our understanding that this parking will not be closer than 8 feet from the street. You state in your application that you plan to use this area for future off-street parking in conjunction with the expansion of the church.

The Unified Zoning Code allows an adjustment to permit parking in residential districts to be located within a required building setback, but in no case closer to the property line than eight feet. Therefore, we find that allowance of parking within the building setback 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 encroachments would have no impact on safety and convenience of vehicular and pedestrian circulation in the vicinity of the application area. The church expansion will generate more traffic, but the adjustment to allow parking within the setback will not generate any additional traffic above what is expected for the church.
- 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 the reduction of the setback. Parking for the church should not encroach or encumber any uses adjacent to this property.
- 3) Compatibility with existing or permitted uses on abutting sites: The allowance of parking within the setbacks should not compromise existing or permitted uses on abutting sites due to the minor nature of the encroachments of the parking area into the building setback.
- 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.

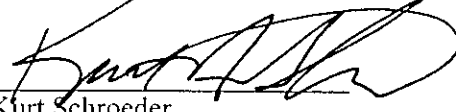
Our signatures below indicate that an administrative adjustment to waive the required screening on the portion of the east property line, and to allow parking in the side yard building setback, but no closer than 8 feet to the property line, is hereby granted subject to the following conditions:

- 1) The site shall be developed in general conformance with the submitted site plan and landscape plan.
- 2) The future parking area shall be developed in accordance with a site plan that shows parking no closer than 8 feet from the property line.
- 3) All parking areas shall be paved and marked.
- 4) Any violation of these conditions shall render the Administrative Adjustment null and void.

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



Marvin S. Krout
Director of Planning



Kurt Schroeder
Superintendent of Central Inspection

MK/KS/dg

cc: Paul Hayes, Office of Central Inspection
Randy Sparkman, Office of Central Inspection
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