



FILE COPY

Wichita-Sedgwick County Metropolitan Area Planning Department

February 12, 2002

Via Christi Property Services, Inc.
Attn: David M. Mohr, President
959 N. Emporia, Suite 302
Wichita, KS 67214

Re: BZA2002-00007: Administrative adjustment to allow parking in the front setback on property zoned "TF-3" Two-Family Residential.

Legal Description: The south 140.00 feet of the north 276.53 feet of the east 80.00 feet of Lot 1, Replat of Part of Pineridge Addition, Wichita, Sedgwick County, Kansas; together with the north 136.53 feet of the east 192.00 feet of Lot 1, Replat of Part of Pineridge Addition, Wichita, Sedgwick County Kansas (1515 S Clifton).

Dear Mr. Mohr:

We have reviewed your request for an administrative adjustment to allow parking in the front setback on property zoned "TF-3" Two-Family Residential. The application states that additional off-street parking is needed because the current parking spaces are insufficient to meet parking needs for new office development for the Via Christi-CMC building expansion.

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. We find that the allowance of parking within the front 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 should not have any detrimental impacts on the safety and convenience of vehicular and pedestrian circulation in the vicinity of the application area. The adjustment to allow parking within the building setback area will not generate any additional traffic and no pedestrian circulation areas are being eliminated. The subject property is the existing site of an ancillary parking lot, which was recently approved under CON2001-00058 for such use.
- 2) Impact on existing uses in surrounding areas: The parking lot has been in existence for many years and was previously used for parking by the adjoining school and church, instead of by the office building to the east being expanded. The location of the parking spaces closer to the property line should not change the impact of the off-street parking area on existing uses.

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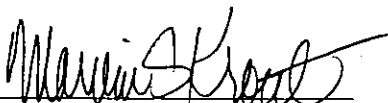
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in surrounding areas since there are no residential structures with front yards in this block. The property to the north is zoned "B" Multi-Family and is developed with medical office uses and a parking lot similar to the subject parking lot. A Conditional Use for the use of this parking lot as ancillary parking for the offices to the east was granted (CON2001-00058).

- 3) Compatibility with existing or permitted uses on abutting sites: The allowance of parking within the front setback should not compromise existing or permitted uses on abutting sites due the presence of an abutting office parking lot to the east on property zoned "LC" Limited Commercial that is located closer than eight feet to the right-of-way, and the similarity of the parking lot to the character of the lot to the northwest also serving office uses. Landscaping has been added between the parking lot and the school to the 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.

Our signatures below indicate that an administrative adjustment to allow parking in the front setback, but in no case closer than 8 feet to the property line, is hereby granted for the aforementioned property subject to the following conditions:

- 1) The parking area shall be developed in general conformance with the conceptual site plan submitted with the application and attached to this letter and in conformance to the conditions of CON2001-00058 and the approved landscape plan.
- 2) The parking area shall be paved and marked.
- 4) Any violation of these conditions shall render the Administrative Adjustment null and void.


Marvin S. Krout
Planning Director


Kurt A. Schroeder
Superintendent of Central Inspection

Enclosure

cc: Kurt Schroeder, Office of Central Inspection
Paul Hays, Office of Central Inspection
Richard Chamberlin, Office of Central Inspection
Randy Sparkman, Office of Central Inspection
J.R. Cox, Office of Central Inspection
Baughman Company, P.A., c/o Russ Ewy, 315 Ellis, Wichita, KS 67211

