



FILE COPY

Wichita-Sedgwick County Metropolitan Area Planning Department

April 30, 2003

Roy Dodd
Rolling Hills Baptist Church
1545 S. 135th St. W.
Wichita, KS 67052

Re: BZA2003-00015: Zoning Adjustment to reduce the parking requirement from 76 spaces to 71 spaces for a church.

Legal Description: Lot 1, Block A, Fellowship Acres Addition, Wichita, Sedgwick County, Kansas. Generally located north of Kellogg and west of 135th Street West (1545 S. 135th St. W.).

Dear Mr. Dodd:

We have reviewed your request for a Zoning Adjustment to reduce the parking requirement on the above-referenced property. From reviewing your application, we understand that you propose to construct an addition to the church located on the subject property. As a result of the addition, the Unified Zoning Code requires 76 parking spaces to be provided; however, you indicate that actual attendance at the church does not necessitate that many parking spaces and that the existing parking area can be re-striped to provide 71 parking spaces. Since you desire not to pave additional area for parking, you have requested a Zoning Adjustment to reduce the parking requirement.

Sec. V-I.2.i. of the Unified Zoning Code allows an adjustment to reduce the parking requirement by up to 25 percent for building expansions when the conditions required by Sec. V-I.6. of the Code are met. We find that the reduction of the parking requirement as proposed meets the four conditions required by Sec. V-I.6 of the Code as set out below:

- 1) Impact on safety and convenience of vehicular and pedestrian circulation: The applicant indicates that the actual parking need for the use of the subject property is lower than anticipated by the Unified Zoning Code parking requirements. Such instances are the reason flexibility is provided within the Code to allow for minor reductions of the parking requirement. The extent of the parking requirement reduction is within allowable limits; therefore, there should not be negative impacts on the safety and convenience of vehicular and pedestrian circulation in the area.
- 2) Impact on existing uses in surrounding areas: There should be no negative impact on uses in surrounding areas as a result of the reduction of the parking requirement, as sufficient parking should

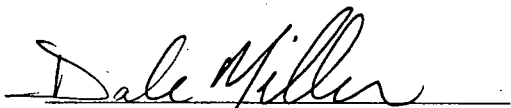
be provided on-site. Parking for the church should not utilize parking provided for any other adjacent uses.

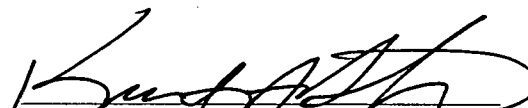
- 3) Compatibility with existing or permitted uses on abutting sites: Churches and accessory uses such as parking are permitted in commercial zoning districts, and reducing the parking requirement should not compromise existing or permitted uses on abutting sites due to the minor nature of the reduction of the parking requirement.
- 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 reduce the parking requirement from 76 spaces to 71 spaces for the aforementioned property is hereby granted, subject to the following conditions:

- 1) The site shall be developed in general conformance with the approved site plan.
- 2) The parking area shall be paved and marked in general conformance with the approved site plan.
- 3) The Zoning Adjustment is for a parking requirement reduction only for a church as illustrated on the approved site plan. Any change in use or additional construction on the subject property shall fully comply with the parking requirements of the Unified Zoning Code unless a separate Zoning Adjustment or Variance is granted.
- 5) 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 Article VIII of the Unified Zoning Code, may, with the concurrence of the Planning Director, declare that the Zoning Adjustment is null and void.

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


Dale Miller
Acting Planning Director


Kurt A. Schroeder
Superintendent of Central Inspection

Enclosure

cc: Greg Ferris, PO Box 573, Wichita, KS 67201
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

