



FILE COPY

**Wichita-Sedgwick County Metropolitan Area Planning Department**

May 6, 2003

Joe Hoover  
USD 259  
3850 N. Hydraulic  
Wichita, KS 67219

**Re: BZA2003-00017: Zoning Adjustments for Gardiner School to reduce the parking requirement from 50 spaces to 38 spaces, to allow a new parking area within the front setback along Ida no closer than 8 feet from the property line, and to reduce the front setback along Laura from 20 feet to 18.5 feet for an addition to the school building.**

**Legal Description**: Lots 166, 168, 170, 172, 174, 176, 178, 180, 182, 184, 186, 188, 190 and 192, on Ida Avenue, in Ranson and Kay's 3rd Addition to Wichita, Kansas, Sedgwick County, Kansas, together with the 10 foot vacated alley east of and adjacent to the south 9 feet of Lot 166 and all of Lots 168, 170, 172, 174, 176, 178, 180, 182, 184, 186, 188, 190 and 192, together with Lots 21, 23, 25, 27, 29, and 31, on Laura Avenue, in Walter Morris & Son's Fifth Addition to Wichita, Kansas, Sedgwick County, Kansas, together with a tract of land lying in the Northeast Quarter of Section 33, Township 27 South, Range 1 East of the Sixth Principal Meridian, Sedgwick County, Kansas, described as follows: Beginning at a point 10 feet east of the Southeast corner of Lot 192, Ida Avenue, Ranson and Kay's Third Addition to the City of Wichita, Sedgwick County, Kansas; thence east along the North side of Levy Street, 150 feet; thence north 206.15 feet; thence west 150 feet to a point 10 feet east of the Northeast corner of Lot 178, on Ida Avenue said Addition; thence south along the East line of an alley, 206.6 feet to the place of beginning.

Dear Mr. Hoover:

We have reviewed your request for Zoning Adjustments to reduce the parking requirement from 50 spaces to 38 spaces, to allow a new parking area within the front setback along Ida no closer than 8 feet from the property line, and to reduce the front setback along Laura from 20 feet to 18.5 feet for an addition to the school building. You state in your application that the proposed new addition to Gardiner School will increase the parking requirement for the school to 50 spaces but that only 38 parking spaces (including 26 spaces located within the right-of-way for Laura as permitted by a minor street permit) are proposed to be provided in order to preserve as much land as possible for use as a playground. Also, you state in your application that you propose to construct a new parking area containing 12 parking spaces within the front setback along Ida no closer than 8 feet from the property line, again in order to preserve as much land as possible for use as a playground. Finally, you propose a 1.5-foot encroachment into the building setback along Laura for entry columns so that the building wall line of the addition can match the existing building wall line.

Sec. V-I.2.i. of the Unified Zoning Code allows an adjustment to reduce parking requirements by 25 percent for an expansion project when the conditions required by Sec. V-I.6. of the Code are met. Sec. V-I.2.l. of the Unified Zoning Code allows an adjustment to permit parking in residential districts to be located within required front and street side setbacks, but in no case closer to the property line than 8 feet, when the conditions required by Sec. V-I.6. of the Code are met. Sec. V-I.2.a. of the Unified Zoning Code allows an adjustment to reduce building setbacks by up to 20 percent when the conditions required by Sec. V-I.6. of the Code are met. We find that reducing the parking

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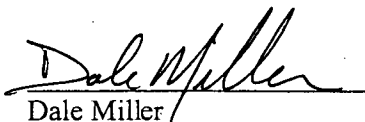
requirements, allow parking within the front setback, and reducing the building setback as proposed meets the four conditions required by Section V-1.6 of the Unified Zoning Code as set out below:

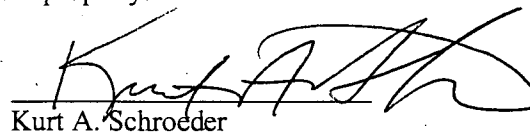
- 1) Impact on safety and convenience of vehicular and pedestrian circulation: Additional parking spaces will be provided on-site, which should improve the safety and convenience of vehicular and pedestrian circulation in the area by reducing the demand for on-street parking. Sufficient open space between the new parking area and the property line will remain to prevent vehicles from encroaching upon the sidewalk; therefore, the safety and convenience of vehicular and pedestrian circulation should not be negatively impacted by allowing a parking area within the front setback along Ida.
- 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 proposed adjustments as additional off-street parking will be provided, which should reduce the number of vehicles parked in front of residences in the area. Also, the new parking area will be appropriately screened and buffered from adjacent residential uses. The proposed encroachment of the building into the setback along Laura should not negatively impact surrounding areas since only entry columns will encroach into the setback.
- 3) Compatibility with existing or permitted uses on abutting sites: Schools and associated accessory uses such as parking are permitted in residential zoning districts, and the proposed adjustment should actually increase the compatibility of the school with surrounding residential uses by providing more parking spaces offstreet.
- 4) Effect on public health, safety or welfare: There will be no encroachment into public utility easements, and the parking proposed for the right-of-way has been approved by a minor street permit. 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 Zoning Adjustments to reduce the parking requirement from 50 spaces to 38 spaces, to allow a new parking area within the front setback along Ida no closer than 8 feet from the property line, and to reduce the front setback along Laura from 20 feet to 18.5 feet for an addition to the school building are hereby granted subject to the following conditions:

- 1) The parking areas shall be developed in accordance with the approved site plans.
- 2) All parking areas shall be paved and marked.
- 3) The building setback reduction shall apply only to the "New Addition" as illustrated on the approved site plan. Any other new structures or additions on the subject property shall conform to the setbacks permitted by the Unified Zoning Code unless a separate Zoning Adjustment or Variance is granted.
- 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 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: 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

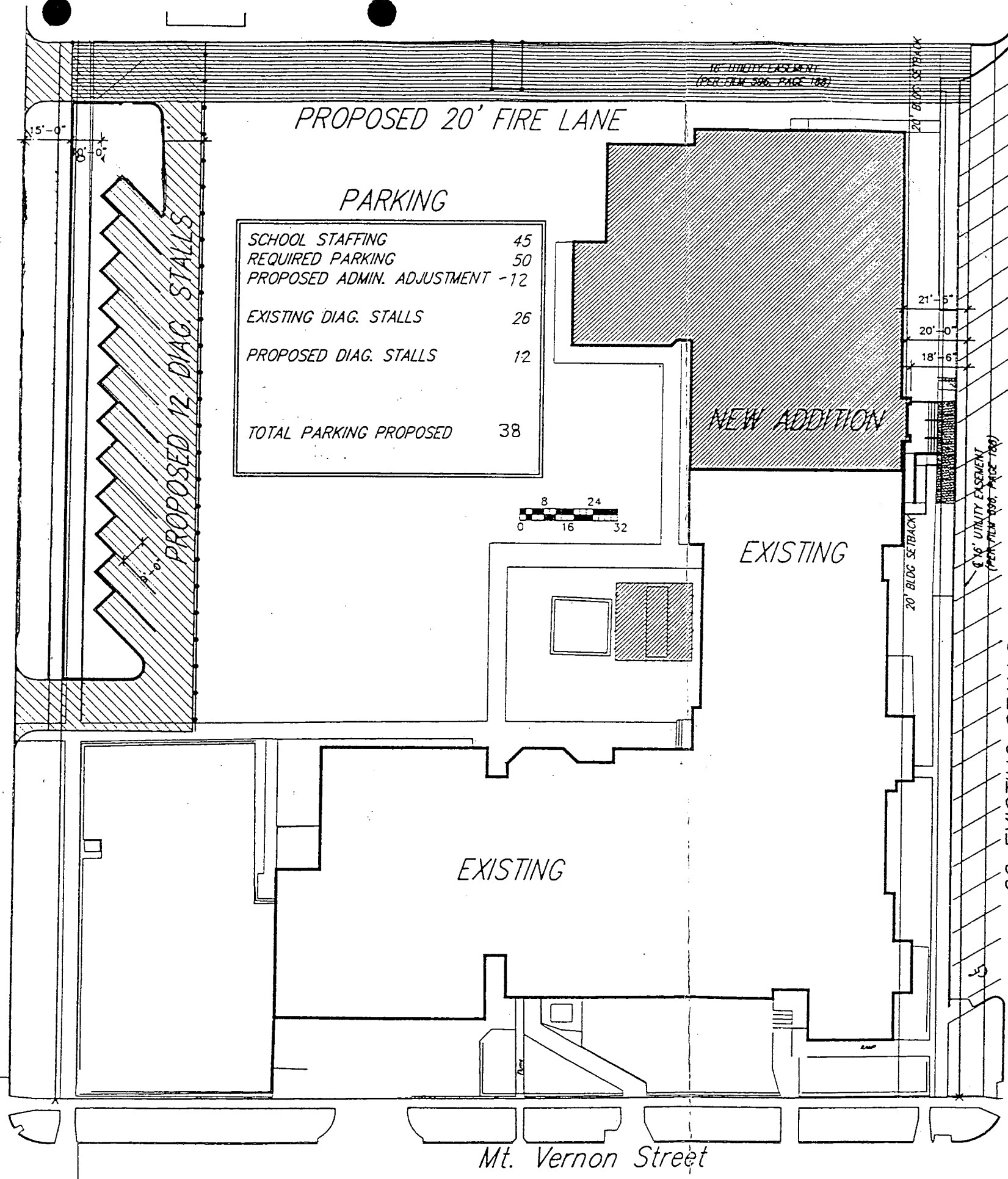
BZA 2003-00017

# SITE PLAN

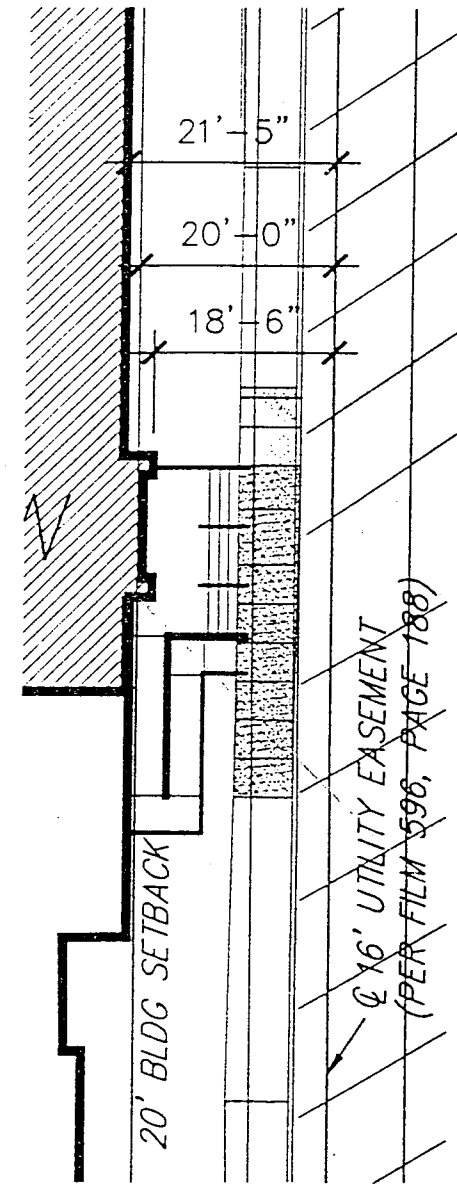
APPROVED 5-6-03 BY *SK*

04-16-03

Ida Avenue



Laura Avenue



ENLARGED PLAN

SITE PLAN