



Wichita-Sedgwick County Metropolitan Area Planning Department

August 25, 2003

Linwood Congregation of Jehovah's Witness
P.O. Box 16184
Wichita, KS 67216

Re: BZA2003-00046: Zoning Adjustment to permit a parking area within the front setback along Galena but no closer than 8 feet from the south property line.

Legal Description: Lots 8, 9, 10, & 11, Block 21, Rainbow First Addition, Wichita, Sedgwick County, Kansas. Generally located northwest of the I-135/Hydraulic interchange.

We have reviewed your request for a Zoning Adjustment to permit the parking area for a church within the front setback on the aforementioned property. You state in your application that you propose to locate the parking area within the setback area because there is no other available property upon which to locate the expanded parking area. Therefore, you have requested a Zoning Adjustment to permit a parking area within the front setback along Galena but no closer than 8 feet from the south property line.

Sec. V-I.2.1. of the Unified Zoning Code allows an adjustment to permit parking areas 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. We find that permitting the parking area as proposed the four conditions required by Section V-I.6 of the Unified Zoning Code as set out below:

- 1) Impact on safety and convenience of vehicular and pedestrian circulation: Sufficient open space between the parking lot and the property line will remain to prevent vehicles from encroaching upon the right of way; therefore, the safety and convenience of vehicular and pedestrian circulation should not be negatively impacted by permitting the parking area within the setback.
- 2) Impact on existing uses in surrounding areas: While there are residential front yards within the block, they are screened from the parking area by a fence, and the parking area is located at the end of the block near a freeway interchange rather than mid-block. Therefore, permitting the parking lot within the front setback should not negatively impact existing uses in surrounding areas.
- 3) Compatibility with existing or permitted uses on abutting sites: Churches and accessory uses such as parking are permitted in the "TF-3" Two Family zoning district, and permitting a

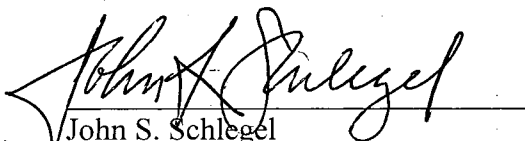
area to be located within the front setback but no closer than 8 feet from the property is within allowable limits. Therefore, allowing a parking area with the front setback as proposed should not compromise existing or permitted uses on abutting sites.

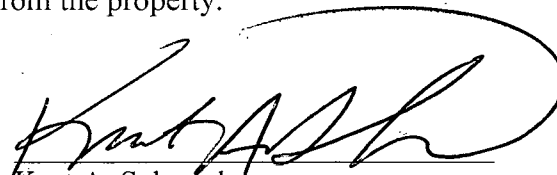
- 4) Effect on public health, safety or welfare: There will be no encroachment into public utility easements or right-of-way; therefore, there should not be a negative impact on the public health, safety or welfare nor will properties or improvements in the vicinity be materially injured.

Our signatures below indicate that a Zoning Adjustment to permit a parking area within the front setback along Galena, but no closer than 8 feet from the south property line, is hereby granted subject to the following conditions:

- 1) The parking area shall be developed in general conformance with the approved site plan.
- 2) The parking area shall be paved and marked.
- 3) The parking area shall be developed in general conformance with the landscape ordinance.
- 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.


John S. Schlegel
Planning Director


Kurt A. Schroeder
Superintendent of Central Inspection

cc: Scott Engle, P.O. Box 782015, Wichita, KS 67278
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

B2AZ023-00016 SITE PLAN

APPROVED 8-25-03 BY *SK*

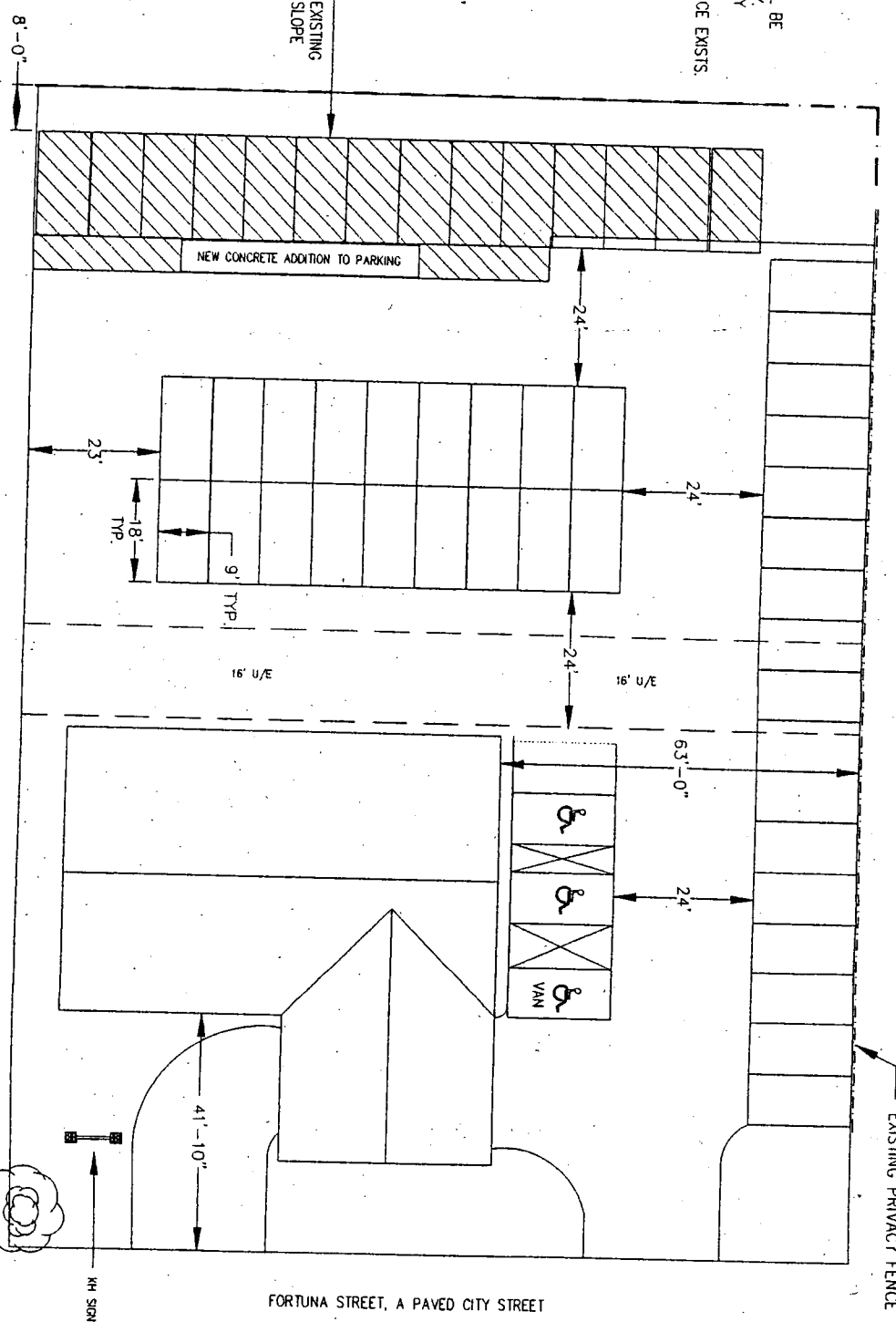
- GENERAL NOTES
1. PARKING STALLS SHALL BE 9' x 18' TYPICALLY ARE 24' WIDE MIN.
 2. DRIVE LANES TYPICALLY ARE 24' WIDE MIN.
 3. REDWOOD PRIVACY FENCE EXISTS.



SCALE: 1" = 20'

NOTE:
NEW CONCRETE TO MATCH EXISTING CONCRETE ELEVATION AND SLOPE TO SAME.

CONCRETE PARKING EXPANSION TO 8'-0" NORTH OF PROPERTY LINE AS PER CITY REQUIREMENT.



NOTE:
PARKING LOT, BUILDING, SIGNAGE, TREES, AND FENCING ALREADY EXISTING. PROPOSE TO EXPAND EXISTING PARKING LOT CONCRETE TO ALLOW 15 ADDITIONAL SPACES.

14 ADDITIONAL SPACES - (3 HANDICAP) 53 TOTAL PARKING SPACES

FORTUNA STREET, A PAVED CITY STREET

SHEET TITLE		REVISION		BY	
<p>SITE PLAN - EXISTING PROPOSE TO ADD 15 PARKING SPACES</p> <p>PROJECT TITLE SOUTHEAST/LINWOOD CONGREGATION of JEHOVAH'S WITNESSES 1621 E. FORTUNA STREET WCHITA, Ks. 67278</p>		NO	DATE		
		11/13/02		Revision as per MBL Ltr. 9/17/02	jvf
		4/30/03		Revision as per RBC & Local request.	jvf
	7/31/03		Revision as per CITY requirement. SE	jvf	

DATE: 6/20/02
SCALE: 1" = 20'
DRAWN BY: JVF AND BR
CADD SITE
SHEET NO.

SITE