



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

November 5, 2013

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

**Re: BZA2003-00068: Zoning Adjustments for Riverside Elementary School to: 1) allow a parking area in the front setback no closer than 8 feet from the property line; 2) reduce the parking requirement from 27 to 22 spaces; 3) reduce the front building setback from 25 to 23 feet; and 4) reduce the compatibility setback along the rear property line from 25 to 220 feet.**

**Legal Description: Odd Lots 97 through 123 inclusive on Porter Avenue and Even Lots 98 through 112 inclusive on Woodrow Avenue, Riverside Addition, Wichita, Sedgwick County, Kansas. Located north of Harrison and west of Porter (1001 N. Porter).**

Dear Mr. Hoover:

On December 22, 2003, the above referenced application was approved; however, it has been discovered that the reduction requested in compatibility setback was 20 feet not the 22 feet listed above. This letter revises the required compatibility setback to 20 feet instead of 22 feet.

We have reviewed your request for the Zoning Adjustments enumerated above. You state in your application that you plan to construct an addition to Riverside Elementary School and that the requested Zoning Adjustments are needed due to very small size of the school property. We understand that two residential properties have been acquired, and the existing residences will be razed to allow for the school addition. We further understand that compliance with all Unified Zoning Requirements would entail acquisition of additional property and further encroachment into an established residential neighborhood.

Sec. V-1.2. of the Unified Zoning Code allows the requested Zoning Adjustments when the conditions required by Sec. V-1.6. of the Unified Zoning Code are met. We find that the requested Zoning Adjustments meet 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 school currently provides no off-street parking area; therefore, the provision of an off-street parking area, even with fewer than the code-required number of spaces and location within the front setback, should significantly improve the safety and convenience of vehicular and pedestrian circulation in the area.
- 2) Impact on existing uses in surrounding areas: Requiring the school addition to comply with all Unified Zoning Code requirements would entail further encroachment into an established residential neighborhood and the demolition of at least one more residence. Therefore, allowing the requested adjustments will reduce the impact of the school addition on existing uses in surrounding areas.

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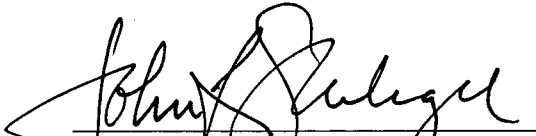
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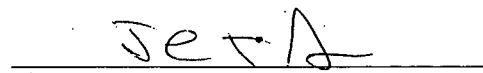
- 3) Compatibility with existing or permitted uses on abutting sites: Schools and associated accessory uses such as parking areas are permitted in residential zoning districts, and the allowance of the requested adjustments should not compromise existing or permitted uses on abutting sites due to the minor nature of the adjustments and compliance with screening and landscaping requirements.
- 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 Zoning Adjustments for Riverside Elementary School to: 1) allow a parking area in the front setback no closer than 8 feet from the property line; 2) reduce the parking requirement from 27 to 22 spaces; 3) reduce the front building setback from 25 to 23 feet; and 4) reduce the compatibility setback along the rear property line from 25 to 220 feet, are hereby granted subject to the following conditions:

- 1) The school addition and parking area shall be developed in general conformance with the approved site plan.
- 2) The parking area shall be paved and marked.
- 3) The school addition and parking area shall be developed in general conformance with the screening requirements of the Unified Zoning Code and the landscaped street yard, buffer landscaping, and parking lot screening requirements of 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 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.

  
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John L. Schlegel  
Planning Director

  
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Thomas J. Stolz  
Director of Metropolitan Area Building and  
Construction Department

Enclosure

cc: Paul Hays, Office of Central Inspection  
J.R. Cox, Office of Central Inspection

