


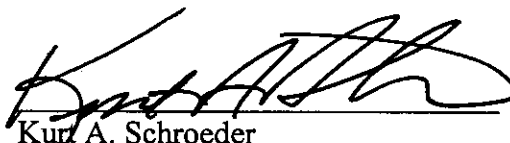
- 3) Compatibility with existing or permitted uses on abutting sites: Schools and associated accessory uses such as parking are permitted in residential zoning districts, and the allowance of a parking area within the setback should not compromise existing or permitted uses on abutting sites due to the minor nature of the encroachment into the setback.
- 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 to be located within the front setback in a residential zoning district but no closer than 8 feet from the 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 per a separate landscape plan to be approved prior to the issuance of a building permit.
- 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 "Development Application" sign should now be removed from the property.


John L. Schlegel
Planning Director


Kurt A. Schroeder
Superintendent of Central Inspection

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



FILE COPY

Wichita-Sedgwick County Metropolitan Area Planning Department

November 4, 2004

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

Re: BZA2004-00082: Zoning Adjustment for a school to permit a parking area to be located within the front setback in a residential zoning district.

Legal Description: Lots 10, 12, 14, & 16, on Salina, Garden Grove Addition, Wichita, Sedgwick County, Kansas. Located north of 14th Street North and east of Salina (1512 & 1518 N. Salina).

Dear Mr. Hoover:

We have reviewed your request for a Zoning Adjustment to permit a parking area within the front setback in a residential zoning district. From reviewing your application, we understand that you propose to construct a parking lot to provide the code-required parking spaces for an addition to Marshall Middle School. From reviewing your site plan, we understand that you propose to locate a portion of the parking area within the front setback along Salina. Therefore, you have requested an adjustment to permit the parking area within the front setback but no closer than eight feet from the property line.

Section V-I.2.1. of the Unified Zoning Code allows an adjustment to permit a parking area within the front setback in a residential zoning district but in no case closer than eight feet from the property line when the four conditions required by Section V-I.6. of the Unified Zoning Code are met. We find that allowing the parking area within the front setback meets the four conditions required by Section V-I.6. of the Unified Zoning Code as set out below:

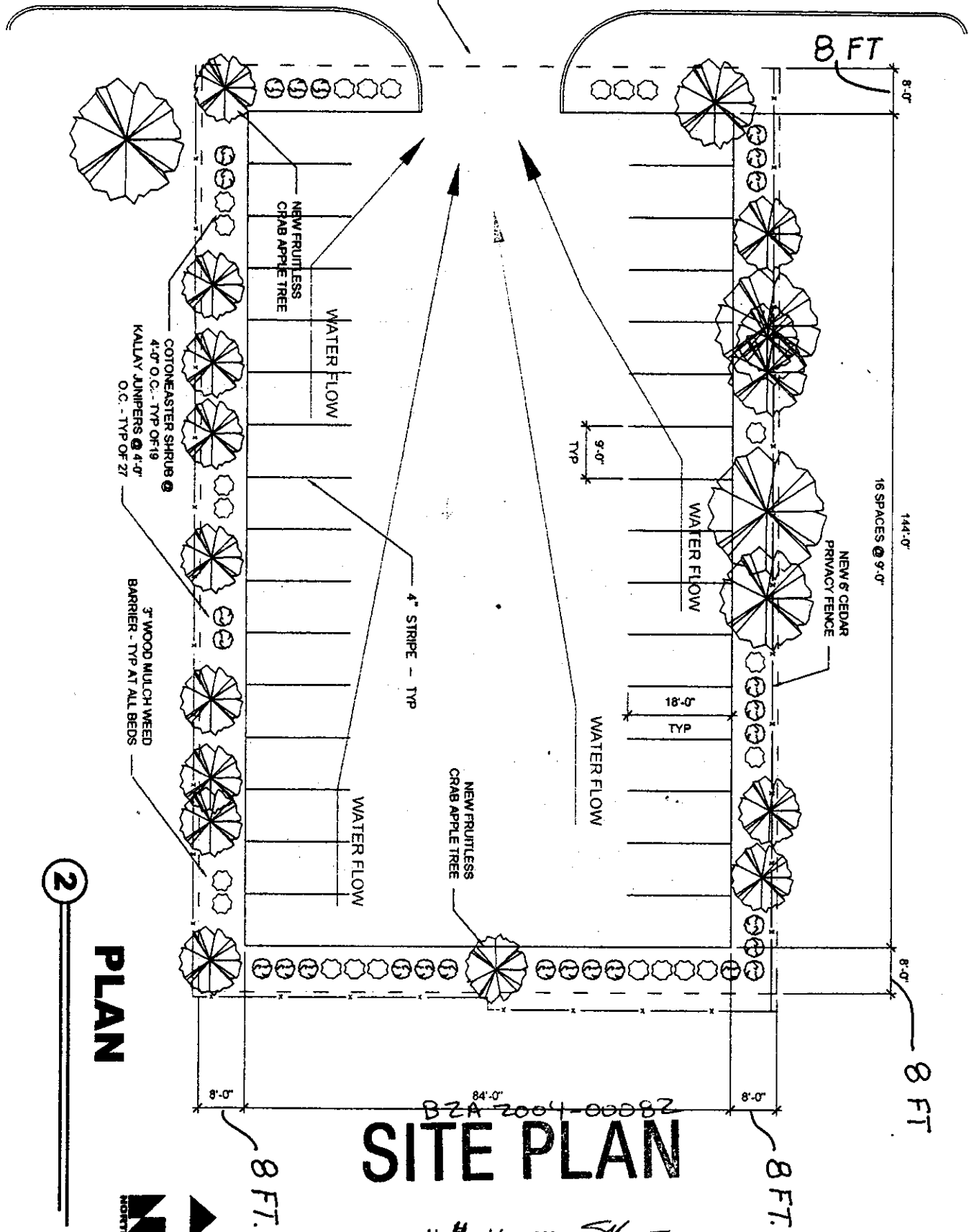
- 1) **Impact on safety and convenience of vehicular and pedestrian circulation**: The proposed parking lot should improve the safety and convenience of vehicular and pedestrian circulation in the vicinity because sufficient off-street parking is not currently provided and most vehicles park on the street.
- 2) **Impact on existing uses in surrounding areas**: There should be no negative impact on the existing uses in surrounding areas as a result of the adjustment, as screening and landscaping will be provided for the parking area and buffer areas will be provided between the parking area and abutting residential properties.

1512 - 1518 N. SALINA

Marshall
MIDDLE
SCHOOL

SALINA
AVE.

NEW 24' WIDE
APPROACH PER
CITY CODE



SITE PLAN

APPROVED 11-4-04 BY *SK*

PLAN

2

