



Wichita-Sedgwick County Metropolitan Area Planning Department

January 28, 2002

Westlink Christian Church
%Larry Pencenka
8810 W. 10th
Wichita, KS 67212

RE: BZA 2001-00071: Variance to increase the maximum allowable building height from 35 feet to 45 feet on property zoned "SF-5" Single-Family Resolution. Generally located south of 21st Street North and west of Maize Road (2001 N. Maize Road).

At the regular meeting of the Board of Zoning Appeals on January 22, 2002, your request for a variance was considered. The variance was GRANTED subject to the following conditions:

1. The maximum allowable building height shall be increased from 35 feet to 45 feet only for those portions of the building shown on the approved site plan and building elevations. All other portions of any structures (except the steeple) on the subject property shall conform to the maximum allowable building height.
2. The subject property shall be developed in general conformance with the approved site plan and building elevations.
3. The subject property shall comply with the lighting standards of Sec. IV-B.4 of the Unified Zoning Code.
4. The applicant shall obtain all permits necessary to construct the improvements, and the improvements shall be completed within one year of the granting of this variance, unless such time period is extended by the BZA.
5. The resolution authorizing this variance may be declared null and void upon findings by the Board that the applicant has failed to comply with any of the foregoing conditions.

Enclosed is a signed copy of the above-referenced BZA Resolution approved by the Board of Zoning Appeals. This resolution reflects the official action of the Board to grant your request and sets out the conditions of approval. It is forwarded to you for your information and files.

If you have any questions concerning this matter, please call our office at 268-4421.

Sincerely,



Scott Knebel

Assistant BZA Secretary

SK/rms

cc: Baughman Company, %Russ Ewy, 315 Ellis, Wichita, KS 67211
Michael W. and Theresa A. Palmer, 1884 N. Lark Circle, Wichita, KS 67212
Schaffer, Johnson Cox Frey and Associates, P.A., Terry Wiggers, 257 N. Broadway,
Wichita, KS 67202
City Council Member District V, Bob Martz, Mail Stop 1-13
D.A.B. V, Dana L. Brown, Mail Stop 1-135
Sharon Dickgrafe, Law Department, Mail Stop 1-132
J. R. Cox, OCI, 1-72

BZA RESOLUTION NO. 2001-00071

WHEREAS, Westlink Christian Church, c/o Larry Pencenka pursuant to Section 2.12.590.B, Code of the City of Wichita, requests a variance to increase the maximum allowable building height from 35 feet to 45 feet on property zoned "SF-5" Single-Family Residential and legally described as follows:

Lot 1, Westlink Christian Church Addition, Wichita, Sedgwick County, Kansas. Generally located south of 21st Street North and west of Maize Road (2001 N. Maize Rd).

WHEREAS, proper notice as required by ordinance and by the rules of the Board of Zoning Appeals has been given; and

WHEREAS, the Board of Zoning Appeals did, at the meeting of January 22, 2002, consider said application; and

WHEREAS, the Board of Zoning Appeals has proper jurisdiction to consider said request for a variance under the provisions of Section 2.12.590.B, Code of the City of Wichita; and

WHEREAS, the Board of Zoning Appeals has found that the variance arises from such condition which is unique. It is the opinion of the Board that this property is unique, inasmuch as the property is 33.5 acres in size, which approximately 150 times larger than the typical property found in the "SF-5" Single-Family Residential zoning district. The large size of the subject property allows structures to be set back significant distances from the property lines, which eliminates the need for a low structure height to allow for light and air circulation and scale compatibility.

WHEREAS, the Board of Zoning Appeals has found that the granting of the permit for the variance will not adversely affect the rights of adjacent property owners or residents. It is in the opinion of the Board that the granting of the variance requested would not adversely affect the rights of adjacent property owners, inasmuch as the building will be set back over 300 feet from the north, 350 feet from the south, 400 feet from the east, and 550 feet from the west property lines. The large setbacks and the limited area of the building that will exceed the maximum allowable building height will prevent the building from depriving adjacent properties of light and air circulation. Also, the portion of the building exceeding the maximum allowable building height will not contain any windows, so there should be no privacy issues for adjacent properties.

WHEREAS, the Board of Zoning Appeals has found that the strict application of the provisions of the zoning ordinance of which variance is requested will constitute unnecessary hardship upon the property owners represented in the application. It is the opinion of the Board that the strict application of the provisions of the Zoning Code constitutes an unnecessary hardship upon the applicant, inasmuch as the sanctuary would lose the use of a second floor balcony thus requiring the building to be redesigned to provide more ground floor square footage for the building meet the same purposes, which would involve considerable increases in cost and a significant delay of the project.

WHEREAS, the Board of Zoning Appeals has found that the variance desired will not adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare. It is the opinion of the Board that the requested variance would not adversely affect the public interest, inasmuch as increasing the maximum allowable building height will not adversely affect the public health, safety, morals, order, convenience, prosperity, or general welfare due setbacks that are at least 15 times greater than required alleviating the impact of increased building height.

WHEREAS, the Board of Zoning Appeals has found that the granting of the variance desired will not be opposed to the general spirit and intent of the zoning ordinance. It is the opinion of the Board the granting of the variance requested would not be opposed to the general spirit and intent of the zoning regulations, inasmuch as the intent of maximum allowable building height regulations is to provide sufficient space for light and air circulation and to provide for scale compatibility and privacy among adjacent properties. The requested increase in maximum allowable building height will not adversely affect light, air circulation, compatibility, and privacy issues.

WHEREAS, each of the five conditions required by Section 2.12.590.B, Code of the City of Wichita, to be present before a variance can be granted has been found to exist.

NOW, THEREFORE, BE IT RESOLVED by the Board of Zoning Appeals of the City of Wichita that the variance be granted to increase the maximum allowable building height from 35 feet to 45 feet on property zoned "SF-5" Single-Family Residential and legally described as follows:

Lot 1, Westlink Christian Church Addition, Wichita, Sedgwick County, Kansas. Generally located south of 21st Street North and west of Maize Road (2001 N. Maize Rd).

The granting of the variance shall be subject to the following conditions:

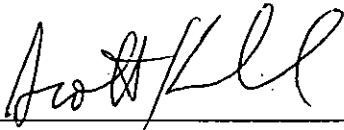
1. The maximum allowable building height shall be increased from 35 feet to 45 feet only for those portions of the building shown on the approved site plan and building elevations. All other portions of any structures (except the steeple) on the subject property shall conform to the maximum allowable building height.
2. The subject property shall be developed in general conformance with the approved site plan and building elevations.
3. The subject property shall comply with the lighting standards of Sec. IV-B.4 of the Unified Zoning Code.
4. The applicant shall obtain all permits necessary to construct the improvements, and the improvements shall be completed within one year of the granting of this variance, unless such time period is extended by the BZA.
5. The resolution authorizing this variance may be declared null and void upon findings by the Board that the applicant has failed to comply with any of the foregoing conditions.

ADOPTED AT WICHITA, KANSAS, this 22nd DAY of JANUARY, 2002.

A handwritten signature in cursive script, appearing to read "James P. Ruane", written over a horizontal line.

James P. Ruane, BZA Board President

ATTEST:

A handwritten signature in cursive script, appearing to read "Scott Knebel", written over a horizontal line.

Scott Knebel, BZA Secretary

BOARD OF ZONING APPEALS
WICHITA, KANSAS

AGENDA ITEM NO. 3
January 22, 2002

SECRETARY'S REPORT

CASE NUMBER: BZA2001-00071

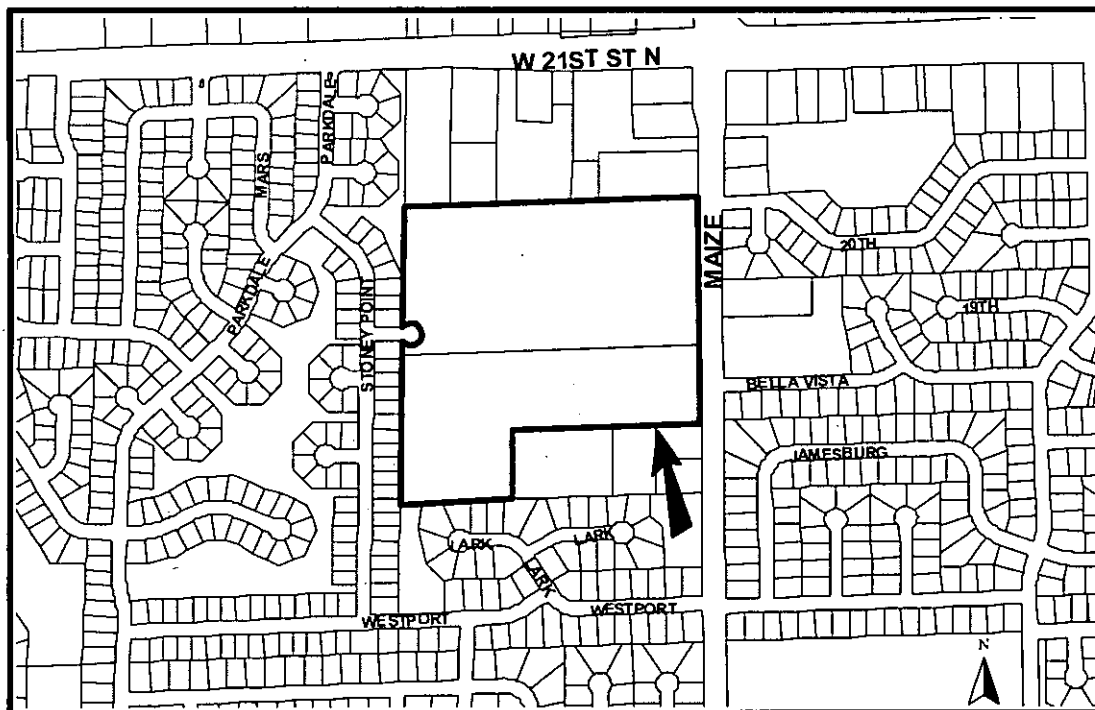
OWNER/APPLICANT: Westlink Christian Church c/o Larry F. Pecenka

AGENT: Baughman Company, P.A. c/o Russ Ewy

REQUEST: Variance to increase the maximum allowable building height
from 35 feet to 45 feet

CURRENT ZONING: "SF-5" Single-Family Residential

LOCATION: Generally located south of 21st Street North and west of Maize
Road (2001 N. Maize Rd.)



JURISTITION: The Board has jurisdiction to consider the variance request under the provisions outlined in Section 2.12.590.B, Code of the City of Wichita. The Board may grant the request when all five conditions, as required by State Statutes, are found to exist.

BACKGROUND: Westlink Christian Church is currently under construction on the subject property located south of 21st Street North and west of Maize Road at 2001 N. Maize Road. The construction plans (see attached site plan and building elevations) call for the sanctuary portion of the building to be constructed at a height of 45 feet. The tallest point on the building will be a steeple at a height of approximately 66 feet.

The subject property is located within the "SF-5" Single-Family zoning district, which permits a maximum allowable building height 35 feet. Therefore, the applicant has requested a variance to increase the maximum allowable building height from 35 feet to 45 feet for the sanctuary portion of the building. The Unified Zoning Code exempts church steeples from the maximum allowable building height regulations of the underlying zoning district. The applicant submitted the attached justification for the variance request.

ADJACENT ZONING AND LAND USE:

NORTH	"GC" & "LC"	Various commercial businesses in the Pearson Farms CUP
SOUTH	"GC" & "NO"	Kirk Excavating & medical offices
EAST	"SF-5"	Church & single-family residences
WEST	"SF-5"	Single-family residences

UNIQUENESS: It is the opinion of staff that this property is unique, inasmuch as the property is 33.5 acres in size, which approximately 150 times larger than the typical property found in the "SF-5" Single-Family Residential zoning district. The large size of the subject property allows structures to be set back significant distances from the property lines, which eliminates the need for a low structure height to allow for light and air circulation and scale compatibility.

ADJACENT PROPERTY: It is the opinion of staff that the granting of the variance requested would not adversely affect the rights of adjacent property owners, inasmuch as the building will be set back over 300 feet from the north, 350 feet from the south, 400 feet from the east, and 550 feet from the west property lines. The large setbacks and the limited area of the building that will exceed the maximum allowable building height will prevent the building from depriving adjacent properties of light and air circulation. Also, the portion of the building exceeding the maximum allowable building height will not contain any windows, so there should be no privacy issues for adjacent properties.

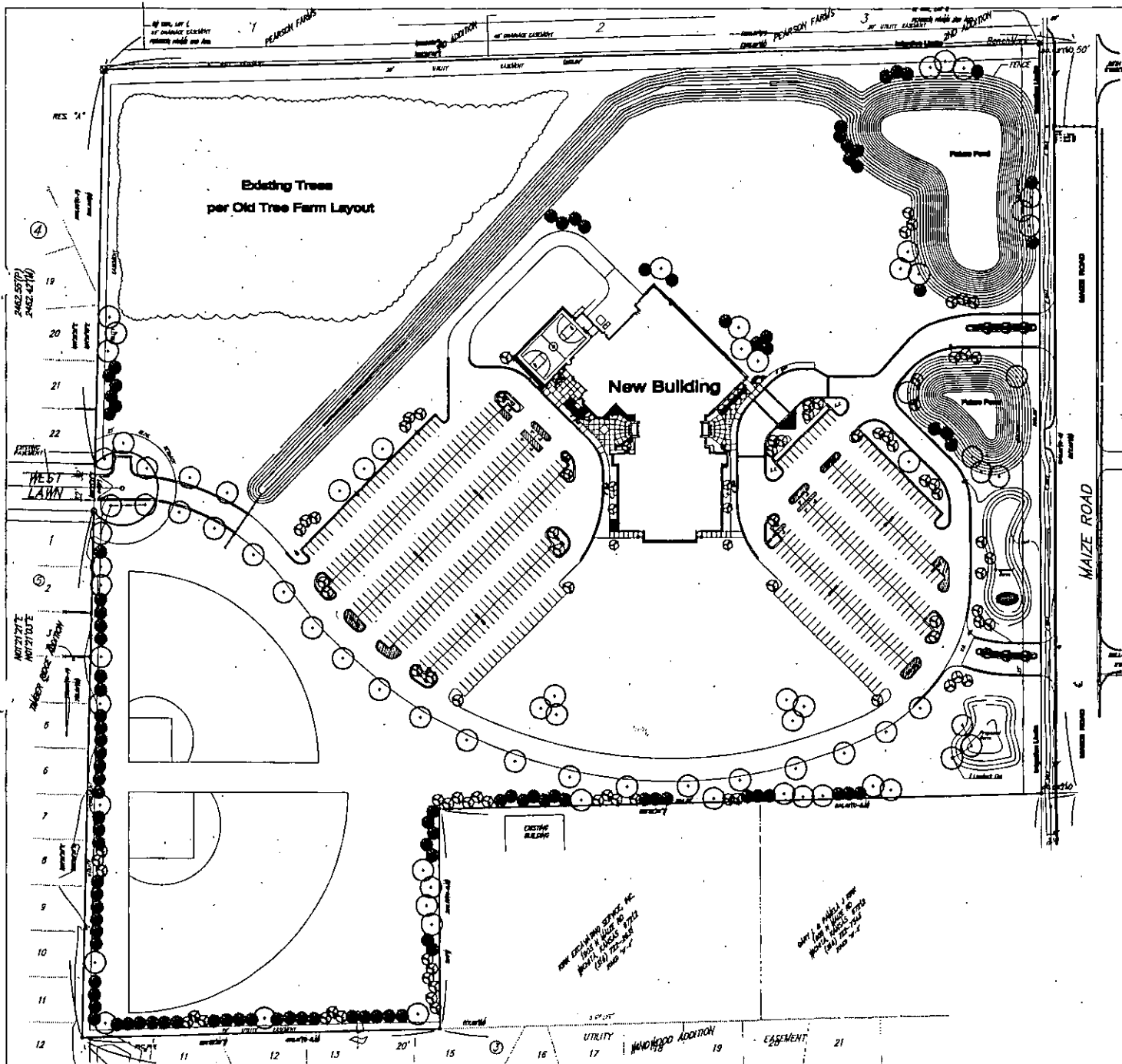
HARDSHIP: It is the opinion of staff that the strict application of the provisions of the Zoning Code constitutes an unnecessary hardship upon the applicant, inasmuch as the sanctuary would lose the use of a second floor balcony thus requiring the building to be redesigned to provide more ground floor square footage for the building meet the same purposes, which would involve considerable increases in cost and a significant delay of the project.

PUBLIC INTEREST: It is the opinion of staff that the requested variance would not adversely affect the public interest, inasmuch as increasing the maximum allowable building height will not adversely affect the public health, safety, morals, order, convenience, prosperity, or general welfare due setbacks that are at least 15 times greater than required alleviating the impact of increased building height.

SPIRIT AND INTENT: It is the opinion of staff that the granting of the variance requested would not be opposed to the general spirit and intent of the zoning regulations, inasmuch as the intent of maximum allowable building height regulations is to provide sufficient space for light and air circulation and to provide for scale compatibility and privacy among adjacent properties. The requested increase in maximum allowable building height will not adversely affect light, air circulation, compatibility, and privacy issues.

RECOMMENDATION: Should the Board determine that conditions necessary for the granting of the variance exist, then it is the recommendation of the Secretary that the variance to increase the maximum allowable building height be GRANTED, subject to the following conditions:

1. The maximum allowable building height shall be increased from 35 feet to 45 feet only for those portions of the building shown on the approved site plan and building elevations. All other portions of any structures (except the steeple) on the subject property shall conform to the maximum allowable building height.
2. The subject property shall be developed in general conformance with the approved site plan and building elevations.
3. The applicant shall obtain all permits necessary to construct the improvements, and the improvements shall be completed within one year of the granting of this variance, unless such time period is extended by the BZA.
4. The resolution authorizing this variance may be declared null and void upon findings by the Board that the applicant has failed to comply with any of the foregoing conditions.



SITE PLAN

BZA2001-00071

APPROVED 1-22-02 BY BZA

SCALE: 1" = 200'

BAUGHMAN COMPANY P.A.
ENGINEERING, SURVEYING, & PLANNING
200 SOUTH MILL STREET
MAIZE, MISSOURI 63455
PHONE (816) 884-0171 FAX (816) 884-0171

SCHMIDT JOHNSON COX FREY & ASSOCIATES PA



WESTLINK CHRISTIAN CHURCH



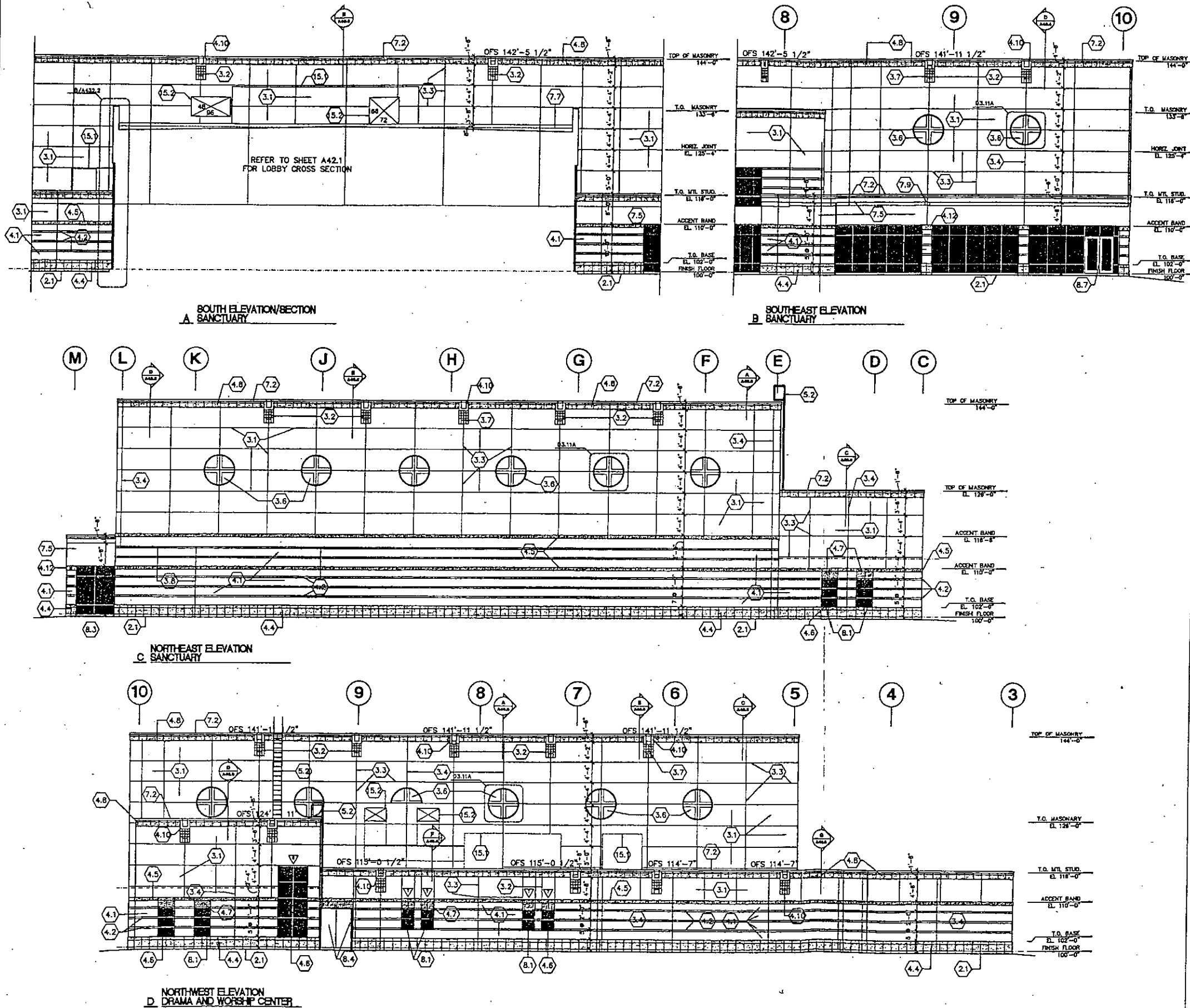
REVISION DATE

PROJECT NO.

DATE

15-000-01

C21.8



- GENERAL NOTES**
- NOTES ON THIS SHEET ARE A ACCUMULATION OF ITEMS ON THE ELEVATION SHEETS.
 - CONTRACTOR SHALL BE RESPONSIBLE TO BUILD TO FIELD CONDITIONS AND VERIFY ALL DIMENSIONS.
 - REFER TO THE PROJECT MANUAL YELLOW PAGES FOR DETAILS REFERENCED DXXX.
 - ABBREVIATIONS: CJ CONTROL JOINT

KEYED ELEVATION NOTES

- 2.1 FINISH GRADE - REFER TO C21.2.
- 3.1 ARCHITECTURAL COLORED PRECAST PANELS - REF. DETAILS & SPEC.
- 3.2 ILLUSTRATION PATTERN ON PRECAST PANELS - REF. D3.02.
- 3.3 EDGE JOINTS OF ARCH. COLORED PRECAST PANELS - REFER TO D3.03A.
- 3.4 VERTICAL EDGES OF TILT-UP PRECAST BACKUP PANELS.
- 3.5 EXPOSED CLIP, CONCRETE FOUNDATION WALL.
- 3.6 MEDALLION IN COLORED PRECAST PANELS - REFER TO D4.08A.
- 3.7 ACCENT PLACARD CAST INTO PRECAST - REF. DETAILS.
- 3.8 CLIP, CONCRETE WALL BEYOND - REFER TO STRUCT.
- 4.1 JUMBO FIELD BRICK - RUNNING BOND, REF. SPEC.
- 4.2 3/4" RECESSED JUMBO ACCENT BRICK BELTS - RUNNING BOND.
- 4.3 COLORED JUMBO ACCENT BRICK.
- 4.4 SYNTHETIC Limestone PROJECTED BASE WITH HALOCH - REF. DETAILS.
- 4.5 8" SYNTHETIC Limestone ACCENT BAND.
- 4.6 SYNTHETIC Limestone ACCENT WINDOW SILL - REF. D4.02D.
- 4.7 SYNTHETIC Limestone ACCENT WINDOW HEAD - REF. D4.02E.
- 4.8 SYNTHETIC Limestone ACCENT CORNER - REF. D4.06A.
- 4.9 SYNTHETIC Limestone ACCENT EAVE TRIM - REF. D7.2AA.
- 4.10 SYNTHETIC Limestone ACCENT SCUPPER - REF. D4.06A.
- 4.11 SYNTHETIC Limestone ACCENT TOWER PLACARD - REF. DETAILS.
- 4.12 SYNTHETIC Limestone CORNISH CAPITAL - REF. D4.05 D.
- 4.13 CAST STONE CORNERSTONE - REF. D4.16.
- 5.1 1 1/2" GALVANIZED STEEL GRATE OVER MECH. AREAWAY.
- 6.1 EXTERIOR CLUE LAMINATED WOOD BEAMS - REF. SPEC.
- 6.2 WOOD ENTRANCE DOORS SET IN STOREFRONT - REF. DOOR SCHEDULE.
- 7.1 CONCRETE ROOFING TILE SYSTEM - REF. DETAILS.
- 7.2 PREFINISHED METAL FLASHING, REF. SPEC.
- 7.3 PREFINISHED METAL GUTTER AND DOWNSPOUT.
- 7.4 PREFINISHED STANDING SEAM METAL ROOFING SYSTEM, REF. SPEC.
- 7.5 EXTERIOR INSULATION AND FINISH SYSTEM.
- 7.6 GALV. BOIL FLUE - PAINT TO CUSTOM COLOR SELECTED BY ARCH.
- 7.7 ROOF FLASHING AT OUT-IN REGLET IN PRECAST PANELS - REF. A24.2.
- 7.8 ROOF FLASHING BELOW VENERE LEEDGE ANGLE - REFER TO D7.18B.
- 7.9 OVERFLOW SCUPPER - REF. D7.13A.
- 8.1 OPERABLE ALUMINUM WINDOW SYSTEM - REF. DETAILS.
- 8.2 4 1/2" ALUMINUM STOREFRONT - REF. DETAILS.
- 8.3 6" ALUMINUM STOREFRONT SYSTEM - REF. DETAILS.
- 8.4 HOLLOW METAL DOOR AND FRAME.
- 8.5 CHURCH TOWER ACCESS DOOR - REF. SPEC.
- 8.6 4 1/2" STOREFRONT/ STAINED GLASS SYSTEM - REF. WINDOW SCHEDULE.
- 8.7 ALUMINUM DOOR SYSTEM IN ALUM. STOREFRONT - REFER TO SCHEDULE.
- 10.1 WEATHERPROOF LOUNER, REF. MECHANICAL.
- 15.1 MECHANICAL ROOF TOP UNIT - REFER TO A24.2 AND MECH.
- 15.2 MECHANICAL DUCT OPENINGS/PENETRATIONS THRU WALL - REFER TO M2.5, M2.7, FLASH AS REQUIRED.

BZA2001-00071
SITE PLAN

APPROVED 1-22-02 BY BZA

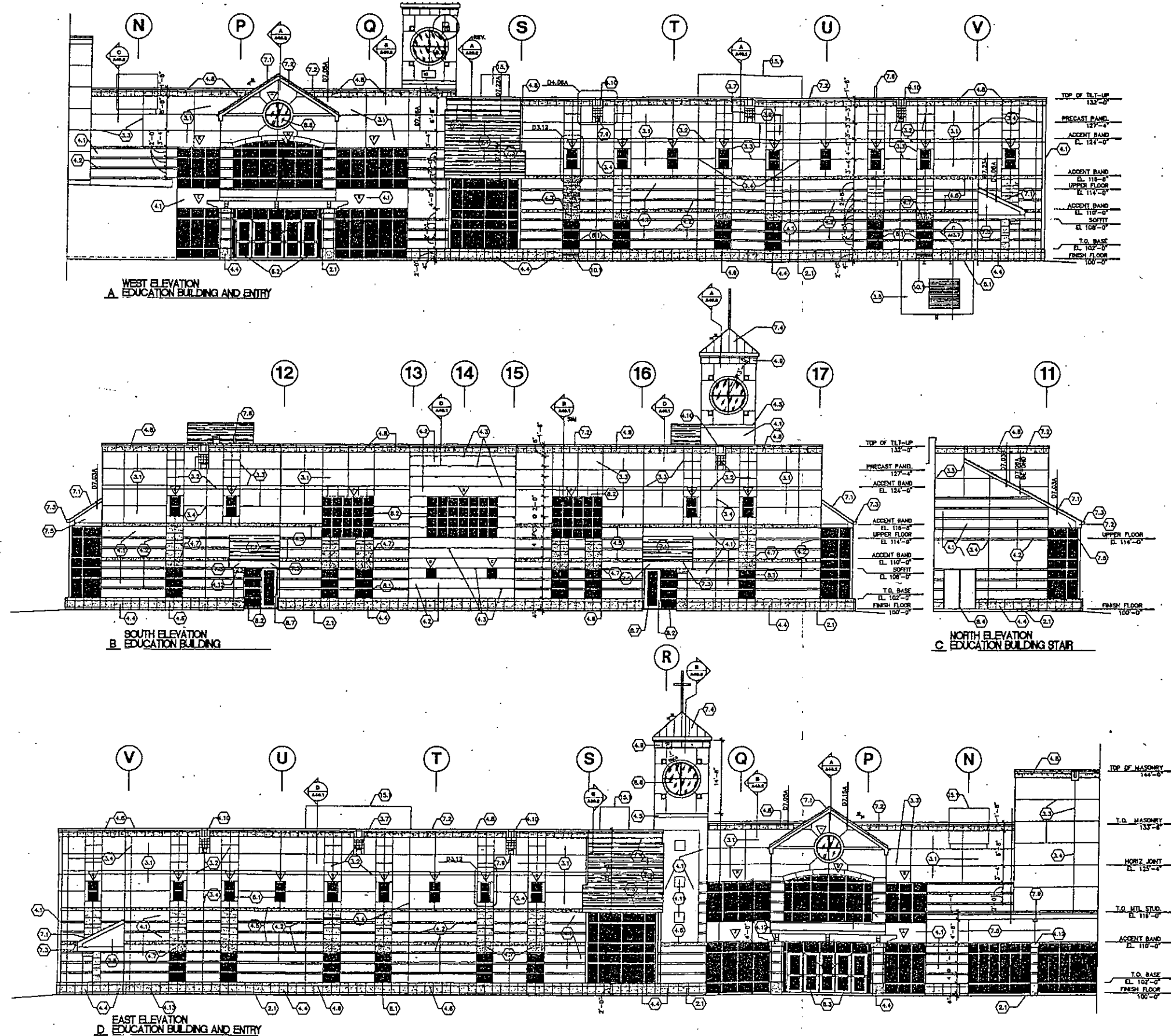
Westlink Christian Church

SCHAEFER JOHNSON COX FREY & ASSOCIATES PA

ARCHITECTURAL ENGINEERING PLANNING & INTERIOR DESIGN
 507 NORTH WASHINGTON STREET, SUITE 100
 WESTLAKE, OHIO 44141-1171
 TEL: (440) 944-8887 FAX: (440) 944-8888

REVISION DATE

PROJECT NO. 2674.00



KEYED ELEVATION NOTES

- 2.1 FINISH GRADE - REFER TO C21.2.
- 3.1 ARCHITECTURAL COLORED PRECAST PANELS - REF. DETAILS & SPEC.
- 3.2 RUSTICATION PATTERN ON PRECAST PANELS - REF. D3.03.
- 3.3 EDGE JOINTS OF ARCH. COLORED PRECAST PANELS - REFER TO D3.03A.
- 3.4 VERTICAL EDGES OF TILT-UP PRECAST BACKUP PANELS.
- 3.5 EXPOSED CLIP CONCRETE FOUNDATION WALL.
- 3.6 MEDALLION IN COLORED PRECAST PANELS - REFER TO D4.06A.
- 3.7 ACCENT PLACARD CAST INTO PRECAST - REF. DETAILS.
- 3.8 CLIP CONCRETE WALL KEYWAY - REFER TO STRUCT.
- 4.1 JAMBO FIELD BRICK - RUNNING BOND, REF. SPEC.
- 4.2 3/4\"/>

B2A2001-00071
SITE PLAN

APPROVED 1-22-02 BY B2A