

BZA 13-76 - Forrest E Warren & Treva A. Mahaffy request Exception to permit establishment of a parking lot on property south of Pawnee on the east side of Santa Fe Street

*POSTED
5-14-76
MAHAFFY
C.J. M.
6-14-76*

ACTION

DATE
5-25-76

Approved

BZA COMMITTEE

M.A.P.C.

B.C.C./B. CO. C.

Map No. 5546
 Sec. 33
 Twp. 27
 Range 1E

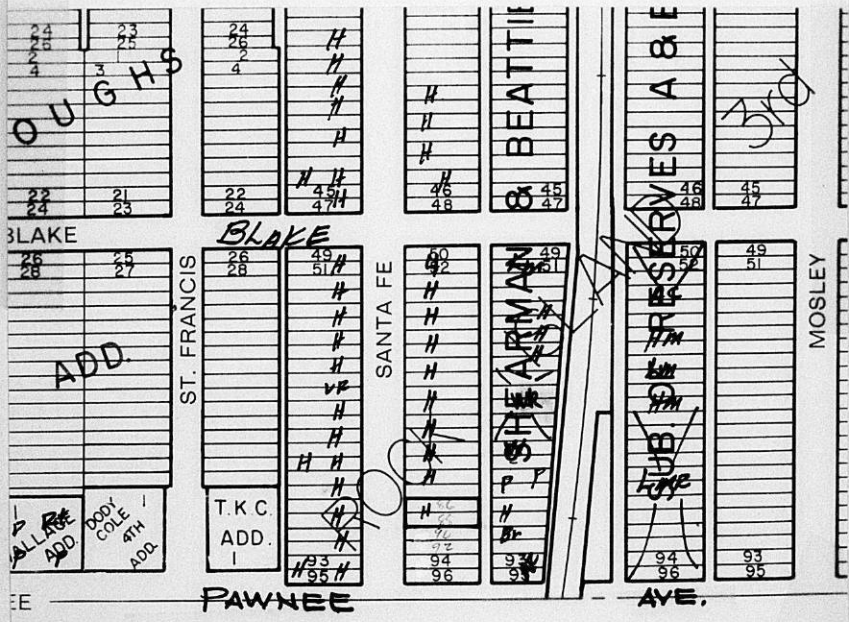
BZA- 13-76
 SCZ- _____
 CU- _____
 Filed _____

AREA DATA:

1. Acres: 0.16 (50 ft. by 140 ft.)
2. Adjoining Zoning: E _____ S _____ W _____ N _____
3. Land Use: East SINGLE FAM South UNDEVELOPED
 West SINGLE FAM North SINGLE FAM
4. Sketch Plan Land Use is for: _____
5. Present Land Use is for: SINGLE FAM
6. Area (is) (is not) platted.

PHOTO DATA:

Taken by _____ Date _____ Time _____



S. M. Head
 No. 2-153C
 HASTINGS, SAN ANTONIO, LOS ANGELES
 LUBAN, OHIO - MEMPHIS, TEXAS, U.S.A.

June 11, 1976

Mr. James Schaefer
800 Brown Building
Wichita, Kansas 67202

Subject: Case No. BZA 13-76
Request for Exception

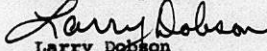
Dear Mr. Schaefer:

Enclosed is a signed copy of the Resolution adopted by the Board of Zoning Appeals on May 25, 1976, in connection with your request for an exception to permit the establishment of an off-street parking lot on property zoned the "A" Two Family Dwelling District and generally located on the east side of Santa Fe in an area north of Pawnee Avenue was considered.

This Resolution reflects the official action of the Board to approve 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.

Very truly yours,


Larry Dohson
Assistant Secretary

LD:hh
Encl.

cc: Forrest E. Warren and Treva A. Mahaffy, 3436 Dunham Dr., 67206
Harold Hamilton, 1620 W. 34th, North, 67204
M. S. Mitchell, Flood Control Division
Don Gisick, City Clerk
Robert Feldner, Supt., Central Inspection
Joe Donnelly, Central Inspection

RESOLUTION NO. BZA 13-76

WHEREAS, Forrest E. Warren and Treva A. Mahaffy, 3436 Dunham Drive, Wichita, Kansas, request an exception as provided in Section 2.12.590.C, Code of the City of Wichita, to permit the establishment of an off-street parking lot on property zoned the "A" Two Family Dwelling District and legally described as follows:

Lots 86 and 88 on Fifth, now Santa Fe, in Rock Island 3rd Addition to Wichita, Sedgwick County, Kansas. Generally located on the east side of Santa Fe in an area north of Pawnee Avenue.

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 May 25, 1976, consider said application; and

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

WHEREAS, the Board of Zoning Appeals has authority to permit the establishment of an off-street parking lot on property zoned the "A" Two Family Dwelling District subject to the conditions outlined in Section 2B.04.145, Code of the City of Wichita.

NOW, THEREFORE, BE IT RESOLVED by the Board of Zoning Appeals of the City of Wichita, that this application be approved to permit the establishment of an off-street parking lot on property zoned the "A" Two Family Dwelling District and legally described as follows:

Lots 86, and 88, on Fifth now Santa Fe, in Rock Island 3rd Addition to Wichita, Sedgwick County, Kansas. Generally located on the east side of Santa Fe in an area north of Pawnee Avenue,

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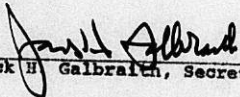
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2. Only such signs as are necessary for the proper operation of the parking lot shall be permitted.
3. In no case shall a fee be charged for parking facilities provided hereunder.
4. The off-street parking lot shall be paved with concrete, asphaltic concrete, or asphalt and shall be maintained in good condition and free of all weeds, dust, trash, and other debris.
5. The parking area shall have adequate guards to prevent the extension or the overhanging of vehicles beyond property lines or parking spaces; and the parking area shall have adequate markings for channelization and movement of vehicles.
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7. There shall be no parking in the required 25 foot front yard setback area. This area, except for the driveway, shall remain unpaved and shall be landscaped and maintained with grass and trees or shrubs.

8. A five to six foot high solid fence constructed of staggered or louvered redwood or rough sawed cedar shall be constructed along the north and south property line, behind the front yard setback line; and a three to four foot high fence of the same material shall be constructed along the front yard setback line except for the point of ingress and egress.
9. A lot grading plan shall be submitted to the Flood Control Division of the Department of Public Works for their approval, providing the surface water run off from subject property will not be directed onto adjacent properties to either the north or south.
10. Existing structures shall be removed and all improvements as outlined above shall be installed prior to the occupancy of the site for an off-street parking lot.

ADOPTED AT WICHITA, KANSAS, this 25th day of May, 1976.


Marjorie E. Taylor, Chairman

ATTEST:


Jack H. Galbraith, Secretary

June 11, 1976

Mr. James Schaefer
800 Brown Building
Wichita, Kansas 67202

Subject: Case No. BZA 13-76
Request for Exception

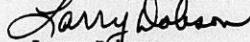
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Very truly yours,


Larry Dobson
Assistant Secretary

LD:bh
Encl.

cc: Forrest E. Warren and Treva A. Mahaffy, 3436 Dunham Dr., 67206
Harold Hamilton, 1620 W. 34th, North, 67204
M. S. Mitchell, Flood Control Division
Don Gisick, City Clerk
Robert Feldner, Supt., Central Inspection
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RESOLUTION NO. BZA 13-76

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

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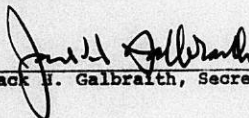
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9. A lot grading plan shall be submitted to the Flood Control Division of the Department of Public Works for their approval, providing the surface water run off from subject property will not be directed onto adjacent properties to either the north or south.
10. Existing structures shall be removed and all improvements as outlined above shall be installed prior to the occupancy of the site for an off-street parking lot.

ADOPTED AT WICHITA, KANSAS, this 25th day of May, 1976.


Marjorie L. Taylor, Chairman

ATTEST:


Jack H. Galbraith, Secretary

RESOLUTION NO. BZA 13-76

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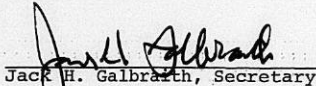
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10. Existing structures shall be removed and all improvements as outlined above shall be installed prior to the occupancy of the site for an off-street parking lot.

ADOPTED AT WICHITA, KANSAS, this 25th day of May, 1976.


Marjorie L. Taylor, Chairman

ATTEST:


Jack H. Galbraath, Secretary

June 11, 1976

Mr. James Schaefer
800 Brown Building
Wichita, Kansas 67202

Subject: Case No. BZA 13-76
Request for Exception

Dear Mr. Schaefer:

Enclosed is a signed copy of the Resolution adopted by the Board of Zoning Appeals on May 25, 1976, in connection with your request for an exception to permit the establishment of an off-street parking lot on property zoned the "A" Two Family Dwelling District and generally located on the east side of Santa Fe in an area north of Pawnee Avenue was considered.

This Resolution reflects the official action of the Board to approve 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.

Very truly yours,

Larry Dobson
Assistant Secretary

LD:hh
Encl.

cc: Forrest E. Warren and Treva A. Mahaffy, 3436 Dunham Dr., 67206
Harold Hamilton, 1628 W. 34th, North, 67204
M. S. Mitchell, Flood Control Division
Don Gisick, City Clerk
Robert Feldner, Supt., Central Inspection
Joe Donnelly, Central Inspection

THE CITY OF WICHITA
OFFICE OF CITIZEN PARTICIPATION

DATE May 25, 1976

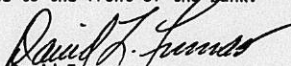


TO Metropolitan Area Planning Department
FROM David Furnas, Citizen Participation Coordinator

SUBJECT BZA 13-76, BZA 16-76 and BZA 17-76

At their meeting, May 19, 1976, CPO Council Area "E" accepted unanimously the recommendations of the MAPD of BZA 13-76 and BZA 16-76.

The Council on BZA 17-76 recommends the zoning variance be allowed with the stipulation that the reduced landscaped area on the north side of the driveway be compensated equally on the south side to the front of the bank.


David Furnas
Citizen Participation Coordinator

DF:WG:rh

XXXXXXXXXXXXXXXXXXXX
XXXXXXXXXXXXXXXXXXXX
XXXXXXXXXXXXXXXXXXXX

Tenth Floor, City Hall
455 North Main

May 26, 1976

Mr. James Schaefer
800 Brown Building
Wichita, Kansas 67202

Subject: Case No. BZA 13-76
Request for Exception

Dear Mr. Schaefer:

At the regular meeting of the Board of Zoning Appeals on May 25, 1976, your request for an exception to permit the establishment of an off-street parking lot on property zoned the "A" Two Family Dwelling District and generally located on the east side of Santa Fe in an area north of Pawnee Avenue was considered.

It was the action of the Board to approve the request subject to the following conditions:

1. The parking areas shall be used for passenger vehicles only and in no case shall it be used for sales, repair work, storage, dismantling or servicing of any vehicle, equipment, materials or supplies.
2. Only such signs as are necessary for the proper operation of the parking lot shall be permitted.
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Mr. James Schaefer

May 26, 1976

6. If lighting facilities are provided, they shall be so arranged as to direct or deflect light away from adjacent residential properties.
7. There shall be no parking in the required 25 foot front yard setback area. This area, except for the driveway, shall remain unpaved and shall be landscaped and maintained with grass and trees or shrubs.
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9. A lot grading plan shall be submitted to the Flood Control Division of the Department of Public Works for their approval, providing the surface water run off from subject property will not be directed onto adjacent properties to either the north or south.
10. Existing structures shall be removed and all improvements as outlined above shall be installed prior to the occupancy of the site for an off-street parking lot.

*Mitchell
approved
9-2-76*

A Resolution setting forth the official action of the Board is being prepared and you will be mailed a copy as soon as the signatures of the Chairman and Secretary have been obtained.

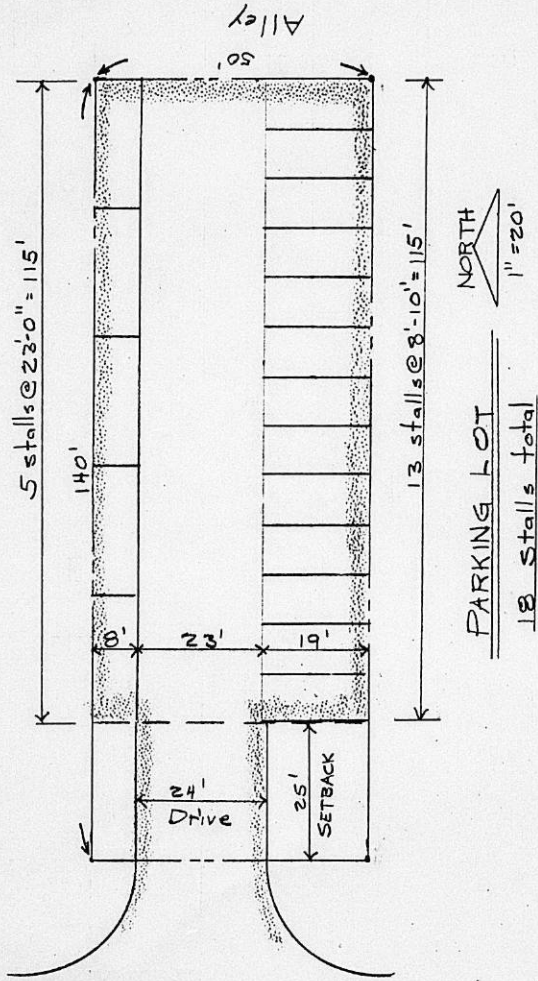
If you have any questions, please call our office.

Sincerely yours,

ld
Larry Dobson
Assistant Secretary

LD:bh

cc: Forrest E. Warren and
Treva A. Mahaffy, 3436 Dunham Dr., 67206
Theodore W. Maisch, Sr., 447 Windsor Rd., 67218
Harold Hamilton, 1620 W. 34th, North, 67204
Ms S. Mitchell, Flood Control Division
Don Gisick, City Clerk
Robert Feldner, Supt., Central Inspection
Joe Donnelly, Central Inspection



SANTA FE STREET

W.B. M... 2/18/76

BZA 13-76

SECRETARY'S REPORT
CASE NO. BZA 13-76

APPLICANT: Forrest E. Warren and Treva A. Mahaffy, 3436 Dunham Drive, Wichita, Kansas.

AGENT: James R. Schaefer, 800 Brown Bldg., Wichita, Kansas.

REQUEST: Exception pursuant to Section 2.12.590.C, Code of the City of Wichita to permit the establishment of an off-street parking lot.

GENERAL LOCATION: East side of Santa Fe in an area north of Pawnee Avenue.

LAND USE: Subject property and properties to the north, east, and west all contain single family dwellings; property to the south is vacant.

ZONING: Subject property is zoned the "A" Two Family Dwelling District as are those properties to the north, south, and west. East is the "E" Light Industrial District.

JURISDICTION:

The Board has jurisdiction to consider this request under the provisions outlined under Section 2.12.590.C, Code of the City of Wichita. The Board may grant this exception provided the conditions set out in Section 23.04.145 can be complied with.

COMMENTS BY THE SECRETARY:

The applicants are requesting approval of an exception to permit the use of subject property for an off-street parking lot which will be utilized by the employees of a manufacturing concern located across the alley to the east and slightly north. This business reportedly has ten off-street parking spaces available for 22 employees and needs additional space to eliminate on-street parking. The proposed parking lot would provide an additional 18 parking spaces.

Subject property is a 50 ft x 140 ft lot containing a small single family dwelling which would be removed if this exception is approved. The alley separating subject property from the

Secretary's Report
Case No. BZA 13-76
Page 2

use intended to be served is a 20 foot paved alley which provides the major access to this business. As mentioned, the property to the south is vacant and west and north is single family development.

The parking plan submitted with this application shows ingress/egress from Santa Fe Street and has been approved by the Office of the Traffic Engineer.

It is the opinion of the Secretary that this is a logical and proper request and that with proper screening for adjacent residential properties, would not adversely affect the general area.

42 RECOMMENDATION:

It is the recommendation of the Secretary that the application to permit the installation or construction of an off-street parking lot be approved subject to the following conditions:

1. The parking areas shall be used for passenger vehicles only and in no case shall it be used for sales, repair work, storage, dismantling or servicing of any vehicle, equipment, materials or supplies.
2. Only such signs as are necessary for the proper operation of the parking lot shall be permitted.
3. In no case shall a fee be charged for parking facilities provided hereunder.
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Secretary's Report
Case No. BZA 13-76
Page 3

shall remain unpaved and shall be landscaped and maintained with grass and trees or shrubs.

8. A five to six foot high solid fence constructed of staggered or louvered redwood or rough saved cedar shall be constructed along the north property line, behind the front yard setback line; and a three to four foot high fence of the same material shall be constructed along the front yard setback line except for the point of ingress and egress.
9. Existing structures shall be removed and all improvements as outlined above shall be installed prior to the occupancy of the site for an off-street parking lot.

WICHITA-SEDGWICK COUNTY

DATE

METROPOLITAN AREA PLANNING DEPARTMENT

May 5, 1976

TO David Furnas, CPO Coordinator


FROM Larry Dobson, Assistant Secretary, Board of Zoning Appeals

SUBJECT Notice of Board of Zoning Appeals Cases
(Case Numbers BZA 11-76; BZA 12-76; BZA 13-76;
BZA 14-76; BZA 15-76; BZA 16-75; and BZA 17-76)

Attached are notices of seven new cases to be considered by the Board of Zoning Appeals at its meeting on May 25, 1976. Also attached are sketch maps of the area involved in each case.

If you have any questions, please call.

Sincerely,



Larry Dobson
Assistant Secretary

LD:bh
Attach.

19 notices sent to adjoining property owner, agent and applicant
10 notice sent to members of MAPC
29 notices sent on BZA 13-76, 5-4-76

BOARD OF ZONING APPEALS

CASE NO. _____

CITY OF WICHITA, KANSAS

FILED _____

APPLICATION FOR EXCEPTION

I. Name of Applicant Forrest E. Warren and Treva A. Mahaffy

Mailing Address 3436 Dunham Drive, 67201 Phone 684-8167

Name of Authorized Agent James R. Schaefer

Mailing Address 800 Brown Bldg., 67202 Phone 262-4403

Relationship of applicant to property is that of owner
(Owner, Tenant, Lessee, Other).

II. Application is made for an exception as provided in Section
2.12.590.C, Code of the City of Wichita, Kansas, to permit
the establishment of a parking lot

_____ on property zoned

"A", located North ~~South~~ of Pawnee on the east side of Santa

Fe Street _____ and legally described as: Lots 86 and

88, on Fifth, now Santa Fe, in Rock Island 3rd Addition to

Wichita, Sedgwick County, Kansas

_____, in the City of Wichita.

III. The applicant herein, or his authorized agent, acknowledges:

- a. That he has received an instruction sheet concerning the filing and hearing of this matter;
- b. That he has been advised of the fee requirements established by Section 2.12.580 of the Code of the City of Wichita (Ordinance No. 24-606); and that the appropriate fee is herewith tendered;
- c. That all documents are attached hereto as noted in paragraphs 2, 3, and 4 of the instructions.
- d. That he has been advised of his right to bring action in the District Court of Sedgwick County to appeal the decision of the Board.

Forrest E. Warren and
Applicant Treva A. Mahaffy

Authorized Agent James R. Schaefer

OFFICE USE ONLY: Received in the office of the Secretary, Board of
Zoning Appeals, 2:30 (a.m. - p.m.), 4-6, 19 76,
together with appropriate fee of \$50.00

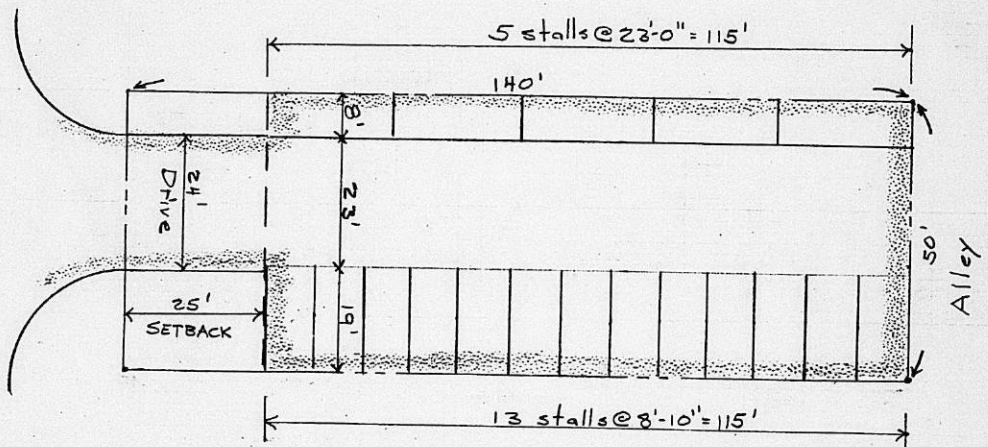
Signed Larry Johnson

STATEMENT OF JUSTIFICATION

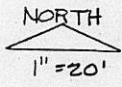
The special permit for the establishment of a parking area on the lots in question is submitted to the Board of Zoning Appeals pursuant to the provisions of Ordinance No. 28.04.145. The parking area is located directly across the alley from the place of business which it will serve and is to be used strictly for employee parking. None of the uses prohibited pursuant to Subsection 2.1 of the above Ordinance will be permitted.

The business associated with the proposed parking lot now has ten spaces available for the twenty-two employees and additional space is needed in order to eliminate on street parking.

SANTA FE STREET



PARKING LOT
18 stalls total



W. B. M. Kirby

OWNERSHIP LIST

Lot	Street	Addition	Property Owner
69	Mead	Shearman & Beatties Sub. of Reserves A & B, Rock Island 3rd Addition	✓ Richard E. Sinclair & Doris L. 2564 S. Washington 67216
71	Same	Same	Same
73	Same	Same	✓ Charles F. Laurie & Vaunda V. 2331 S. Mead 67211
75	Same	Same	Same
77	Same	Same	Same
79	Same	Same	Same
81	Same	Same	Same
83	Same	Same	Same
85	Same	Same	✓ Harry J. Regas & Grace M. Regas 2349 S. Mead 67211
87	Same	Same	Same
89	Same	Same	Same
91	Same	Same	Same
93	Same	Same	Same
95	Same	Same	Same
1		Sager Addition	✓ Mid West Surgical Supply Co. 601 East Pawnee 67211
69	Santa Fe	Rock Island 3rd Addition	✓ Earl L. Buhle & Sadie J. 2248 S. Santa Fe 67211
71	Same	Same	Same
73	Same	Same	✓ Administrator of Vet. Affairs 5500 East Kellogg 67218
75	Same	Same	Same
77	Same	Same	✓ Ambere Lee Sanders & Nora Lee 8750 S. Broadway 67233
79	Same	Same	Same
81	Same	Same	✓ Amos A. Kindrick & Wanda Lee 1635 S. Market 67211
83	Same	Same	Same

Lot	Street	Addition	Property Owner
85	Santa Fe	Rock Island 3rd Addition	✓ Louis Earl Buhrlé & Sharon Irene 2347 S. Santa Fe 67211
87	Same	Same	Same
89	Same	Same	✓ Léon L. Woods & Marjorie A. 1120 West 43rd South 67217
91	Same	Same	Same
93	Same	Same	✓ G. W. Edwards & Gladys W. 1512 S. Emporia 67211
95	Same	Same	Same
70	Same	Same	✓ Donald R. King & Mary T. 615 N. St. Francis 67214
72	Same	Same	Same
74	Same	Same	✓ Golda B. Smith 2334 S. Santa Fe 67211
76	Same	Same	Same
78	Same	Same	✓ Mildred A. Patterson & Roy E. 550 W. Central Apt. 1608 67203
80	Same	Same	Same
82	Same	Same	✓ Harold F. Hamilton & Sylvia M. 1620 W. 34th North 67204
84	Same	Same	Same
86	Same	Same	✓ P Forrest E. Warren & Treva A. Maffey 3436 Dunham Drive 67210
88	Same	Same	Same
90	Same	Same	✓ Theodore W. Maisch, Sr. 447 Windsor Road 67218
92	Same	Same	Same
94	Same	Same	Same
96	Same	Same	Same
South 300 feet of Depot Reserve		Shearman & Beatties Sub. of Reserves A & B, Rock Island 3rd Addition	George Thomas Page, Sr. 2222 S. Santa Fe 67211

The Security Abstract & Title Company, Inc.,
hereby certifies the foregoing to be a true and correct list of
property owners of:

A 200 foot radius of: Lots 86 and 88,
on Fifth now Santa Fe, in Rock Island
3rd Addition to Wichita, Kansas,
Sedgwick County, Kansas

as shown by the records on file in the Office of the Register of
Deeds of Sedgwick County, Kansas, on the 22nd day of January, 1976
at 7:00 o'clock A.M.

THE SECURITY ABSTRACT & TITLE COMPANY, INC.

By

Mary Gable

Vice President

Order No. 233126
wh

Laurie Co.
Maka Window Company
/ Company Vehicle
parked inside at night

See
Summitlawn Rd

6-14-73
73-63

FORM 223-

PAYMENT NOTICE

City of Wichita

PAY AT TREASURER'S OFFICE - FIRST FLOOR

Bldg & Elev.	Elec.	Elev. Insp.	Exam. Fees
Hse. Mvr.	Hse. Moving	Licse.	Mech.
Oil Well	Pav. Cuts	Plan.	Pibg. Cert.
Sanitation	Sewer	Signs	Sidewalk
Street	Trailer		

DESCRIPTION AMOUNT

Name

Address

Type

Due Date

Comments:

Date

4-26-76

By