

BZA 15-69 - Womer Const. Co. request
exception to permit the installation
or const. of veterinarians Office on
"BB" in area SS 21st between Kimberly
and Woodlawn.

*POSTED
7-11-69*

ACTION

DATE

8-26-69

COMMITTEE

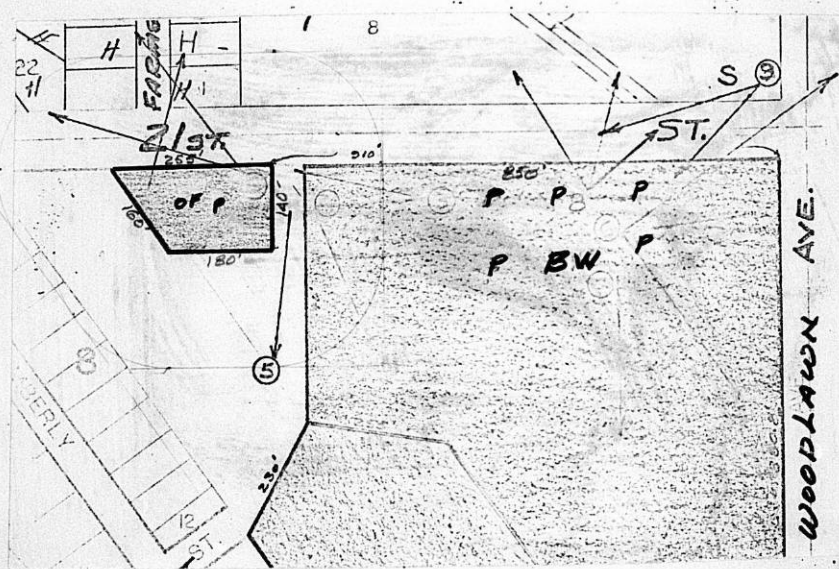
*POSTED
BZM L
10-6-69*

Map No. 5849
Sec. 12
Twp. 27
Range 1E

EZA 15-69
SCZ- _____
CU- _____
Filed _____

- AREA DATA:
1. Acres: 0.74 (150 ft. by 217 ft.)
2. Adjoining Zoning: E AA S AA W AA N AA
3. Land Use: East VAC P BOWLING ALLEY South VAC
West VAC North SINGLE FAM
4. Sketch Plan Land Use is for: _____
5. Present Land Use is for: VETERINARIAN OFFICE
6. Area (is) (is not) platted.

PHOTO DATA:
Taken by _____ Date _____ Time _____



RESOLUTION NO. BZA 15-69

WHEREAS, Womer Construction Company, Box 394, By Ray Coleman, Box 394, Wichita, Kansas, requests an exception as provided in Section 2.12.590.C, Code of the City of Wichita, to permit a small animal clinic on property approved for the "BB" Office District by the Board of City Commissioners, and legally described as follows:

Beginning at a point 750 feet west of the N.E. corner of Block 7, Second Addition to Crestview Heights, Wichita, Sedgwick County, Kansas, thence south 140 feet; thence west 180 feet, thence northwesterly 160 feet; thence east 255 feet to point of beginning. Being platted as Lot 12, Block 2, Womers Crestview Heights Third Addition. Generally located in an area on the south side of 21st Street between Kimberly and Woodlawn.

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 August 26, 1969, 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 a small animal clinic on property zoned "BB" Office District, subject to the conditions outlined in Section 28.04.183.2, 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 a small animal clinic on property zoned "BB" Office District, and legally described as follows:

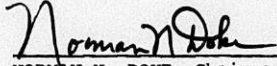
Beginning at a point 750 feet west of the N.E. corner of Block 7, Second Addition to Crestview Heights, Wichita, Sedgwick County, Kansas, thence south 140 feet; thence west 180 feet; thence northwesterly 160 feet; thence east 255 feet to point of beginning. Being platted as Lot 12, Block 2, Womers Crestview Heights Third Addition. Generally located in an area on the south side of 21st Street between Kimberly and Woodlawn.

subject to the following conditions:

1. No noise or odors shall be discernible at any exterior building line.
2. Treatment shall be limited to dogs, cats and other small animals. All animals shall be harboured indoors.

Resolution No. BZA 15-69
Page 2

ADOPTED AT WICHITA, KANSAS, this 26th day of August,
1969.



NORMAN N. DOKE, Chairman

ATTEST:


JACK H. GALBRAITH, Secretary

Mr. Ray Coleman
Womer Construction Company
Box 394
Wichita, Kansas

Dear Mr. Coleman:

Subject: Case No. BZA 15-69
Request for Exception

Enclosed is a signed copy of the Resolution adopted by the Board of Zoning Appeals on August 26, 1969, in connection with your request for an exception to permit a small animal clinic on property zoned "BB" Office District and generally located in an area on the south side of 21st Street between Kimberly and Woodlawn.

This Resolution reflects the official action of the Board 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.

Sincerely

Jack H. Galbraith
Secretary

JHG:so
Enclosure
cc: Ralph Eberly, City Clerk
Robert Feldner, Superintendent of Central Inspection

August 27, 1969

Mr. Ray Coleman
Womer Construction Company
Box 394
Wichita, Kansas

Dear Mr. Coleman:

Subject: Case No. BZA 15-69
Request for Exception

At the regular meeting of the Board of Zoning Appeals on August 26, 1969, your request for an exception to permit a small animal clinic on property approved for the "BB" Office District by the Board of City Commissioners, and generally located on the south side of 21st Street in an area between Kimberly and Woodlawn, was considered. It was the action of the Board to approve this request subject to the two conditions set forth in the Secretary's Report.

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,

Jack H. Galbraith
Secretary

JHG:so

CC: Robert Feldner, Superintendent of Central Inspection
Ralph Eberly, City Clerk

*Do not mail resolution until "BB"
zoning becomes official JH S 8/27/69*

SECRETARY'S REPORT

CASE NO. BZA 15-69

APPLICANT: Womer Construction Company, Box 394, Wichita, Ks.

AGENT: Ray Coleman, Box 394, Wichita, Ks.

REQUEST: Exception pursuant to Section 2.12.590.C, Code of the City of Wichita, to permit a small animal clinic on property approved for the "BB" Office District by the Board of City Commissioners.

GENERAL LOCATION: South side of 21st Street in an area between Kimberly and Woodlawn.

LAND USE: Subject property is occupied by a small animal clinic, north is single family with vacant lands to the south, west and east.

ZONING: The Board of City Commissioners has approved subject property for "BB" and the property to the east for "LC". Properties to the north, south and west are zoned "AA".

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 the exception to permit the small animal clinic providing the conditions under Section 28.04.182.2, Code of the City of Wichita, can be complied with.

COMMENTS BY THE SECRETARY

The applicant is requesting an exception to permit a small animal clinic on property approved for "BB" zoning by the Board of City Commissioners and located on the southeast corner of Kimberly Lane and 21st Street. It should be noted that the land to the east of the area included in this application has been approved for "LC" zoning and a shopping center is proposed to be constructed on the site.

Page 2 - BZA 15-69
Secretary's Report

A nonconforming small animal clinic is presently located on subject property and the owner desires to bring the zoning, through the granting of an exception, into conformity with the actual nonconforming present use of the property.

A plot plan has been submitted with the application which indicates 16 off-street parking spaces to serve the existing facility and a proposed addition to be constructed on the south of the present structure.

It is the opinion of the Secretary that this request is not the type of development that should be encouraged at random throughout the City in areas zoned "BB", however, in view of the property being used for a small animal clinic at the present time it would appear that the granting of the exception would exercise some control over the future operation of the business.

Taking into consideration that all pets will be harboured indoors with no outside runs and noting the distant relationship of the parking area in regards to adjacent residential properties, it is the opinion of the Secretary that screening should not be a requirement in this particular case in that it would serve no practical purpose.

RECOMMENDATION

In view of the aforementioned reasons, it is the recommendation of the Secretary that this application be granted subject to the following conditions:

1. No noise or odors shall be discernible at any exterior building line.
2. Treatment shall be limited to dogs, cats and other small animals. All animals shall be harboured indoors.

BOARD OF ZONING APPEALS
Room 402 City Building Annex
104 South Main Street
Wichita, Kansas 67202

August 6, 1969

NOTICE TO ADJOINING PROPERTY OWNERS

Case No. BZA 15-69

An application has been filed by Womer Construction Company, by Ray Coleman, Box 394, Wichita, Kansas, pursuant to Section 2.12.590.C, Code of the City of Wichita, requesting an exception to permit a small animal clinic on property approved for "BB" Office District zoning by the Board of City Commissioners and legally described as follows:

Beginning at a point 750 feet west of the N.E. corner of block 7, Second Addition to Crestview Heights, Wichita, Sedgwick County, Kansas, thence south 140 feet; thence west 180 feet, thence northwesterly 160 feet; thence east 255 feet to point of beginning. Being platted as Lot 12, Block 2, Womers Crestview Heights Third Addition. Generally located in an area on the south side of 21st Street between Kimberly and Woodlawn.

This application has been assigned Case No. BZA 15-69 and will be considered by the Board of Zoning Appeals at its meeting on Tuesday, August 26, 1969, at 1:30 p.m., in Room 401 City Building Annex, 104 South Main Street, Wichita, Kansas, at which time you may appear, if you so desire, either in person or by agent or attorney.

JACK H. GALBRAITH
Secretary

NOTICES MAILED 8-6-69 FOR 8-26-69 BZA MEETING

July 11, 1969

Mr. Ray Coleman
c/o Womer Construction Company
Box 394
Wichita, Kansas

Dear Mr. Coleman:

This is to acknowledge the receipt by this office of your application for an exception to permit a veterinarian's office on property located at 6011 East 21st Street and the required filing fee, in the amount of \$50.

This matter will be scheduled for hearing by the Board of Zoning Appeals at their meeting of August 26, 1969, at 1:30 p.m. in Room 401 City Building Annex, 104 South Main, Wichita, Kansas.

If you should have any questions concerning this matter, please contact our office.

Sincerely,

Jack H. Galbraith
Secretary

JHG:so
Enclosure

APPLICATION FOR EXCEPTION

I. Name of Applicant ✓ WOMER CONSTRUCTION CO.
Mailing Address Box 394 Phone AM 4-8371
Name of Authorized Agent ✓ Ray Coleman
Mailing Address Same Phone AM 4-8371
Relationship of applicant to property is that of owner
(owner, tenant, lessee, other).

II. Application is made for an exception as provided in Section
28.04.182.2, Code of the City of Wichita, Kansas
(Zoning Ordinance); to permit ~~the installation or construction~~
~~of Veterinarians Office~~ a small animal clinic
approved for BB zoning by board of city commissioners on property ~~zoned~~
located 6011 E. 21st
and legally described as:

in the City of Wichita.

(Give metes and bounds description below if appropriate).

III. Beginning at a point 750 feet west of the N.E. corner of Block 7, Second Addition to Chestnut Heights, Wichita, Sedgewick County, Kansas, thence south 140 feet; thence west 180 feet; thence northwesterly 160 feet; thence east 255 feet to point of beginning. Being platted as Lot 12, Block 2, Womers Chestnut Heights Third Addition.

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described as
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f City
that

Womer Construction Co.
Ray Coleman

OFFICE USE ONLY: Received in office of Secretary, Board of Zoning Appeals, 8:30 (a.m. - p.m.), July 9, 1969, together with appropriate fee of \$50.00.

Signed L. Lynn Shiskey P.H.



FORM 27

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.	Plbg. Cert.
Sanitation	Sewer	Signs	Sidewalk
Street	Trailer		

DESCRIPTION	AMOUNT
SEA Equip	150.00

Name _____

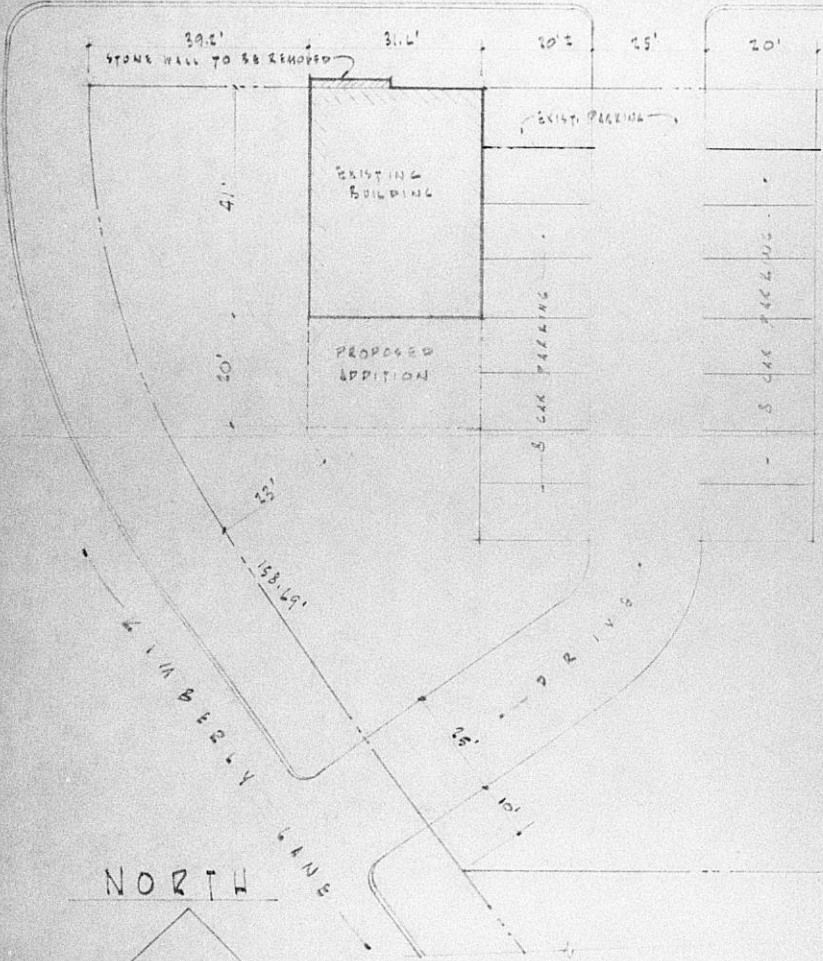
Address _____

Type R-71-C Due Date _____

Comments: _____

Date 7-10-69 By [Signature]

21ST STREET



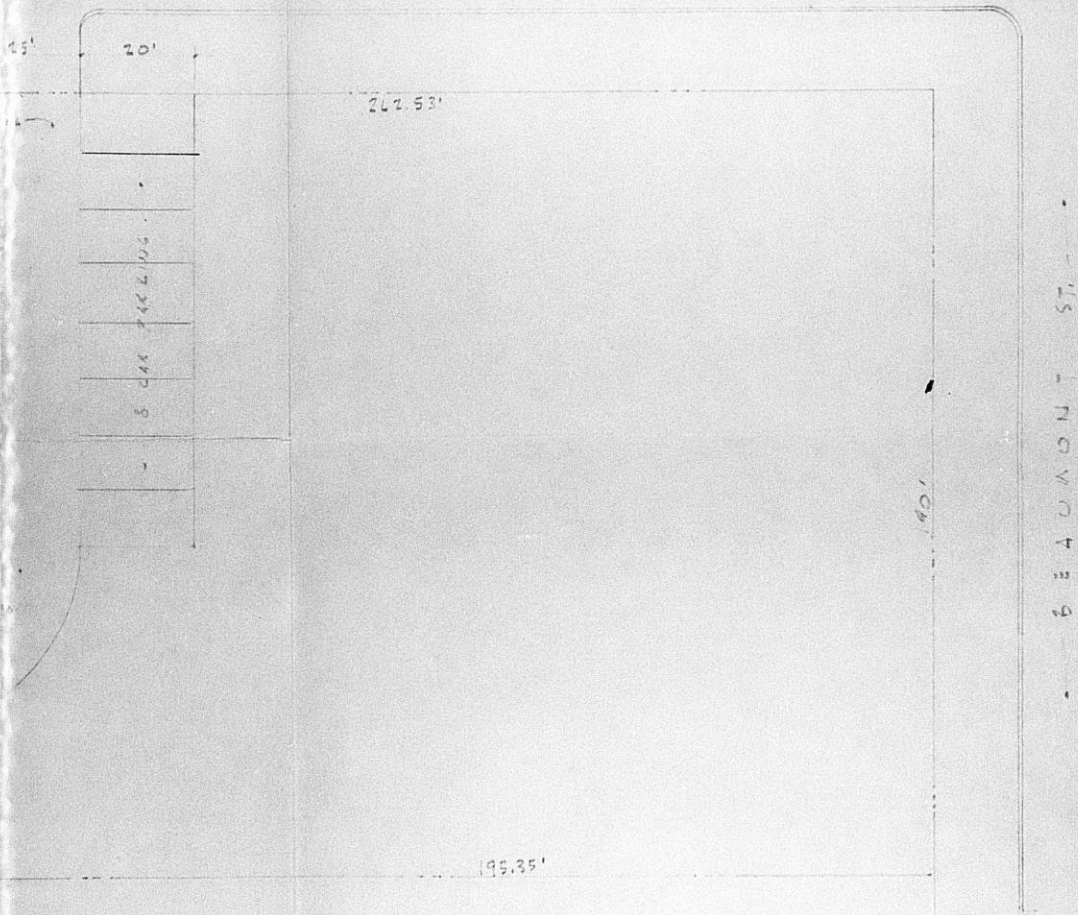
PLOT PLAN

Scale 1"=20'

LOT 12 BLOCK 2

HOMEK GUESTVIEW HEIGHTS 2ND ADDITION

STREET



BEAUMONT ST.

LOT PLAN

scale 1"=20'

12 BLOCK 2

CRESTVIEW HEIGHTS 3RD ADDITION

PROPOSED ADDITION TO
CRESTVIEW ANIMAL CLINIC
6011 E. 21ST ST. - WICHITA, KANSAS

FOR
WOMER INVESTMENT CO.

J. D. FINNEY - BUILDING DESIGN SERVICE
6631 E. KELLOGG - WICHITA, KANSAS

*

This BZA. Case
Has a Large Drawing
On 35mm Microfilm
Roll # 1