

BZA
35-81

ACTION

POSTED
9-5-81
H

COMMITTEE	<u>Refer 1 mo / appeal</u>	DATE	<u>8-25-81</u>
BZA	<u>APPROVED</u>		<u>9-22-81</u>
M.A.P.C.	_____		_____
B.C.C./B. CO. C.	_____		_____

5546 c

200' Sec 10-27-81
 Checked 10-27-81
 Shot 11-9-81
 Recorded 11-17-81

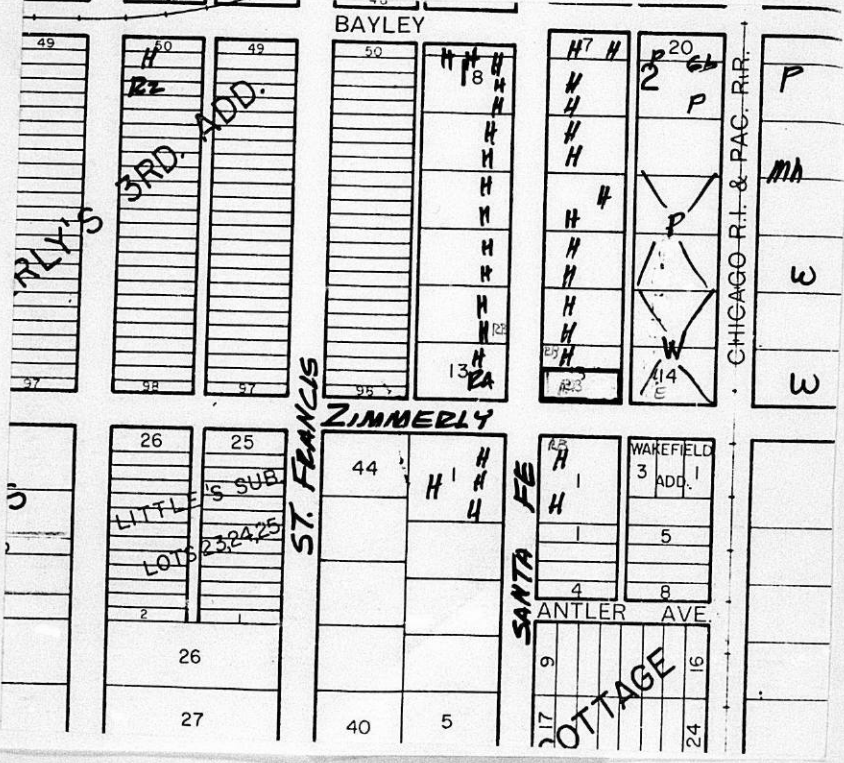
Case No. EZA 35-81 - Humphrey Building Co. - requests an exception to permit the establishment of an off-street parking lot on property zoned the "RP" Four-family Dwelling District and generally located on the northeast

Map No. 5546
 Sec. _____
 Twp. _____
 Range _____

BZA- 35-81
 SCZ- _____
 CU- _____
 Filed _____

- AREA DATA:
 1. Acres: 0.17 (50 ft. by 150 ft.)
 2. Adjoining Zoning: E _____ S _____ W _____ N _____
 3. Land Use: East WRECKING YARD South SINGLE FAM
 West FOUR FAM & SINGLE FAM North SINGLE FAM
 4. Sketch Plan Land Use is for: _____
 5. Present Land Use if for: SINGLE FAM
 6. Area (is) (is not) platted.

PHOTO DATA:
 Taken by _____ Date _____ Time _____



STANDARD
 No. 2153C
 HASTINGS, MN
 LOS ANGELES, CALIF.
 WASHINGTON, D.C.
 CHICAGO, ILL.
 PHOENIX, ARIZ.
 SAN FRANCISCO, CALIF.
 SEATTLE, WASH.
 SPOKANE, IDAHO
 TAMPA, FLA.
 WICHITA, KANS.
 YAKIMA, WASH.

Tension-Seal® Aluminum Products®
CECIL LIVNGOOD
 VICE-PRESIDENT
 719 E. ZIMMERLY
 P.O. BOX 11304
 WICHITA, KANSAS
 PHONE: (316) 267-2201

September 25, 1981

Ralph Humphrey
Humphrey Building Co.
Box 11304
Wichita, Kansas 67202

Re: Case No. EZA 35-81
Request for Exception
Case No. EZA 39-81
Request for Variance

Dear Mr. Humphrey:

Enclosed are signed copies of the Resolutions adopted by the Board of Zoning Appeals on September 22, 1981.

These Resolutions reflect the official action of the Board to approve the requests and set out the conditions of approval. These are forwarded to you for your information and files.

If you have questions concerning this matter, please call our office.

Sincerely,

Glen E. Lytle
Assistant Secretary

GEL:ssd
Enclosures

cc: Humphrey Building Co., Box 11304, Wichita 67202
Robert Feldner, Superintendent of Central Inspection (2)
Don Gisick, City Clerk

RESOLUTION NO. BZA 35-81

WHEREAS, Humphrey Building Co., Box 11304, Wichita, Kansas, requests 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 "RB" Four-family Dwelling District, and legally described as follows:

The south half of Lot 13, Block 2, Perry's Addition to Wichita, Sedgwick County, Kansas. Generally located on the northeast corner of Zimmerly and Santa Fe (1358 South Santa Fe).

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 September 22, 1981, 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 "RB" Four-family Dwelling District subject to the conditions outlined in Section 28.04.145.C, 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 "RB" Four-family Dwelling District and legally described as follows:

The south half of Lot 13, Block 2, Perry's Addition to Wichita, Sedgwick County, Kansas. Generally located on the northeast corner of Zimmerly and Santa Fe (1358 South Santa Fe).

subject to the following conditions:


1. The parking area 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.
4. The off-street parking lot and all driveways providing ingress and egress to the 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 debris.
5. All parking spaces abutting property lines or fences shall have adequate guards to prevent the extension or overhanging of vehicles beyond property lines or parking spaces. All parking areas shall have adequate markings for channelization and movement of vehicles.
6. If lighting facilities are provided, they shall be so arranged as to reflect or direct light away from adjacent properties.

7. A six foot high solid fence, constructed of redwood or cedar, shall be erected along the north property line, and shall be reduced to a height of 3 feet at a point beginning 20 feet east of the street right-of-way line of Santa Fe and thence extended to the west property line.
8. All improvements as set forth herein shall be completed in 90 days and prior to the occupancy of the site as an off-street parking lot or the resolution shall become null and void.

ADOPTED AT WICHITA, KANSAS, this 22nd day of September, 1981.


William J. Goebel, Chairman

ATTEST:


Glen E. Lytle, Assistant Secretary

THE CITY OF WICHITA

OFFICE OF CITIZEN PARTICIPATION

DATE September 18, 1981

TO Glen Lytle, Special Assistant for Zoning

FROM Shirley Mast, Administrative Aide III

SUBJECT BZA 35-81 (Northeast Corner of
Zimmerly and Santa Fe - 1358
South Santa Fe)

CPO Council "E" considered the captioned case at their September 16th meeting and voted 6-0 to recommend approval of the exception request to permit the establishment of an off-street parking lot on property zoned the "RB" Four-Family Dwelling District at the captioned location.

Cecil Livengood, representative for the Humphrey Building Company was present to speak in support of the application. No one was present to speak in opposition to the case.

Please provide the Council's recommendation to the Board of Zoning Appeals when the case is considered at their September 22nd meeting.

Shirley Mast
Shirley Mast
Administrative Aide III

SM:ml

SECRETARY'S REPORT
CASE NO. BZA 35-81

APPLICANT: Humphrey Building Company, Box 11304, Wichita, Kansas

AGENT: Ralph Humphrey, Box 11304, 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 in the "RB" Four-family Dwelling District

GENERAL LOCATION: On the northeast corner of Zimmerly and Santa Fe (1358 South Santa Fe).

ZONING: Subject property is zoned "RB" Four-family Dwelling District as are the properties to the north, west and south. Property to the east is zoned "E" Light Industrial.

LAND USE: Subject property is vacant. Property to the north, west and south are all residential properties. Property to the east is a wrecking yard.

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 provided the conditions set out in Section 28.04.145 can be complied with.

COMMENTS BY THE SECRETARY:

The applicant is requesting an exception to permit the establishment of an off-street parking lot in the "RB" Four-family Dwelling District. This lot would be used for employee parking for a business located in the "E" Light Industrial District to the southeast. The applicant has also filed a variance application to reduce the required yards on the property for off-street parking purposes only.

The property has been graveled and has been used for parking for some time in violation of the zoning ordinance. It is the opinion of the Secretary that the use of the property as an off-street parking lot would be appropriate.

RECOMMENDATION:

Should the Board determine that the use of the property as an off-street parking lot is appropriate, it is then recommended that the application be approved subject to the following conditions:

1. The parking area 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.
4. The off-street parking lot and all driveways providing ingress and egress to the 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 debris.
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vehicles beyond property lines or parking spaces. All parking areas shall have adequate markings for channelization and movement of vehicles.

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BZA CASE NO. 35-81

1 NOTICES SENT TO APPLICANT/AGENT

10 NOTICES SENT TO MAPC

1 NOTICES SENT TO CPO

18 NOTICES SENT TO ADJOINING PROPERTY OWNERS

30 TOTAL NOTICES SENT 9-4-81

NOTICE!
This case was deferred
and will be considered along
with a variance request of the
frontyard setbacks on Sept. 22, 1981

BOARD OF ZONING APPEALS
Tenth Floor - City Hall
455 North Main, Wichita, Kansas 67202

AUGUST 5, 1981

NOTICE TO ADJOINING PROPERTY OWNERS:

CASE NO. BZA 35-81

As required by law, all property owners of record, within 200 feet of a property to be considered for an exception or variance by the Board of Zoning Appeals, are to be notified of the public hearing. An application has been filed by Humphrey Building Company, Box 11304, Wichita, Kansas, requesting an exception.

Pursuant to Section 2.12.590.C, of the Code of the City of Wichita, the applicant is requesting an exception to permit the establishment of an off-street parking lot on property zoned "RB" Four-family Dwelling District. A legal description of the applicant's property is as follows:

The south half of Lot 13, Block 2, Perry's Addition to Wichita, Sedgwick County, Kansas. Generally located on the northeast corner of Zimmerly and Santa Fe (1358 South Santa Fe).

This application has been assigned Case No. BZA 35-81. It will be considered by the Board of Zoning Appeals on ~~August 25, 1981~~, *see above* at 1:30 p.m. in the Board Room, First Floor of City Hall, 455 North Main Street, Wichita, Kansas. If you have no interest or objections regarding the requested exception you have no obligation to appear or comment. If you desire to appear at the Board meeting, you are invited to do so, either in person or by agent or attorney.

It should be noted that the Citizen Participation Organization Area Council may consider this case at its next meeting. Additional information about such a meeting may be obtained by calling the CPO Office, 268-4516.

If you have any questions about the application, please feel free to call the Wichita-Sedgwick County Metropolitan Area Planning Department at 268-4421.

Jack H. Galbraith
Secretary

BZA CASE NO. 35-81

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10 NOTICES SENT TO MAPC

1 NOTICES SENT TO CPO

18 NOTICES SENT TO ADJOINING PROPERTY OWNERS

30 TOTAL NOTICES SENT 8-5-81

BOARD OF ZONING APPEALS
Tenth Floor - City Hall
455 North Main, Wichita, Kansas 67202

AUGUST 5, 1981

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Jack H. Galbraith
Secretary

BOARD OF ZONING APPEALS

CASE NO. 35-81

CITY OF WICHITA, KANSAS

FILED 7-27-81

APPLICATION FOR EXCEPTION

I. Name of Applicant Humphrey Building Co.
Mailing Address Box 11304 Zip 67202 Phone 267-2201
Name of Authorized Agent Ralph Humphrey
Mailing Address Box 11304 Zip 67202 Phone 267-2201
Relationship of applicant to property is that of Partner
(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 an off-street parking lot

on property zoned R-B
located on the northeast corner of Zimbrick and Santa Fe
(1358 South Santa Fe) at ~~Zimmerly~~
and legally described as: The South Half of Lot Thirteen (13), Block Two (2), PERRYS 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. 36-596); 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.

Applicant Humphrey Building Co.

Authorized Agent Ralph Humphrey

OFFICE USE ONLY: Received in Office of Secretary, Board of Zoning Appeals, 3:00 ~~(a.m.)~~-P.M., July 27, 1981 together with appropriate fee of 200.00.

Signed [Signature]

CERTIFICATE OF OWNERSHIP

GUARANTEE TITLE COMPANY, INC. has searched the public records and finds the following to be a true and correct list of the property owners as evidenced by the last deed of record within a 200 foot radius of and including the following described property, viz:

The South Half of Lot Thirteen (13), Block Two (2),
PERRYS ADDITION to Wichita, Sedgwick County, Kansas.

NOTE: Addresses are furnished as a courtesy only and are not certified.

DESCRIPTION	OWNER/ADDRESS	ZIP CODE
<u>PERRYS ADDN.</u>		
<u>Block 1</u>		
The N/2 of Lot 11	✓ Harry C. Miller & Janet 1335 So. Santa Fe Wichita	67211
The S/2 of Lot 11	✓ Mae R. Howard ✓ 2101 So. Elizabeth Ave., Apt. 101 Wichita	67213
The N/2 Lot 12	✓ Susie Glover, Phoebe J. Galloway, Mary A. Montgomery & Wilma L. Strack c/o Susie Glover 1339 So. Santa Fe. Wichita	67213
The So. 50' of Lot 12	✓ Hal David Dellinger & Ramona M. 4416 E. 27th St. North Wichita	67220
The N/2 of Lot 13	✓ Rolland E. Klaassen, Duane K. Klaassen, Calvin L. Klaassen c/o Rolland E. Klaassen 516 No. Westfield Ave., Wichita	67212
The S/2 of Lot 13	✓ Delbert L. Hopkins & Ann 3439 Belsaire Court Wichita John R. Glenn 2108 Parkwood Wichita	67218 67208
<i>Returned 8-7-81 addresses returned 8-19-81 address unknown</i>		
<i>unable to forward</i>		
<u>Block 2</u>		
The So. 50' of Lot 11	✓ Johnny D. Merriman & Tracy A. 1342 So. Santa Fe Wichita	67211
The N/2 of Lot 12	✓ Carl J. Montgomery & June 1344 So. Santa Fe Wichita	67211
The S/2 of Lot 12	✓ Vernon D. Turner & Karen K. 2035 So. Chautauqua Wichita	67211

DESCRIPTION	OWNER/ADDRESS	ZIP CODE
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FERRYS ADDN. (Cont'd.)Block 2 (Cont'd.)

The N/2 of Lot 13	William A. Babcock, Jr. & Rosemary E. 1229 So. St. Francis Wichita	67211
The S/2 of Lot 13	<i>Dub</i> Ralph L. Humphrey & Loren R. Humphrey d/b/a Humphrey Building Co., a co- partnership 719 E. Zimmerly Wichita	67211
All of Lots 14, 15, 16 & 17, except the West 8' of lot	Diana Lee Bachus & Vickie Ann Bachus 725 E. Waterman Wichita	67202

Block 7

The No. 54' of Lot 1 & the No. 50' of the So. 100' of Lot 1	William F. Chance and Luella M. 1400 So. Santa Fe Wichita	67211
The So. 50' of Lot 1	Isador R. Lambert & Phyllis Elaine 1702 So. Clifton Wichita	67218
The So. 50' of Lot 24, Exc. the West 8' thereof	<i>Dub</i> Ralph L. Humphrey & Loren R. Humphrey d/b/a Humphrey Building Co., a co- partnership 719 E. Zimmerly Wichita	67211

Block 8

The N/2 of the No. 75' of Lot 1	Richard L. McBeath 718 No. Norwood Tulsa, Oklahoma	74115
The S/2 of the No. 75' of Lot 1	Henry Nash Baker 1405 So. Santa Fe Wichita	67211
The No. 37½' of the So. 75' of the No. 150' of Lot 1	<i>Returned 8-10-81 address unknown</i> Community Center Credit Union 1513 E. Central Wichita	67214
The So. 41½' of Lot 1	David G. Parrott & Deborah A. 1409 So. Santa Fe Wichita	67211

Cont'd.

DESCRIPTION	OWNER/ADDRESS	ZIP CODE
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WAKEFIELD ADDN.

Lots 1, 2 & 3

RLH Ralph L. Humphrey & Loren R. Humphrey
d/b/a Humphrey Building Co., a Co-
partnership
719 E. ZIMMERLY

67211

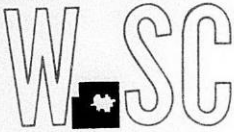
Dated this 20th day of July, 1981 at 7:00 A.M..

GUARANTEE TITLE CO., INC.

By *Carrie L. Douthett*
Licensed Abstractor

No. 5284

WICHITA - SEDGWICK COUNTY



BOARD OF ZONING APPEALS
CITY HALL - TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202

RETURN TO SENDER

TRY NORTH



GLE 08 221318N1 08/13/81

RETURN TO SENDER
NOT DELIVERABLE AS ADDRESSED
UNABLE TO FORWARD

John R. Glenn
2108 Parkwood
Wichita, Kansas 67208

PCC

WICHITA - SEDGWICK COUNTY



BOARD OF ZONING APPEALS
CITY HALL - TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202 -1628

*FOE
MAY
822*



GLE 08 220525N1 09/05/81

RETURN TO SENDER
NOT DELIVERABLE AS ADDRESSED
UNABLE TO FORWARD

John R. Glenn
2108 Parkwood
Wichita, Kansas 67208



WICHITA - SEDGWICK COUNTY

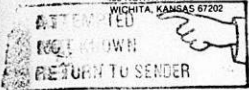


BOARD OF ZONING APPEALS

CITY HALL - TENTH FLOOR

455 NORTH MAIN STREET

WICHITA, KANSAS 67202



Delbert L. & Ann Hopkins
3339 Belaire Court
Wichita, Kansas 67218



35-81

1922
8-21

WICHITA - SEDGWICK COUNTY

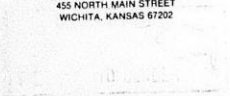


BOARD OF ZONING APPEALS

CITY HALL - TENTH FLOOR

455 NORTH MAIN STREET

WICHITA, KANSAS 67202



Community Center Credit Union
1613 East Central
Wichita, Kansas 67214



35-81

Returned 8-10-81

1407
MS

MICROFILMED
 FROM THE BEST
 AVAILABLE COPY

FORM 20-21

PAYMENT NOTICE
 City of Wichita

Bldg.	Use of Str.	Code Bks	Copies
Elec	Elev. Insp.	Hse Moving	Lic.
Mech	Boiler Insp.	Pav. Cuts	Cert.
Plbg	Exam Fees	Sewer	Elev.
Signs	Plan Rev. (P.W.)	Cement	M.S.P.
	Planning		

DESCRIPTION	AMOUNT
NAME	
ADDRESS	
FUND	DUE DATE
COMMENTS	
DATE	BY

*

This BZA. Case
Has a Large Drawing
On 35mm Microfilm
Roll # 2