

BZA 46-75 Kenneth D. King requests
variance for reduction of frontage
from 75' to 71.58'; lot area from
10,000 to 9,539; Permit for 2 Du-
plexes in an area west of Doreen
& north of Harry

POSTED
10-9-75
MAY V
C.I.V
11-20-75
C-11

ACTION

BZA COMMITTEE approved DATE 10-28-75

M.A.P.C. _____

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

BZA 46-75 Kenneth D. King requests variance for reduction of frontage from 75' to 71.58'; lot area from 10,000 to 9,539; Permit for 2 Duplexes in an area west of Dorsen & north of Harry

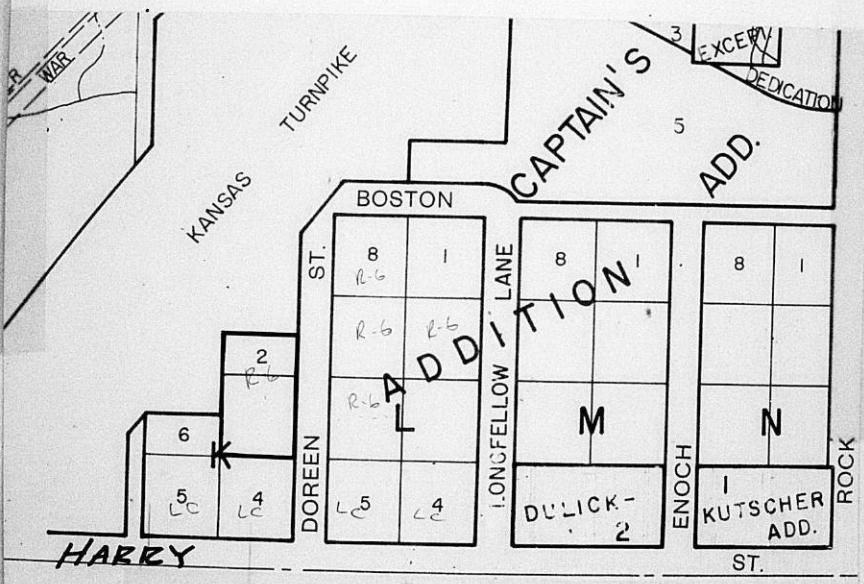
Map No. 5946
 Sec. 30
 Twp. 27
 Range 2E

BZA- 46-75
 SCZ- _____
 CU- _____
 Filed _____

AREA DATA:
 1. Acres: 0.66 (135 ft. by 215 ft.)
 2. Adjoining Zoning: E _____ S _____ W _____ N _____
 3. Land Use: East UNDEVELOPED South UNDEVELOPED
 West KANS. TURNPIKE North KANS. TURNPIKE
 4. Sketch Plan Land Use is for: _____
 5. Present Land Use if for: UNDEVELOPED
 6. Area (is) (is not) platted.

PHOTO DATA:
 Taken by _____ Date _____ Time _____

UPDATE LHM
 IN FIELD



S *Standard*
 No. 2153C
 HASTINGS, SAN LOE, ANGELES
 LOGAN OR - McCREGOR, TX, U. S. A.

RESOLUTION NO. BZA 46-75

WHEREAS, Kenneth D. King, 3540 South St. Francis, Wichita, Kansas, requests a variance as provided in Section 2.12.590.B, Code of the City of Wichita, to reduce the required lot size for two-family dwellings, from 5,000 square feet per dwelling unit to 4,769 square feet per dwelling unit; and to reduce the minimum lot width, for two-family dwellings, from 75 feet to 71 feet, all on property zoned the "R-6" General Residence District and legally described as follows:

Lot 3 and the South half of Lot 2, in Block K, Broadmoor Addition, Sedgwick County, Kansas. Generally located on the west side of Doreen in an area north of Harry.

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 October 28, 1975, 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 to the property in question and which is not ordinarily found in the same zone or district; and is not created by an action or actions of the property owner or the applicant inasmuch as subject property lies adjacent to the turnpike right-of-way, Light Commercial zoning and other multiple family zoning, all in an area that is unlikely to develop as low density residential housing; and

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 inasmuch as much of the adjoining property is turnpike right-of-way and light commercial zoning and the adjoining residential properties are likely to be developed at a greater density than proposed here; and

WHEREAS, the Board of Zoning Appeals has found that the strict application of the provisions of Title 28 (Zoning Ordinance) of which variance is requested will constitute unnecessary hardship upon the property owner represented in the application inasmuch as he would not be able to build three duplexes, but could construct three, three-family dwelling units or a single, multiple-family structure of up to 19 units; and

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 due to the fact that this variance would allow subject property to be developed at a lower density than otherwise permitted; and

WHEREAS, the Board of Zoning Appeals has found that the granting of the variance desired will not be opposed to the general

RESOLUTION NO. BEA 46-75
Page Two

spirit and intent of Title 28 (Zoning Ordinance) inasmuch as the development of this property with duplexes would be a much lower density of dwelling units than is permitted in this "R-6" zoning district; and

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 this request for a variance to reduce the required lot size for two-family dwellings, from 5,000 square feet per dwelling unit to 4,769 square feet per dwelling unit; and to reduce the minimum lot width, for two-family dwellings, from 75 feet to 71 feet, all on property zoned the "R-6" General Residence District and legally described as follows:

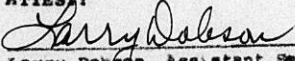
Lot 3 and the South half of Lot 2, in Block K,
Broadmoor Addition, Sedgwick County, Kansas.
Generally located on the west side of Doreen in
an area north of Harry.

be approved.

ADOPTED AT WICHITA, KANSAS, this 28th day of October, 1975.


Marjorie L. Taylor, Chairman

ATTEST:


Larry Dobson, Assistant Secretary

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

October 7, 1975

NOTICE TO ADJOINING PROPERTY OWNERS:

Case No. BZA 46-75

An application has been filed by Kenneth D. King, 3540 So. St. Francis, Wichita, Kansas, pursuant to Section 2.12.590.B, Code of the City of Wichita, requesting a variance to reduce the required lot size for two-family dwellings, from 5,000 square feet per dwelling unit to 4,769 square feet per dwelling unit; and to reduce the minimum lot width, for two-family dwelling, from 75 feet to 71 feet, all on property zoned the "R-6" General Residence District and legally described as follows:

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Jack Galbraith
Secretary

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Jack Galbraith
Secretary

RESOLUTION NO. BZA 46-75

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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 October 28, 1975, 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 to the property in question and which is not ordinarily found in the same zone or district; and is not created by an action or actions of the property owner or the applicant inasmuch as subject property lies adjacent to the turnpike right-of-way, Light Commercial zoning and other multiple family zoning, all in an area that is unlikely to develop as low density residential housing; and

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 inasmuch as much of the adjoining property is turnpike right-of-way and light commercial zoning and the adjoining residential properties are likely to be developed at a greater density than proposed here; and

WHEREAS, the Board of Zoning Appeals has found that the strict application of the provisions of Title 28 (Zoning Ordinance) of which variance is requested will constitute unnecessary hardship upon the property owner represented in the application inasmuch as he would not be able to build these three duplexes, but could construct three, three-family dwelling units or a single, multiple-family structure of up to 19 units; and

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 due to the fact that this variance would allow subject property to be developed at a lower density than otherwise permitted; and

WHEREAS, the Board of Zoning Appeals has found that the granting of the variance desired will not be opposed to the general

RESOLUTION NO. BZA 46-75
Page Two

spirit and intent of Title 28 (Zoning Ordinance) inasmuch as the development of this property with duplexes would be a much lower density of dwelling units than is permitted in this "R-6" zoning district; and

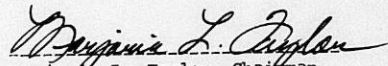
WHEREAS, each of the five conditions required by Section 2.12.590.B, Code of the City of Wichita, to be present before a variance can be granted has been found to exist.

NOW, THEREFORE, BE IT RESOLVED by the Board of Zoning Appeals of the City of Wichita that this request for a variance to reduce the required lot size for two-family dwellings, from 5,000 square feet per dwelling unit to 4,769 square feet per dwelling unit; and to reduce the minimum lot width, for two-family dwellings, from 75 feet to 71 feet, all on property zoned the "R-6" General Residence District and legally described as follows:

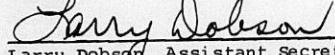
Lot 3 and the South half of Lot 2, in Block K,
Broadmoor Addition, Sedgwick County, Kansas.
Generally located on the west side of Doreen in
an area north of Harry.

be approved.

ADOPTED AT WICHITA, KANSAS, this 28th day of October, 1975.


Marjorie L. Taylor, Chairman

ATTEST:


Larry Dobson, Assistant Secretary

November 21, 1975

Mr. George Hall
7922 East Harry
Wichita, Kansas 67209

Re: Case No. BZA 46-75
Request for Variance

Dear Mr. Hall:

Enclosed is a signed copy of the Resolution adopted by the Board of Zoning Appeals on October 28, 1975, in connection with your request for a variance to reduce the required lot size for two-family dwellings from 5,000 square feet per dwelling unit to 4,769 square feet per dwelling unit, and to reduce the minimum lot width for two-family dwellings from 75 feet to 71 feet on property zoned the "R-6" General Residence District, and generally located on the west side of Doreen in an area north of Harry.

This Resolution reflects the official action of the Board to grant your request. It is forwarded to you for your files and information.

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

Sincerely yours,

Larry Dobson
Assistant Secretary

LD:hh
Encl.

cc: Kenneth D. King, 3540 S. St. Francis 67216
Robert Feldner, Supt., Central Inspection
Joe Donnelly, Maintenance Inspection Supervisor
Donald Gisick, City Clerk

October 29, 1975

Mr. George Hall
7922 E. Harry
Wichita, Kansas 67209

Re: Case No. BEA 46-75

Dear Mr. Hall:


At the regular meeting of the Board of Zoning Appeals on October 28, 1975, your request for a variance to reduce the required lot size for two-family dwellings from 5,000 square feet per dwelling unit to 4,769 square feet per dwelling unit; and to reduce the minimum lot width for two-family dwellings from 75 feet to 71 feet on property zoned the "R-6", General Residence District, and generally located on the west side of Doreen in an area north of Harry, was considered.

It was the action of the Board to approve this request.

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.

Yours truly,


Larry Dobson
Assistant Secretary

LD:bh

cc: Kenneth D. King, 3540 S. St. Francis, 67216
Robert Feldner, Supt., Central Inspection
Joe Donnelly, Maintenance Inspection Supervisor
Donald Gisick, City Clerk

SECRETARY'S REPORT

CASE NO. PZA 46-75

APPLICANT: Kenneth D. King, 3540 S. St. Francis, Wichita, Kansas

AGENT: George L. Hall, 7922 E. Harry, Wichita, Kansas

REQUEST: Variance pursuant to Section 2.12.590.B, Code of the City of Wichita to reduce the required lot size for two-family dwellings, from 5,000 square feet per dwelling unit to 4,769 square feet per dwelling unit; and to reduce the minimum lot width, for two-family dwellings, from 75 feet to 71 feet, all on property zoned the "R-6" General Residence District.

GENERAL LOCATION: The west side of Doreen in an area north of Harry.

ZONING: Subject property is zoned the "R-6" General Residence District; east is the "R-6" District and the "AA" Single Family Dwelling District; south is the "LC" District; north and west are "AA".

LAND USE: Subject property and all surrounding properties are vacant. North and west of subject property is turnpike right-of-way.

JURISDICTION:

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 of the following conditions are found to exist:

1. That the variance requested arises from such condition which is unique to the property in question and which is not ordinarily found in the same zone or district; and is not created by an action or actions of the property owner or the applicant.
2. That the granting of the permit for the variance will not adversely affect the rights of adjacent property owners or residents.
3. That the strict application of the provisions of Title 28 of which variance is requested will constitute unnecessary hardship upon the property owner represented in the application.
4. That the variance desired will not adversely affect the public health, safety, morals, order, convenience, prosperity

SECRETARY'S REPORT
Case No. BZA 46-75
Page Two

or general welfare; and

5. That granting the variance desired will not be opposed to the general spirit and intent of Title 28 (zoning ordinance).

COMMENTS BY THE SECRETARY

The applicant proposes to construct three duplexes on two lots zoned the "R-6" General Residence District and is requesting a variance to reduce the minimum required lot size and lot width. One of the lots is 71.5 x 134 foot in size with an area of 9,539 sq. ft. and the other is 143 x 134 foot, with a lot area of 19,078 sq. ft.

The applicant's plans indicate one duplex to be built on the smaller lot and two on the larger lot. The area regulations of the "R-6" district require a lot area of 5,000 sq. ft. per dwelling unit for two-family dwellings, whereas subject property would provide 4,769 sq. ft. per dwelling unit. The ordinance also requires a minimum lot width of 75 feet for two-family dwellings, whereas the smaller of the two lots has a width of 71.5 ft.

As mentioned, subject property is zoned the "R-6" General Residence District which permits multiple family dwellings at the rate of 1 dwelling unit per 1,500 sq. ft. of lot area, which would permit 19 dwelling units to be constructed on subject property whereas the applicant is proposing 6 dwelling units in the form of 3 duplexes.

Subject property and all surrounding properties are undeveloped. To the north and west is turnpike right-of-way; south is property zoned the "LC" Light Commercial District; east are properties zoned the "R-6" district and "AA" Single Family Dwelling District. Although some of the property in the area is zoned "AA" Single Family, it seems unlikely that such development would occur due to the proximity of the Kansas Turnpike, the abundance of light commercial and multiple family zoning, all of which lies in the McConnell Air Force Base flight path.

UNIQUENESS:

It is the opinion of the Secretary that this may be a unique situation inasmuch as subject property lies adjacent to the turnpike right-of-way, Light Commercial zoning and other multiple family zoning, all in an area that is unlikely to develop as low density residential housing.

SECRETARY'S REPORT
Case No. BZA 46-75
Page Three

ADJACENT PROPERTY:

It is the opinion of the Secretary that the granting of the requested variance would not adversely affect the rights of adjacent property owners inasmuch as much of the adjoining property is turnpike right-of-way and light commercial zoning and the adjoining residential properties are likely to be developed at a greater density than proposed here.

HARDSHIP:

It is the opinion of the Secretary that the strict application of the provisions of the zoning ordinance would create an unnecessary hardship upon the applicant inasmuch as he would not be able to build these three duplexes, but could construct three, three-family dwelling units on a single, multiple-family structure of up to 19 units.

PUBLIC INTEREST:

It is the opinion of the Secretary that the granting of the requested variance will not adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare inasmuch as this variance would allow subject property to be developed at a lower density than otherwise permitted.

SPIRIT AND INTENT:

It is the opinion of the Secretary that the granting of the requested variance may not be opposed to the general spirit and intent of the zoning ordinance inasmuch as the development of this property with duplexes would be a much lower density of dwelling units than is permitted in this "R-6" zoning district.

RECOMMENDATION:

If the Board concurs that the five conditions necessary to the granting of a variance can be found to exist, it is recommended that the requested variance be granted.

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

October 7, 1975

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Case No. BZA 46-75

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Jack Galbraith
Secretary


1217-1219 DORREN ST

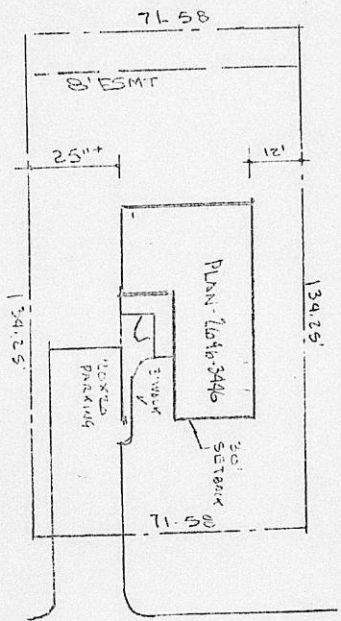
3/4 LOT 2

13R K.

BROADMOOR ADDIT
WICHITA, KANSAS

30'0"

NORTH 



1219-1217 DORREN ST

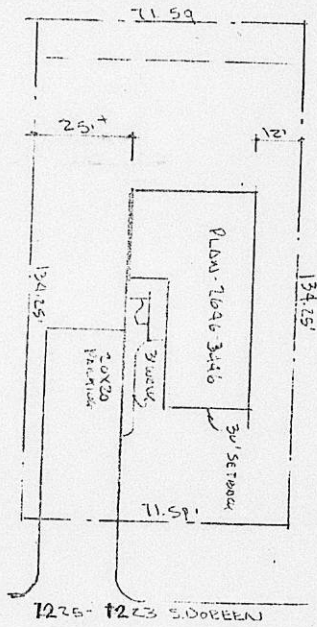
2123-2125 S. DOVEEN

N 1/2 Lot 3

BRIT

BROADMORE ADDIT
WILSON, KAUSE

NORTH



2129 - 2131 S. DORRIN ST

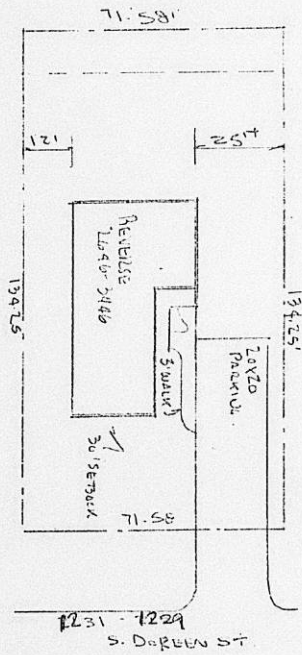
5/2 Lot 3

BLK 14

BROADMOOR ADDN
WICHITA, KANSAS

30'0"

NORTH



BZA 46-75 Nine notices to adjoining
property owners for BZA meeting of
October 28, 1975, were mailed 10-7-75,
and also 8 notices to MAPC Board members.

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Room 402 City Building Annex
104 South Main Street
Wichita, Kansas 67202

October 7, 1975

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Jack Galbraith
Secretary

Map 5946

BOARD OF ZONING APPEALS

CASE NO. BZA-56-75

CITY OF WICHITA, KANSAS

FILED _____

APPLICATION FOR VARIANCE

I. Name of Applicant Kenneth D. King

Mailing Address 3540 S. St. Francis ⁶⁷²¹⁶ Phone _____

Name of Authorized Agent George L. Hall

Mailing Address 7922 E. HARRY ⁶⁷²⁰⁹ Phone 686-7216

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

II. The variance requested is Reduction of Frontage from 75' to 71.58' AND LOT AREA FROM 10,000 ~~sq~~ ft to 9,539 ~~sq~~ ft for 1/2 lot 2, BLK 'K'
Permit to build 2 Duplexes on Lot 3 Block K. Broadmoor Add. which has
Frontage of 143.17' and an area of 19,078 ~~sq~~ ft.
for property located Doreen + Harry -

and legally described as: the 1/2 of lot 2 and ALL of Lot 3 - BLK 'K'
Broadmoor Addition - Wichita - Kansas
in an area west of Doreen and north of Harry.

in the City of Wichita; and which is presently zoned R-6.

- 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 he has been advised of his right to bring action in the District Court of Sedgwick County to appeal the decision of the Board.
 - d. That all documents are attached hereto as noted in paragraphs 2, 3, 4, and 5 of the instructions.

Kenneth D. King
Applicant

George L. Hall George L. Hall
Authorized Agent

OFFICE USE ONLY: Received in office of Secretary, Board of Zoning Appeals 1:30 (a.m. - p.m.), 7/30 19 75 together with appropriate fee of \$50.00.

Larry Dobson
Signed

T9-402
see 2-1673

Ownership list update from security being sent ✓

To: Board of Zoning, appeals
City of Walnut, Kansas

Sept. 30, 1975

Please consider this request for a Variance under R-6 Zoning which requires a minimum frontage of 75' and a minimum lot area of 5000 \pm per family dwelling.

The frontage of this request is 71.58' and the lot area is 9,539 \pm . ^(The So. 1/2 of Lot 2 Broadmoor add.)

The other request is that it be granted to build 2 duplexes on one lot (Lot 3 Broadmoor add.) the area of said lot being 19,078 \pm and the frontage 143.17'.

Please note under "A" zoning the lot size requirement is 60' frontage and lot area is only 6000 \pm feet for 2 family dwelling.

①

(cont)

under the present zoning the density
could be much greater than the request
for Duplexes.

Thank You,
George L. Hall
GEORGE L. HALL -
agent for Kenneth D. King
(owner)

1217-1218 S DOREEN ST

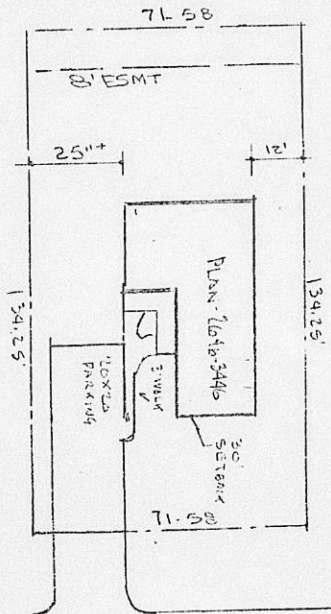
5-1/2 LOT Z

BR. 16.

BREASHER ADDIT
WICHITA, KANSAS

30'0"

NORTH



1219-1217 S DOREEN

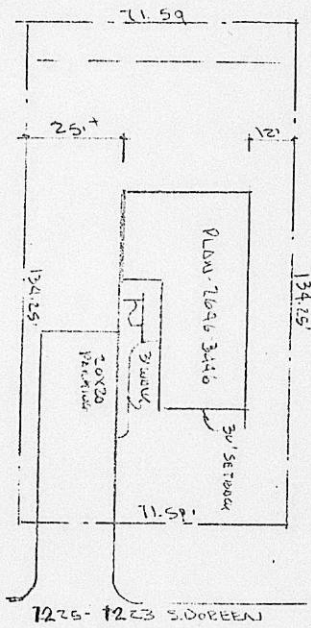
2123-2125 S. DOREEN

N 1/2 Lot 3

BK. 11

BROWNIDGE ADDIT
WICHITA, KANSAS

NORTH →



2129-2131 S. Doreen St

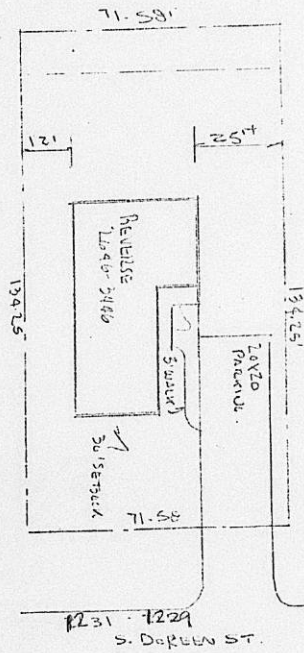
5 1/2 Lot E

Blk. K

Broomfield Apts
Wichita, Kansas

30'0"

North →



OWNERSHIP LIST

Lot	Block	Addition	Property Owner
S $\frac{1}{2}$ lot 2	K	Broadmoor Addition	D ✓ Kenneth D. King 3540 South St. Francis 67216
4	K	Same	✓ Jesse L. Graham 1403 Harding 67208
5	K	Same	Same
S $\frac{1}{2}$ lot 6	K	Same	Same
5	L	Same	Same
N $\frac{1}{2}$ 6	L	Same	✓ Bernard Lickteig 402 N. Bluff 67208
S $\frac{1}{2}$ lot 6	L	Same	<p><i>wagon wheel address</i></p> <p>X X Ella Cleveland Address Unknown</p> <p>✓ Dorothy L. Bray 2116 Mesita Drive 67211</p>
N $\frac{1}{2}$ lot 7	L	Same	D ✓ Bernard R. Lickteig 402 N. Bluff 67208
S $\frac{1}{2}$ lot 7	L	Same	D ✓ B. R. Lickteig 402 N. Bluff 67203
S $\frac{1}{2}$ lot 8	L	Same	Same
N $\frac{1}{2}$ lot 8	L	Same	D ✓ Bernard R. Lickteig 402 N. Bluff 67208
2	L	Same	Same
N $\frac{1}{2}$ lot 3	L	Same	✓ Eleanor C. Kale 1675 Roanoke Drive 67218
S $\frac{1}{2}$ lot 3	L	Same	✓ Edward M. Lewis & Lois B. 2402 Bedford 67218
4	L	Same	<p>D ✓ Bernard R. Lickteig 402 N. Bluff 67208</p> <p>✓ Jack Pearce 8220 Peach Tree Lane 67207</p> <p>✓ Cecil Merkel, 360 Wagon Wheel 67209</p>
3	K	Same	<p>Kenneth D. King</p> <p>D ✓ 3540 S. St. Francis 67216</p>

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

*Use for
legal*

A 200 foot radius of: [Lot 3 and the
South Half of Lot 2, in Block K,
Broadmoor Addition, 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 November, 1974,
at 7:00 o'clock A.M.

THE SECURITY ABSTRACT AND TITLE COMPANY, INC.

By

John Eyrson
Asst Vice President

Order No. 219812
wh

Ownership List No. 219812 is hereby extended to this 30th day of September, 1975 at 7:00 o'clock A.M. There are no changes in ownership. The North Half of Lot 6 and all of Lots 2, 7, and 8, Block L, Broadmoor Addition have been replatted into Holiday Heights Addition. Title remains in the name of Bernard R. Lickteig.

THE SECURITY ABSTRACT & TITLE COMPANY, INC.

By *Curtis Simmons*
Vice President

Order No. 229711
wh

FORM 225-021

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
82A	45000

Name _____

Address _____

Type _____ Due Date _____

Comments: _____

Date _____ By _____