from 241 to 154 on property zoned the "E" Light Industrial and legally described as follows:

Lots 1, 2, 3, & 4, Block B, R. J. Dougherty Addition & Lot 1, Sanderson Addition & Lot 1, Townsend Addition, Wichita, Kansas.

subject to the following conditions:

1. The parking reduction from 241 spaces to 154 spaces applies to buildings with no more that 184,683 square feet (19,892 square feet office, 61,577 square feet manufacturing and 103,214 square feet warehouse) which will be used for production and storage and which employ no more than 154 employees on any shift or to a use which requires no more than 154 parking spaces.

2. The parking area shall be striped and maintained in accordance with the approved site plan.

3. The resolution authorizing this variance may be declared null and void upon a finding by the Board that the applicant has failed to comply with any of the foregoing conditions.

ADOPTED AT WICHITA, KANSAS, this 26th day of September , 1995.

Keith Alter, President

ATTEST:

Lawrence P. Mitchell, Assistant Secretary

BZA RESOLUTION NO. 16-95

Whereas, Phil Ruffin, pursuant to Section 2.12.590.B, Code of the City of Wichita, requests a variance to reduce required parking spaces from 241 to 154 on property zoned "E" Light Industrial and legally described as follows:

> Lots 1, 2, 3, & 4, Block B, R. J. Dougherty Addition & Lot 1, Sanderson Addition & Lot 1, Townsend Addition, Wichita, Kansas.

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 26, 1995, 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 owners or the applicant inasmuch as it is developed with a manufacturing activity that requires a large space for production and storage but which has relatively few employees per square foot; 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 the parking made available on the site should be adequate to meet the needs of employees. Therefore, there should be no need for employees to seek parking on adjacent properties; and

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 inasmuch as additional parking can be made available on the site but this would require demolition of existing parking area curbs and berms and would result in an expense that cannot be justified in that the 154 spaces that are to be provided meet the current work force parking needs; 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, inasmuch as the amount and location of the parking that is being made available should be adequate to meet the needs of the employees and public. Therefore, there should be no need for employees or the public to seek parking spaces on any public street in the area; and

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 inasmuch as the intent of the parking code is to provide adequate parking for the needs of the specific types of uses and the reduced parking requirements should be adequate for this specific use; 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 be approved for a variance to reduce required parking spaces

Pat Burnett, Deputy City Clerk
Yolanda Anderson, MAPD

SEDGWICK COUNTY

METROPOLITAN AREA PLANNING
DEPARTMENT
CITY HALL — TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202-1688
(316) 268-4421

September 27, 1995

Mr. Phil Ruffin
1522 S. Florence
Wichita, KS 67209

RE: BZA 16-95 - Variance to reduce required parking spaces from 241 to 154 on property zoned "E" Light Industrial and generally located at the north of Harry between Florence and West Streets (1522 S. Florence).

Dear Mr. Ruffin:

Enclosed is a signed copy of the above-referenced BZA Resolution adopted by the Board of Zoning Appeals on September 26, 1995. 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.

This is a reminder that the zoning adjustment signs should now be removed from the property. If you have any questions concerning this matter, please call our office.

Sincerely yours,

Lawrence P. Mitchell
Assistant Secretary
Board of Zoning Appeals

Enclosure
LPM/hm
cc: Dave Benedict, 1522 S. Florence, Wichita, KS 67209
J. R. Cox, OCI
Paul Hays, OCI
Ray Sledge, OCI
Loren Deines, OCI

employees. Therefore, there should be no need for employees to seek parking on adjacent properties.

HARDSHIP: It is the opinion of staff that the strict application of the provisions of the zoning ordinance may constitute an unnecessary hardship upon the applicant inasmuch as additional parking can be made available on the site but this would require demolition of existing parking area curbs and berms and would result in an expense that cannot be justified in that the 154 spaces that are to be provided meet the current work force parking needs.

PUBLIC INTEREST: It is the opinion of staff that the requested variance would not adversely affect the public interest inasmuch as the amount and location of the parking that is being made available should be adequate to meet the needs of the employees and public. Therefore, there should be no need for employees or the public to seek parking spaces on any public street in the area.

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 ordinance inasmuch as the intent of the parking code is to provide adequate parking for the needs of the specific types of uses and the reduced parking requirements should be adequate for this specific use.

RECOMMENDATION: Should the Board determine that all five conditions necessary to the granting of a variance can be found to exist, then it is the recommendation of the Secretary that the variance be granted, subject to the following conditions:

1. The parking reduction from 241 spaces to 154 spaces applies to buildings with no more that 184,683 square feet (19,892 square feet office, 61,577 square feet manufacturing and 103,214 square feet warehouse) which will be used for production and storage and which employ no more than 154 employees on any shift or to a use which requires no more than 154 parking spaces.

2. The parking area shall be striped and maintained in accordance with the approved site plan.

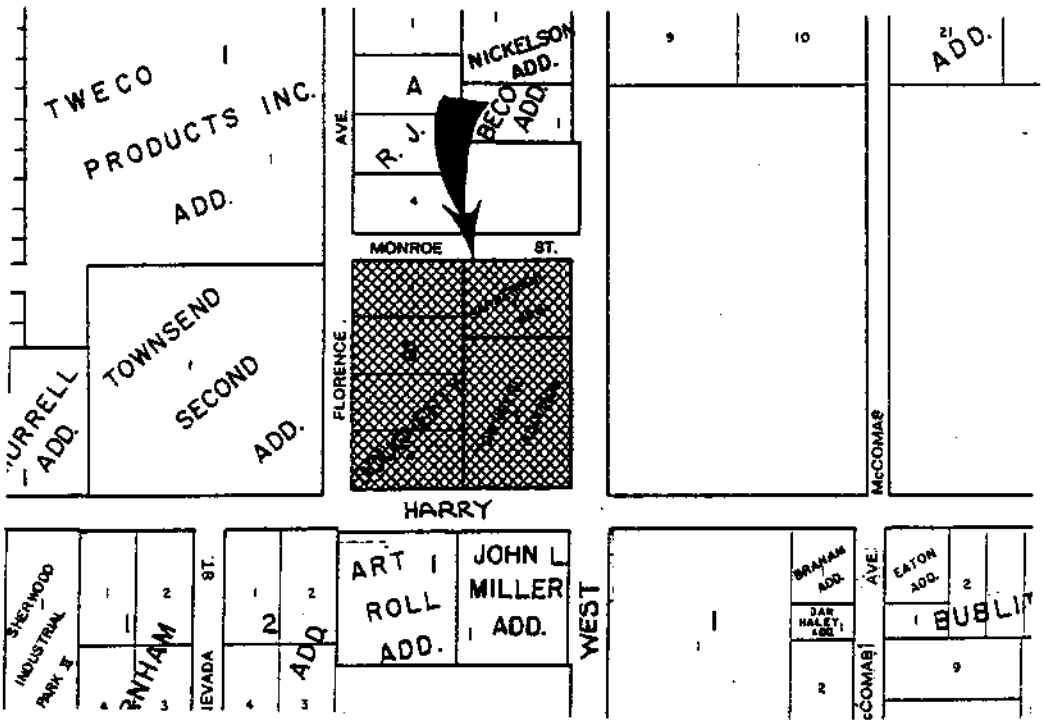
3. The resolution authorizing this variance may be declared null and void upon a finding by the Board that the applicant has failed to comply with any of the foregoing conditions.

BOARD OF ZONING APPEALS
WICHITA, KANSAS

AGENDA ITEM NO. 3
September 26, 1995

SECRETARY'S REPORT

CASE NUMBER:	BZA 16-95
OWNER/APPLICANT:	Phil Ruffin
AGENT:	Dave Benedict
REQUEST:	Variance to reduce required parking spaces from 241 to 154
CURRENT ZONING:	"E" Light Industrial.
SITE SIZE:	7.72 Acres
LOCATION:	North of Harry between Florence and West Streets (1522 S. Florence).



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 conditions, as required by State Statutes, are found to exist.

BACKGROUND: The applicant, Phil Ruffin, is requesting a variance on the parking space requirements for Harper Trucks Inc., which is located north of Harry between Florence and West Streets. The requested variance is to reduce the required parking from 241 spaces to 154 spaces.

Harper Trucks Inc., which is located on this site, is a manufacturing firm which builds hand trucks, which require large amounts of floor space for production and storage activities. Harper Trucks Inc. is in the process of expanding their business by constructing a new warehouse shipping building near their manufacturing building. Since the new construction exceeds 5,000 square feet, the Office of Central Inspection has determined that the entire site must comply with the current parking requirements established in the zoning code. (See Section 28.04.141(3) Those requirements for a total of 184,683 square feet (19,892 square feet office, 61,577 square feet manufacturing and 103,214 square feet warehouse) of use that will occupy the site after the new construction total 241 spaces (80 office, 124 manufacturing and 37 warehouse).

Harper Trucks Inc. currently has 175 employees and operates two shifts. The first shift contains the largest number of employees with 130. The remainder of the employees (45) work second shift at this location. In addition, the applicant has indicated that the first and second shifts do not overlap which reduces the need for extra parking at shift changes. It has also been indicated by the applicant that the existing parking lot is now only partially utilized because an estimated 5-10% of their employees ride the bus and another estimated 20-30% of the employees car pool. Therefore, the applicant is requesting a reduction of the required parking spaces for this specific use on their site. There are no direct sales to the public from this location.

ADJACENT ZONING AND LAND USE:

NORTH:	"E" - Used Vehicle Sales and Office - Kansas Geological Survey
SOUTH:	"E" - Trucking - NW Transport
EAST:	"E" - Equipment Sales & Service - Foley Caterpillar
WEST:	"E" - Manufacturing - Tweco Products

UNIQUENESS: It is the opinion of staff that this property is unique inasmuch as it is developed with a manufacturing activity that requires a large space for production and storage but which has relatively few employees per square foot.

ADJACENT PROPERTY: It is the opinion of staff that the granting of the variance requested will not adversely affect the rights of adjacent property owners inasmuch as the parking made available on the site should be adequate to meet the needs of