

BOARD OF ZONING APPEALS

December 21, 1977

**Mr. Raymond C. Trimble
400 N. Woodlawn, Suite 6
Wichita, Kansas 67208**

**Re: Case No. BZA 51-77
Request for Variance**

Dear Mr. Trimble:

At the regular meeting of the Board of Zoning Appeals on December 20, 1977, your request for a variance to reduce the number of required off-street parking spaces from 27 spaces to 23 spaces on property zoned the "B" Multiple Family Dwelling District, and generally located at the southeast corner of Douglas and Clifton was considered.

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

- 1. The total tenancy of the site shall not exceed twenty-two persons.**
- 2. A revised landscape plan, including the future court yard area, and future planting areas designated on the present plan, shall be submitted to the Secretary of the Board for his approval prior to the occupancy of the site.**
- 3. Planting in accordance with the approved landscape plan shall be completed by June 1, 1978.**
- 4. The variance shall be granted to this owner only, and any future owner be required to furnish the required parking spaces or obtain a variance therefrom.**

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.

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Please call if you have any questions concerning this matter.

Yours very truly,

Larry Debeon
Assistant Secretary

LD:hh

cc: Don Gisick, City Clerk
Robert Feldner, Supt., Central Inspection
Joe Donnelly, Housing & Zoning Administrator

RESOLUTION NO. BZA 51-77

WHEREAS, Raymond C. Trimble, 400 North Woodlawn, Wichita, Kansas, requests a variance as provided in Section 2.12.590.B, Code of the City of Wichita, to reduce the required number of off-street parking spaces from 27 spaces to 23 spaces on property zoned the "B" Multiple Family Dwelling District, and legally described as follows:

The west 105 feet of Lot 1, Block A, Merriam Park, Sedgwick County, Kansas. Generally located at the southeast corner of Douglas and Clifton (3705 E. Douglas).

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 December 20, 1977, 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 utilization of the office space as proposed would not create as great a parking need as other businesses and offices normally found in the "BB" District; 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 needs should be met and existing plant materials can be retained that would otherwise have to be removed; 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 it would necessitate the removal of mature plant materials to provide four parking spaces which should not be needed by the proposed development; 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 on-street parking will not be required to meet the parking needs of this office facility; 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 Title 28 (Zoning Ordinance) inasmuch as the proposed tenant mix of 22 persons will not generate the on-site traffic volume normally associated with office development; 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 number of off-street parking spaces from 27 spaces to 23 spaces on property zoned the "B" Multiple Family Dwelling District, and legally described as follows:

The west 105 feet of Lot 1, Block A, Merriam Park, Sedgwick County, Kansas. Generally located at the southeast corner of Douglas and Clifton (3705 E. Douglas).

be approved subject to the following conditions:

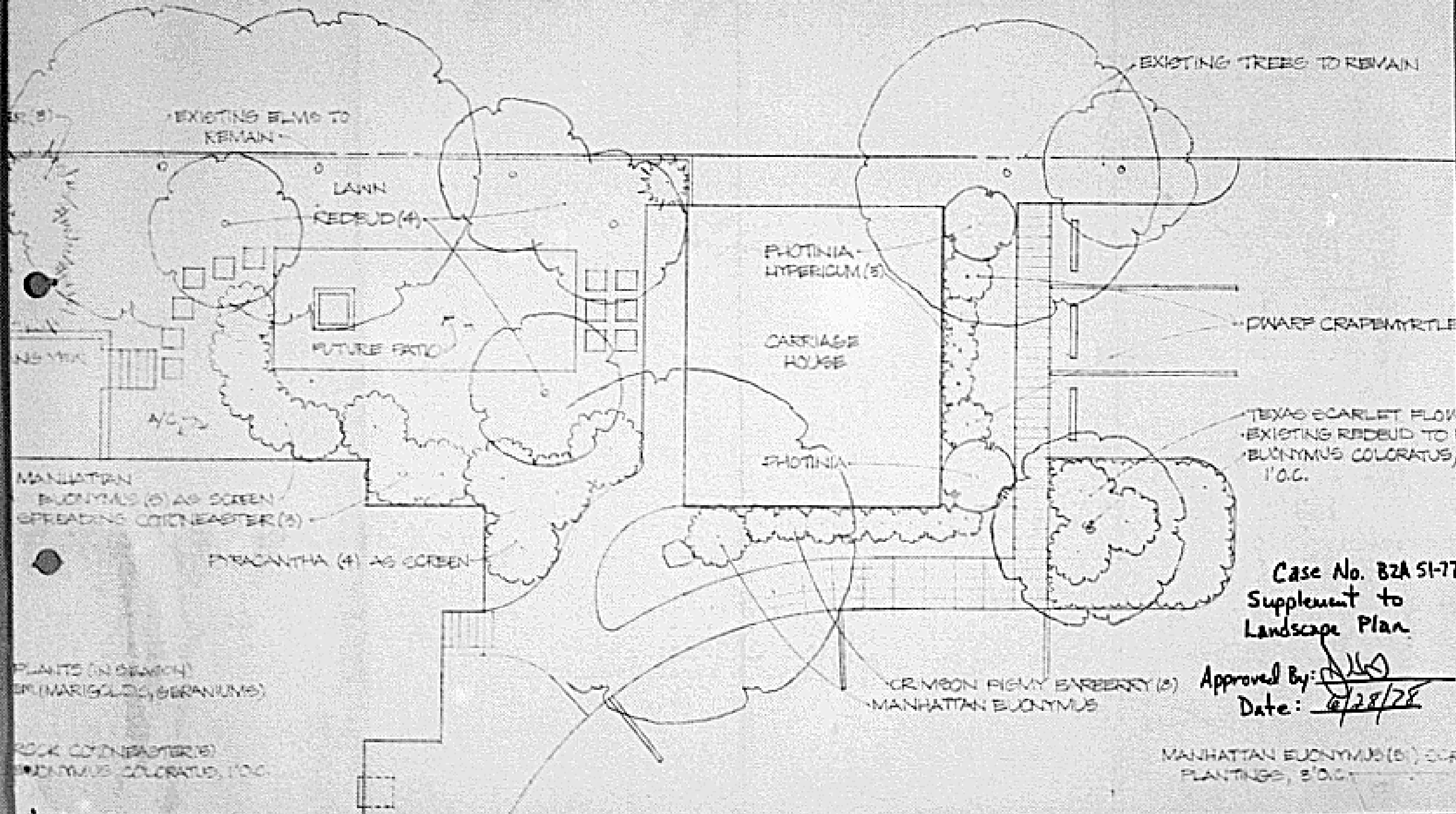
1. The total tenancy of the site shall not exceed twenty-two persons.
2. A revised landscape plan, including the future court yard area, and future planting areas designated on the present plan, shall be submitted to the Secretary of the Board for his approval prior to the occupancy of the site.
3. Planting in accordance with the approved landscape plan shall be completed by June 1, 1978.
4. The variance shall be granted to this owner only, and any future owner be required to furnish the required parking spaces or obtain a variance therefrom.

ADOPTED AT WICHITA, KANSAS, this 20th day of December, 1977.


James Richardson, Chairman

ATTEST:


Larry Dobson, Assistant Secretary



Case No. BZA 51-77
 Supplement to
 Landscape Plan.

Approved By: [Signature]
 Date: 6/28/78