

Case No. BZA 3-83 - Burris C. Crawford - requests an exception to permit the establishment of an off-street parking lot on property zoned the "A" Two-family Dwelling District and generally located on the east side of Marcilene & south of

POSTED
2-11-83

ACTION

BZA ~~3-83~~ *APPROVED* 2-22-83
DATE

5BAGD

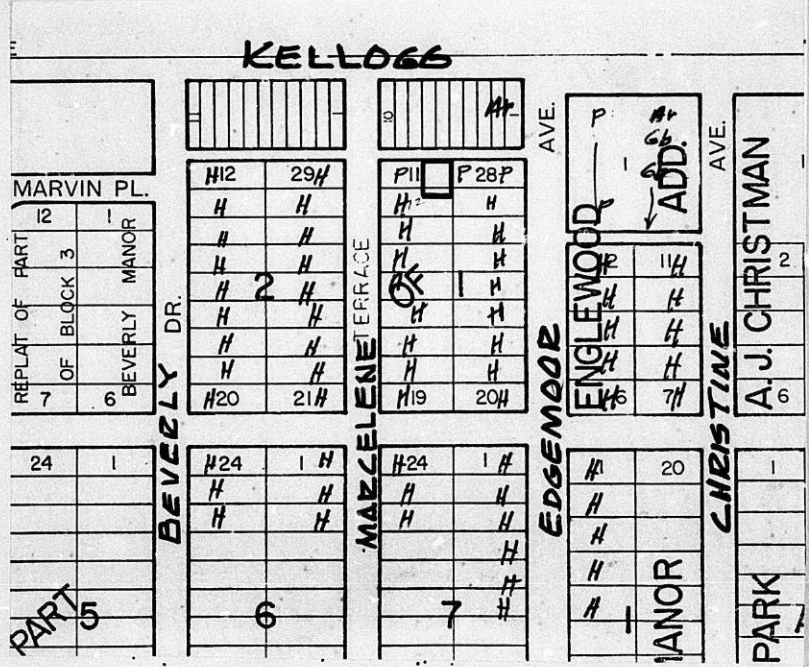
200' 1/4 Sec. 2-23-83
Checked 3-3-83
Shot 3-4
Recorded 3-16

Map No. 5846
 Sec. 25
 Twp. 27
 Range 1E

BZA- J-83
 SCZ- _____
 CU- _____
 Filed _____

AREA DATA:
 1. Acres: _____ (55 ft. by 65 ft.)
 2. Adjoining Zoning: E _____ S _____ W _____ N _____
 3. Land Use: East PARKING LOT South SINGLE FARM
 West SINGLE FARM North PLUMBING SHOP
 4. Sketch Plan Land Use is for: _____
 5. Present Land Use if for: PARKING LOT
 6. Area (is) (is not) platted.

PHOTO DATA:
 Taken by _____ Date _____ Time _____



Shirley
 No. 2153C
 HASTINGS ENGINEERING
 LOS ANGELES, CALIFORNIA
 MEMPHIS, TENNESSEE
 U.S.A.

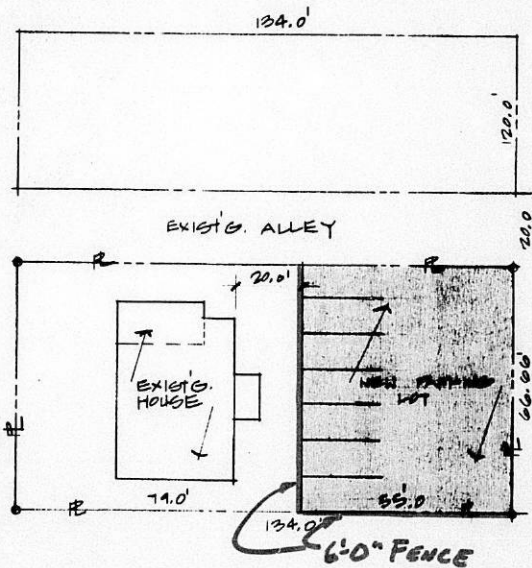
3
4

LEGAL DESCRIPTION

LOT 11 AND THE NORTH 10.00 FEET OF
LOT 12, BLOCK 1, BEVERLY MANOR
ADDITION

KELLOGG AVE.

MARGILENE TERRACE



SITE PLAN

February 23, 1983

Burris C. Crawford
805 North Mission
Wichita, Ks. 67206

Re: Case No. MEA 3-83
Request for Exception

Dear Mr. Crawford:

Enclosed is a signed copy of the Resolution adopted by the Board of Zoning Appeals on February 22, 1983.

This Resolution reflects the official action of the Board to approve your request, and sets out the conditions of approval. It is 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:sad
Enclosure

cc: Gene Rasock, 5900 East Central, Wichita
Robert Feldner, Superintendent of Central Inspection (2)
Don Gisick, City Clerk

RESOLUTION NO. BZA 3-83

WHEREAS, Burris C. Crawford, 805 North Mission, 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 "A" Two-family Dwelling District and legally described as follows:

The east 55' of Lot 11 and the east 55' of the north 16.66' of Lot 12, Block 1, Beverly Manor Addition to Wichita, Sedgwick County, Kansas. Generally located on the east side of Marcilene and south of Kellogg (518 South Marcilene).

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 February 22, 1983, 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 "A" Two-family Dwelling District subject to the conditions outlined in Section 28.04.145, 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 "A" Two-family Dwelling District legally described as follows:

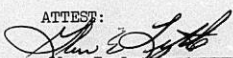
The east 55' of Lot 11 and the east 55' of the north 16.66' of Lot 12, Block 1, Beverly Manor Addition to Wichita, Sedgwick County, Kansas. Generally located on the east side of Marcilene and south of Kellogg (518 South Marcilene).

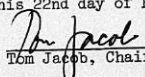
subject to the following conditions:

1. The lot shall be surfaced in accordance with the conditions set forth in Section 28.04.145 of the Code.
2. If lighting is provided, the lights shall be so arranged to deflect or direct light away from the residential zoning district.
3. A screening fence not less than 6 feet nor more than 8 feet in height shall be erected along the south property line and the west line of the parking area. Such fence shall be of wood or masonry and be effectively solid to prevent the passage of light from vehicles and to prevent the blowing of debris.
4. The applicant shall maintain the property in good condition and free of all weeds, dust, trash and other debris.
5. The parking area shall be used for passenger vehicles only, and in no case shall it be used for sales, repair work, storage, or the dismantling or servicing of any vehicles, equipment, materials or supplies.
6. Failure to complete the improvement of the parking lot in twelve months from approval by the Board shall null and void this Resolution.

ADOPTED AT WICHITA, KANSAS, this 22nd day of February, 1983.

ATTEST:


Glen E. Lytle, Assistant Secretary


Tom Jacob, Chairman

THE CITY OF WICHITA

OFFICE OF CITIZEN PARTICIPATION

DATE February 22, 1983

TO Glen Lytle, Special Assistant for Zoning

FROM Shirley Mast, Administrative Aide III

SUBJECT BZA 3-93 (East side of Marcilene
Drive and South of Kellogg - 518
South Marcilene)

CPO Council "G" considered the captioned case at their February 21st meeting and voted 4-1 to recommend approval of the exception request to permit the establishment of an off-street parking lot on property zoned the "A" Two-Family Dwelling District at the aforementioned location.

No one was present to speak in support or opposition to the requested exception.

Please provide the Council's recommendation to the BZA when the case is considered at their February 22nd meeting.


Shirley Mast
Administrative Aide III

SM:dm

SECRETARY'S REPORT
CASE NO. BZA 3-33

APPLICANT: Burris C. Crawford, 805 North Mission, Wichita, Kansas.

AGENT: Gene Razook, 5900 East Central, Wichita, Kansas.

REQUEST: Exception pursuant to Section 28.04.145, Code of the City of Wichita to permit the establishment of an off-street parking lot in the "A" Two-family Dwelling District.

GENERAL LOCATION: On the east side of Marcilene Drive and South of Kellogg (518 South Marcilene).

ZONING: Subject property is "A" Two-family as are the properties to the east, south and west. Property to the north is "LC" Light Commercial.

LAND USE: Subject property is occupied by a One-family Dwelling as are the properties to the south and west. Property to the east is a parking lot, and property to the north is commercial development.

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 for the commercial properties to the north, to alleviate the inadequate parking situation. This would be in accordance with the policy established by the City Commission to look with favor to provide parking for existing businesses that are located adjacent to arterial streets such as Kellogg, or to increase the depth of "LC" zoning for the expansion of existing businesses. In this particular case, an exception would be more appropriate since the property is separated by an alley from the uses it will serve.

The applicant has indicated the retention of the required 20 foot rear yard for the residence that will remain on the lot, and the exception will only be for the east 55 feet of the property. Screening will be required along the south property line and along the west line of the parking area.

RECOMMENDATION:

Should the Board determine that the use is appropriate at this location, it is the recommendation of the Secretary that the application be approved subject to the following conditions:

1. The lot shall be surfaced in accordance with the conditions set forth in Section 28.04.145 of the Code.
2. If lighting is provided, the lights shall be so arranged to deflect or direct light away from the residential zoning district.
3. A screening fence not less than 6 feet nor more than 8 feet in height shall be erected along the south property line and the west line of the parking area. Such fence shall be of wood or masonry and be effectively solid to prevent the passage of light from vehicles and to prevent the blowing of debris.
4. The applicant shall maintain the property in good condition and free of all weeds, dust, trash and other debris.
5. The parking area shall be used for passenger vehicles only, and in no case shall it be used for sales, repair work, storage, or the dismantling or servicing of any vehicles, equipment, materials or supplies.
6. Failure to complete the improvement of the parking lot in twelve months from approval by the Board shall null and void this Resolution.

BZA CASE NO. 3-83

2 NOTICES SENT TO APPLICANT/AGENT

10 NOTICES SENT TO MAPC

1 NOTICES SENT TO CPO

20 NOTICES SENT TO ADJOINING PROPERTY OWNERS

33 TOTAL NOTICES SENT 2-2-83

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

February 2, 1983

NOTICE TO ADJOINING PROPERTY OWNERS:

CASE NO. BZA 3-83

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 Burreis C. Crawford, 805 North Mission, 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 the "A" Two-family Dwelling District and legally described as follows:

The east 55 feet of Lot 11 and the east 55 feet of the north 16.66 feet of Lot 12, Block 1, Beverly Manor Addition to Wichita, Sedgwick County, Kansas. Generally located on the east side of Marcilene and south of Kellogg (518 South Marcilene).

This application has been assigned Case No. BZA 3-83. It will be considered by the Board of Zoning Appeals on February 22, 1983 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

BOARD OF ZONING APPEALS

CASE NO. 3-83

CITY OF WICHITA, KANSAS

FILED 1-24-83

APPLICATION FOR EXCEPTION

I. Name of Applicant Burris C. Crawford

Mailing Address 805 N. Mission Phone _____

Name of Authorized Agent Gene Razook

Mailing Address 5900 E. Central Phone 683-7511

Relationship of applicant to property is that of owner
(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} permit

~~Paving a portion of rear yard according to city code for employee parking for adjoining center which is also owned by applicant.~~

on property zoned "A" 2-two family dwelling district
on the east side of Marcellene and south of Kellogg
located (518 S. Marcellene)

and legally described as: The east 55 feet of east 55 feet of the
Lot 11 and the north 16.66 feet of lot 12,

Block 1, Beverly Manor Addition to Wichita, Sedgwick Co., Ks,

_____, 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 BURRIS C. CRAWFORD

Authorized Agent James A. Razook

OFFICE USE ONLY: Received in Office of Secretary, Board of Zoning Appeals, 2:30 (a.m.-p.m.), JAN 24, 1983, together with appropriate fee of 2.00.

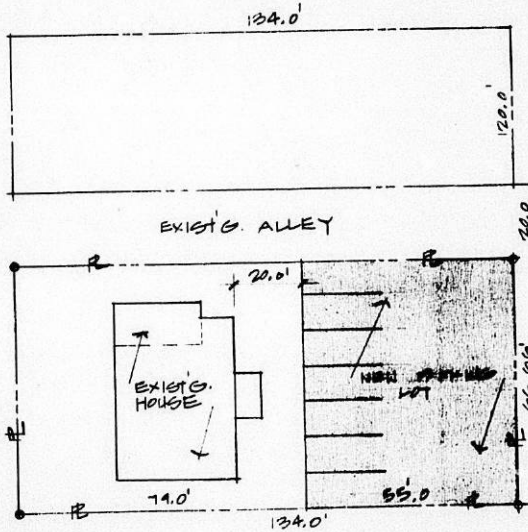
Signed [Signature]

LEGAL DESCRIPTION

LOT 11 AND THE NORTH 10.00 FEET OF
LOT 12, BLOCK 1, BEVERLY MANOR
ADDITION

KELLOGG AVE.

MARGILENE
TERRACE



NORTH



SITE PLAN

N. W. 1/4 SEC. 25. TWP. 27. R. 1 E.

97



MAP 67

MAP 131

OWNERSHIP LIST

<u>Lot</u>	<u>Block</u>	<u>Addition</u>	<u>Property Owner</u>
1 & 2	1	Beverley Manor	Leland W. Opperman and Claudine Opperman, <u>Address</u> <u>Unknown</u>
3	"	" "	✓ D. L. Engel and Virginia M. Engel, 1145 W. 13th St., 67203
4 & 5	"	" "	✓ Gordon A. Rogers, 415 N. Oliver, 67208
6	"	" "	Hyde Heating and Cooling, ✓ Inc., 5511 E. Kellogg, 67218
7, 8, 9 & 10	"	" "	✓ Frances Swindell, 747 S. Parshing, 67218
11 & the N 16 2/3 ft. of Lot 12	"	" "	✓ Helen V. Smith, <u>Address</u> <u>Unknown</u>
S 33 1/3 ft." of 12 & th N 33 1/3 ft of Lot 13	"	" "	✓ Aymer L. Achenbach and Alfreda Achenbach, 524 Marcilene, 67218
S 16 2/3 ft. " of 13 and all of Lot 14	"	" "	✓ Keith Olson and Kathryn J. Olson, 530 Marcilene, 67218
15	"	" "	✓ Marjorie C. French, <u>Address Unknown</u>
16	"	" "	✓ Guy H. Goddard and Mar- garet R. Goddard, <u>Address</u> <u>Unknown</u>
23	"	" "	✓ Ronald B. Davis and Nancy L. Davis, 1148 S. Hillside 67211
24 & the S 1/2 of Lot 25	"	" "	✓ Albert L. Keith and Martha A. Keith, <u>Address Unknown</u>
N 25 ft. of Lot 25 & all of Lot 26	"	" "	✓ Huldah H. Busey, 609 N. Volutsia, 67214

<u>Lot</u>	<u>Block</u>	<u>Addition</u>	<u>Property Owner</u>
27	1	Beverley Manor	E. Vernon Alexander and ✓ Doris Louise Alexander, 521 S. Edgemoor, 67218
28	"	" "	✓ Frances Swindell Monson, 747 S. Pershing, 67218
1 & 2	2	" "	✓ Alve Jo Barela , <u>Address</u> <u>Unknown</u>
3 & 4	"	" "	✓ Lloyd J. Collins and Jessie Faye Collins, 739 S. Edgemoor, 67218
5 & 6	"	" "	✓ Jerry E. Stanyer and Marsha Kay Stanyer, 114 Pineview, Andover, 67002
12 & the N 12.5 ft. of Lot 13	"	" "	✓ Bernard J. Govert and Lorene F. Govert, 11922 E. 31st St. S., 67210
S 37.5 ft of Lot 13 & the N $\frac{1}{2}$ of Lot 14	"	" "	✓ Forrest L. Yourdon, 6226 Marjorie Lane, 67208
S 25 ft of " Lot 14 & all of Lot 15	"	" "	✓ Sheryl A. Doyon, <u>Address</u> <u>Unknown</u> 130 S. <i>Lancaster Rd.</i> <i>Lot 228</i>
N $\frac{1}{2}$ of Lot " 24 & all of Lot 25	"	" "	✓ Peggy Busby, 537 Marcilene, 67218
26	"	" "	✓ Wilfred H. Govert and Mary F. Govert, 531 Marcilene, 67218
27	"	" "	✓ James Walter Giles and Karon I. Giles, 525 Marcilene, 67218
28	"	" "	✓ G. Lula Magdaleno, 521 Marcilene, 67218
29	"	" "	✓ Carol A. Kennedy, 7942 Dublin Court, 67206

Page 3.

We hereby certify the foregoing to be a true and correct list of the property owners within a 200 foot radius of

Lot 11, and the North 16 2/3 feet of Lot 12,
Block 1, Beverley Manor, Sedgwick County,
Kansas

as shown by the last deed of record on file in the Office of the Register of Deeds of Sedgwick County, Kansas, on the 19th day of January, 1983, at 7:00 A.M.

THE SECURITY ABSTRACT & TITLE CO., INC.

By

Mary Gable
Vice-President

Order No. 316098
GE

**MICROFILMED
FROM THE BEST
AVAILABLE COPY**

FORM 021

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 _____