

BZA 10-70 - Wesley Medical Center
request Variance to permit extension
of cantilevered canopy to extend 11
feet into req. 20 ft. front yard set-
back adjacent to east side of Hillside

4-28-70 Approved

POSTED

4-3-70

~~CH~~

MAPU

C.IV

5-22-70

~~CH~~

4-28-70 Approved

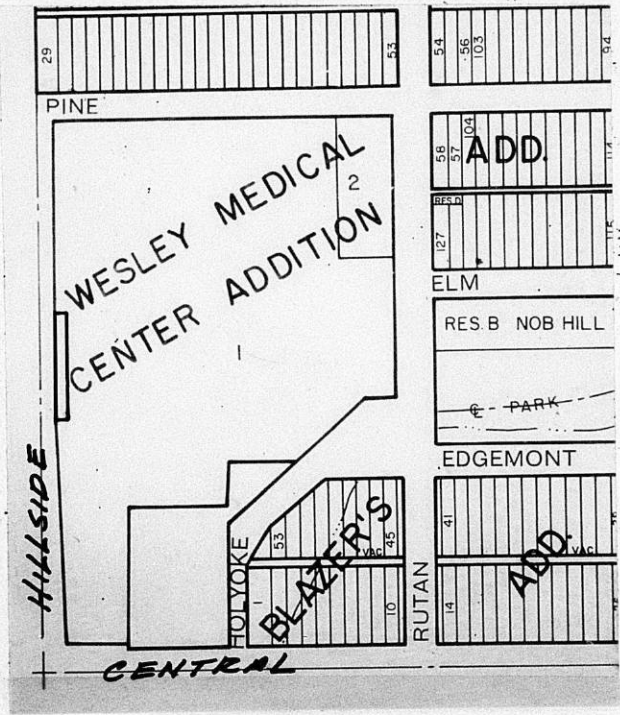
BZA 10-70 - Wesley Medical Center
request Variance to permit extension
of cantilevered canopy to extend 11
feet into req. 20 ft. front yard set-
back adjacent to east side of Hillside

Map No. 5748
 Sec. 1A
 Twp. 27
 Range 1E

E2A 10-70
 SCZ- _____
 CU- _____
 Filed _____

AREA DATA:
 1. Acres: _____ (20 ft. by 194 ft.)
 2. Adjoining Zoning: E _____ S _____ W _____ N _____
 3. Land Use: East WESLEY MED CENTER South WESLEY MED CENT
 West RESTURANT North WESLEY MED CENT
 4. Sketch Plan Land Use is for: _____
 5. Present Land Use is for: _____
 6. Area (is) (is not) platted.

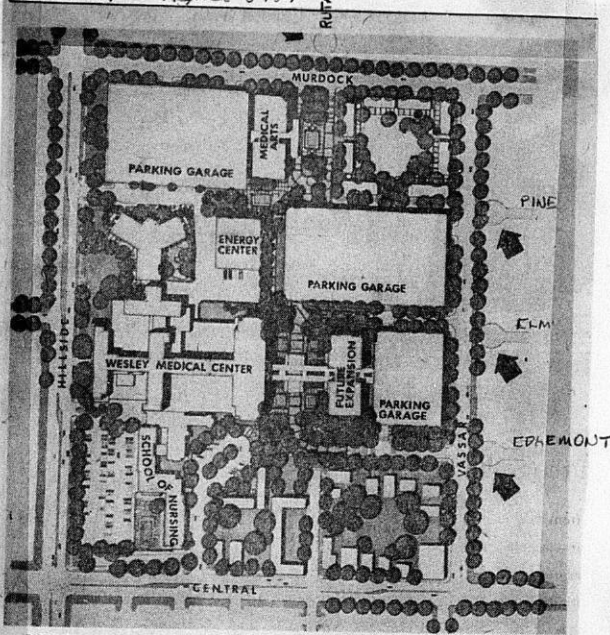
PHOTO DATA:
 Taken by _____ Date _____ Time _____



JUNE 18, 1970

WICHITA EAGLE 6-18-70

WESLEY HOSP.
FILE



UNOFFICIAL MASTER PLAN FOR WESLEY MEDICAL CENTER
... Arrows point to four cul de sacs for nearby streets ...

Wesley Airs Plan for Hospital Area

By HOWARD ENGLISH, Eagle Staff Writer

Wesley Medical Center officials Wednesday revealed some of their long range goals for the 12-square block area bounded by Central, Hillside, Vassar and Murdock.

The plans, unofficial projections prepared by a local consulting firm, were shown at a meeting of the city traffic commission in connection with a request to make Pine an eastbound one-way street from Hillside to Rutan.

After a lengthy discussion, traffic commissioners unanimously approved the change, which will permit visitors to have easier access to the Memorial Medical Pavilion.

THIS FALL, the pavilion will become the main entrance for hospital visitors. Kenneth Stewart, attorney for Wesley, said. The entrance on Hillside will be used for admission and discharge of patients, he said.

The plans call for cul de sacs on four nearby streets to

separate hospital from residential traffic, and for expansion into a square block that is now city park property.

TWO RESIDENTS of the Sleepy Hollow area to the east who appeared at the meeting said they were glad the hospital was finally giving nearby residents an idea of long-range plans. But despite pleas to release the plans, Wesley officials later asked that the tentative long-range plan not be released to the public.

Stewart emphasized that uses shown on the "Master Development Plan" are simply proposals by Oblinger & Smith and have not been approved by the board of trustees.

However, in an interview following the meeting, A. B. Davis, hospital associate administrator, said a plan that is substantially definite is to have the proposed 17-story East Tower become the center of the hospital complex, with access to the tower from the east.

(Turn to Page 12A, Col. 1)

June 18, 1970

Many Street Changes Planned Near Hospital

★ From Page 1

CUL DE SACS on Pine, Elm, and Edgemont Place at their intersections with Vassar would keep hospital traffic from loading up residential streets in the Sleepy Hollow neighborhood. Another cul de sac is planned for Rutan at its intersection with Murdock.

W. J. Quinn, 3817 Sleepy Hollow Dr., chairman of the commission, said many nearby residents have called him asking how the hospital plans to treat problems with drainage and traffic control in future expansion.

Verne Laing, 3728 Sleepy Hollow, said Wesley is "not being fair to the area by not telling residents what they're going to do." After examining the plans, Laing said, "If I knew the cul de sacs were going in, I'd be very happy."

Laing suggested that Rutan be made the major traffic carrier for the hospital, instead of Vassar. But Lowell Richardson of Oblinger & Smith said this would be incompatible with Wesley's goal of making the complex primarily a pedestrian area.

ANOTHER GOAL. Richardson said, is to vacate all streets in the 12-square block area so Central, Hillside, Vassar and Murdock can carry periphery traffic. Streets inside this area would be private drives, Richardson said.

Besides the uncertainty of plans for the park land, Davis said Wesley eventually plans to acquire all the land in the area except a small strip along Hillside between Pine and Murdock, and land along Central east and west of Rutan, which includes the Wesley Motor Hotel, 3258 E. Central, and residential and office buildings.

deputy director, said there have been "no serious discussions. They may have talked with Mr. (Emory) Cox (department director)."

A **SMALL PARCEL** of land north of the Wesley Motor Hotel was sold to the hospital last year, Allen said. "I cannot speculate on what might be done," he said. "It is not usually our interest to sell land, but sometimes a practical situation could cause the park board to consider this."

Mrs. James Goebel, 3402 E. Elm, said she was concerned about the cul de sacs because her corner lot would be affected. However, Paul Graves, traffic department engineer, said the cul de sacs "will very definitely be an asset to the residential property to the east."

The recent completion of new parking facilities, and construction of a temporary barricade on Pine at Vassar has helped resolve some of the traffic problems in the area, Graves said.

THE MASTER PLAN

showed a circular entrance drive with exits at Vassar, Edgemont and Elm. This will permit cars to unload on the east side of the tower at what will be the main entrance.

Davis said completion of the master plan, whatever the specifics are, is ten years away at the earliest. But construction of one or more parking garages will occur before then, he said.

CONSTRUCTION ON the seven floors of the tower will begin next fall and will be completed in two years, he said. Much of the long-range development will hinge on completion of the remaining floors to be added (probably 10) to the tower at a later date, he added.

Davis had no comment on whether Wesley had discussed purchasing the park land with the park board or park department officials. Tom Allen, park department

RESOLUTION BZA 10-70

WHEREAS, Wesley Medical Center, 550 North Hillside, Wichita, Kansas, by Kenneth P. Stewart, 340 South Broadway, Wichita, Kansas, requests a variance as provided in Section 2.12.590.B, Code of the City of Wichita, to permit the extension of a cantilevered canopy to extend 11 feet into the required 20 foot front yard setback adjacent to the east side of Hillside on property zoned "BB"-Office District, and legally described as follows:

Commencing on the West line of Lot 1, Wesley Medical Center Addition, 423.6 feet North of the Southwest corner of said lot, thence northerly on the West line of said Lot 1 a distance of 194 feet more or less to a point 617.6 feet North of the Southwest corner of said Lot 1, thence Easterly a distance of 20 feet, thence Southerly parallel to the West line of said lot to a point 20 feet East of the point of beginning thence westerly 20 feet to the point of beginning, in said Lot 1, Wesley Medical Center Addition, Wichita, Kansas. Generally located on the east side of Hillside, north of Central.

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 April 28, 1970, 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 the hospital is a large facility which already exists and the proposed cantilevered canopy will be open and unenclosed and will not hamper the view of traffic, 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 hospital owns the entire frontage for several hundred feet and there is no one either to the north or south which would have their view obstructed, and

WHEREAS, the Board of Zoning Appeals has found 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 inasmuch as they could not afford protection from inclement weather for persons entering and leaving the hospital; 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 additional projection of the cantilevered canopy into the setback area will not affect any of the surrounding properties nor will it create a traffic hazard; 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 main structure will still maintain the required 20 foot setback and all that will project is the cantilevered canopy; and

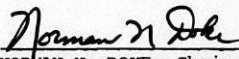
WHEREAS, each of the five conditions required by Section 2.12.590.B, Code of the City of Wichita, to be present before a variance can be granted, have been found to exist.

NOW, THEREFORE, BE IT RESOLVED by the Board of Zoning Appeals of the City of Wichita, that this request for a variance to permit the extension of a cantilevered canopy to extend 11 feet into the required 20 foot front yard setback adjacent to the east side of Hillside on property zoned "BB"-Office District, and legally described as:

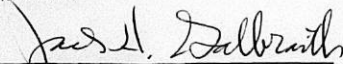
Commencing on the West line of Lot 1, Wesley Medical Center Addition, 423.6 feet North of the Southwest corner of said lot, thence northerly on the West line of said Lot 1 a distance of 194 feet more or less to a point 617.6 feet North of the Southwest corner of said Lot 1, thence Easterly a distance of 20 feet, thence Southerly parallel to the West line of said lot to a point 20 feet East of the point of beginning thence westerly 20 feet to the point of beginning, in said Lot 1, Wesley Medical Center Addition, Wichita, Kansas.
Generally located on the east side of Hillside, north of Central.

be approved.

ADOPTED AT WICHITA, KANSAS, this 28th day of April, 1970.


NORMAN N. DOKE, Chairman

ATTEST:


JACK H. GALBRAITH, Secretary

May 5, 1970

Mr. Kenneth P. Stewart
340 South Broadway
Wichita, Kansas 67202

Dear Mr. Stewart:

Subject: Case No. BZA 10-70
Request for Variance

Enclosed is a signed copy of the Resolution adopted by the Board of Zoning Appeals on April 28, 1970, in connection with your request for a variance to permit the extension of a cantilevered canopy to extend 11 feet into the required 20 foot front yard setback adjacent to the east side of Hillside on property zoned "BB"-Office District and generally located on the east side of Hillside north of Central.

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

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

Very truly yours,

Jack H. Galbraith
Secretary

JHG:ls

Enclosure

cc Wesley Medical Center, 550 North Hillside
Robert Feldner, Superintendent of Central Inspection
Joe Donnelly, Central Inspection
Ralph Eberly, City Clerk

April 29, 1970

Mr. Kenneth P. Stewart
340 South Broadway
Wichita, Kansas 67202

Dear Mr. Stewart:

Subject: Case No. BZA 10-70
Request for Variance

At the regular meeting of the Board of Zoning Appeals on Tuesday, April 28, 1970, your request for a variance to permit the extension of a cantilevered canopy to extend 11 feet into the required 20 foot front yard setback adjacent to the east side of Hillside on property zoned "BB"-Office District, and generally located on the east side of Hillside, north of Central, was considered.

It was the action of the Board to approve this request subject to the conditions recommended in the Secretary's Report.

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.

Very truly yours,

Jack H. Galbraith
Secretary

JHG:ls

cc Wesley Medical Center, 550 North Hillside, Wichita
Robert Feldner, Superintendent of Central Inspection
Joe Donnelly, Central Inspection
Ralph Eberly, City Clerk

SECRETARY'S REPORT
Case No. BZA 10-70

APPLICANT: Wesley Medical Center, 550 North Hillside, Wichita,
Kansas

AGENT: Kenneth P. Stewart, 340 South Broadway, Wichita, Kansas

REQUEST: Variance pursuant to Section 2.12.590.B, Code of the
City of Wichita, to permit the extension of a canti-
levered canopy to extend 11 feet into the required
20 foot front yard setback adjacent to the east side
of Hillside

GENERAL LOCATION: On the east side of Hillside, north of Central

ZONING: Subject property is zoned "BB"-Office District as is that
to the east, north and south; west is "LC"-Light Commer-
cial

LAND USE: Subject property is unoccupied; east is hospital;
west is restaurant; north and south is parking

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 applica-
tion.

4. That the variance desired will not adversely affect the public health, safety, morals, order, convenience, prosperity 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 Wesley Medical Center is planning to construct a circular drive from Hillside to provide a means for patients entering and leaving the hospital to be let out or picked up at the main entrance. As a part of their plan a cantilevered canopy is proposed to be constructed over a part of the drive to afford protection for persons from inclement weather.

Section 28.04.188.3 of the Zoning Ordinance states that "canopies may project into a required front yard not more than 5 feet". The cantilevered canopy proposed by the architect extends into the setback a distance of 11 feet and, therefore, the applicant has requested a variance.

UNIQUENESS:

It is the opinion of the Secretary that this is somewhat of a unique situation inasmuch as the hospital is a large facility which already exists and the proposed cantilevered canopy will be open and unenclosed and will not hamper the view of traffic.

ADJACENT PROPERTY:

It is the opinion of the Secretary that the granting of the variance would not adversely affect the adjacent property inasmuch as the hospital owns the entire frontage for several hundred feet and there is no one either to the north or south which would have their view obstructed.

HARDSHIP:

It is the opinion of the Secretary that if the variance is not granted this would create a hardship on the applicant inasmuch as they could not afford protection from inclement weather for persons entering and leaving the hospital.

Page 3 - Secretary's Report
Case No. BZA 10-70

PUBLIC INTEREST:

It is the opinion of the Secretary that the granting of the variance would not adversely affect the public interest inasmuch as the additional projection of the cantilevered canopy into the setback area will not affect any of the surrounding properties nor will it create a traffic hazard.

SPIRIT AND INTENT

It is the opinion of the Secretary that the granting of the variance would not be opposed to the spirit and intent of Title 28 inasmuch as the main structure will still maintain the required 20 foot setback and all that will project is the cantilevered canopy.

RECOMMENDATION:

It is the opinion of the Secretary that all of the five conditions necessary to the granting of the variance can be found to exist and, therefore, it is recommended that the request be granted to permit the extension of a cantilevered canopy into the required front yard setback a distance not to exceed 11 feet.

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

April 8, 1970

NOTICE TO ADJOINING PROPERTY OWNERS

Case No. BZA 10-70

An application has been filed by Wesley Medical Center, 550 North Hillside, Wichita, Kansas, pursuant to Section 2.12.590.B, Code of the City of Wichita, requesting a variance to permit the extension of a cantilevered canopy to extend 11 feet into the required 20 foot front yard setback adjacent to the east side of Hillside, on property zoned "BB"-Office District, and legally described as follows:

Commencing on the West line of Lot 1, Wesley Medical Center Addition, 423.6 feet North of the Southwest corner of said lot, thence northerly on the West line of said Lot 1 a distance of 194 feet more or less to a point 617.6 feet North of the Southwest corner of said Lot 1, thence Easterly a distance of 20 feet, thence Southerly parallel to the West line of said lot to a point 20 feet East of the point of beginning thence Westerly 20 feet to the point of beginning, in said Lot 1, Wesley Medical Center Addition, Wichita, Kansas. Generally located on the east side of Hillside, north of Central.

This application has been assigned Case No. BZA 10-70, and will be considered by the Board of Zoning Appeals at its meeting on Tuesday, April 28, 1970, at 1:30 p.m., in Room 401 City Building Annex, 104 South Main Street, Wichita, Kansas, at which time you may appear, if you so desire, either in person or by agent or attorney.

JACK E. GALBRAITH
Secretary

9 copies mailed 4-8-70

LAW OFFICES OF
BOYER, DONALDSON & STEWART

WICHITA FEDERAL SAVINGS BUILDING
340 SOUTH BROADWAY

WICHITA, KANSAS 67202

March 30, 1970

AMHERST 4-7321
AREA CODE 318

JOHN E. BOYER
GEORGE J. HONDROS (1910-1982)
PAUL J. DONALDSON
KENNETH R. STEWART
JAMES R. HANSON
ROBERT L. SMITH

Metropolitan Area Planning Department
City Building Annex
Wichita, Kansas 67202

RE: Wesley Medical Center
Z-1152

Gentlemen:

We enclose on behalf of The Wesley Medical Center, Application for Variance from Code Section 28.04.188 in order to permit a projection into a required building setback for the construction of a canopy or, as more fully described in the Application for Variance, Exhibit "A" and the sketch attached thereto, which is enclosed. Our check No. 4995 in the amount of \$50.00 for payment of filing fee, together with a copy of the Ownership List is enclosed.

Yours very truly,

BOYER, DONALDSON & STEWART

By 

KPS/cf
Enclosures

cc: Mr. Roy C. House
Mr. A. B. Davis, Jr.
Mr. O. C. Estes
Mr. Robert Harris

APPLICATION FOR VARIANCE

I. Name of Applicant THE WESLEY MEDICAL CENTER
Mailing Address 550 North Hillside, Wichita, Ks. Phone MU 52151
67214
Name of Authorized Agent KENNETH P. STEWART of Boyer, Donaldson & Stewart
Mailing Address 340 S. Broadway, Wichita, Ks. Phone AM 47321
67202

Relationship of applicant to property is that of _____
(owner, tenant, etc.)

II. The variance is for a variance to permit the extension of a cantilevered canopy to extend 11 feet into the required 20 foot front yard setback adjacent to the east side of Hillside.
entitled ion 28.04.188.3
may project ates "...canopies..
permit a an 5 feet.." to
by Exhibit Lot 1 described
for property North of Central
and legal _____

in the City of _____ and "BB" _____
(Give meeting date): _____

III. The applicant as advertised for public hearing 4/3/70
a. That the applicant 4/1/70 acknowledges: _____
b. That the applicant 4/1/70 is aware of the requirements of the ordinance and that a fee is here-

c. That he has been advised of his right to appeal of the decision of the Board to the City Commission within ten (10) days of that decision;
d. That all documents are attached hereto as noted in paragraphs 3 and 4 of the instructions.

THE WESLEY MEDICAL CENTER
550 N. Hillside
Wichita, Kansas 67214
Applicant
By: Kenneth P. Stewart
Authorized Agent
KENNETH P. STEWART, 340 S. Broadway

OFFICE USE ONLY: Received in office of Secretary, Board of Zoning Appeals, 3:00 (a.m. - p.m.), March 30, 1970, together with appropriate fee of \$50.00.

Curt Newby
Signed

Commencing on the West line of Lot 1, Wesley Medical Center Addition, 423.6 feet North of the Southwest corner of said lot, thence northerly on the West line of said Lot 1 a distance of 194 feet more or less to a point 617.6 feet North of the Southwest corner of said Lot 1, thence Easterly a distance of 20 feet, thence Southerly parallel to the West line of said lot to a point 20 feet East of the point of beginning thence Westerly 20 feet to the point of beginning, in said Lot 1, Wesley Medical Center Addition, Wichita, Kansas

REASONS FOR VACATION IN ACCORDANCE WITH CODE SECTION 2.12.590.B

1. The property located on either side of the property subject to variance request is owned by the applicant.
2. The proposed building and street improvements will enable vehicular circulation and pedestrian safety.

The attached sketch indicates that the canopy will project 11 feet into the 20 foot building setback.

EXHIBIT "A"

OWNERSHIP LIST

Lot	Street	Addition	property owner
1		Wesley Medical Center Addition	Wesley Medical Center 550 N. Hillside
Reserve		"	"
1	Hillside Ave	Schuckmans Addition	Richard L. Brown & Emma Brown 720 N. Vassar, Wichita, 67208
2	"	"	"
3	"	"	"
4	"	"	"
5	"	"	"
6	"	"	"
85	"	Resurvey of Buck's 2nd Addition	<input checked="" type="checkbox"/> Jack W. Kice, 3021 E. Clark Wichita, 67211 <input checked="" type="checkbox"/> Russell W. Kice, 3401 Bellaire Wichita, 67218 <input checked="" type="checkbox"/> James V. Kice, 3345 Bellaire Wichita, 67218
87	"	"	"
89	"	"	<input checked="" type="checkbox"/> Lillian Preston Kessler & Richard Watson Preston Addresses unknown 6 Cotton Court, 12065 Geneva, N.Y.
91	"	"	"
93	"	"	"
95	"	"	"
97	"	"	<input checked="" type="checkbox"/> Secor Vacuum Oil Co Mobil Oil Company Address unknown 925 Grand Ave. KC, Mo
99	"	"	"
101	"	"	<input checked="" type="checkbox"/> Gladys Oweida Snodgrass, Trustee 357 N. Roosevelt, Wichita Kansas, 67208
103	"	"	"
105	"	"	"
107	"	"	"
109	"	"	<input checked="" type="checkbox"/> Richard L. Brown & Emma Twietmeyer Brown, 720 N. Vassar, Wichita, 67208
111	"	"	"

*provided by
Co. Clerks
Office*

The Security Abstract and Title Company, Inc., hereby certifies the foregoing to be a true and correct list of property owners within a 200 foot radius of the following tract to-wit:
423.6 feet North of the Southwest corner

Commencing on the West line of Lot 1, Wesley Medical Center Addition to Wichita, Sedgwick County, Kansas, thence Northerly along the West line of said Lot 1, a distance of 194 feet more or less to a point 617.6 feet North of the Southwest corner of said lot 1, thence East a distance of 20 feet, thence Southerly parallel to the West line of said Lot 1, to a point 20 feet East of the place of beginning thence West to the place of beginning

as shown by the last deeds on file in the Office of the Register of Deeds of Sedgwick County, Kansas, on this 23rd day of March, 1970 at 7:00 o'clock A. M.

THE SECURITY ABSTRACT AND TITLE COMPANY, INC.

By

Lucille Schmidt

Vice-President

Order No. 169771

Form 2-21

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.	Pibg. Cert.
Sanitation	Sewer	Signs	Sidewalk
Street	Trailer		

850.00

DESCRIPTION	AMOUNT
-------------	--------

B-71-C

41/200 Med Cert

Name

Address

Type

Due Date

Comments:

Date

By

7-24-71

Curtis

*

This BZA. Case
Has a Large Drawing
On 35mm Microfilm
Roll # 1