

BZA 12-76 - LOOPCO, Inc. requests  
variance to reduce the frontage  
requirement from 75' to 74.77 on  
property generally located in the  
approximate vicinity of Rock Rd.  
and E. Lincoln St.

ACTION

BZA COMMITTEE Approved DATE 5-25-76

M.A.P.C. \_\_\_\_\_

B.C.C./B. CO. C. \_\_\_\_\_

*POSTED*  
*5-4-76*  
*[Signature]*  
*WAPD*  
*C.I.V.*  
*6-14-76*

BZA 13-76 - LOOPCOB Inc. request  
Variance to reduce the frontage  
requirement from 75' to 74.77 on  
property generally located in the  
approximate vicinity of Rock Rd.  
and B. Street in the



RESOLUTION NO. BZA 12-76

WHEREAS, Loopco, Inc., 6572 East Central, Wichita, Kansas, requests a variance as provided in Section 2.12.590.B, Code of the City of Wichita to reduce the required minimum lot width for two-family dwellings, from 75 feet to 70 feet and to reduce the required lot size, for two-family dwellings, from 5,000 square feet per dwelling unit to 4,710 square feet per dwelling unit on property zoned the "R-6" General Residence District, and legally described as follows:

Lots 1 and 2, Halls Subdivision in Broadmoor Addition, and Lots 3, 4, 5, 6, and 7, Block B, Broadmoor Addition, Wichita, Sedgwick County, Kansas. Generally located between Longfellow Lane and Enoch Drive in an area south of Lincoln Street.

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 May 25, 1976, 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 property is zoned for a much greater number of dwelling units than proposed here, in a general area that can be expected to develop at a higher residential density; 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 proposed development of subject property would be at a much lower density than permitted and would be the same or a lower density than could be expected to occur on surrounding undeveloped property; 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 they could not develop this property with twelve duplexes, but could develop the property with multiple family structures up to approximately 80 to 85 dwelling 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 the property would 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 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.

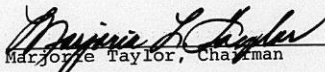
NOW, THEREFORE, BE IT RESOLVED by the Board of Zoning Appeals of the City of Wichita that this request for a variance to reduce the required minimum lot width for two-family dwellings, from 75 feet to 70 feet and to reduce the required lot size, for two-family dwellings, from 5,000 square feet per dwelling unit to 4,710 square feet per dwelling unit on property zoned the "R-6" General Residence District and legally described as follows:

Lots 1 and 2, Halls Subdivision in Broadmoor Addition and Lots 3, 4, 5, 6, and 7, Block B, Broadmoor Addition, Wichita, Sedgwick County, Kansas. Generally located between Longfellow Lane and Enoch Drive in an area south of Lincoln Street,

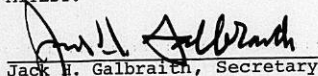
be approved subject to the following conditions:

1. The applicants shall obtain the appropriate Replat of Block B, Broadmoor Addition to create ten lots.
2. Lots 1 and 2 of Halls Subdivision in Broadmoor Addition and the N 1/2 of Lot 3 and the S 1/2 of Lot 3 in Block B, Broadmoor Addition shall be reduced in lot frontage to 74.77 feet.
3. That portion of Block B, Broadmoor Addition on Longfellow Lane proposed to be replatted into six lots shall be reduced in lot frontage to 70 feet and in lot area to 9,420 square feet, except the southernmost lot which will maintain the required frontage and size.
4. All other minimum area and bulk regulations not specifically varied by Conditions 2 and 3 above, shall be maintained.

ADOPTED AT WICHITA, KANSAS, this 25th day of May, 1976.

  
Marjorie Taylor, Chairman

ATTEST:

  
Jack H. Galbraith, Secretary

June 11, 1976

Mr. Pete Russell  
1400 Colleen  
Wichita, Kansas 67230

Subject: Case No. BZA 12-76  
Request for Variance

Dear Mr. Russell:

Enclosed is a signed copy of the Resolution adopted by the Board of Zoning Appeals on May 25, 1976, in connection with your request for a variance to reduce the required minimum lot width for two family dwellings, from 75 feet to 70 feet and to reduce the required lot size for two family dwellings from 5,000 square feet per dwelling unit to 4,710 square feet per dwelling unit on property zoned the "R-6" General Residence District, and generally located between Longfellow Lane and Enoch Drive in an area south of Lincoln Street.

This Resolution reflects the official action of the Board to approve the request and sets out the conditions of approval. 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,

Larry Dobson  
Assistant Secretary

LD:hh  
Encl.

cc: Craig Lawrence, 14742 Twinlake, 67230  
Loopco, Inc., 6572 E. Central, 67206  
Don Gisick, City Clerk  
Robert Feldner, Supt., Central Inspection  
Joe Donnelly, Central Inspection

XXXXXXXXXXXXXXXXXXXX  
XXXXXXXXXXXXXXXXXXXX

Tenth Floor, City Hall  
455 North Main

May 26, 1976

Mr. Pete Russell  
1400 Colleen  
Wichita, Kansas 67230

Subject: Case No. BZA 12-76  
Request for Variance

Dear Mr. Russell:

At the regular meeting of the Board of Zoning Appeals on May 25, 1976, your request for a variance to reduce the required minimum lot width for two family dwellings, from 75 feet to 70 feet and to reduce the required lot size for two family dwellings from 5,000 square feet per dwelling unit to 4,710 square feet per dwelling unit on property zoned the "R-6" General Residence District, and generally located between Longfellow Lane and Enoch Drive in an area south of Lincoln Street was considered.

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

1. The applicants shall obtain the appropriate Replat of Block B, Broadmoor Addition to create ten lots.
2. Lots 1 and 2 of Halls Subdivision in Broadmoor Addition and the N 1/2 of Lot 3 and the S 1/2 of Lot 3 in Block B, Broadmoor Addition shall be reduced in lot frontage to 74.77 feet.
3. That portion of Block B, Broadmoor Addition on Longfellow Lane proposed to be replatted into six lots shall be reduced in lot frontage to 70 feet and in lot area to 9,420 square feet, except the southernmost lot which will maintain the required frontage and size.

Mr. Pete Kussell  
May 26, 1976

4. All other minimum area and bulk regulations not specifically varied by conditions 2 and 3 above, shall be maintained.

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.

Sincerely yours,



Larry Dobson  
Assistant Secretary

LD:bh  
cc:

Craig Lawrence, 14742 Twinlake, 67230  
Loopco, Ind., 6572 East Central, 67206  
Don Gisick, City Clerk  
Robert Feldner, Supt., Central Inspection  
Joe Donnelly, Central Inspection

**THE CITY OF WICHITA**  
**OFFICE OF CITIZEN PARTICIPATION**

**DATE** May 18, 1976



**TO** Metropolitan Area Planning Commission (Board of Zoning Appeals)  
**FROM** David Furnas, Citizen Participation Coordinator  
**SUBJECT** BZA 12-76

At the May 17, 1976, CPO meeting, Area H voted unanimously to take no action on BZA case 12-76.

David Furnas  
Citizen Participation Coordinator

DF:K0:rh



SECRETARY'S REPORT  
CASE NO. BZA 12-76

APPLICANT: Loopco, Inc., 6572 E. Central, Wichita, Kansas.

AGENT: Pete Russell, 1400 Colleen and Craig Lawrence, 14742 Twinlake, Wichita, Kansas

REQUEST: Variance pursuant to Section 2.12.590.B, Code of the City of Wichita, to reduce the required minimum lot width for two family dwellings, from 75 feet to 70 feet and to reduce the required lot size for two family dwellings from 5,000 sq. ft. per dwelling unit to 4,710 sq. ft. per dwelling unit.

GENERAL LOCATION: Between Longfellow Lane and Enoch Drive in an area south of Lincoln Street.

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

LAND USE: Subject property is undeveloped as is the property to the south; north is a church; west is developed with duplexes; east is apartment development and undeveloped.

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.

Secretary's Report  
Case No. BZA 12-76  
Page 2

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 applicants are requesting a variance of the required lot size and lot width of several lots zoned the "R-6" General Residence District, but proposed for duplex development.

Subject property contains seven platted lots that are in process of being 'Lot Split' to provide twelve building sites for twelve duplexes.

As mentioned, subject property is zoned the "R-6" General Residence District which requires a lot area of 5,000 square feet per dwelling unit and a minimum lot width of 75 feet when developed with two family dwellings. Subject property, as proposed to be developed, would contain five substandard parcels relative to lot size in that they would contain 4,710 square feet per dwelling unit. Nine of the twelve parcels would need variance from the minimum lot width requirement with five parcels having 70 feet of frontage and four having 74.77 feet of frontage.

It should be noted that the "R-6" zoning district permits multiple family dwellings at the rate of 1 dwelling unit per 1,500 square feet of lot area. Subject property has sufficient area by this standard to permit approximately 80 to 85 dwelling units to be constructed thereon. The applicant is proposing to build a total of 24 dwelling units in the form of twelve duplexes.

Surrounding land uses include apartments, duplexes, a church, and undeveloped property. The undeveloped land to the south is zoned the "AA" Single Family Dwelling District, however, it seems unlikely that single family residential development would occur due to the fact that this property is adjacent to the Kansas Turnpike and surrounded by duplex and multiple family zoning.

UNIQUENESS:

It is the opinion of the Secretary that this variance request arises from a condition unique to this property which is not created

by the actions of the property owners inasmuch as the property is zoned for a much greater number of dwelling units than proposed here, in a general area that can be expected to develop at a higher residential density.

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 the proposed development of subject property would be at a much lower density than permitted and would be the same or a lower density than could be expected to occur on surrounding undeveloped property.

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 applicants inasmuch as they could not develop this property with twelve duplexes, but could develop the property with multiple family structures up to approximately 80 to 85 dwelling units.

PUBLIC INTEREST:

It is the opinion of the Secretary that the granting of the requested variance would not adversely affect the public interest inasmuch as the property would be developed at a lower density than otherwise permitted.

SPIRIT AND INTENT:

It is the opinion of the Secretary that the granting of this variance would 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 for the development of duplexes subject to the following conditions:

1. The applicants shall obtain the appropriate Lot Split or Replat of Block B, Broadmoor Addition to create ten lots.

Secretary's Report  
Case No. BZA 12-76  
Page 4

2. Lots 1 and 2 of Halls Subdivision in Broadmoor Addition and the N 1/2 of Lot 3 and the S 1/2 of Lot 3 in Block B, Broadmoor Addition shall be reduced in lot frontage to 74.77 feet.
3. That portion of Block B, Broadmoor Addition on Longfellow Lane proposed to be split into six lots shall be reduced in lot frontage to 70 feet and in lot area to 9,420 square feet, except the southernmost lot which will maintain the required frontage and size.
4. All other minimum area and bulk regulations not specifically varied by Conditions 2 and 3 above, shall be maintained.

WICHITA-SEDGWICK COUNTY

DATE

**METROPOLITAN AREA PLANNING DEPARTMENT**

May 5, 1976

**TO** David Furnas, CPO Coordinator


**FROM** Larry Dobson, Assistant Secretary, Board of Zoning Appeals

**SUBJECT** Notice of Board of Zoning Appeals Cases  
(Case Numbers BZA 11-76; BZA 12-76; BZA 13-76;  
BZA 14-76; BZA 15-76; BZA 16-75; and BZA 17-76)

Attached are notices of seven new cases to be considered by the Board of Zoning Appeals at its meeting on May 25, 1976. Also attached are sketch maps of the area involved in each case.

If you have any questions, please call.

Sincerely,

  
\_\_\_\_\_  
Larry Dobson  
Assistant Secretary

LD:bh  
Attach.

21 notices sent to adjoining property owners, agent and applicant  
10 notices sent to members of MAPC  
31 notices sent on BZA 12-75 -- 5-4-76

BOARD OF ZONING APPEALS

(3) 12-76

CASE NO. \_\_\_\_\_

CITY OF WICHITA, KANSAS

FILED \_\_\_\_\_

APPLICATION FOR VARIANCE

I. Name of Applicant Loopco Inc.

Mailing Address 6572 East Central Phone 686-7216

Name of Authorized Agent Pete Russell  
Craig Lawrence

Mailing Address 1400 Colleen Wichita 67230 733-2237  
14742 Twinlake Wichita 67230 Phone 733-0477

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

II. The variance requested is \_\_\_\_\_

See attached #1

for property located Approximate vicinity of Rock Road &

East Lincoln, Between Enoch Drive and Longfellow Street

and legally described as: ██████████ Lots One (1), and two (2),

Halls Subdivision in Broadmoor, Wichita, Sedgwick County, Kansas.

Also: Lots Three (3), Four (4), (5), Six (6), and Seven (7),  
Block B in Broadmoor Addition, Wichita, Sedgwick County, Kansas  
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.

Loopco Inc  
Pete Russell  
Applicant  
Craig Lawrence  
Authorized Agent

OFFICE USE ONLY: Received in office of Secretary, Board of Zoning Appeals 2:30 (a.m. (p.m.)), 4-2 1976 together with appropriate fee of \$50.00.

T9-402

Larry Dobson  
Signed  
subj to receiving abstract list and revised plat plan



April 14, 1976

Lot 1 & 2, Halls Subdivision, Broadmoor Addition.  
Request: Frontage variance from 75' to 74.77'

Lot 3, ~~6, 7~~, Block B, Broadmoor Addition  
Request: Frontage variance from 75' to 74.77'

~~Lot 4, Block B, Broadmoor Addition.  
Request: Frontage variance for South half,  
Lot 4, from 75' to 60'~~

Lot 5, Block B, Broadmoor Addition  
Request: Frontage variance from 75' to 74.77'  
Reduction of square footage requirement from 5000 sq. foot per unit to 4072.09 sq. foot, per unit. on the South half, lot 5.

~~ALL~~ Lot 5

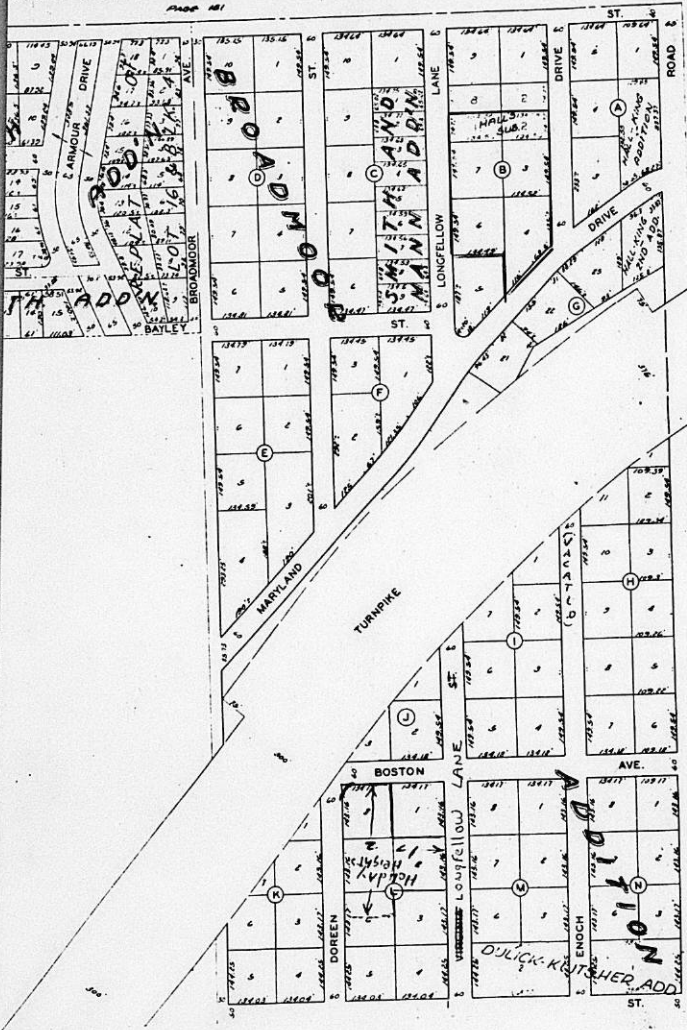
N 50.92' Lot 5 & All of Lots 6 & 7 (For a total of 5 Lot Split Building Sites)

Request: AREA Sq. Ft. VARIANCE FROM 5,000 $\phi$  to 4,710 $\phi$   
AND FRONTAGE VARIANCE FROM 75' TO 70'



# 4 SEC. 30. TWP. 27. R. 2. E.

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ROCK

CERTIFICATE OF OWNERSHIP

REALTY TITLE CO., INC. hereby certifies the following to be a true and correct list of the property owners as shown by the last deed of record in the Office of the Register of Deeds, Sedgwick County, Kansas, of:

Lots 1 and 2, HALL'S Sub. in BROADMOOR ADDITION  
 AND  
 Lots 3, 4, 5, 6 and 7, Block B, BROADMOOR ADDITION  
 together with all real estate lying within a 200 foot radius thereof



<u>DESCRIPTION</u>	<u>OWNER(S)</u>	<u>ADDRESS</u>	
<u>Hall's Sub. in Broadmoor Addition</u>			
<u>Lots</u> 1 & 2	Loopco, Inc.	D 6572 E. Central Wichita, Ks.	67206
<u>Broadmoor Addition Block B</u>			
<u>Lots</u> South 65 ft. Lot 1	Lincoln Baptist Church	✓ 7801 East Lincoln Wichita, Ks.	67207
North 84.5 ft. Lot 1	(same as above)		
N/2 Lot 2	(same as above)		
Lot 3	Loopco Inc.	D 6572 E. Central Wichita, Ks.	67206
Lot 4	(same as above)		
Lot 5	(same as above)		
Lot 6	(same as above)		
Lot 7	(same as above)		
N/2 Lot 8	Lincoln Baptist Church	D 7801 East Lincoln Wichita, Ks.	67207
Lot 9	(same as above)		
<u>Block A</u>			
<u>Lots</u> 1	City of Wichita	✓ 455 North Main Wichita, Ks.	67202
Lot 3, exc. Beg. at SW/c of Lot 3, th. NEly along SEly line of Lot 3, 14 ft., th. NWly to pt. on W. line, 64 ft. N. of SW/c, th. South to beg.	Urban Const. & Dev. Inc.	✓ 786 N. Ridge Rd. Wichita, Ks.	67212
That part of Lot 3 described as beg. at SW/c of sd. lot, th. NEly alg. Sly. line of sd. lot, 14'; th. NWly to pt. on W. line of sd. Lot, 64' N. of SW/c; th. S to pt. of beg.	George L. Hall and Velma L. Hall	✓ 5901 S. Greenwich Rd. Wichita, Kansas	67210

DESCRIPTION	OWNER(S)	ADDRESS	
<u>Block A</u> (continued)			
<u>Lots</u>			
N/2 Lot 4	✓ Stephen L. Clark	7837 Pagent Wichita, Ks.	67206
S/2 Lot 4	(same as above)		
..	✓ (LIFE ESTATE)Layman L.Clark and Lena Ann Clark, h/w	4301 E. Kellogg Wichita, Ks.	67218
5	✓ Stephen L. Clark	7837 Pagent Wichita, Ks.	67206
<u>Block C</u>			
<u>Lots</u>			
N/2 Lot 6	✓ Luella M. Daggy	7707 E. Lincoln Wichita, Ks.	67207
	✓ Elizabeth Erickson; John W. Erickson; Duane Steven Erickson David Allen Erickson	952 S. Doreen Wichita, Ks.	67207
S/2 Lot 6	✓ Arthur L. Cook and Erma M. Cook	7012 E. Kellogg Wichita, Ks.	67207
N/2 Lot 7	✓ William Harry Boggs and Virginia M. Boggs	838 S. Edgemoor Wichita, Ks.	67218
S/2 Lot 7	✓ Harold B. Hill and Dorothy J. Hill	946 S. Doreen Wichita, Ks.	67207
S/2 Lot 8	✓ Paul A. Wright and Ethel M. Wright	314 W. Old Manor Wichita, Ks.	67208
N/2 Lot 8	✓ Donald P. Housholder and Peggy J. Housholder	928 S. Doreen Wichita, Ks.	67207
S/2 Lot 9	✓ Rodney A. Dix and Linda A. Dix	235 S. Kansas Ave. Wichita, Ks.	67211
N/2 Lot 9	✓ J. Roy Benson and Agatha E. Benson	916 S. Doreen Wichita, Ks.	67207
Lot 10, exc. N. 84.54 ft.	✓ Mahlon T. Regier and Marilyn S. Regier	7307 E. Morris Wichita, Ks.	67207
N. 84.54 ft. Lot 10	✓ James Herman Hoenscheidt & Bonnie Jeanne Hoenscheidt	2412 W. Douglas Wichita, Ks.	67203

DESCRIPTION	OWNER(S)	ADDRESS
<u>Block F</u>		
N. 79.54 ft. of Lot 1	✓ Dorothy Rodgers and Rozeila Roche	✓ RFD #2 Leroy, Kans. ?
N. 79.54 ft. of Lot 3	✓ J. E. Ziegler and Ruby K. Ziegler	636 So. Volutsia Wichita, Ks. 67211
S. 70 ft. of Lot 3	Thomas H. Maupin and Karen J. Maupin, h/w	1008 S. Doreen Wichita, Ks. 67207
<u>Hall-King</u>		
Lot 1	George L. Hall	5901 S. Greenwich Rd. Wichita, Ks. 67210
<u>Hall-King 2nd Addition</u>		
Lot 1	City of Wichita	455 N. Main Wichita, Ks. 67202
<u>Smith &amp; Mann Addition</u>		
<u>Lots</u>		
1	✓ Homer L. Smith and Ronald L. Smith	838 S. Edgemoor Wichita, Ks. 67218
2	(same as above)	
3	(same as above)	
4	(same as above)	
5	(same as above)	
6	(same as above)	
7	(same as above)	
8	(same as above)	
9	(same as above)	

WITNESS our hand and seal at Wichita, Kansas, this  
7th day of April, 1976, at 7:00 o'clock A.M.

No. H13476 \_\_\_\_\_

REALTY TITLE CO., INC.

By

*Linda Ayala*  
(Linda Ayala)



FORM 123-001

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		

DESCRIPTION	AMOUNT

Name

Address

Type	Due Date
------	----------

Comments:

Date	By
------	----

\*

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