

B.C.C./B. CO. C.

MZM ✓
CZM ✓

~~10/11/69~~

BZA- 13-68 - Rainbo Baking Co. re-
quests exception to permit construct-
ion of addition to building on west
side of Minneapolis between Pawnee
and Glen Oaks Drive.

POST-D
4-11-68

ACTION

DATE

783a COMMITTEE

approved 6-25-68
subject to conditions

M.A.P.C. _____

B.C.C./B. CO. C. _____

mzm ✓
czm ✓

~~10/11/69~~

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side of Minneapolis between Pawnee
and Glen Oaks Drive.

Map No. 5644
 Sec. 3
 Twp. 28
 Range

44 BZA 13-68
 sec-
 ed-
 Filed 4-8-68

APPLICATION DATA: From N/A to
 1. Applicant: Rainbo Baking Company
 Address 2530 Southeast Drive Phone FO 37566
 2. Agent: George P. Hammond, President
 Address 2530 Southeast Drive Phone FO 37566
 3. General Location: West side of Minneapolis, between Pawnee and
Glen Oaks Drive Address
 4. Proposed Use:

AREA DATA:
 1. Acres: 5 (500 ft. by 375 ft.)
 2. Adjoining Zoning: E 80' AA S A W AA N LC
 3. Land Use: East Single Family South Single & Double Family
 West K-15, R.R. R/W, Single Family North Delite Inn Restaurant & Vacant
 4. Sketch Plan Land Use is for: Residential
 5. Present Land Use is for: Kainbo Bakery
 6. Area (is) (is/~~is not~~) platted.

PHOTO DATA:
 Taken by Date Time



Garland Wiyath
Rambon Bales Co.
263 7566

SECRETARY'S REPORT

CASE NO. BZA 13-68

- APPLICANT:** Rainbo Baking Company, 2530 Southeast Drive, Wichita, Kansas.
- AGENT:** George P. Hammond, 2530 Southeast Drive, Wichita, Kansas.
- REQUEST:** Exception pursuant to Section 2.12.590.C, Code of the City of Wichita to permit the installation or construction of an addition to the existing bakery facilities.
- GENERAL LOCATION:** On the west side of Minneapolis between Pawnee and Glen Oaks Drive.
- LAND USE:** Subject property is occupied by the Rainbo Bakery, to the north is a drive-in and vacant, to the east single family residences, to the south is a single family home and duplex with Highway K-15 and the Santa Fe Railroad to the west.
- ZONING:** Existing property is zoned "LC" Light Commercial as is that to the north, to the east is "AA" and "RB" zoning with "AA" zoning to the west and "A" zoning to the south.

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 providing the conditions as set out under Section 28.04.183.1 can be met.

COMMENTS BY THE SECRETARY

The Rainbo Baking Company desires to expand their existing facilities and has submitted this application asking that the Board of Zoning Appeals grant them the right to have the maximum building coverage, one-third of the net land area as provided by Condition 1.3 in Section 28.04.183 of the Zoning Ordinance.

At its meeting on August 16, 1955, the City Planning Commission considered the location of a bakery on Lot 10, Mosteller Addition. The site relationship for the proposed use was considered in conjunction with the surrounding area. Action of the Commission was to vote unanimously that the location of a proposed Rainbo Bakery be approved and that such use, if properly treated, would be in harmony with the elements or objectives of the Master or Comprehensive Plan.

On August 26, 1955, the Board of Zoning Appeals considered BZA Case 10-55, in which the applicant requested approval to erect a bakery employing more than 5 people on subject property. In approving the application, the Board stipulated as one of the conditions of approval, that the building area not exceed 25% of the total net area (not including streets and alleys) inasmuch as the "LC" and "B" areas within the tract were considered as one tract.

The Metropolitan Area Planning Commission at its recessed meeting on May 13, 1968, considered a request for a zone change (Z-0986) from "A, "B" and "LC" to "LC" for the properties presently owned by the Rainbo Baking Company at its existing plant site. The action of the Planning Commission was to recommend that the application be approved, subject to the applicant guaranteeing the installation of a sidewalk adjacent to Minneapolis and guaranteeing the closing of the curb returns on the vacated alley adjacent to Minneapolis. This recommendation was concurred in by the Board of City Commissioners at its regular meeting on May 28, 1968.

In addition to considering the aforementioned zone case at its recessed meeting of May 13, 1968, the Metropolitan Area Planning Commission considered whether or not the existing Rainbo Bakery, located on the west side of Minneapolis between Pawnee and Glen Oaks Drive, was in harmony with the various elements and objectives of the Comprehensive Development Plan for the Wichita-Sedgwick County Metropolitan Area.

After considerable discussion, and since the Planning Commission in August, 1955 approved the location as being in harmony, if properly treated, with the elements and objectives of the Master or Comprehensive Plan, it was moved, seconded and carried unanimously that such use for the application area described in zone case Z-0986 is still desirable and essential and is in harmony with the various elements of the Comprehensive Development Plan.

The action of the Commission was based on the assumption that the Board of Zoning Appeals again would provide for screening adjacent to Minneapolis, access control, appropriate building setbacks, and any other reasonable control that would protect the adjacent residences.

RECOMMENDATION

Based on the foregoing comments it is the recommendation of the Secretary that this request be approved subject to the following conditions and requirements:

1. The maximum building coverage of land area shall not exceed more than one-third (1/3) of the total land area.
2. The minimum building setback from the south and east property lines shall be 100 feet.
3. The minimum building setback from the west property line shall be 30 feet.
4. All materials shall be within a completely enclosed building (no outside storage).
5. All parking and loading areas shall be paved with concrete or asphalt and must not cover more than one-half (1/2) of required open space.
6. The maximum number of employees shall be fifteen (15) per net acre of land in any one (1) shift.
7. No noxious odors or undue noise shall be detectable from the property line.
8. Ingress and egress to and from Minneapolis shall be limited to the two existing alleys adjacent to the north and south property lines.
9. The applicant shall submit a plot plan of the bakery property to the Central Inspection Division of the Department of Public Works for the review and approval of the City Traffic Engineer.

Page 4 - Secretary's Report
Case No. BZA 13-68

Said plan shall include locations of off-street parking spaces for employees, the width and dimensions of said spaces, markings for channelization and the location and width of entrance ways. Two copies of the approved plan shall be submitted to the Secretary of the Board of Zoning Appeals.

10. The existing louvered wood fence adjacent to the east and south property lines shall be maintained in good condition.
11. The area shall be properly policed through inspection by the owner for the proper maintenance and removal of trash.
12. No signs shall be permitted adjacent to the east or south property lines.
13. All lights shall be shielded to direct light away from adjacent residential properties.
14. No sound projecting devices or loudspeakers shall be used so as to be heard outside of any structure.

R E S O L U T I O N No. BZA 13-68

WHEREAS, Rainbo Baking Company, 2530 Southeast Drive, Wichita, Kansas, by George P. Hammond, 2530 Southeast Drive, Wichita, Kansas requests an exception as provided in Section 2.12.590.C, Code of the City of Wichita, to permit the installation or construction of an addition to the existing bakery facilities on property zoned "LC" Light Commercial, and legally described as follows:

Lot 10, Fred P. Mosteller Addition and Lots 1 & 2, in Block 1, Murphy Addition to Wichita, Sedgwick County, Kansas. Generally located on the west side of Minneapolis between Pawnee and Glen Oaks Drive.

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 June 25, 1968, 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 installation or construction of an addition to the existing bakery facilities on property zoned "LC" Light Commercial, subject to the conditions outlined in Section 28.04.183.1, 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 installation or construction of an addition to the existing bakery facilities on property zoned "LC" Light Commercial, and legally described as follows:

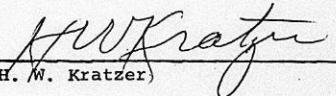
Lot 10, Fred P. Mosteller Addition and Lots 1 & 2, in Block 1, Murphy Addition to Wichita, Sedgwick County, Kansas. Generally located on the west side of Minneapolis between Pawnee and Glen Oaks Drive.

subject to the following conditions:

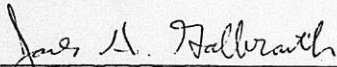
1. The maximum building coverage of land area shall not exceed more than one-third (1/3) of the total land area.
2. The minimum building setback from the south and east property lines shall be 100 feet.
3. The minimum building setback from the west property line shall be 30 feet.
4. All materials shall be within a completely enclosed building (no outside storage).
5. All parking and loading areas shall be paved with concrete or asphalt and must not cover more than one-half (1/2) of required open space.

6. The maximum number of employees shall be fifteen (15) per net acre of land in any one (1) shift.
7. No noxious odors or undue noise shall be detectable from the property line.
8. Ingress and egress to and from Minneapolis shall be limited to the two existing alleys adjacent to the north and south property lines.
9. The applicant shall submit a plot plan of the bakery property to the Central Inspection Division of the Department of Public Works for the review and approval of the City Traffic Engineer. Said plan shall include locations of off-street parking spaces for employees, the width and dimensions of said spaces, markings for channelization and the location and width of entrance ways. Two copies of the approved plan shall be submitted to the Secretary of the Board of Zoning Appeals.
10. The existing louvered wood fence adjacent to the east and south property lines shall be maintained in good condition.
11. The area shall be properly policed through inspection by the owner for the proper maintenance and removal of trash.
12. No signs shall be permitted adjacent to the east or south property lines.
13. All lights shall be shielded to direct light away from adjacent residential properties.
14. No sound projecting devices or loudspeakers shall be used so as to be heard outside of any structure.

ADOPTED AT WICHITA, KANSAS, this 25th day of June, 1968.


H. W. Kratzer

ATTEST:


Jack H. Galbraith, Secretary

July 15, 1968

Mr. John C. Frank
Union National Building
Wichita, Kansas 67202

Subject: Case No. BZA 13-68
Request for Exception

Dear Mr. Frank:

Enclosed is a signed copy of the Resolution adopted by the Board of Zoning Appeals on June 25, 1968, in connection with your request for an Exception to permit the installation or construction of an addition to the existing bakery facilities on property zoned Light Commercial, and generally located on the west side of Minneapolis between Pawnee and Glen Oaks Drive.

This Resolution reflects the official action of the Board 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.

Sincerely,

Jack H. Galbraith
Secretary

JHG:js
Attachment

cc: Rainbo Baking Company
George P. Hammond, President
2530 Southeast Drive

Ralph Eberly,
City Clerk

Robert Feldner, Superintendent
of Central Inspection

RESOLUTION No. BZA 13-68

WHEREAS, Rainbo Baking Company, 2530 Southeast Drive, Wichita, Kansas, by George P. Hammond, 2530 Southeast Drive, Wichita, Kansas requests an exception as provided in Section 2.12.590.C, Code of the City of Wichita, to permit the installation or construction of an addition to the existing bakery facilities on property zoned "LC" Light Commercial, and legally described as follows:

Lot 10, Fred P. Mosteller Addition and Lots 1 & 2, in Block 1, Murphy Addition to Wichita, Sedgwick County, Kansas. Generally located on the west side of Minneapolis between Pawnee and Glen Oaks Drive.

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 June 25, 1968, 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 installation or construction of an addition to the existing bakery facilities on property zoned "LC" Light Commercial, subject to the conditions outlined in Section 28.04.183.1, 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 installation or construction of an addition to the existing bakery facilities on property zoned "LC" Light Commercial, and legally described as follows:

Lot 10, Fred P. Mosteller Addition and Lots 1 & 2, in Block 1, Murphy Addition to Wichita, Sedgwick County, Kansas. Generally located on the west side of Minneapolis between Pawnee and Glen Oaks Drive.

subject to the following conditions:

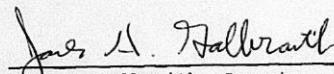
1. The maximum building coverage of land area shall not exceed more than one-third (1/3) of the total land area.
2. The minimum building setback from the south and east property lines shall be 100 feet.
3. The minimum building setback from the west property line shall be 30 feet.
4. All materials shall be within a completely enclosed building (no outside storage).
5. All parking and loading areas shall be paved with concrete or asphalt and must not cover more than one-half (1/2) of required open space.

6. The maximum number of employees shall be fifteen (15) per net acre of land in any one (1) shift.
7. No noxious odors or undue noise shall be detectable from the property line.
8. Ingress and egress to and from Minneapolis shall be limited to the two existing alleys adjacent to the north and south property lines.
9. The applicant shall submit a plot plan of the bakery property to the Central Inspection Division of the Department of Public Works for the review and approval of the City Traffic Engineer. Said plan shall include locations of off-street parking spaces for employees, the width and dimensions of said spaces, markings for channelization and the location and width of entrance ways. Two copies of the approved plan shall be submitted to the Secretary of the Board of Zoning Appeals.
10. The existing louvered wood fence adjacent to the east and south property lines shall be maintained in good condition.
11. The area shall be properly policed through inspection by the owner for the proper maintenance and removal of trash.
12. No signs shall be permitted adjacent to the east or south property lines.
13. All lights shall be shielded to direct light away from adjacent residential properties.
14. No sound projecting devices or loudspeakers shall be used so as to be heard outside of any structure.

ADOPTED AT WICHITA, KANSAS, this 25th day of June, 1968.


H. W. Kratzer

ATTEST:


Jack H. Galbraith, Secretary

June 26, 1968

Mr. John C. Frank
Union National Bldg.
Wichita, Kansas 67202

Subject: Case No. BZA 13-68
Request for Exception

Dear Mr. Frank:

At the regular meeting of the Board of Zoning Appeals on June 25, 1968, your request for an exception to permit the installation or construction of an addition to the existing bakery facilities on property zoned "LC" Light Commercial, and generally located on the west side of Minneapolis between Pawnee and Glen Oaks Drive was considered.

It was the action of the Board to approve this request, subject to the conditions recommended in the Secretary's Report. Prior to the preparation of a Resolution effectuating this exception, it will be necessary that you comply with Condition No. 9 and submit two copies of a revised plot plan approved by the City Traffic Engineer which indicates the location of off-street parking spaces for employees, the width and dimensions of said spaces, markings for channelization and the location and width of entrance ways.

At such time as this condition is complied with we will forward you a copy of the signed Resolution.

If you have any questions, please call our office.

Sincerely,

Jack H. Galbraith
Secretary

JHG:js

Mr. John C. Frank
June 26, 1968
Page 2

cc: Rainbo Baking Company
2530 Southeast Drive
Wichita, Kansas 67216

Paul D. Moyer
2451 S. Minnesota
Wichita, Kansas 67216

Robert Feldner
Superintendent of Central Inspection

Ralph Eberly
City Clerk

SECRETARY'S REPORT

CASE NO. BZA 13-68

APPLICANT: Rainbo Baking Company, 2530 Southeast Drive, Wichita, Kansas.

AGENT: George P. Hammond, 2530 Southeast Drive, Wichita, Kansas

REQUEST: Exception pursuant to Section 2.12.590.C, Code of the City of Wichita to permit the installation or construction of an addition to the existing bakery facilities.

GENERAL LOCATION: On the west side of Minneapolis between Pawnee and Glen Oaks Drive.

LAND USE: Subject property is occupied by the Rainbo Bakery, to the north is a drive-in and vacant, to the east single family residences, to the south is a single family home and duplex with Highway K-15 and the Santa Fe Railroad to the west.

ZONING: Existing property is zoned "LC" Light Commercial as is that to the north, to the east is "AA" and "RB" zoning with "AA" zoning to the west and "A" zoning to the south.

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 providing the condition as set out under Section 28.04.183.1 can be met.

COMMENTS BY THE SECRETARY

The Rainbo Baking Company desires to expand their existing facilities and has submitted this application asking that the Board of Zoning Appeals grant them the right to have the maximum building coverage, one-third of the net land area as provided by Condition 1.3 in Section 28.04.183 of the Zoning Ordinance.

At its meeting on August 16, 1955, the City Planning Commission considered the location of a bakery on Lot 10, Mosteller Addition. The site relationship for the proposed use was considered in conjunction with the surrounding area. Action of the Commission was to vote unanimously that the location of a proposed Rainbo Bakery be approved and that such use, if properly treated, would be in harmony with the elements or objectives of the Master or Comprehensive Plan.

On August 26, 1955, the Board of Zoning Appeals considered BZA Case 10-55, in which the applicant requested approval to erect a bakery employing more than 5 people on subject property. In approving the application, the Board stipulated as one of the conditions of approval, that the building area not exceed 25% of the total net area (not including streets and alleys) inasmuch as the "LC" and "B" areas within the tract were considered as one tract.

The Metropolitan Area Planning Commission at its recessed meeting on May 13, 1968, considered a request for a zone change (Z-0986) from "A, "B" and "LC" to "LC" for the properties presently owned by the Rainbo Baking Company at its existing plant site. The action of the Planning Commission was to recommend that the application be approved, subject to the applicant guaranteeing the installation of a sidewalk adjacent to Minneapolis and guaranteeing the closing of the curb returns on the vacated alley adjacent to Minneapolis. This recommendation was concurred in by the Board of City Commissioners at its regular meeting on May 28, 1968.

In addition to considering the aforementioned zone case at its recessed meeting of May 13, 1968, the Metropolitan Area Planning Commission considered whether or not the existing Rainbo Bakery, located on the west side of Minneapolis between Pawnee and Glen Oaks Drive, was in harmony with the various elements and objectives of the Comprehensive Development Plan for the Wichita-Sedgwick County Metropolitan Area.

After considerable discussion, and since the Planning Commission in August, 1955 approved the location as being in harmony, if properly treated, with the elements and objectives of the Master or Comprehensive Plan, it was moved, seconded and carried unanimously that such use for the application area described in zone case Z-0986 is still desirable and essential and is in harmony with the various elements of the Comprehensive Development Plan.

The action of the Commission was based on the assumption that the Board of Zoning Appeals again would provide for screening adjacent to Minneapolis, access control, appropriate building setbacks, and any other reasonable control that would protect the adjacent residences.

RECOMMENDATION

Based on the foregoing comments it is the recommendation of the Secretary that this request be approved subject to the following conditions and requirements:

1. The maximum building coverage of land area shall not exceed more than one-third ($1/3$) of the total land area.
2. The minimum building setback from the south and east property lines shall be 100 feet.
3. The minimum building setback from the west property line shall be 30 feet.
4. All materials shall be within a completely enclosed building (no outside storage).
5. All parking and loading areas shall be paved with concrete or asphalt and must not cover more than one-half ($1/2$) of required open space.
6. The maximum number of employees shall be fifteen (15) per net acre of land in any one (1) shift.
7. No noxious odors or undue noise shall be detectable from the property line.
8. Ingress and egress to and from Minneapolis shall be limited to the two existing alleys adjacent to the north and south property lines.
9. The applicant shall submit a plot plan of the bakery property to the Central Inspection Division of the Department of Public Works for the review and approval of the City Traffic Engineer.

Page 4 - Secretary's Report
Case No. BZA 13-68

Said plan shall include locations of off-street parking spaces for employees, the width and dimensions of said spaces, markings for channelization and the location and width of entrance ways. Two copies of the approved plan shall be submitted to the Secretary of the Board of Zoning Appeals.

10. The existing louvered wood fence adjacent to the east and south property lines shall be maintained in good condition.
11. The area shall be properly policed through inspection by the owner for the proper maintenance and removal of trash.
12. No signs shall be permitted adjacent to the east or south property lines.
13. All lights shall be shielded to direct light away from adjacent residential properties.
14. No sound projecting devices or loudspeakers shall be used so as to be heard outside of any structure.

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

June 5, 1968

NOTICE TO ADJOINING PROPERTY OWNERS

Case No. BZA 13-68

An application has been filed by Rainbo Baking Company, 2530 Southeast Drive, Wichita, Kansas, by George P. Hammond, 2530 Southeast Drive, Wichita, Kansas, pursuant to Section 2.12.590.C, Code of the City of Wichita, requesting an exception to permit the installation or construction of an addition to the existing bakery facilities on property approved for "LC" Light Commercial zoning by the Board of City Commission at its meeting of May 28, 1968, and legally described as follows:

Lot 10, Fred P. Mosteller Addition and Lots 1 & 2, in Block 1, Murphy Addition to Wichita, Sedgwick County, Kansas. Generally located on the west side of Minneapolis between Pawnee and Glen Oaks Drive.

This application has been assigned Case No. BZA 13-68, and will be considered by the Board of Zoning Appeals at its meeting on Tuesday, June 25, 1968, at 1:30 p.m., in Room 401 City Building Annex, 104 South Main, Wichita, Kansas, at which time you may appear, if you so desire, either in person or by agent or attorney.

JACK H. GALBRAITH
Secretary

*25 notices
mailed 6-5-68*

WICHITA—SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
COMMISSION

AMHERST 2-8211 — AREA CODE 316
CITY BUILDING ANNEX
104 S. MAIN ST.
WICHITA, KANSAS 67202

May 16, 1968

Board of Zoning Appeals
City Building Annex
104 South Main
Wichita, Kansas 67202

Subject: The Rainbo Baking Company

Gentlemen:

At its recessed meeting of May 13, 1968, the Metropolitan Area Planning Commission considered whether or not the existing Rainbo Bakery, located on the west side of Minneapolis between Pawnee and Glen Oaks Drive, was in harmony with the various elements and objectives of the Comprehensive Development Plan for the Wichita-Sedgwick County Metropolitan Area.

After considerable discussion, and since the Planning Commission in August, 1955 approved the location as being in harmony, if properly treated, with the elements and objectives of the Master or Comprehensive Plan, it was moved, seconded and carried unanimously that such use for the application area described in zone case Z-0986 is still desirable and essential and is in harmony with the various elements of the Comprehensive Development Plan. The action of the Commission was based on the assumption that the Board of Zoning Appeals again would provide for screening adjacent to Minneapolis, access control, appropriate building setbacks, and any other reasonable control that would protect the adjacent residences.

This information is forwarded to you and should satisfy Condition

WICHITA—SEDGWICK COUNTY

Board of Zoning Appeals
May 16, 1968
Page 2

1.1 in Section 28.04.183 of the Zoning Ordinance so that you can consider BZA 13-68 at your regular meeting on June 25, 1968.

Sincerely yours,

C. Bickley Foster

C. Bickley Foster
Secretary

CBF:js

May 1, 1968

Metropolitan Area Planning Commission Members

Jack H. Galbraith, Secretary, Board of Zoning Appeals

Request by Rainbo Baking Company that the Board of Zoning Appeals grant an exception for their bakery in an "LC" district

Associated with the zone Case Z-0986, filed by the Rainbo Bakery Company, is an accompanying case for an exception for their use which has been filed and to be considered in June by the Board of Zoning Appeals. Section 28.04.183 of the Zoning Ordinance provides, in part, that the Board of Zoning Appeals may by special permit authorize a bakery in an "LC" district subject to certain conditions. Condition 1.1 of the Zoning Ordinance provides as follows:

"1.1 Such location shall first be approved in writing by the Planning Commission who shall find such use is desirable and essential and is in harmony with the various elements or objectives of the master or comprehensive plan."

As indicated in the Planning Department comments for Case Z-0986, the Board of Zoning Appeals in 1955 granted an exception for this use at the bakery's present location, however, only a 25% building coverage was permitted. The applicant has now requested a zoning change so that their proposed expansion may extend into an area presently zoned "B" multiple-family. It is also necessary, because of the 25% permitted coverage, that they seek relief from the Board of Zoning Appeals so that their facility may exceed the 25% requirement.

It is necessary that the Planning Commission consider the proposed use and determine whether or not such use is a desirable and essential use and is in harmony with the various elements and objectives of the Comprehensive Development Plan. The Planning Commission's findings should be submitted to the Board of Zoning Appeals so that they may consider the exception request.

Consideration of this matter will be placed on your agenda for May 9, 1968.

JHG:ber

Zoning Case -

MAPC May 9, 1968

BCC May 28, 1968

BCC sec. read. June 4, 1968

Published June 7, 1968

BZA June 25, 1968

BOARD OF ZONING APPEALS

CASE NO. B3a 13-68

CITY OF WICHITA, KANSAS

FILED 4-8-68

APPLICATION FOR EXCEPTION

I. Name of Applicant Rainbo Baking Co.
Mailing Address 2530 Southeast Dr. 16 Phone FO 3-7566
Name of Authorized Agent George P. Hammond
Mailing Address 2530 Southeast Dr. 16 Phone FO 3-7566
Relationship of applicant to property is that of President
(owner, tenant, lessee, other).

II. Application is made for an exception as provided in Section
28.04.183 §1, Code of the City of Wichita, Kansas
(Zoning Ordinance); to permit the installation or construction
of an addition to the building
_____ on property zoned
LC and B, located at 2530 Southeast Dr.
_____ and legally described as: Lot 10
Fred P. Mosteller's Addition and Lots 1 & 2, Block 1, Murphy
Addition, in the City of Wichita.
(Give metes and bounds description below if appropriate).
(See attached statement to comply with instruction #3.)

III. The applicant herein, or his authorized agent:

- A. Acknowledges receipt of an instruction sheet relating to this application for an exception.
- B. Agrees to conform to all requirements of the appropriate section of the Zoning Ordinance if this application is approved;
- C. Acknowledges that he has been advised of his right of appeal of the decision of the Board to the Board of City Commissioners within ten (10) days of the date of that decision.

Applicant George P. Hammond
Authorized Agent President

OFFICE USE ONLY: Received in office of Secretary, Board of Zoning Appeals, 9:45 (a.m. - p.m.), April 9, 1968, together with appropriate fee of \$50.00.

Signed Jack H. Galbraith
(jm)

On August 26, 1955 the Board of Zoning Appeals granted Rainbo Baking Co. the right to build its present structure on the property legally described at # II. At the hearing the Board calculated the entire area as being 203,212 square feet. The present building site covers 41,205 square feet which is less than 25% of the entire area. At that time the Board further ordered that the building structure should not cover more than 25% of the total land area.

Rainbo Baking Co. has increased the area in which its products are sold and the population in its sales area has greatly increased since 1955. It is therefore necessary that the size of the building structure be increased. The area of the proposed addition is 8,594 square feet as shown by the attached plot.

It should be further pointed out to this Board that Rainbo Baking Co. was ordered at that time to enclose in its building area all loading docks and these loading docks comprise about 50% of its building structure.

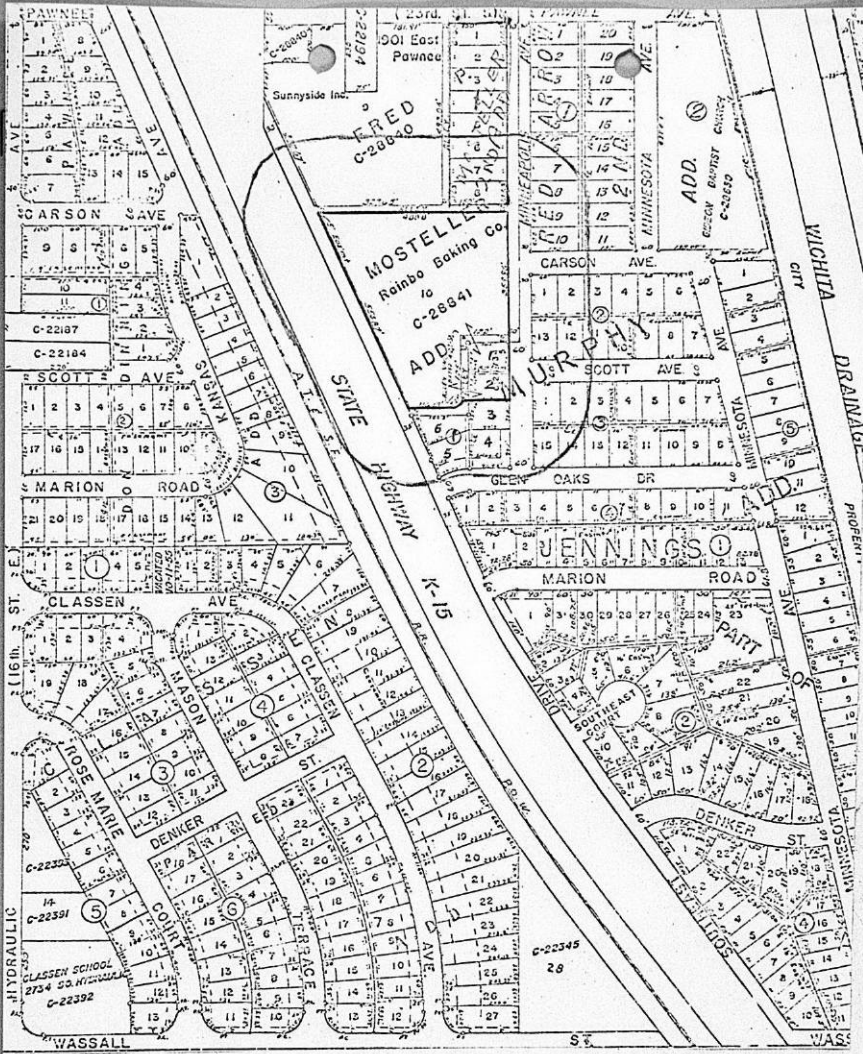
The purpose of this application is to have this Board grant the Rainbo Baking Co. the right to have the maximum building coverage one-third of the total land area as provided in the ordinances of the City of Wichita 28.04.183 §1.3 which provides that the maximum building coverage of land area shall be one (1) square foot of ground area of building to three (3) square feet of land area.

At the time that this Board made its ruling in 1955 Lot 10 Mosteller's Addition on which the building site and grounds were located was zoned "B" and "LC". There is presently an application with the Metropolitan Area Planning Commission to zone all of the Rainbo Baking Co. property which includes Lot 10 Mosteller's Addition and Lot 1 & 2, Block 1, Murphy Addition to LC. The proposed addition to the structure would have a small part extending onto what is now zoned "B" in Lot 10 Mosteller's Addition.

The granting of the permit applied for by the Rainbo Baking Co. will not adversely affect the rights of adjacent property owners or residents. In fact, the adjacent property owners would find no difference as far as they are concerned in the present use of the property with the existing structure than when the addition is added.

The permit asked by Rainbo Baking Co. is not against public interest but to the contrary is to the interest of the community because it involves the production of a very necessary commodity which is produced not only for the residents of the City of Wichita but for many counties in the state of Kansas.

The denial of this application would consistute an unnecessary hardship on the Rainbo Baking Co. and they would have to build another bakery in another community.



STATEMENT OF OWNERSHIP

STATE OF KANSAS)
 Sedgwick County,)

The undersigned duly bonded and qualified abstractor within and for the County and State aforesaid, does hereby certify:

That we have examined the records in the office of the Register of Deeds of Sedgwick County, Kansas, with reference to the ownership of the following property in Sedgwick County, Kansas, viz:

Property lying within a radius of 200 ft of:

Lot 10, Fred P. Mosteller Addition and Lots 1 & 2, in Block 1, in Murphy Addition to Wichita, Kansas.


 Fidelity
 Title
 Company.
 inc.

And from such examination find that the owners thereof are as set opposite the description of the property below, viz:

LOT	BLK.	ADDITION	OWNER
9		<u>Fred P. Mosteller</u>	<input checked="" type="checkbox"/> Sunnyside Inc. <input checked="" type="checkbox"/> Vivian I. Mosteller, Pres. 2434 S. Minneapolis (67216)
10			<input checked="" type="checkbox"/> Rainbow Baking Company of Wichita (67216) 2530 Southeast Drive
1		<u>Mosteller 2nd.</u>	<input checked="" type="checkbox"/> Sunnyside Inc. <input checked="" type="checkbox"/> Vivian I. Mosteller, Pres. 2434 S. Minneapolis (67216)
6	1	<u>Red Arrow 2nd</u>	<input checked="" type="checkbox"/> Fred P. & Vivian I. Mosteller 2434 S. Minneapolis (67216) ux
7	1		<input checked="" type="checkbox"/> W. G. McNeil, sgle. 2440 S. Minneapolis (67216)
8	1		<input checked="" type="checkbox"/> Kenneth E. & Betty J. Powell, 2446 S. Minneapolis ux (67216)



LOT	BLK	ADDITION	OWNER
9	1	<u>Red Arrow 2nd.</u>	✓ Lauren E. & Marjory H. Birch, ux 2452 S. Minneapolis (67216)
10	1		✓ Irvin L. & Virginia L. Nixon, ux 2458 S. Minneapolis (67216)
11	1		✓ Glenn E. & Mildred C. Keller, ux 2457 S. Minnesota (67216)
12	1		✓ Paul Devere & Dorothy M. Moyer, ux 2451 S. Minnesota (67216)
13	1		✓ Donald B. & Darlene M. Williams, ux 2445 S. Minnesota (67216)
14	1		✓ Roland G. & Helen M. Mastroly, ux 2439 S. Minnesota (67216)
1 & 2	1	<u>Murphy</u>	✓ Bairbo Baking Company, Wichita 2530 Southeast Drive (67216)
3	1		✓ John R. & Beulah Mae Huffman, ux 2539 S. Minneapolis (67216)
4	1		✓ Charles G. & Bernadine Woodrow, 1812 Glen Oaks Drive (67216) ux
5 & 6,	1		✓ Geneva H. Murphy 2546 Southeast Dr. (67216)
1	2		✓ Jarrett H. & Barbara R. Thomas, 1903 Carson Ave. (67216) ux
2	2		✓ George H., Jr & Norma L. Wilton, 1909 Carson Ave. (67216)
3	2		✓ Anthony Thomas Taravella, & Roberta M. Taravella, ux 1915 Carson Ave. (67216)
11	2		✓ Robert G. & Velma M. Doyle, ux 1914 Scott Ave. (67216)
12	2		✓ William J. & Barbara Dravis, ux 1908 Scott Ave. (67216)
13	2		✓ Frederick D. & Woodell Leavell, 1902 Scott Ave. (67216) ux
1	3		✓ Ray & Vivian I. Dessenberger, ux 1903 Scott Ave. (67216)
2	3		✓ Franklin D. & Marilyn A. Hamrick, 1909 Scott Ave. (67216) ux
14	3		✓ George C. & Janet F. Cheever, ux 1908 Glen Oaks Drive (67216)
15	3		✓ Roy Lee & Eleanor Jean Goodwyn, 1902 Glen Oaks Drive (67216) ux

Dated at Wichita, Kansas this 5th day
of April, 1968 at 7:00 A. M.

FIDELITY TITLE COMPANY, INC.

By Echie M. Lasseell OEM
Sec.

Tracer # 88124

FORM 223-021

PAYMENT NOTICE

City of Wichita

PAY AT TREASURER'S OFFICE - 1ST FLOOR

Bldg & Elev.	Elec.	Elev. Insp.	Exam. Fees
Hoe, Mvr.	Hoe. Moving	Licse.	Mech.
Oil Well	Pav. Cuts	Plan.	Plbg. Cert.
Sanitation	Sewer	Signs	Sidewalk
Street	Trailer		

DESCRIPTION	AMOUNT
BZA Case	\$ 50 ⁰⁰

Name Rainbow Baking Co
Address Wichita
Type R-71-C Due Date _____
Comments: _____

Date 4-9-68 By Jan Murray

*

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