

BZA 17-77 - Pawnee Avenue Church  
of God requests variance to re-  
duce the platted front yard set-  
back from 30 feet to 0 feet on  
property generally located at the  
southwest corner of Cheyenne and  
Pawnee

POSTED  
5-24-77  
C.I.V.  
MAPOL  
6-23-77

ACTION

BZA 17-77 COMMITTEE

Approved

DATE  
5-24-77

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

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

BZA 17-77 - Pawnee Avenue Church  
of God requests variance to re-  
place the platted front yard set-  
back from 30 feet to 0 feet on  
property generally located at the  
southwest corner of Cheyenne and  
Pawnee

Map No. 564A  
 Sec. 5  
 Twp. 28  
 Range 1E

BZA- 17-77  
 SCZ- \_\_\_\_\_  
 CU- \_\_\_\_\_  
 Filed \_\_\_\_\_

AREA DATA:

1. Acres: 1.03 ( 150 ft. by 300 ft.)
2. Adjoining Zoning: E \_\_\_\_\_ S \_\_\_\_\_ W \_\_\_\_\_ N \_\_\_\_\_
3. Land Use: East SINGLE FAM South SINGLE FAM  
 West CHURCH North SINGLE FAM
4. Sketch Plan Land Use is for: \_\_\_\_\_
5. Present Land Use if for: SINGLE FAM
6. Area (is) (is not) platted. \_\_\_\_\_

PHOTO DATA:

Taken by \_\_\_\_\_ Date \_\_\_\_\_ Time \_\_\_\_\_



Smoot  
 No. 2-153C  
 HASTING, INC. LOS ANGELES  
 LOGAN OH - MEMPHIS, TN U.S.A.

P No. 5644  
 C. 3  
 P. 2.8  
 nge 1E

BZA- 17-77  
 SCZ- \_\_\_\_\_  
 CU- \_\_\_\_\_  
 Filed \_\_\_\_\_

EA DATA:  
 Acres: 1.03 ( 150 ft. by 300 ft.)  
 A.C. joining Zoning: E \_\_\_\_\_ S \_\_\_\_\_ W \_\_\_\_\_ N \_\_\_\_\_  
 Land Use: East SINGLE FAM South SINGLE FAM  
 West CHURCH North SINGLE FAM  
 Sketch Plan Land Use is for: \_\_\_\_\_  
 Present Land Use if for: SINGLE FAM  
 Area (is) (is not) platted.

PHOTO DATA:  
 Taken by \_\_\_\_\_ Date \_\_\_\_\_ Time \_\_\_\_\_



XXXXXXXXXXXXXXXXXXXX  
XXXXXXXXXXXXXXXXXXXX  
XXXXXXXXXXXXXXXXXXXX

October 31, 1977

Tenth Floor, City Hall  
455 N. Main Street

Mr. Jerry Phillips, Pastor  
Pawnee Avenue Church of God  
2611 East Pawnee  
Wichita, Kansas 67211

Re: Case No. BZA 17-77  
Landscape Plan

Dear Mr. Phillips:

Marilyn Mosteller, of Sunnyside Nursery and Landscape Center, has submitted a screening landscape plan for the south property line of Lot 3, Block 5, Pawnee Ranch Addition. It is my understanding that you are desirous of providing screening along this property line in lieu of the 3 foot high fence along the south edge of the parking lot. This option is available to you under condition #4 of Resolution No. BZA 17-77.

The Secretary of the Board has reviewed this plan and determined that its implementation and maintenance would meet the requirement imposed by condition #4 of the Resolution.

An approved copy of the plan is enclosed, and, by copy of this letter, a copy of the plan is being forwarded to the Superintendent of Central Inspection.

If you have any questions, please call.

Sincerely,

Larry Dobson  
Assistant Secretary

LD:bh

cc: Robert B. Feldner, Supt., Central Inspection  
Marilyn Mosteller, 6655 East Harry, 67207

EXISTING  
WOULD REMOVE FACE

ELM

Landscape Plan  
Associated with  
Case # BZA 17-77

Approved by W. L. Albrecht  
Date: 10/31/77

PROPOSED PLANTING  
OF MANHATTAN  
EUONYMUS  
3' INSIDE PROPERTY LINE  
3' CENTERS  
40 TOTAL

EXISTING  
ROW OF CEDAR TREES

EXIST. NURSERY

PROPOSED PLANTING  
3 INSCENE CEDARS

EX CEDARS

EX COTONEASTER

JUNIPER (EX)

SUNNYSIDE NURSERY

For  
Pawnee Ave Church  
5011 E PAWNEE

SCALE 1/4" = 2'

July 28, 1977

Jerry Phillips, Pastor  
Pawnee Avenue Church of God  
2611 East Pawnee  
Wichita, Kansas 67211

Re: Case No. BZA 17-77,  
Landscape Plan


Dear Mr. Phillips:

Mr. Vadin Thompson, contractor for your church, recently contacted this office relative to the screening and landscaping conditions imposed by the Board of Zoning Appeals in its approval of your request for a variance to reduce the platted 30 foot front yard setback adjacent to Cheyenne to 3 feet for off-street parking purposes only. His main concern was relative to the construction of a 3 foot high fence to be erected along the 3 foot setback line. He indicated that it was desired that an off-set construction of the fence be used, whereas sections of wooden fencing would be alternated from the property line and the 3 foot setback line and interconnected by brick or masonry columns.

Subsequently, a landscape plan was submitted by Sunnyside Nursery showing the proposed fencing arrangement adjacent to Cheyenne and the landscaping treatment proposed on both sides of the fence. The Secretary of the Board has reviewed this plan and has determined that the installation and maintenance of fencing and landscaping as shown would comply with conditions # 3 and 4 of Resolution BZA 17-77. An approved copy of the plan is enclosed.

By copy of this letter, I am forwarding a copy of this landscape plan to the Superintendent of Central Inspection. If you have any questions concerning this matter, please call.

Sincerely,

  
Larry Dobson  
Assistant Secretary

LD:el

cc: Robert B. Feldner, Superintendent, Central Inspection (W/A)  
Sunnyside Nursery & Landscape Center, 6750 S. Broadway (33)

RESOLUTION NO. BZA 17-77

WHEREAS, Pawnee Avenue Church of God, 2611 East Pawnee, Wichita, Kansas, requests a variance as provided in Section 2.12.590.B, Code of the City of Wichita, to reduce the platted 30 foot front yard setback, adjacent to Cheyenne, to 0 feet for off-street parking purposes only, on property zoned the "AA" Single Family Dwelling District, and legally described as follows:

Lots 2 and 3, Church of God Addition and Lot 3, Block 5, Pawnee Ranch Addition, Wichita, Sedgwick County, Kansas. Generally located at the southwest corner of Pawnee and Cheyenne.

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 24, 1977, consider said application; and

WHEREAS, the Board of Zoning Appeals has proper jurisdiction to consider said request for a variance under the provisions of Section 2.12.590.B, Code of the City of Wichita; and

WHEREAS, the Board of Zoning Appeals has found that the variance arises from such condition which is unique to the property in question and which is not ordinarily found in the same zone or district; and is not created by an action or actions of the property owner or the applicant inasmuch as the church is desirous of providing additional off-street parking over that which is required, in an attempt to improve the on-street parking situation in the neighborhood; 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 increase of off-street parking will be of benefit to adjacent property owners, especially if a small buffer strip is retained, rather than a complete reduction of the setback; 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 would not be able to adequately serve the parking needs of the congregation; 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; 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 additional parking can be provided while still providing the amenity of some landscaping and attractive screening; 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 platted 30 foot front yard setback, adjacent to Cheyenne, to 0 feet for off-street parking purposes only, on property zoned the "AA" Single Family Dwelling District, and legally described as follows:

Lots 2 and 3, Church of God Addition and Lot 3, Block 5, Pawnee Ranch Addition, Wichita, Sedgwick County, Kansas. Generally located at the southwest corner of Pawnee and Cheyenne,

RESOLUTION NO. BZA 17-77

Page 2

be approved subject to the following conditions:

1. The 30 foot front yard setback adjacent to Cheyenne shall be reduced to 3 foot for all of Lots 2 and 3, Block A, Church of God Addition and for the north 25 feet of Lot 3, Block 5, Pawnee Ranch Addition.
2. The 3 foot setback described in condition #1 shall remain unpaved except for driveway approaches and shall be landscaped with grass and shrubs and/or trees and shall be maintained in good condition; a landscape plan for this area shall be submitted to the Secretary of the Board for his approval prior to the issuance of a paving permit.
3. A 3 foot high solid fence constructed of staggered or louvered redwood or rough sawed cedar shall be constructed along the described 3 foot setback line, except for the north 20 feet of subject property (which is the front yard setback area adjacent to Pawnee) and driveway approaches.
4. In the event a screening fence is not constructed along the southern property line of subject property, a fence as described in condition #3 shall be constructed along the southern edge of the parking lot beginning at the 3 foot setback and extending west for a distance of 70 feet.
5. The reduced front yard setback area shall be utilized for off-street parking purposes only, and no permanent structures shall be erected thereon.

ADOPTED AT WICHITA, KANSAS, this 24th day of May, 1977.

  
Jerry W. Cole, Chairman

ATTEST:

  
Larry Dobson, Assistant Secretary

XXXXXXXXXXXXXXXXXXXX  
XXXXXXXXXXXXXXXXXXXX  
XXXXXXXXXXXX

Tenth Floor, City Hall  
455 North Main Street

June 14, 1977

Mr. Loren J. Ralston, Jr.  
1740 S. Oliver  
Wichita, Kansas 67218

Re: Request for Variance  
Case No. BEA 17-77

Dear Mr. Ralston:

Enclosed is a signed copy of the Resolution adopted by the Board of Zoning Appeals on May 24, 1977, in connection with your request for a variance to reduce the platted 30 foot front yard setback, adjacent to Cheyenne, to 0 feet for off-street parking purposes only, on property zoned the "AA" Single Family Dwelling District, and generally located on the southwest corner of Pawnee and Cheyenne.

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: Pawnee Avenue Church of God, 2611 E. Pawnee, 67218  
Don Gisick, City Clerk  
Robert Feldner, Supt., Central Inspection  
Joe Donnelly, Maintenance, Central Inspection

XXXXXXXXXXXXXXXXXXXX  
XXXXXXXXXXXXXXXXXXXX  
XXXXXXXXXXXXXXXXXXXX

May 25, 1977

Tenth Floor, City Hall  
455 North Main

Mr. Loren J. Ralston, Jr.  
1740 S. Oliver  
Wichita, Kansas 67218

Re: Request for Variance  
Case No. BZA 17-77

Dear Mr. Ralston:

At the regular meeting of the Board of Zoning Appeals on May 24, 1977, your request for a variance to reduce the platted 30 foot front yard setback, adjacent to Cheyenne, to 0 feet for off-street parking purposes only on property zoned the "AA" Single Family Dwelling District and generally located on the southwest corner of Pawnee and Cheyenne was considered.

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

1. The 30 foot front yard setback adjacent to Cheyenne shall be reduced to 3 foot for all of Lots 2 and 3, Block A, Church of God Addition, and for the north 25 feet of Lot 3, Block 5, Pawnee Ranch Addition.
2. The 3 foot setback described in condition #1 shall remain unpaved except for driveway approaches and shall be landscaped with grass and shrubs and/or trees and shall be maintained in good condition; a landscape plan for this area shall be submitted to the Secretary of the Board for his approval prior to the issuance of a paving permit.
3. A 3 foot high solid fence constructed of staggered or louvered redwood or rough sawed cedar shall be constructed along the described 5 foot setback line, except for the north 20 feet of subject property (which is the front yard setback area adjacent to Pawnee) and driveway approaches.
4. In the event a screening fence is not constructed along the southern property line of subject property, a fence as described in condition #3 shall be constructed along the southern edge of the parking lot beginning at the 3 foot setback and extending west for a distance of 70 feet.

Mr. Loren J. Ralston, Jr.  
1740 South Oliver  
May 25, 1977

5. The reduced front yard setback area shall be utilized for off-street parking purposes only, and no permanent structures shall be erected thereon.

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,

Larry Dobson  
Assistant Secretary

LD:bh

cc: Pawnee Avenue Church of God, 2611 E. Pawnee, 67218  
Mr. and Mrs. Ralph Dunn, 2414 Cheyenne Blvd., 67216  
F. E. Johnson, 4248 Whitney Lane  
Joseph A. Sparnroft, Jr., 2624 Clover Lane, 67216  
Marshall S. Ergenbright, 2525 E. Pawnee, 67211  
Don Gisick, City Clerk  
Robert Feldner, Supt., Central Inspection  
Joe Donnelly, Maintenance, Central Inspection

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

DATE May 13, 1977



TO Larry Dobson, Secretariat, Board of Zoning Appeals  
FROM Mary Pitman, CPO Administrative Aide

SUBJECT BZA 17-77 (Pawnee Avenue Church of God)

At their meeting on May 12, 1977, CPO Neighborhood Council "D" considered BZA 17-77, a request for a variance to reduce the required 30 foot front yard setback to 0 feet in order to extend the parking lot of the Pawnee Avenue Church of God.

Representatives of the applicant and two neighbors living across from the church were present at the meeting. Mr. and Mrs. Ralph Dum stated that, although they had originally objected to the request, they were satisfied by the plans they had seen to extend the parking lot and landscape the property with berms and trees.

The representatives of the church explained that they were seeking a "Minor Street Beautification" permit, to develop rolling berms, trees, and other landscaping on the 15 foot City setback. In the event that the permit was not granted, the church's representatives indicated that a separating fence would be built.

CPO Neighborhood Council Area "D" took action to approve the reduction in setback requested in BZA 17-77, with the understanding that the church will provide landscaping, berms, and trees, or a separating fence.

Please advise the Board of Zoning appeals of Area "D"'s recommendation for approval, contingent upon provision of landscaping or a fence, when they are considering this case on May 24.

Your assistance will be appreciated.

*Mary Pitman*  
Mary Pitman  
CPO Administrative Aide

MP:sm

Noted:

  
\_\_\_\_\_  
David Furnas  
CPO Coordinator

SECRETARY'S REPORT  
Case No. BZA 17-77

APPLICANT: Pawnee Avenue Church of God, 2611 E. Pawnee Avenue, Wichita, Kansas.

AGENT: Jerry Phillips, Pastor, 8146 Grail, Wichita, Kansas.

REQUEST: Variance pursuant to Section 2.12.590.B, Code of the City of Wichita, to reduce the platted 30 foot front yard setback, adjacent to Cheyenne, to 0 feet for off-street parking purposes only.

GENERAL LOCATION: Southwest corner of Pawnee and Cheyenne.

ZONING: Subject property and all surrounding properties are zoned the "AA" Single Family Dwelling District.

LAND USE: Subject property contains a single family residence and parking area for an adjacent church; properties to the north, east and south are developed as single family residences. Property to the west contains the church facility.

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.
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).

SECRETARY'S REPORT

Case No. BZA 17-77

Page 2

COMMENTS BY THE SECRETARY:

The Pawnee Avenue Church of God is requesting a variance to reduce their front yard setback adjacent to Cheyenne down to 0 feet for the purpose of providing off-street parking for the church. The church is in the process of constructing a new sanctuary on adjacent property to the west of subject property. The utilization of the front yard setback for off-street parking purposes is not needed to provide the required off-street parking for the church. However, the applicants desire to provide as much off-street parking as they can and by utilizing the front yard area they are able to provide an additional 12 parking spaces over and above the number required.

Subject property is at the southwest corner of Pawnee and Cheyenne with 305 feet of frontage along Cheyenne. The south 75 to 80 feet of subject property contains a single family home which will remain. Therefore, 75 to 80 feet of church owned property will be retained as yard area adjacent to the residential property to the south.

The site plan submitted with the application shows 126 feet of paving for the east/west dimension of the main parking area, to accommodate four bays of 90° parking, and then an additional 3 to 5 feet of unpaved space adjacent to the east property line. Based on Traffic Engineering standards, these 4 bays of parking can be provided in 124 feet, or 2 feet less than proposed. This 2 feet plus the 3 feet now shown as unpaved would provide a 5 foot planting area that the applicants could utilize to help buffer the parking lot from the single family residences to the east, across Cheyenne.

The applicants cite the need to provide additional off-street parking spaces as being in the best interest of the neighborhood.

It should be noted that on-street parking is not permitted on Pawnee, so all overflow parking must park on Cheyenne or other nearby residential streets.

UNIQUENESS:

It is the opinion of the Secretary that it may be unique that a church is desirous of providing additional off-street parking over that which is required, in an attempt to improve the on-street parking situation in the neighborhood.

ADJACENT PROPERTY:

It is the opinion of the Secretary that it is difficult to determine that the granting of the variance requested would not adversely affect the rights of adjacent property owners, but that perhaps the increase of off-street parking would outweigh the loss of landscape area, especially if a small buffer strip were retained, rather than a complete reduction of the setback.

SECRETARY'S REPORT

Case No. BZA 17-77

Page 3

HARDSHIP:

It is the opinion of the Secretary that it is difficult to determine that the strict application of the provisions of the zoning ordinance will constitute an unnecessary hardship upon the applicants; but the Secretary recognizes the fact that to provide only the required number of off-street parking spaces will not serve the parking needs of the congregation.

PUBLIC INTEREST:

It is the opinion of the Secretary that the granting of the requested variance will not adversely affect the public health, safety, morals, order, convenience, prosperity, or general welfare.

SPIRIT AND INTENT:

It is the opinion of the Secretary that the general spirit and intent of the zoning ordinance for churches developed in a residential district is for them to provide the same landscaped front yard area required of the residential dwellings; however, it is also the opinion of the Secretary that churches shall provide adequate off-street parking so as not to create an on-street parking problem. If additional parking can be provided while still providing the amenity of some landscaping and attractive screening, it would be the opinion of the Secretary that the granting of the variance requested will not be opposed to the general spirit and intent of the ordinance.

RECOMMENDATION:

If the Board determines that the five conditions necessary to the granting of a variance can be found to exist, the following conditions are suggested as conditions of approval:

1. The 30 foot front yard setback adjacent to Cheyenne shall be reduced to 5 foot for all of Lots 2 and 3, Block A, Church of God Addition and for the north 25 feet of Lot 3, Block 5, Pawnee Ranch Addition.
2. The 5 foot setback described in condition #1 shall remain unpaved except for driveway approaches and shall be landscaped with grass and shrubs and/or trees and shall be maintained in good condition.
3. A 3 to 4 foot high solid fence constructed of staggered or louvered redwood or rough sawed cedar shall be constructed along the described 5 foot setback line, except for the north 20 feet of subject property (which is the front yard setback area adjacent to Pawnee) and driveway approaches.
4. In the event a screening fence is not constructed along the southern property line of subject property, a fence as described in condition #3 shall be constructed along the southern edge of the parking lot beginning at the 5 foot setback and extending west for a distance of 70 feet.

SECRETARY'S REPORT  
Case No. BZA 17-77  
Page 4

5. The reduced front yard setback area shall be utilized for off-street parking purposes only, and no permanent structures shall be erected thereon.
-



## THE CHILTON COMPANY



May 3, 1977

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

Re: Case No. BZA 17-77

Gentlemen:

I received your Notice to Adjoining Property Owners regarding the above captioned case number filed by Pawnee Avenue Church of God, 2611 East Pawnee Avenue, Wichita, Kansas.

I am the owner of the property at the northeast corner of Pawnee and Grove which consists of approximately four acres.

I will be out-of-town on business on Tuesday, May 24, 1977 which is the date set for the Board of Zoning Appeals to consider this application. I wish to inform you that I have no objections to granting the variance that has been requested.

Very truly yours,

THE CHILTON COMPANY

Stan Chilton

SC:lc

cc: Pawnee Avenue Church of God  
2611 East Pawnee  
Wichita, Kansas

25 notices sent to applicant, agent and property owners  
10 notices sent to MAPC members  
1 notice sent to CPO  
37 total notices sent on BZA 17-77, May 1, 1977

BOARD OF ZONING APPEALS  
TENTH FLOOR - CITY HALL  
455 North Main Street, Wichita, Kansas 67202

April 29, 1977

NOTICE TO ADJOINING PROPERTY OWNERS:

Case No. BZA 17-77

An application has been filed by Pawnee Avenue Church of God, 2611 East Pawnee Avenue, Wichita, Kansas, pursuant to Section 2.12.590.B, Code of the City of Wichita, requesting a variance to reduce the platted 30 foot front yard setback, adjacent to Cheyenne, to 0 feet for off-street parking purposes only, on property zoned the "AA" Single Family Dwelling District, and legally described as follows:

Lots 2 and 3, Church of God Addition and Lot 3, Block 5, Pawnee Ranch Addition, Wichita, Sedgwick County, Kansas. Generally located at the southwest corner of Pawnee and Cheyenne.

This application has been assigned Case No. BZA 17-77 and will be considered by the Board of Zoning Appeals at its meeting on Tuesday, May 24, 1977, at 1:30 p.m., in the Board Room, First Floor, City Hall, 455 North Main, Wichita, Kansas, at which time you may appear if you so desire, 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.

Jack H. Galbraith  
Secretary

BOARD OF ZONING APPEALS

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

CITY OF WICHITA, KANSAS

FILED \_\_\_\_\_

*Vadim Thompson*

**APPLICATION FOR VARIANCE**

I. Name of Applicant ✓ Pawnee Avenue Church of God

Mailing Address 2611 E. Pawnee Ave. (67211) Phone 683-5648

Name of Authorized Agent ✓ Jerry Phillips, Pastor and Corporation President

Mailing Address 8146 Grail, City 67207 Phone 685-6547

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

II. The variance requested is a reduction of the platted front yard set-back from 30 feet to 0 feet on Lots 2 and 3 of the Church of God Addition and also on Lot 3, Block 5, Pawnee Ranch Addition. (Title 28, 28.04.040, subparagraph C, Point 1)

for property located 2611 E. Pawnee Ave., corner of Pawnee & Cheyenne  
Streets

and legally described as: Church of God Addition, Lots 2 and 3 and Lot 3, Block 5, Pawnee Ranch Addition to Wichita, Sedgwick County, Kansas.

in the City of Wichita; and which is presently zoned AA.

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.

Pawnee Ave. Church of God

Applicant

*Jerry Phillips*

Authorized Agent Jerry Phillips, Pastor

OFFICE USE ONLY: Received in office of Secretary, Board of Zoning Appeals 11:50 (a.m.) - p.m.), 5-25 19 77 together with appropriate fee of \$50.00.

*s/w corner of Cheyenne and Pawnee*

T9-402

*5644*

*Larry Dolson*  
Signed

April 25, 1977

Board of Zoning Appeals  
City of Wichita, Kansas

RE: Pawnee Ave. Church of God  
2611 E. Pawnee Avenue

The Pawnee Ave. Church of God hereby requests the granting of a variance of Title 28, Section 28.04.040, sub-paragraph C, point 1, reducing the existing platted front-yard setback from thirty feet to zero feet on Lots 2 and 3 of the Church of God Addition and Lot 3, Block 5 of the Pawnee Ranch Addition.

The number of people being served by the church is growing. It has become essential to construct additional buildings. Parking space is a part of this need.

In selecting a building plan, the church has been limited by an existing sewer easement which cuts diagonally across the property from northwest to southeast. This limitation has made it necessary to rule out possible plans which would allow for the greatest number of parking spaces. Due to this reduced number of parking spaces, we have found it necessary to limit the seating capacity of the buildings which are now under construction in order to meet the required ratio of one parking space for each five seating spaces. Although we have made these adjustments, it appears that some "on-street" parking may yet take place.

There are two things we hope to accomplish by this variance request. If granted, the variance would allow us to park in the setback area, adding twelve additional spaces. This would be twelve automobiles which would not have to park on the adjacent streets. If granted, the variance would also allow us to make full use of our new worship center at times when attendance would require additional seating. With the present parking plan, we can seat 500 people with 100 parking spaces. With the granting of the variance, we would be able to seat 560 people with the total 112 parking spaces.

It is our desire to serve the greatest number of people, providing as much off-street parking as we can for them. It is our opinion that the granting of this variance, reducing the frontyard setback from thirty feet to zero feet will enable us to do this. This will not, in our opinion, adversely affect the rights of adjacent property owners or residents in that it will reduce the number of automobiles parking on adjacent streets.

The strict application of the Title 28 provisions will not allow us to provide this needed additional parking.

The variance, if granted, will not adversely affect the public health, safety, morals, order, convenience, prosperity, or general welfare of the public, including adjacent property owners or residents, in our opinion, since it will be a convenience to the public and assist our neighbors.

It is our belief that the granting of this variance will not be in opposition to the general spirit and intent of Title 28 in view of the benefits which it would provide to all concerned.

The foregoing certificate No. 224870 is hereby amended to include Lot 3, Block 5, Pawnee Ranch Addition, with the following additional owners:

Lot 2, Block 6	Pawnee Ranch Addition	✓ Larry G. Bradfield & Carolyn A. 2456 Cheyenne 67216
Lot 13, Block 6	Pawnee Ranch Addition	✓ A. Lawrence Lane & Marie E. Route 4, Wichita, Ks. 67208

as shown by the records on file in the Office of the Register of Deeds of Sedgwick County, Kansas, on the 12th day of April, 1977 at 7:00 A.M.

THE SECURITY ABSTRACT & TITLE COMPANY, INC.

By

*Mary Gable*

Vice President

Order No. 249969  
wh

We hereby extend the foregoing ownership list from the 27th day of April, 1976 at 7:00 o'clock A.M., to this 12th day of April, 1977 at 7:00 o'clock A.M., without change except:

Lot 9	Block 2	Louis 7th Addition	✓ Stanton G. Mowdy & Diana L. 575 West 27th Street South-Apt.302 67217
Lot 3	Block 5	Pawnee Ranch Addition	✓ Pawnee Avenue Church of God 2611 East Pawnee 67211
Lot 7	Block 5	Pawnee Ranch Addition	✓ Joseph A. Sparnroft Jr & Dollie V. 2624 Clover Lane 67216

THE SECURITY ABSTRACT & TITLE COMPANY, INC.

By

*Asst.*

*John Byron*  
Vice President

Order No. 249311  
wh

OWNERSHIP LIST

Lot	Block	Addition	Property Owner
✓1	A	Church of God Addition	✓ Pawnee Avenue Church of God Inc. 2611 East Pawnee 67211
✓2	A	Same	Same
✓3	A	Same	Same
		Beginning at the Northwest corner of ✓ Lot 1, Block B, Shady Dell Addition, South 172.02 feet, Northeast to a point 70 feet South of the Northeast corner, North to the Northeast corner said lot 1, West 74 feet to beginning	✓ Marshall S. Ergenbright and Nadine E. Ergenbright 2525 East Pawnee 67211
✓ Lot 1, Blk. B except above tract		Shady Dell Addition	✓ D. L. Kitsmiller & Joyrene V. 2411 Poplar Drive 67216
✓ 2	B	Same	✓ Roy C. Justus & Clela 2436 Poplar Drive 67216
✓ 3	B	Same	✓ Dale Fairleigh & Margie N. 2440 Poplar Drive 67216
✓ 4	B	Same	✓ Ronald W. Smith & Bonita J. 2444 S. Poplar Drive 67216
✓ 5	B	Same	✓ Donald R. Caylord & Wanda J. 2450 Poplar Drive 67216
✓ 8	2	Louis 7th Addition	✓ John Wendell Anderson & Ruth E. 2602 East Pawnee 67211
✓ 9	2	Same	✓ George W. Richards & Mildred D. 261 N. Armour 67206
✓ 10	2	Same	✓ Raymond E. Mitts & Mildred E. 2373 South Estelle 67211
✓ 9	4	Same	2046 ✓ 8 Val... Envelope pulled ✓ William Donald Ross & Martha E. Address Unknown
✓ 10	4	Same	✓ Alonzo S. Zaring & May Lillian 2380 S. Estelle 67211
✓ 14	4	See address sheet Pawnee Park Addition	✓ Linda S. Liming 1702 N. McComas 67203
✓ 15	4	Same	✓ Henry Joe Kralicek & Juanita A. 2321 Rita 67213
✓ 16	4	Same	✓ Camilla L. Tucker

Lot	Block	Addition	Property Owner
17	4	Pawnee Park Addition	✓ Federal National Mortgage Assoc. Dallas, Texas
8	5	Pawnee Park Addition	✓ <i>Carleton Bruce</i> 2329 S. Spruce 6721 Benjamin T. Bryan & Elsie M. 1659 Gold 67213
4	5	Same	✓ Leo D. Cantrell & Joyce A. 2415 Rita 67213
5	5	Same	✓ Robert E. Kinion & Nadine R. 2409 Rita 67213
6	5	Same	✓ Administrator of Veterans Affairs 5500 East Kellogg 67218
7	5	Same	✓ Delmar C. Grigg & Mary 144 S. Colorado 67209
1	6	Same	✓ Steven J. Hobbs & Nancy L. Hobbs 2433 Lydia 67213

A tract beginning at the Southwest corner of the Southeast Quarter of Section 34-27-1E, thence North along the West line of said Southeast Quarter 366.85 feet to the South line of Louis 7th Addition, thence East along the South line of Louis 7th Addition 492.85 feet, more or less, to the center line of the existing sewer row running diagonally from the Northwest to the Southeast through the Southwest Quarter of the Southeast Quarter; thence Southeasterly following the center line of said sewer row 389.3 feet, more or less, to a point on the South line of said Southeast Quarter 628.64 feet East of said Southwest corner of the Southeast Quarter of said Section; thence West 628.64 feet to the said Southwest corner of said Southeast Quarter, the point of beginning

✓ H. Stan Chilton  
 1401-A South Hydraulic  
 67211

✓ A tract in the Northeast Quarter of Section 3-28-1E, beginning 19 1/6 rods East of the Northwest corner said Northeast Quarter, said point being on the top left bank of Chisholm Creek, East 169.7 feet, South with an angle of 90° for a distance of 314 feet, to top of left bank of Chisholm Creek, thence along top of said left bank said creek to point of beginning

✓ Marshall S. Ergenbright  
 2525 East Pawnee  
 67211

Lot	Block	Addition	Property Owner
✓ 14 exc W 8'	4	Pawnee Ranch Addition	✓ Charles L. Hoppock & Wanda G. 1214 S. Pershing 67218
W 8' 14	4	Same	✓ Patrick C. Sollars & Linda G. 1302 Bristol 67207
✓ 15	4	Same	Same
✓ 16	4	Same	✓ Ralph J. Dunn 2414 Cheyenne Blvd. 67216
✓ 17	4	Same	✓ Donald Joseph Herrick Lodene D. Herrick 2714 Clover Lane 67216
✓ 3	5	Same	X <i>mail rec'd</i> ✓ Carol Ann Briscoe & Virginia 2427 Cheyenne 67216 <i>two pulled</i>
✓ 4	5	Same	✓ William D. Baker & Marjorie H. 2445 Cheyenne 67216
✓ Beginning at the Northeasterly corner of Lot 5, Block 5, Pawnee Ranch Addition, thence West to the Northwest corner, thence SWly 60.1 feet, Easterly to the Southeasterly corner of Lot 5, thence Northerly 80 feet to beginning			✓ William E. Shuler & E. Lois 2455 Cheyenne Drive 67216
✓ Lot 5, Block 5 except above tract	5	Same	✓ Larry Spurrier & Mary L. 2461 Cheyenne 67216
✓ 6	5	Same	Same
✓ 7	5	Same	X <i>not in shape</i> ✓ Franklin L. Garner & Rogene Address Unknown <i>not in CD</i> <i>not in SD</i>
✓ 1	6	Same	✓ Patrick C. Sollars & Linda G. 1302 Bristol 67216

Amend  
Order No. 224870

*Submitted 6-17-75*  
*dl*

The Security Abstract & Title Company, Inc.,  
hereby certifies the foregoing to be a true and correct list of  
property owners of:

A 200 foot radius of: Lots 1, 2 and 3,  
Block A, Church of God Addition to Wichita,  
Sedgwick County, Kansas, and a replat of  
Lots 1 and 2, Block 5, Pawnee Ranch Addition,  
Sedgwick County, Kansas

as shown by the records on file in the Office of the Register of  
Deeds of Sedgwick County, Kansas, on this 19th day of May, 1975  
at 7:00 o'clock A.M.

THE SECURITY ABSTRACT & TITLE COMPANY, INC.

By

*Mary Gable*

Vice President

Order No. 224870  
wh

Lot	Block	Addition	Property Owner
4	B	Shady Dell Addition	Ronald W. Smith 2444 Poplar Drive 67216
Lot 1		Chilton's Pawnee & Grove Addition	H. Stan Chilton 1401-A South Hydraulic 67211
(platted from tract description given on original list)			
West 8 ft lot 14 all of Lot 15, Blk 4		Pawnee Ranch Addition	Roger L. Hughes Address Unknown <i>not in Sub D not in city list</i>
Lot 17, Blk. 4		Pawnee Ranch Addition	Fred Louis Glover Jr. and Marna K. Address Unknown <i>630 N. Sedgewick mail road</i>

Ownership List no. 224870 is hereby extended to this 27th day of April, 1976 at 7:00 A.M. Changes in ownership are shown above.

THE SECURITY ABSTRACT & TITLE COMPANY, INC.

By

*Mary Hable*

Vice President

Order No. 236625

wh

BOARD OF ZONING APPEALS  
TENTH FLOOR - CITY HALL  
455 North Main Street, Wichita, Kansas 67202

April 29, 1977

NOTICE TO ADJOINING PROPERTY OWNERS:

Case No. BZA 17-77

An application has been filed by Pawnee Avenue Church of God, 2611 East Pawnee Avenue, Wichita, Kansas, pursuant to Section 2.12.590.B, Code of the City of Wichita, requesting a variance to reduce the platted 30 foot front yard setback, adjacent to Cheyenne, to 0 feet for off-street parking purposes only, on property zoned the "AA" Single Family Dwelling District, and legally described as follows:

Lots 2 and 3, Church of God Addition and Lot 3, Block 5, Pawnee Ranch Addition, Wichita, Sedgwick County, Kansas. Generally located at the southwest corner of Pawnee and Cheyenne.

This application has been assigned Case No. BZA 17-77 and will be considered by the Board of Zoning Appeals at its meeting on Tuesday, May 24, 1977, at 1:30 p.m., in the Board Room, First Floor, City Hall, 455 North Main, Wichita, Kansas, at which time you may appear if you so desire, 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.

Jack H. Galbraith  
Secretary

17-77  
*Look up in CD listed in CD*

THE CITY OF WICHITA



Board of Zoning Appeals  
Tenth Floor, City Hall  
455 N. Main  
Wichita, Kansas 67202



*Handwritten: BZA*  
ADDRESSEE UNKNOWN  
MIDLAND

Donald J. Herrick and Lodene D. Herrick  
2714 Clover Lane  
Wichita, Kansas 67216



*Important!*  
Notice of Hearing  
Enclosed

*BTH*

X

BOARD OF ZONING APPEALS  
TENTH FLOOR - CITY HALL  
455 North Main Street, Wichita, Kansas 67202

April 29, 1977

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Jack H. Galbraith  
Secretary

17-77  
THE CITY OF WICHITA



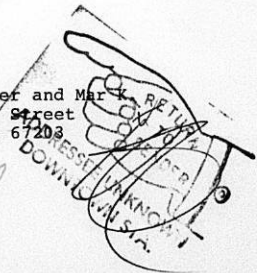
BOARD OF ZONING APPEALS  
Tenth Floor, City Hall  
455 North Main  
Wichita, Kansas 67202



*None found*

*Return*  
Fred Louis Glover and Mar  
620 N. Sedgwick Street  
Wichita, Kansas 67203

*mail net*



Form 3-021

**PAYMENT NOTICE**

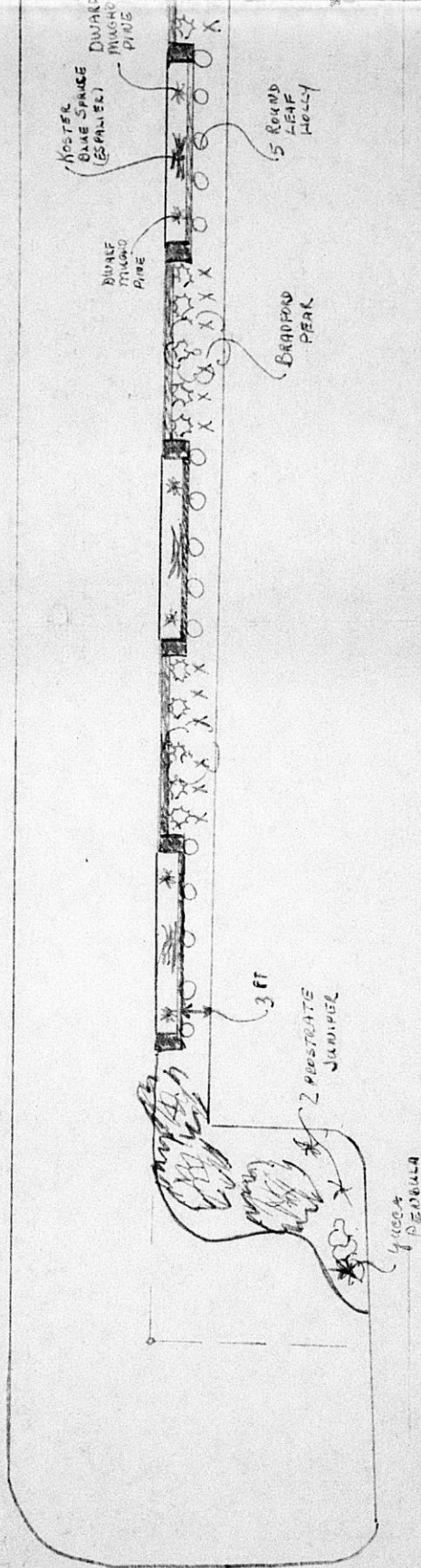
City of Wichita

**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.	Plbg. Cert.
Sanitation	Sewer	Signs	Sidewalk
Street	Trailer		

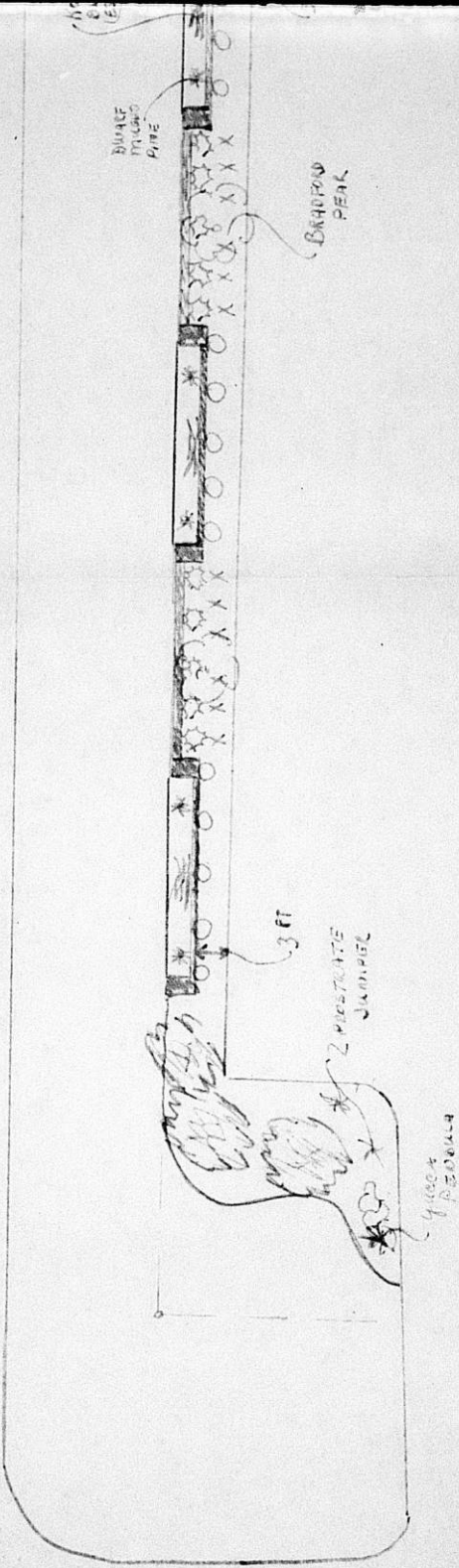
DESCRIPTION		AMOUNT
Name		
Address		
Type	Due Date	
Comments:		
Date	By	

CHEYENNE





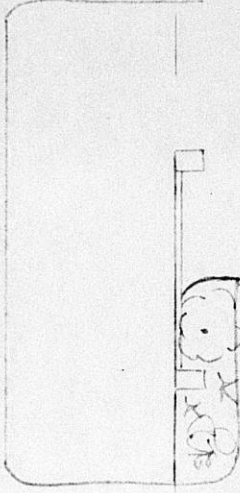
CHEYENNE





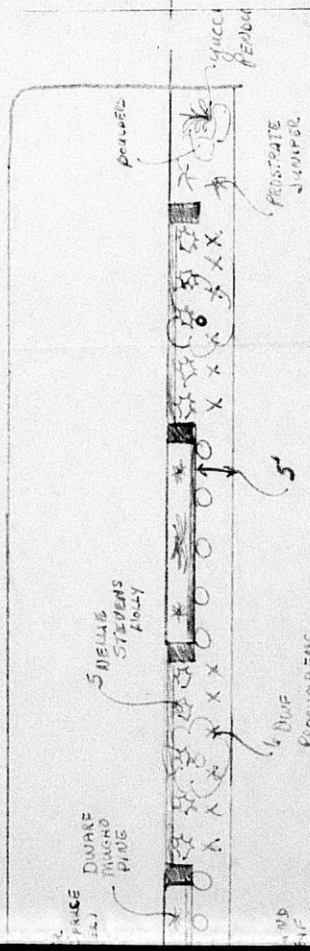
Landscape Plan  
Associated with  
Case No. BZA 17-77

Approved by: Jan H. Olland  
Date: 7/28/77



DATE 7/26/77  
SCALE 1" = 10'  
PLANS PROPERTY OF:  
**SUNSHINE**  
LANDSCAPE CENTERS  
WICHITA, KANSAS

PLANS FOR PAWNEE AVE CHURCH  
ADDRESS 2611 E. PAWNEE  
CITY WICHITA, KS.  
TELEPHONE 234-3221  
Design By: THOMAS MORSE



\*

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