

Case No. BZA 20-77 - Mt. Olivet Methodist Church requests a variance to reduce the platted 25' front yard setback adjacent to 34th St. and the 25' front yard setback adjacent to Elizabeth to

*6-28-77  
BZA 21-77  
Approved  
6-28-77  
C. J. ...*

ACTION

BZA 21-77 COMMITTEE

*Approved*

DATE

*6-28*

M.A.P.C.

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



October 26, 1978

**Robert B. Feldner, Superintendent of Central Inspection**  
**Larry Dobson, Assistant Secretary, Board of Zoning Appeals**  
**Non-Compliance with Board of Zoning Appeals Conditions**

On a recent field check, taken on October 19, 1978, the following items were observed to be in apparent violation of BZA conditions of approval:

1. Case No. BZA 20-77, Mt. Olivet Methodist Church, 3515 S. Elizabeth; conditions numbered (2), (4) and (5) of the approved resolution have not been complied with. These conditions deal with landscaping and fencing of a parking area.
2. Case No. BZA 53-77, Fran-Mar Investments, Inc., 420 S. Seneca; this exception was approved as an off-street parking lot on the west side of Chautauqua and north of 21st Street. The lot is graveled, but has not been paved as required by condition number (4). A screening fence has been constructed, but it is not in compliance with the fencing requirement detailed in condition number (8).

Please take whatever action is necessary to bring the above items of non-compliance into compliance with the official resolutions of the Board of Zoning Appeals.

If you have any questions or need additional information, please advise.

Larry Dobson, Assistant Secretary

LD;bbc

cc: Joe Donnelly, Housing and Zoning Administrator  
Sam Mobley, Building Code Administrator

May 22, 1978

Robert Feldner, Superintendent of Central  
Inspection  
Larry Dobson, Assistant Secretary, Board  
of Zoning Appeals

Non-compliance with Board of Zoning Appeals  
Conditions

On a recent field check, taken May 17, 1978, the following items were observed to be in apparent violation of BZA action:

1. Case No. BZA 20-77, Mt. Olivet Methodist Church, 3515 South Elizabeth; conditions numbered (2), (4) and (5) of the approved resolution have not been complied with. These conditions deal with landscaping and fencing of a parking area.
2. Case No. BZA 25-77, Omega Landowners Association, c/o Cornelia Calvert, 6032 Legion; this was a case denied by the BZA wherein the applicants were requesting a variance of the screening requirement adjacent to the east property line for a group of sorority houses located at the northwest corner of 21st and Bluff. At least two of the sororities are occupied and no screening has been provided. You received a copy of Robert Lakin's January 26, 1978 response to Randy Putnam concerning a landscape plan submitted to comply with the screening requirements. As of this date we have not received a revised landscape plan for consideration.
3. Case No. BZA 33-77, Plymouth Congregational Church, 202 North Clifton (original applicant was Jo Zakas), for property at the southwest corner of First Street and Clifton; condition number (3) of the approved resolution has not been complied with relative to the planting of trees in the street right-of-way along First and Clifton.
4. Case No. BZA 56-77, Immanuel Lutheran Church, 909 S. Market; landscaping required by condition number (2) of the approved resolution has not yet been planted and a three foot high fence along the east 20 feet of the south property line has not been installed as required by condition number (5).

Each of the above stated cases involves non-compliance with landscaping requirements imposed by the Board of Zoning Appeals. If planting of materials is not accomplished immediately, we will be faced with waiting until fall for much of the planting. Would appreciate your taking whatever action is necessary to assure that

Robert Feldner, Superintendent of Central Inspection  
Page 2  
May 22, 1978

the stated areas of non-compliance are brought into compliance with the official resolutions of the Board or in the case of BZA 25-77, that the screening requirements of the ordinance be enforced.

If you have any questions or if I can of any assistance to your staff, please advised.

Sincerely yours,

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Larry Dobson  
Assistant Secretary  
Board of Zoning Appeals

LD:bh

cc: Joe Donnelly, Housing and Zoning Administrator

RESOLUTION NO. BZA 20-77

WHEREAS, Mt. Olivet Methodist Church, 3515 S. Elizabeth, Wichita, Kansas, requests a variance as provided in Section 2.12.590.B, Code of the City of Wichita, to reduce the required front yard setback adjacent to 34th Street South and Elizabeth Avenue from 25 feet to 0 feet for off-street parking purposes only, on property zoned the "AA" Single Family Dwelling District and legally described as follows:

Lots 5, 6, 7, 8, 9 and 10, Block 9, Jenkins 2nd Addition to Wichita, Sedgwick County, Kansas. Generally located on the west side of Elizabeth, between 34th St. South and Cornell Street (3515 S. Elizabeth).

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 28, 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 this is a situation where a church is developed on a limited site in an established residential neighborhood, where there are no vacant lots or nearby commercial properties where supplemental parking can be provided, necessitating the use of surrounding residential streets for parking; 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 a landscaped area is proposed adjacent to the residence to the west; and the existing yard area is just grass with no plantings. The additional off-street parking will be more beneficial to the neighborhood than the 25 feet of grass; 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 are attempting to maximize the utilization of their limited site for parking so that on-street parking in the neighborhood can be reduced; 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 providing appropriate screening and landscaping around the parking lot to protect the rights of adjacent property owners; 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.

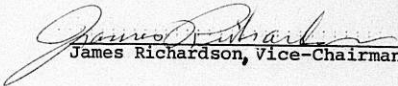
NOW, THEREFORE, BE IT RESOLVED by the Board of Zoning Appeals of the City of Wichita, that this request for a variance to reduce the required front yard setback adjacent to 34th Street South and Elizabeth Avenue from 25 feet to 0 feet for off-street parking purposes only, on property zoned the "AA" Single Family Dwelling District, and legally described as follows:

Lots 5, 6, 7, 8, 9 and 10, Block 9, Jenkins 2nd Addition to Wichita, Sedgwick County, Kansas. Generally located on the west side of Elizabeth, between 34th Street South and Cornell Street (3515 S. Elizabeth).

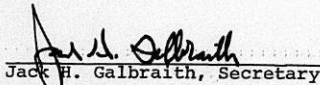
be approved subject to the following conditions:

1. The 25 foot front yard setback adjacent to 34th Street and Elizabeth Avenue shall be reduced to 0 feet, for off-street parking purposes only with no permanent structures to be erected thereon, on Lot 5, except the west 22 feet, and all of Lots 6 and 7, Block 9, Jenkins 2nd Addition.
2. The west 22 feet of Lot 5, Block 9, Jenkins 2nd Addition, shall be unpaved for a depth of at least 25 feet, and shall be landscaped with grass and shrubs and/or trees; the landscaping shall be maintained in good condition.
3. All parking spaces and circulation aisles shall be paved with asphalt or concrete and maintained in good condition.
4. The applicants shall plant trees in the street right-of-way along 34th Street and Elizabeth adjacent to the parking lot. The City Forester shall be contacted relative to the appropriate variety of trees to be planted.
5. A 3 to 4 foot high solid fence constructed of staggered or louvered redwood or rough sawed cedar shall be constructed along the north and east property lines adjacent to the area approved for the variance.

ADOPTED AT WICHITA, KANSAS, this 28th day of June, 1977.

  
James Richardson, Vice-Chairman

ATTEST:

  
Jack H. Galbraith, Secretary

XXXXXXXXXXXXXXXXXXXX  
XXXXXXXXXXXXXXXXXXXX  
XXXXXXXXXXXX

July 21, 1977

Mr. Clifford L. Bertholf  
Kassebaum and Johnson  
KSB&J Building, 15th Floor  
125 North Market  
Wichita, Kansas 67202

Subject: Case No. BEA 20-77  
Request for Variance

Dear Mr. Bertholf:

Enclosed is a signed copy of the Resolution adopted by the Board of Zoning Appeals on June 28, 1977, in connection with your request for a variance to reduce the required front yard setback adjacent to 34th Street and Elizabeth Avenue from 25 feet to 0 feet for off-street parking purposes only, on property zoned the "AA" Single Family Dwelling District, and generally located between 34th Street South and Cornell Street (3515 S. Elizabeth).

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

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

Sincerely,

Larry Dobson  
Assistant Secretary

LD:bh

Attach.

cc: Mt. Olivet Methodist Church, 3515 S. Elizabeth 67217  
Robert Feldner, Superintendent of Central Inspection  
Don Gisick, Cty. Clerk  
Joe Donnelly, Housing and Zoning Administrator

July 1, 1977

Clifford L. Bertholf  
Kassebaum & Johnson  
KSB&T Building - 15th Floor  
125 North Market  
Wichita, KS 67202

Subject: Case No. BZA 20-77  
Request for Variance

Dear Mr. Bertholf:

At the regular meeting of the Board of Zoning Appeals on June 28, 1977, your request for a variance to reduce the required front yard setback adjacent to 34th Street South and Elizabeth Avenue from 25 feet to 0 feet for off-street parking purposes only, on property zoned "AA" Single Family Dwelling District, generally located on the west side of Elizabeth, between 34th Street South and Cornell Street (3515 S. Elizabeth), was considered.

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

A Resolution setting forth the official action of the Board is being prepared and you will be mailed a copy as soon as the signatures of the Chairman and Secretary have been obtained.

If you have any questions, please call our office.

Sincerely,

Larry Dobson  
Assistant Secretary  
Board of Zoning Appeals

LD:vn

cc: Mt. Olivet Methodist Church  
Robert Feldner, Superintendent of Central Inspection  
Don Gisick, City Clerk  
Joe Donnelly, Housing & Zoning Administrator

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

DATE June 22, 1977



TO Larry Dobson, MAPD

FROM Sarah Gilbert, CPO Administrative Aide

SUBJECT BZA 20-77 (Mt. Olivet Methodist Church at 3515 S. Elizabeth)

At the June 20 meeting of CPO Council Area "C", Rev. Larry Harvey of Mt. Olivet Methodist Church explained why the variance had been requested and why the church needed the additional parking spaces.

The Council voted unanimously to recommend approval of the requested variance to reduce the front yard setback from 25 to 0 feet for off-street parking purposes. Two Council members abstained from the voting because they are members of the Mt. Olivet Methodist Church.

Please advise the Board of Zoning Appeals of the Council's recommendation when the request is considered on June 28.

Thank you for your assistance.

Sarah Gilbert  
CPO Administrative Aide

SG:sm

Noted:

David Furnas  
Citizen Participation Coordinator

SECRETARY'S REPORT  
CASE NO. BTA 26-77

APPLICANT: Mt. Olivet Methodist Church, 3515 S. Elizabeth, Wichita, Kansas.

AGENT: Clifford L. Bertholf, 125 N. Market, KSB&T, First Floor, Wichita, Kansas

REQUEST: Variance pursuant to Section 2.12.590.B, Code of the City of Wichita, to reduce the required front yard setback, adjacent to 34th Street South and adjacent to Elizabeth, from 25 feet to 1 foot for off-street parking purposes only.

GENERAL LOCATION: West side of Elizabeth, between 34th Street South and Cornell.

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

LAND USE: Subject property is developed with a church. All surrounding properties are single family residences.

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).

COMMENTS BY THE SECRETARY:

The applicant, Mt. Olivet Methodist church is requesting a variance of front yard setbacks adjacent to 34th Street and Elizabeth Avenue from 25 feet to 0 feet for the purpose of providing additional off-street parking spaces and better on-site circulation for the parking.

The church property consists of 6 platted lots, bordered on three sides by streets; 34th Street on the north, Elizabeth on the east, and Cornell on the south. The church building is located on the south half of the property with the parking area located primarily on the north half of the property. The only paving that presently exists is on the west side of the property, from the entrance driveway on 34th Street, around the west side of the building to the exit driveway on Cornell. A fenced play area for a child care center is located immediately adjacent to the north side of the church and the area north of that is presently used for off-street parking, although it is non-conforming in that the surface is a combination of gravel and grass. The applicant proposes to pave this area and the setback areas adjacent to Elizabeth and 34th Street. The utilization of the setback areas will provide an additional 12 (approximate) parking spaces on site. The site plan submitted with the application shows the retention of a 22 x 31 foot landscaped area at the northwest corner of subject property as a buffer for the single family residence to the west. The paving in the setback areas is shown primarily as circulation aisles for the parking lot. The applicant makes a point of this, stating that the actual parking of cars will be in essentially the same location it has always been, but that the added circulation will enable more cars to be parked on site in a more orderly arrangement.

UNIQUENESS:

It is the opinion of the Secretary that it is difficult to determine that uniqueness exists in this situation, but that if uniqueness can be found it may be because this is one of the situations where a church is developed on a limited site in an established residential neighborhood, where there are no vacant lots or nearby commercial properties where supplemental parking can be provided, necessitating the use of surrounding residential streets for parking.

ADJACENT PROPERTY:

It is the opinion of the Secretary that it is difficult to determine whether the granting of the variance would have an adverse affect on the rights of adjacent property owners, but that it may not inasmuch as a landscape area is proposed adjacent to the residence to the west; and the existing yard area is just grass with no plantings. The additional off-street parking may be more beneficial to the neighborhood than the 25 feet of grass.

HARDSHIP:

It is the opinion of the Secretary that the strict application of the provisions of the Zoning Ordinance may constitute an unneces-

sary hardship upon the applicant inasmuch as they are attempting to maximize the utilization of their limited site for parking so that on-street parking in the neighborhood can be reduced.

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 it is difficult to determine that the granting of the variance requested would not be opposed to the general spirit and intent of the zoning ordinance, but it may not be in light of providing additional parking spaces, if appropriate screening is provided around the parking lot and trees are planted in the public right-of-way adjacent to the parking lot.

RECOMMENDATION:

It is the opinion of the Secretary that it is difficult to find the five conditions necessary to the granting of a variance to exist, but if the Board determines that they can be found to exist, the following conditions are suggested as conditions of approval:

1. The 25 foot front yard setback adjacent to 34th Street and Elizabeth Avenue shall be reduced to 0 feet, for off-street parking purposes only with no permanent structures to be erected thereon, on Lot 5, except the west 22 feet, and all of Lots 6 and 7, Block 9, Jenkins 2nd Addition.
  2. The west 22 feet of Lot 5, Block 9, Jenkins 2nd Addition, shall be unpaved for a depth of at least 25 feet, and shall be landscaped with grass and shrubs and/or trees; the landscaping shall be maintained in good condition.
  3. All parking spaces and circulation aisles shall be paved with asphalt or concrete and maintained in good condition.
  4. The applicants shall plant trees in the street right-of-way along 34th Street and Elizabeth adjacent to the parking lot. The City Forester shall be contacted relative to the appropriate variety of trees to be planted.
  5. A 3 to 4 foot high solid fence constructed of staggered or louvered redwood or rough sawed cedar shall be constructed along the north and east property lines adjacent to the area approved for variance.
-

37 notices sent to agent and/or applicant and adjoining property owners

10 notices sent to MAPC members

1 notice sent to CPO

39 notices sent on BZA 20-77

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

June 7, 1977

NOTICE TO ADJOINING PROPERTY OWNERS:

Case No. BZA 20-77

An application has been filed by Mt. Olivet Methodist Church, 3515 S. Elizabeth, Wichita, Kansas, pursuant to Section 2.12.590.B, Code of the City of Wichita, requesting a variance to reduce the required front yard setback adjacent to 34th Street South and Elizabeth Avenue from 25 feet to 0 feet for off-street parking purposes only, on property zoned the "AA" Single Family Dwelling District and legally described as follows:

Lots 5, 6, 7, 8, 9, and 10, Block 9, Jenkins 2nd Addition to Wichita, Sedgwick County, Kansas. Generally located on the west side of Elizabeth, between 34th St. South and Cornell Street (3515 S. Elizabeth).

This application has been assigned Case No. BZA 20-77 and will be considered by the Board of Zoning Appeals at its meeting on Tuesday, June 28, 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 \_\_\_\_\_

APPLICATION FOR VARIANCE

I. Name of Applicant Mt. Olivet Methodist Church

Mailing Address 3515 S. Elizabeth 17 Phone 522-6753

Name of Authorized Agent Clifford L. Bertholf

Kassebaum & Johnson  
Mailing Address 15th Floor, KSB&T Phone 263-4921  
125 North Market

Relationship of applicant to property is that of owner  
Wichita, Kansas 67202  
(Owner, Tenant, Lessee, Other)

II. The variance requested is to allow asphalt or concrete paving

to within one foot of the property line in the parking lot

(to reduce 25' front yard setback for off-street parking purposes only)

for property located on the south side of 34th street east of the

driveway and the west side of Elizabeth street for about one-hun-  
dred feet south of the intersection of 34th street and Elizabeth street.  
and legally described as: \_\_\_\_\_

Lots 5, 6, and 7 of Block 9, Jenkins<sup>2nd</sup> Addition.

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

III. The applicant herein, or his authorized agent, acknowledges:

- That he has received an instruction sheet concerning the filing and hearing of this matter;
- 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;
- 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.
- That all documents are attached hereto as noted in paragraphs 2, 3, 4, and 5 of the instructions.

Mount Olivet United Methodist Church

Applicant

Clifford L. Bertholf

Authorized Agent

OFFICE USE ONLY: Received in office of Secretary, Board of Zoning Appeals 4:15 (a.m. (p.m.)), 4-27 19 77 together with appropriate fee of \$50.00.

T9-402

subj. to receiving  
site plan ✓  
map 5343

West side of Elizabeth, between 34th St. South and Cornell St.

Serg. Dobson  
Signed

BOARD OF APPEALS

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

CITY OF WICHITA, KANSAS

FILED \_\_\_\_\_

To: Application for Variance

JUSTIFICATION OF VARIANCE

The Mount Olivet United Methodist Church, 3515 South Elizabeth, occupies the entire east end of block 9, Jenkins Addition, and is bordered by 34th Street on the north, Elizabeth Street on the east, and Cornell Street on the south. The church building is located on the south side of the property and the parking lot for the church is located on the north. The church desires to pave the parking lot with asphalt or concrete, and to expand the parking lot facilities. At present the parking lot is underutilized because it does not efficiently fit the parameters and requirements of off-street parking for the City of Wichita. There is presently almost enough space to allow a fifty per cent (50%) increase in parking, but there is no access to this additional parking.

The variance request is to allow paving of the parking lot to within one foot of the property line east of the driveway, along 34th Street for about 140 feet, to the northeast corner, and south from the northeast corner of the property, which is near the intersection of 34th Street and Elizabeth Street, for about one-hundred feet. In these areas the variance would reduce the twenty five foot setback requirement for front yards as required in Section 28.04.040. C.1.2 Code of the City of Wichita to one foot.

The extra space obtained by the variance will be used primarily as a driveway in order to afford access to additional parking spaces. If the variance is granted, the parked cars will be in substantially the same position as they would be in if the variance is not granted. No buildings will be constructed.

1. The variance requested does meet the requirements of Section 2.12.590.B, Code of the City of Wichita. Since this is the only Church or public type property in the block this problem is unique to this specific property. Because a church has peak periods of occupancy which are of only a short time interval, churches have needs that are unique to themselves. The high demand for off-street parking is for only a short time; yet this demand needs to be met. The particular configuration of this building and parking area coupled with the off-street parking standards of the City of Wichita allow only a limited number of parking spaces. Actually there is space for more parking, but access is not available. The off-street parking and the efficiency of the parking area could be significantly increased by allowing the asphalt paving to extend beyond the required setback, which would be used primarily for driveways that give access to the additional parking places.

The property owners have not caused the problem of inefficient and limited parking. The particular configuration of the building and parking areas coupled with the off-street parking standards cause the parking area to be inefficient and underutilized. An increase in the paved area to near the property line would meet Wichita off-street parking standards and allow high efficiency of the parking area with almost no change in the location of the parked cars.

For example, along 34th Street, most of the additional paving would allow for a driveway behind one row of parking spaces. The actual parking would encroach only slightly into the area for which the variance would be granted. Most of this area would be used for access to the parking spaces.

2. The rights of adjacent property owners will not be adversely affected. Since the church occupies the entire east end of the block, there are only two adjacent property owners. Actually only residence on 34th Street west of the church would be directly affected and this residence would have a buffer zone east of the driveway where the variance is not requested. The type of use would not change and the frequency of use would change only slightly. During peak periods the variance may benefit adjacent owners by providing more off-street parking and perhaps avoiding congested on-street parking near adjacent residences. Cars will be parked in the parking lot in about the same location after the variance as before. The variance simply allows more parking spaces because of better access to them.

Moreover, the paving would reduce mud and perhaps dust in the area and provide a place for pedestrians to walk on a hard surface off of the street since there are no sidewalks in the area adjacent to the variance.

3. The strict application of Title 28 would constitute an unnecessary hardship on the church. The space for additional off-street parking is mostly available in the parking lot as it presently exists. However, access to this space is not available without a driveway on the outside, which would be provided by the variance.

Cars would be parked in substantially the same area whether the variance is granted or not. The primary difference is that with the variance the paving could be extended farther in order to provide a driveway for access to the parking places. The inability to provide more off-street parking because of not having access to the spaces would be an unnecessary hardship on the church, on its members and on the surrounding residences.

4. The variance will not adversely affect the public health, safety, morals, order, convenience, prosperity, or general welfare. No adverse effects are anticipated from granting the variance. Property values will not be affected and no one will be put in danger or be inconvenienced. Actually, the safety and convenience of everyone affected should be increased by granting the variance.

5. Granting the variance will not oppose the general spirit of the ordinance. The general welfare of everyone should be improved by the granting of this variance. It does not create any problems or detract in any way from the safety, well being, or prosperity of the area. No bad effects can be foreseen.

Setback requirements are helpful in promoting the general welfare and by preventing structures from encroaching too closely on the street. Although the church is located in a residential area, it is effectively separated from residences by virtue of its location at the end of the block. Because the primary purpose of setback requirements is to keep structures at a safe and convenient distance from the street,

the simple paving of the parking lot close to the property line would not detract from the primary benefit of the setback requirements. Accordingly, the spirit of the ordinance is not violated in any way by granting this variance.

*Engineer  
Permit No. 104-111*

OWNERSHIP LIST

Lot	Block	Addition	Property Owner
7	8	Jenkins 2nd Addition	✓ Robert William Buckel & Teresa C. 1607 Webster 67217
8	8	Same	✓ Administrator of Vet. Affairs 5500 E. Kellogg 67218
9	8	Same	new owner - see last page X Gary L. Rundell and Ann S. 535 N. Emporia 67214
10	8	Same	Same
11	8	Same	D Administrator of Vet. Affairs 5500 E. Kellogg 67218
12	8	Same	✓ Terry Lynn Bailey & Sandra K. Address Unknown 2432 Somerset 67204
13	8	Same	D Administrator of Vet. Affairs 5500 E. Kellogg 67218
14	8	Same	✓ James Maltby Foster & Peggie June 1530 W. 34th South 67217
15	8	Same	✓ George H. Bunch and Rita L. Bunch 2903 Hiram 67217
16	8	Same	✓ Warren B. Niedens & Della Lynn 8222 W. Murdock 67212
17	8	Same	✓ Clarence E. Fuller & Pauline 1614 West 34th St. South 67217
1		Faith Baptist Church Addition	✓ Faith Baptist Church 1308 West 34th Street South 67217
6	10	Jenkins 2nd Addition	X Doyle L. Dodd & Madonna J. Dodd 3543 Cornell St. 67217
7	10	Same	✓ Verle K. Parsons & Ursula E. 3549 Cornell St. 67217
8	10	Same	X Garland W. Roberts and Ethel 3555 Cornell St. 67217
9	10	Same	✓ Billy Clyde Harris Jr. & Linda M. 3561 Cornell St. 67217

25% ACQUISITION  
 EXCELSIOR  
 FOX RIVER

Lot	Block	Addition	Property Owner
10	10	Jenkins 2nd Addition	X Willard Dean Carter & Irene Faye 3567 Cornell St. 67217
11	10	Same	X Administrator of Vet. Affairs 5500 East Kellogg 67217
12	10	Same	✓ Coy E. Blankenship & Mona L. 3579 East Kellogg 67218
13	10	Same	✓ Larry Mac Sullivan and Carol Ann 1518 Calvert St. 67217
14	10	Same	D Administrator of Vet. Affairs 5500 East Kellogg 67217
15	10	Same	✓ Dorotha F. Tracy 1530 Calvert 67217
16	10	Same	✓ Arthur Rex Elrod and Mary J. 1602 Calvert 67217
17	10	Same	✓ Southwest Church of Christ 1614 Calvert 67217
8 exc E 80'		Enterprise Addition	Joseph B. Cusick III and Josephine L. Cusick ✓ 1431 West 34th South 67217
E 80' 8		Same	✓ Lenora P. Franklin 1423 W. 34th Street South 67217
9		Same	✓ James A. Summers & Gertrude L. 1430 W. 34th South 67217
10		Same	✓ Sidney R. Fore and Mary B. 1418 West 34th South 67217
1	A	Richardson-Gowen- Pinkerton Addition	X Niki Ann Carlson & Roy Gary Address Unknown
2	A	Same	X Melvin L. Wehmeier & Frances L. Address Unknown
3	A	Same	✓ Richard Wallace Jones & Barbara J. Address Unknown 1217 Dallas 67217
1	B	Same	X Claude C. Blansett and Mary E. 1402 Calvert 67217

A tract beg. 30 feet East of the SW corner of the North 50 Acres of the E $\frac{1}{2}$  of the NE $\frac{1}{4}$  Section 7-28-1E, N parallel with the W line E $\frac{1}{2}$  NE $\frac{1}{4}$  212.5 ft, East 95 feet, South 212.5 feet, West 95 feet to point of beginning X Eric Karl Erickson and Jacquelyn Marie  
3573 Cornell St. 67217

Lot	Block	Addition	Property Owner
1	9	Jenkins 2nd Addition	✓ Sammy C. Morrison 1056 N. Waco 67203
2	9	Same	✓ Clarence Edwards & Dorothy H. 1613 West 34th South 67217
3	9	Same	✓ James Robert Ream Jr. and Claire L. 1607 West 34th South 67217
4	9	Same	✓ George Henry Bunch and Reita Lea 2903 Hiram 67217
5	9	Same	D Mt. Olivet Methodist Church 3515 South Elizabeth 67217
6	9	Same	Same
7	9	Same	Same
8	9	Same	Same
9	9	Same	Same
10	9	Same	Same
11	9	Same	✓ Robert D. Wares 3555 Cornell Street 67217
12	9	Same	✓ Gary Weber and Pamala 3554 Cornell St. 67217
13	9	Same	✓ Jack Lee Deal 3542 Cornell St. 67217

\* Owners to be notified for vacation of setback line

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

A 200 foot radius of: Lots 5, 6,  
7, 8, 9 and 10, Block 9, Jenkins  
2nd Addition to Wichita, Kansas,  
Sedgwick County, Kansas

as shown by the records on file in the Office of the Register of  
Deeds of Sedgwick County, Kansas, on the 28th day of April, 1976  
at 7:00 o'clock A.M.

THE SECURITY ABSTRACT & TITLE COMPANY, INC.

By

*Mary Gable*

Vice President

Order No. 236604  
wh

We hereby extend the foregoing ownership list from the 28th day of April, 1976 at 7:00 o'clock A.M., to this 19th day of April, 1977 at 7:00 o'clock A.M., without change except:

Lot 9, Block 8	Jenkins 2nd Addition	✓ Jimmy Ray Chancey & Linda S. 1552 Garland 67203
Lot 6, Block 10	Jenkins 2nd Addition	✓ Richard M. Francis & Carol E. 2247 South Broadview 67218
Lot 8, Block 10	Jenkins 2nd Addition	✓ Ralph G. Irwin and Barbara L. 2635 South West Street, Lot 506 67217
Lot 10, Block 10	Jenkins 2nd Addition	✓ Joe Dale McCormick & Angela J. 2135 East 103rd Street South Mulvane, Ks. 67110
Lot 11, Block 10	Jenkins 2nd Addition	✓ Frank E. Kralicek & Kathy M. 3573 Cornell 67217
Lot 1, Block A	Richardson-Gowen- Pinkerton Addition	✓ Robert A. Johnson & Donna 1001 East McArthur, Lot 136 67216
Lot 2, Block A.	Same	✓ Charles R. Giardina and Rebecca H. Giardina 2634 Columbine 67204
Lot 1, Block B	Same	✓ G. I. Highland and Wanda M. 3033 South Seneca 67217
previously described tract in the Northeast Quarter of Section 7-28-1E, now platted as Lot 1, Erickson Addition, Wichita, Kansas		✓ Eric Karl Erickson and Jacquelyn Marie Erickson 3573 Cornell Street 67217

THE SECURITY ABSTRACT & TITLE COMPANY, INC.

By

*Mary Gable*

Vice President

Order No. 249545  
wh

reduce platted 25' front yard setback adjacent to 34th St. and the 25' front yard setback adjacent to Elizabeth (to 1' for off-street parking purposes only).

FORM 200 021      PAYMENT NOTICE  
 City of Wichita <sup>2nd</sup>

PAY AT TREASURER'S OFFICE - ~~1ST~~ 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 \_\_\_\_\_

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

June 7, 1977

NOTICE TO ADJOINING PROPERTY OWNERS:

Case No. BZA 20-77

An application has been filed by Mt. Olivet Methodist Church, 3515 S. Elizabeth, Wichita, Kansas, pursuant to Section 2.12.590.B, Code of the City of Wichita, requesting a variance to reduce the required front yard setback adjacent to 34th Street South and Elizabeth Avenue from 25 feet to 0 feet for off-street parking purposes only, on property zoned the "AA" Single Family Dwelling District and legally described as follows:

Lots 5, 6, 7, 8, 9, and 10, Block 9, Jenkins 2nd Addition to Wichita, Sedgwick County, Kansas. Generally located on the west side of Elizabeth, between 34th St. South and Cornell Street (3515 S. Elizabeth).

This application has been assigned Case No. BZA 20-77 and will be considered by the Board of Zoning Appeals at its meeting on Tuesday, June 28, 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  
TENTH FLOOR - CITY HALL  
455 North Main, Wichita, Kansas 67202

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Jack H. Galbraith  
Secretary

\*

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