

Case No. BZA 24-80 - Raymond C. Trimble - requests a variance to reduce the front yard setback from 20' to 3' adjacent to Oakland Ave. on property zoned "B" Multiple-family Dwelling

Checked At 9-16-80

Shot 9-23-80

Revised 9-23-80

BZA
24-80

ACTION

POSTED
5-29-80
24

COMMITTEE APPROVED DATE 6-24-80
W/CONDITIONS.

M.A.P.C. _____

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

200' 1/4 Sec 9-18-80
 Checked at 9-18-80
 Shot 9-23-80
 Record 9-23-80

Case No. BZA 24-80 - Raymond C. Trimble - requests a variance to reduce the front yard setback from 20' to 3' adjacent to Oakland Ave. on property zoned R2. Multiple-family.

Map No. 5747
 Sec. 23
 Twp. 27
 Range 1E

BZA- 24-80
 SCZ- _____
 CU- _____
 Filed _____

AREA DATA:

1. Acres: 0.53 (100 ft. by 230 ft.)
2. Adjoining Zoning: E _____ S _____ W _____ N _____
3. Land Use: East PARKING LOT South SINGLE FAM.
 West SINGLE FAM. North CHURCH
4. Sketch Plan Land Use is for: _____
5. Present Land Use is for: HISTORICAL MUSEUM
6. Area (is) (is not) platted. _____

PHOTO DATA:

Taken by _____ Date _____ Time _____



September 16, 1980

Raymond C. Trimble
3705 East Douglas
Wichita, Kansas 67218

Re: Case No. BZA 24-80
Case No. BZA 35-80
Requests for Variances

Dear Mr. Trimble:

Enclosed herewith are signed copies of the Resolutions adopted by the Board of Zoning Appeals at the regularly scheduled meetings of June 24, 1980 and August 26, 1980. These requests were for a reduction of the front yard setback adjacent to Oakland Avenue and for a variance of the required number of off-street parking spaces from 32 to 18 spaces on property zoned the "B" Multiple-family Dwelling District, and located on the south side of Douglas between Circle Drive and Clifton.

These Resolutions reflect the official action of the Board to approve your requests and the conditions of approval are set forth therein. These are forwarded to you for your information and files.

These approvals will now permit you to complete the lot split case (LS-0466) and the zoning change request (Z-2182). In order to accomplish this it will be necessary to complete items a, b, c and e of the letter from Mr. Forrest Hagley on April 14, 1980 related to your lot split application. Until this lot split is completed, the "BB" zoning will not be published to effectuate a change in zoning. Until such is completed the proposed use of your property will not be permitted.

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

Sincerely,

Glen E. Lytle
Assistant Secretary

GEL:sad
Enclosures

cc: Jack H. Galbraith, Chief Planner, MAPD
Forrest Hagley, Junior Planner, MAPD
Robert Feldner, Superintendent of Central Inspection (2)
Don Gisick, City Clerk

RESOLUTION NO. BZA 24-80

WHEREAS, Raymond C. Trimble, 3705 East Douglas, Wichita, Kansas, requests a variance as provided in Section 2.12.590.B, Code of the City of Wichita, to reduce the front yard setback from 20 feet to 3 feet adjacent to Oakland Avenue on property zoned the "B" Multiple-family Dwelling District and legally described as follows:

The east 100 feet of Lot 2, Block A, Merriman Park Addition, Sedgwick County, Kansas. Generally located on the south side of Douglas, in an area between Circle Drive and Clifton (3751 East Douglas).

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 24, 1980, 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 existing accessory structure was erected prior to the establishment of zoning regulations requiring setbacks; 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 conversion of the existing structure to a new use without a large expansion should not reasonably alter the general area; 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 owners represented in the application inasmuch as the applicant would be unable to secure a permit to change the use of the existing structure; and

WHEREAS, the Board of Zoning Appeals has found that the variance desired will not adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare due to the fact that the applicant will be required to comply with all applicable regulations for any change of use or addition to the existing accessory structure; and

WHEREAS, the Board of Zoning Appeals has found that the granting of the variance desired will not be opposed to the general spirit and intent of Title 28 (Zoning Ordinance) inasmuch as the amount of existing open space will remain; 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.

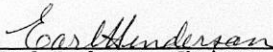
NOW, THEREFORE, BE IT RESOLVED by the Board of Zoning Appeals of the City of Wichita that this request for a variance to reduce the front yard setback adjacent to Oakland Avenue from 20 feet to 3 feet on property zoned the "B" Multiple-family Dwelling District and legally described as:

The east 100 feet of Lot 2, Block A,
Merriman Park Addition, Sedgwick County,
Kansas. Generally located on the south
side of Douglas, in an area between Circle
Drive and Clifton (3751 East Douglas).

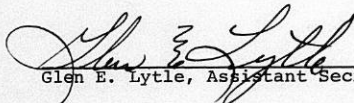
be approved subject to the following conditions:

1. The variance shall reduce the front yard setback from 20 feet to 3 feet adjacent to Oakland Avenue for only the area occupied by the existing structure, and in no event shall any addition to the existing garage structure increase the existing floor area over ten percent.
2. The applicant shall submit two copies of a site plan approved by the Superintendent of Central Inspection showing all required off-street parking spaces necessary for the full occupancy of the main structure as offices and the occupancy of the existing building adjacent to Oakland Avenue plus any addition based on it's occupancy.
3. Should the above described plan include parking spaces that are not located on the legal description as set forth in this application, then the applicant shall furnish a legal description of the property and copy of a lease agreement setting forth the terms of the lease.
4. Should the site plan include only a one-way driveway as ingress to the property from Douglas Avenue, then the applicant shall secure a dedicated access easement on the adjacent property for egress purposes. This easement shall be recorded with the Register of Deeds prior to the release of this Resolution.

ADOPTED AT WICHITA, KANSAS, this 24th day of June, 1980.


Earl Henderson, Chairman

ATTEST:


Glen E. Lytle, Assistant Secretary

June 26, 1980

Raymond C. Trimble
3705 East Douglas
Wichita, Kansas 67218

Re: Case No. BZA 24-80
Request for Variance

Dear Mr. Trimble:

At the regular meeting of the Board of Zoning Appeals on June 24, 1980, your request for a variance to reduce the front yard setback adjacent to Oakland Avenue from 20 feet to 3 feet on property zoned the "B" Multiple-family Dwelling District and generally located on the south side of Douglas between Circle Drive and Clifton was considered.

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

1. The variance shall reduce the front yard setback from 20 feet to 3 feet adjacent to Oakland Avenue for only the area occupied by the existing structure, and in no event shall any addition to the existing garage structure increase the existing floor area over ten percent.
2. The applicant shall submit two copies of a site plan approved by the Superintendent of Central Inspection showing all required off-street parking spaces necessary for the full occupancy of the main structure as offices and the occupancy of the existing building adjacent to Oakland Avenue plus any addition based on it's occupancy.
3. Should the above described plan include parking spaces that are not located on the legal description as set forth in this application, then the applicant shall furnish a legal description of the property and copy of a lease agreement setting forth the terms of the lease.

4. Should the site plan include only a one-way driveway as ingress to the property from Douglas Avenue, then the applicant shall secure a dedicated access easement on the adjacent property for egress purposes. This easement shall be recorded with the Register of Deeds prior to the release of this Resolution.

A resolution setting forth the official action of the Board is being prepared and you will be furnished a copy upon compliance with the above conditions. It should also be noted that until this resolution is released, your lot split will be withheld which in turn prevents the authorization of publication of the "BB" Office zoning on your property.

If you have any questions, please give us a call.

Sincerely,

Glen E. Lytle
Assistant Secretary

GEL:sad
cc: Robert Feldner, Superintendent of Central Inspection
Don Gisick, City Clerk

WICHITA-SEDGWICK COUNTY

DATE

METROPOLITAN AREA PLANNING DEPARTMENT

June 26, 1980

TO Robert Feldner, Superintendent of Central Inspection

FROM Jack H. Galbraith, Chief Planner Current Plans

SUBJECT Subject: BZA 24-80 - 3751 East Douglas

Attached hereto is a copy of the action letter of the Board of Zoning Appeals relative to the variance request by Mr. Trimble. As you will note by the letter, the Board's approval of the variance was subject to compliance with four conditions.

During the discussion of this case and the conditions of approval, the Board expressed their concern of the over development of the site and general area without adequate parking for the uses established in the area. We forwarded to you a copy of the letter to Mr. Trimble on June 9, 1980 that requested that an analysis of the off-street parking be made to determine whether the Bestor Brown Lodge had parking in excess of the minimum requirement that could be leased to him.

Mr. Trimble stated at the meeting that the requirement for off-street parking spaces to convert the Wichita Historical Museum to Office space was 27 spaces, and the requirement for the Child Day Care Center as proposed was 3, with an additional requirement of 3 off-street loading spaces for a 32 student center that he was not aware of. The site plan furnished to the Board indicated only 14 spaces on his property and Mr. Trimble stated he had hoped to eliminate those parallel to the driveway. This would then provide for less than half of his required parking spaces on his property.

Mr. Trimble also stated that the Bestor Brown Lodge had 60 parking spaces on their site and they were willing to lease 15 spaces to him for his use. He also stated that Mr. Jorgeson had determined that the requirement for the Lodge, as an assembly building, was 55 off-street parking spaces. This would leave an excess of only 5 spaces that could be leased to others and still be in compliance with the zoning ordinance.

It is our understanding that 12 spaces of the Lodge parking have already been leased to Clifton Square to bring them into compliance with the off-street parking regulations. If this is true, then the Lodge property does not have any excess parking spaces that can be leased to adjacent property owners to satisfy the requirement of the zoning ordinance.

This does not in anyway prevent the Board of Zoning Appeals from granting a variance to Mr. Trimble, or other owners in the area, for the reduction of the required number of off-street parking spaces based on the availability of parking on the Lodge property

Page 2

during the daytime. At this point, it appears that this is the only logical solution unless Mr. Trimble would provide the required parking on his property which could probably be accomplished with the location of a second driveway on the west and parking in the area adjacent to Oakland Avenue at the rear of the main structure.

If your assessment of this situation is any different than this, please advise as soon as possible.

Jack H. Galbraith
Chief Planner

JHG:GEL:sad

cc: Jim Jorgeson, Plans Examiner

SECRETARY'S REPORT
CASE NO. BZA 24-80

APPLICANT: Raymond C. Trimble, 3705 E. Douglas, Wichita, Kansas.

AGENT: None

REQUEST: Variance pursuant to Section 2.12.590.B, Code of the City of Wichita, to reduce the front yard setback from 20 feet to 3 feet adjacent to Oakland Avenue.

GENERAL LOCATION: On the south side of Douglas, in an area between Circle Drive and Clifton (3751 East Douglas).

ZONING: Subject property is zoned "B" Multiple-family as is the property to the east and west. To the south is "AA" One-family, and to the north "LC" Light Commercial.

LAND USE: Subject property has been the Wichita Historical Museum. The property to the east is a Lodge, to the south and west residential, and to the north is a church.

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 is requesting that the front yard adjacent to Oakland Avenue be reduced from 20 feet to 3 feet so that a non-conforming accessory structure may be expanded and converted to a child day care center or Montessori School. It should be noted that the subject property was developed before the adoption of zoning regulations as a single-family residence and an accessory structure. The property has since been converted to the Wichita Historical Museum and is in the process of being vacated.

The applicant has purchased the property with the intentions of remodeling the main structure into office uses and has secured a possible tenant for the accessory structure if a variance of the front yard setback can be obtained to permit the expansion of the building. With the exception of one house, all of the properties in this block were originally developed as double frontage properties with the front of the buildings facing Douglas Avenue. By actual definition of the zoning ordinance, this lot is a through lot and must therefore comply with the required front yard setback of twenty feet in the "B" zoning district. The applicant has applied for "BB" Office Zoning which has been approved subject to securing a lot split approval. A condition of the lot split was to secure a variance for the nonconforming structure or remove it. The applicant has chosen to seek the variance in order to preserve the structure.

In accordance with the approval of the "BB" Office Zoning, the applicant has granted abutter's rights of access, ingress and egress from Oakland Avenue, to the City of Wichita in order to limit traffic generation into the residential neighborhood. The site plan submitted with the application indicates access from Douglas Avenue by a one way drive with 14 off-street parking spaces shown on the applicant's property, and the plan indicates all exiting through the adjoining property to the east.

It is the opinion of the Secretary that it is difficult to justify a variance of the front yard setback to expand and intensify the use of a property when it has not been shown that compliance with all other requirements of the zoning ordinance can be met. It is of particular concern that the amount of off-street parking that will be required to convert the existing structure on the property to Office use and the proposed expansion of the accessory structure are not being provided on the applicant's property.

It is the opinion of the Secretary that prior to approval of a variance, the applicant should furnish a site plan, approved by the Superintendent of Central Inspection, showing all the required parking in conformance to the standards set forth in the zoning ordinance. This should include one parking space for each 250 square feet of floor space in the main building, including all floors, plus the number of parking and loading spaces required for the Montessori School (based on the requirements of a child day care center).

UNIQUENESS:

It is the opinion of the Secretary that it is difficult to find uniqueness inasmuch as it appears that it is proposed to over develop

the site by expanding the accessory structure and not providing the required parking and circulation on the site in question.

ADJACENT PROPERTY:

It is the opinion of the Secretary that the adjacent property to the east will be affected by having to use that property for both required parking and an exit, whereas if the accessory structure was not proposed to be expanded, the required parking and a two way drive could be provided on site.

HARDSHIP:

It is the opinion of the Secretary that if this variance were granted for only the existing accessory structure, there would be no hardship, as the applicant could probably provide all of the required parking and circulation on site.

PUBLIC INTEREST:

It is the opinion of the Secretary that the granting of the variance will not affect the public interest if adequate off-street parking can be provided for the proposed uses on the property.

SPIRIT AND INTENT:

It is the opinion of the Secretary that the granting of the variance will be opposed to the spirit and intent of Title 28 Zoning Ordinance inasmuch as the proposed expansion of the structure will overdevelop the site as inadequate circulation and off-street parking will occur unless the adjacent property is used.

RECOMMENDATION:

Unless a site plan can be provided showing all of the required parking and a two-way drive on site, it is the recommendation of the Secretary that the variance not be granted.

Should a development plan be submitted wherein off-street parking and loading can be provided in compliance with the provisions of the zoning ordinance, and the Board can find the five conditions necessary for the granting of a variance, then it is recommended that the variance be subject to the following conditions:

1. The variance shall reduce the front yard setback from 20 feet to 3 feet only for the existing structure adjacent to Oakland Avenue.

Alternate 1. The variance shall reduce the front yard setback from 20 feet to 3 feet only for 50% of the lot frontage adjacent to Oakland Avenue, but shall not extend closer than ten feet to a side property line.

Page 4
BZA 24-80
BZA AGENDA
6-24-80

2. The applicant shall submit two copies of a site plan approved by the Superintendent of Central Inspection showing all required off-street parking and loading spaces necessary for the full occupancy of the main structure as offices and the occupancy of the building and addition adjacent to Oakland Avenue as a child day care center.
3. Should the above described plan include parking spaces that are not located on the legal description as set forth in this application, then the applicant shall furnish a legal description of the property and copy of a lease agreement setting forth the terms of the lease.
4. Should the site plan include only a one-way driveway as ingress to the property from Douglas Avenue, then the applicant shall secure a dedicated access easement on the adjacent property for egress purposes. This easement shall be recorded with the Register of Deeds prior to the release of this Resolution.

June 9, 1980

Mr. Ray Trimble
3705 East Douglas
Wichita, Kansas 67218

Re: BZA 24-80
3751 East Douglas

Dear Mr. Trimble:

In reviewing your application for a variance of the front yard setback adjacent to Oakland Avenue, it appears that there is not sufficient off-street parking on your property to satisfy the requirements of the zoning ordinance for the conversion of the old Wichita Historical Museum to office usage and expand the accessory structure for use as a Montesorri School (Child Day Care Center).

In order that you might have an opportunity to resolve some of our concerns about the property, and the adjacent properties, I suggest you contact Mr. Jorgeson, Plans Examiner in Central Inspection, about the number of off-street parking and loading spaces that will be required for full conversion of your property as has been indicated.

I know you have indicated that some parking will be available to you on the property to the east. In order that the Board of Zoning Appeals may be apprized of the parking situation by copy of this letter, I am requesting that an analysis be made by Central Inspection of the Bestor Brown Lodge property to determine their off-street parking requirements. It does not appear that the property to the east has parking in excess of the requirement of the zoning ordinance that can be converted to off-street parking for commercial purposes. It is my understanding that a number of spaces have been leased to Clifton square which is questionable as to the intent of compliance with the regulations. Although the ordinance allows assembly buildings to lease 50% of their required parking from commercial facilities within 660 feet that

are not in use between 6:00 p.m. and midnight, the ordinance does not provide for the opposite to occur. It does not, however prevent parking, in excess of the minimum requirement, from being leased for commercial purposes if the assembly building is located in an appropriate zoning district.

I would hope that you can get with Central Inspection at an early date so that this may be resolved prior to the Board of Zoning Appeals meeting of June 24, 1980. If I can be of any assistance, please give me a call at 268-4394.

Sincerely,

Glen E. Lytle
Assistant Secretary

GEL:sad

cc: Robert Feldner, Superintendent of Central Inspection
Jim Jorgeson, Plans Examiner

BZA CASE NO. 24-80

2 NOTICES SENT TO APPLICANT/AGENT

10⁹ NOTICES SENT TO MAPC

1 NOTICES SENT TO CPO

24 NOTICES SENT TO ADJOINING PROPERTY OWNERS

~~30~~ ³⁵ TOTAL NOTICES SENT 6-4-80

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

June 4, 1980

NOTICE TO ADJOINING PROPERTY OWNERS:

CASE NO. BZA 24-80

An application has been filed by Raymond C. Trimble, 3705 East Douglas, Wichita, Kansas, pursuant to Section 2.12.590.B, Code of the City of Wichita, requesting a variance to reduce the front yard setback from 20' to 3' adjacent to Oakland Avenue on property zoned "B" Multiple-family Dwelling District and legally described as follows:

The east 100 feet of Lot 2, Block A, Merriman Park Addition, Sedgwick County, Kansas. Generally located on the south side of Douglas, in an area between Circle Drive and Clifton (3751 East Douglas).

This application has been assigned case No. BZA 24-80, and will be considered by the Board of Zoning Appeals at its meeting on Tuesday, June 24, 1980, 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. If you have any questions about this application, please call 268-4390 and ask for Lynn Shirkey or 268-4394 and ask for Glen Lytle.

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
CITY OF WICHITA, KANSAS

CASE NO. 24-80
7-3182
FILED 5-23-80

APPLICATION FOR VARIANCE

I. Name of Applicant Mr. Raymond C. Trimble
Mailing Address 3705 E. Douglas, Wichita, KS Phone 686-7321
Name of Authorized Agent Mr. Raymond C. Trimble 67218
Mailing Address SAME Phone SAME

Relationship of applicant to property is that of OWNER
(Owner, Tenant, Lessee, Other) Variance of front yard set-
back on Oakland Ave. From
II. The variance requested is to exempt an accessory structure which
20 feet to 3 feet.
encroaches into the front yard set back from Oakland from Wichita. (att)

Sedgwick County Zoning Ordinance 2.8.04.080 - C-1
for property located on the south side of Douglas, in an area
between Circle Drive and Clifton. (3751 E. Douglas)
and legally described as: The east 100 feet of Lot 2, Block A,
Merriman Park Addition, Sedgwick County, Kansas

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

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. 36-596); 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.

Applicant Raymond C. Trimble

Authorized Agent Raymond C. Trimble

OFFICE USE ONLY: Received in Office of Secretary, Board of Zoning Appeals, 3:10 (a.m. (p.m.)), May 23, 1980, together with appropriate fee of 150.

Signed D. Lynn Shirkay

OWNERSHIP LIST

Lot	Addition	Property Owner
East 15 ft of west 95 ft lot 2 Block A	Merriman Park	J. W. Buck & Catherine 3725 East Douglas 67218
S $\frac{1}{2}$ lot 1 except east 15 ft and except west 105 ft Block A	Same	Dale Lott Jr. & Rita C. 3416 Oakland 67218
East 100 ft lot 2 Block A	Same	Wichita Historical Museum 2751 East Douglas 67218 324 S. Main, 67202
lot 3, Block A	Same	Bestor G. Brown Masonic Lodge, Inc. 3755 East Douglas 67218
north 83 ft of east 51 ft, Blk B	Same	<i>Returned - no other address</i> Charles A. Funke & Lillian Address Unknown 221 S. Rutan 67218
Lot 1	Shortridge Addition	Center for the Improvement of Human Functioning, Inc. 3715 East Douglas 67218
lot 1	R. Trimble Addition	Raymond C. Trimble and Dorothy Ann Trimble 3705 East Douglas 67218
lots 1,2,3,4	Robertson's 6th Addition	Charles A. Funke & Lillian Address Unknown 221 S. Rutan 67218
lots 5 and 6	Same	Gerald L. Howell and Gerladine L. Howell 3431 Oakland 67218
lots 7 and 8	Same	<i>resent to: 142 S. J. Logwood 67218</i> Mercedes Orcutt Address Unknown 6412 Clayton St. 67206
lots 9 and 10	Same	Charles W. Fischer & Barbara 159 Circle Drive 67218
lot 1	Zakas Fourth Addition	Jo S. Zakas 3225 East English, Apt. 101 67218
Beginning 12 ft west of the SW corner of the east half of lot 2, Block 3, College Hill Addition, thence north 157 feet, thence east 66 feet, thence north 157 feet, thence west 66 feet to beginning		O. A. Beech, 48 Mission Road 67207 Lucille D. Spines 138 North Fountain, 67208 <i>Returned no other address found.</i>

Lot	Addition	Property Owner
Beginning 54 feet East of the SW corner of the east half of lot 2, Block 3, College Hill Addition, thence north 157 feet, thence East 65.54 feet, thence south 157 feet, thence west 65.54 feet to beginning		X Hazel E. Branch ✓✓✓ Address <u>Unknown</u>
lot 1 and 2	Desirable Addition	✓✓ Donald H. Alldritt and Maxine J. Alldritt 131 Circle Drive 67218
lot 3 except S 1 ft lot 6 except S 1 ft	Same	Same
lots 4,5 and 6	Cossitt & Magill's Add.	✓ St. James Episcopal Church 3750 East Douglas 67208
lots 11 and 12	Robertson's 6th Addition	✓ Darrel G. Steinshauer and Sylvia H. Steinshouer 3632 East English 67218
lots 13 and 14	Same	✓ Gladys V. Hoffman and Clarence R. Hoffman 3630 East English 67218
Apt. 101, Bldg A	200 Clifton Place A Condominium	✓ Roach Milton Greeson and Bernice B. Greeson 3411 E. Oakland 67218
Apt. 102, Bldg. A	Same	✓ Garland M. Hattan & Freida C. 3411 East Oakland 67218
Apt. 103 Bldg. A	Same	✓ Marvin A. Rettig & Leatha B. 3411 East Oakland 67218
Apt. 104, Bldg A	Same	✓ Sally Jane Hamby 3421 East Oakland 67218
Apt. 105, Bldg. A	Same	✓✓ Sidney G. Neff & Eleanor 3421 East Oakland 67218
Apt. 201, Bldg. A	Same	✓ Garland M. Hattan & Frieda C. 3421 East Oakland 67218
Apt. 202, Bldg. A	Same	✓ Dorothy A. Coldsnow 3411 East Oakland 67218
Apt. 203, Bldg. A	Same	✓✓ Everett E. Jones & Winnie M. 3421 East Oakland 67218
Apt. 204, Bldg. A	Same	✓ Myrna R. Salome 3421 East Oakland 67218
Apt. 205, Bldg. A	Same	✓ Katharine M. Shelton 3421 East Oakland 67218
Apt. 206, Bldg. A	Same	✓ Jeanne S. Naugle 3421 East Oakland 67218

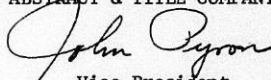
We hereby certify the foregoing to be a true and correct list of the property owners of:

A 200 foot radius of: the east
100 feet, of lot 2, Block A, Merriman
Park, Sedgwick County, Kansas

as shown by the last deeds of record on file in the Office of the Register of Deeds of Sedgwick County, Kansas, on the 24th day of August, 1979 at 7:00 o'clock A.M.

THE SECURITY ABSTRACT & TITLE COMPANY, INC.

By


Vice President

Order No. 280559
wh/ct

We hereby extend the foregoing ownership list from the 24th day of August, 1979 at 7:00 o'clock A.M. to this 22nd day of May, 1980 at 7:00 o'clock A.M., without change except:

The east 100 feet
lot 2, Block A Merriman Park Addition ✓ Landmark Enterprises, a
partnership consisting of
Dick A. Matthes and
Raymond C. Trimble
3705 East Douglas 67218

Apt. 104, Bldg A 200 Clifton Place
A Condominium ✓ Dr. H. Tom Gray and
Johanna M. Gray
~~3421 East Oakland~~ 67218
*resent to: 48 Via Roma
6-6-80*

THE SECURITY ABSTRACT & TITLE CO., INC.

By

Mary Gable

Vice President

Order No. 288149
wh

REQUEST FOR VARIANCE - L/S-0466 - Request for lot split approval of the east 100 feet of Lot 2, Block A, Merriman Park Addition - regarding the accessory structure that encroaches into the front yard setback from Oakland

REASON - Conformance of Title 28 Provision.

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.
 - A. Site runs from Douglas south to Oakland making this property unique by both North & South boundaries are considered frontage.
 - B. That the accessory structure which encroaches upon required front yard set back has definite historical significance and is both stabel and above average in quality. A very appropriate suggested use for this structure and location which would blend well into a residential area is a Montessori School.
2. That the granting of the permit for the variance will not adversely affect the rights of adjacent property owners or residents.

N/A

3. That the strict application of the provisions of Title 28 of which variance is requested will constitute unnecessary hardship upon the property owner represent in the application.
 - A. Will cause loss and destruction of Real Property which is unique and special in nature.
4. That the variance desired will not adversely affect the public health, safety, morals, order, convenience, prosperity, or general welfare; and.

N/A

5. That granting the variance desired will not be opposed to the general spirit and intent of Title 28 (zoning ordinance).
 - A. Building was constructed prior to Zoning Ordinance in effect and should not for any reason oppose the general intent of Title 28.

WICHITA - SEDGWICK COUNTY

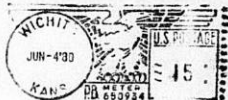
W SC

BOARD OF ZONING APPEALS
CITY HALL - TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202

ADDRESSEE
UNKNOWN
RETURN TO SENDER

MER 12 060517N1 06/05/80

RETURN TO SENDER
NOT DELIVERABLE AS ADDRESSED
UNABLE TO FORWARD



0206
65-80

6-9-80
resent to: 147 S. Ridgewood 67218

Mercedes Orcutt
6412 Claytonia St.
Wichita, Kansas 67206



Mercedes M.

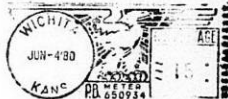
pro: L.P. Hearing Aide Center Inc.
209 S. Broadway
264-3167

WICHITA - SEDGWICK COUNTY

W SC

BOARD OF ZONING APPEALS
CITY HALL - TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202

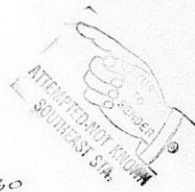
JACK K. HERRON
RT-1307 DATE 6-5



resent to:
res. address
6-6-80

H. Tom & Johanna M. Gray
3421 East Oakland
Wichita, Kansas 67218

Dr.
3244 E. Douglas
Res 48 Via Roma



67230

**MICROFILMED
FROM THE BEST
AVAILABLE COPY**

FORM 223

PAYMENT NOTICE

City of Wichita

PAY AT TREASURER'S OFFICE - SECOND 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	<i>Planning</i>	

DESCRIPTION	AMOUNT
<i>RZA Variance</i>	<i>150.00</i>

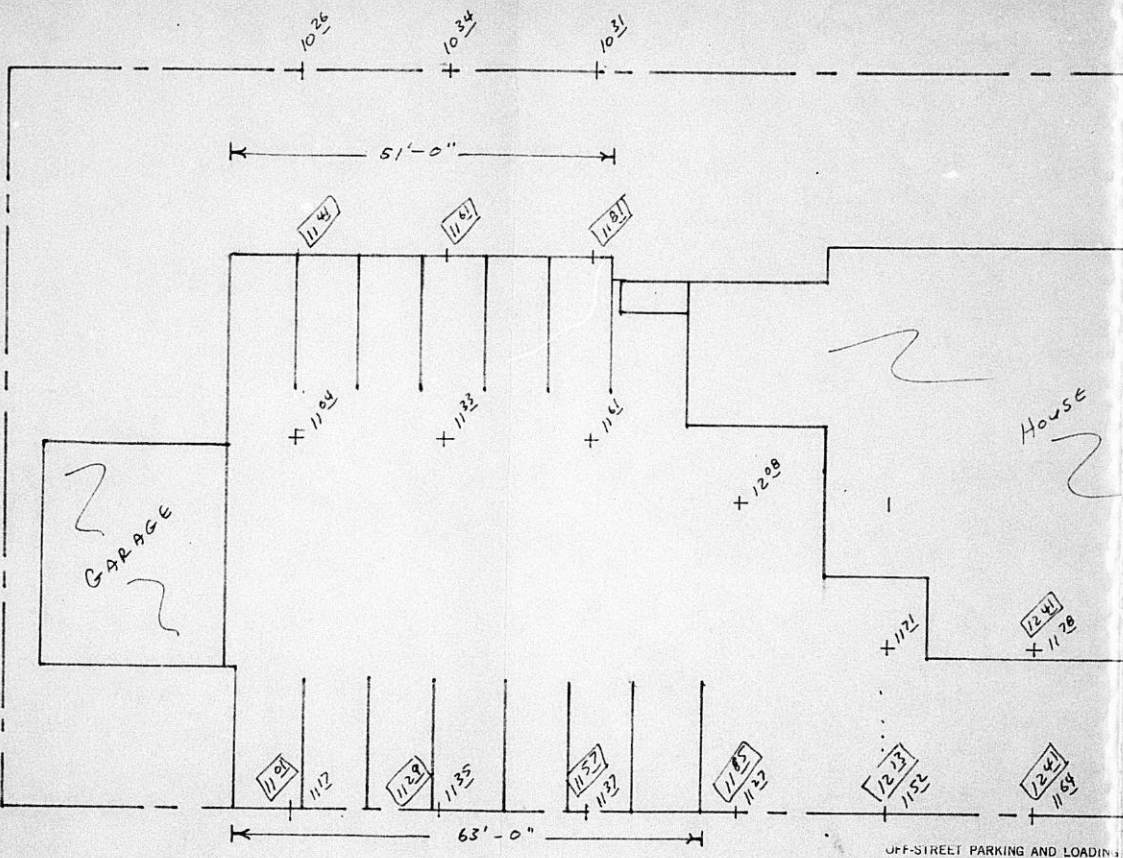
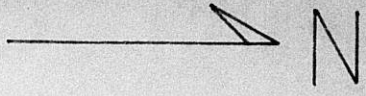
Name *Ray Tomblin*

Address *3705 E. Douglas*

Type *110-90071-003* Due Date *000-0000*

Comments:

Date *5/23/80* BY *YBS*



Close Existing Approach

EXISTING GRADES 1104
 FINISH GRADES 1109

SCALE 1" = 15'-0"

OFF-STREET PARKING AND LOADING

ADDRESS 3751 E. DOUGLAS

PROJECT _____

SCREEN LOC. AND HT. _____

REQ'D. BY _____

NO. OF APPROVED EXISTING PARKING SPACES _____

TOTAL NO. OF PARKING SPACES REQUIRED _____

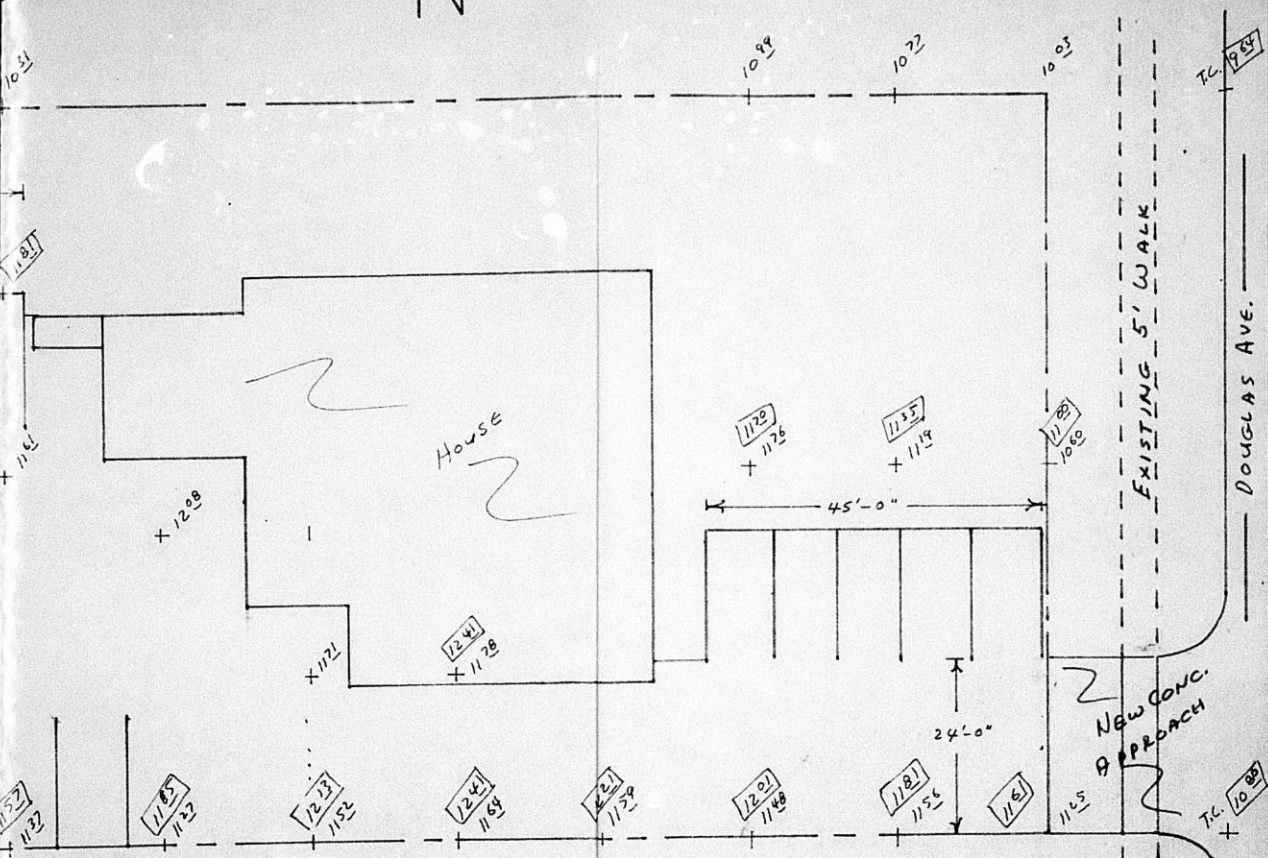
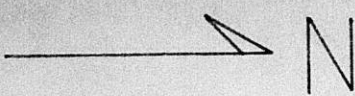
CALCULATED ON _____

NO. OF APPROVED EXISTING LOADING SPACES _____

TOTAL NO. OF LOADING SPACES REQUIRED _____

CALCULATED ON _____

DATE 10-14-86 PLANS EXAMINER J.M. Jorge



OFF-STREET PARKING AND LOADING

ADDRESS 3751 E. DOUGLAS

PROJECT _____

SCREEN LOC. AND HT. _____

REQ'D. BY _____

NO. OF APPROVED EXISTING PARKING SPACES _____

TOTAL NO. OF PARKING SPACES REQUIRED 18

CALCULATED ON _____

NO. OF APPROVED EXISTING LOADING SPACES 1

TOTAL NO. OF LOADING SPACES REQUIRED 1

CALCULATED ON _____

DATE 10-14-80 PLANS EXAMINER Jkl Jorgensen

OLD HISTORICAL MUSEUM
3751 E. DOUGLAS

SCALE 1" = 10'-0"

*

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

Roll # 2