

*PAID  
9-2-81*

**ACTION**

2-2-81  
 40-81  
 COMMITTEE APPROVED DATE 2-22-81  
 Subj. to "C" zoning -  
 M.A.P.C. \_\_\_\_\_  
 B.C.C./B. CO. C. \_\_\_\_\_

NOTE: APPLICANT WITHDRAWN  
 CASE 2-2373 ON SEPT. 29, 1981  
 AT CITY COMM. MTK. —  
 THIS ACTION THEREBY VOID.  
*gms*

Case No. BZA 40-81 - Kansas Elks Training Center for the Handicapped - request a variance to reduce the side yard setback on the north side of existing building along English Street from 5' to 0' on property zoned "E" Light Industrial District and generally

Map No. 5547  
 Sec. \_\_\_\_\_  
 Twp. \_\_\_\_\_  
 Range \_\_\_\_\_

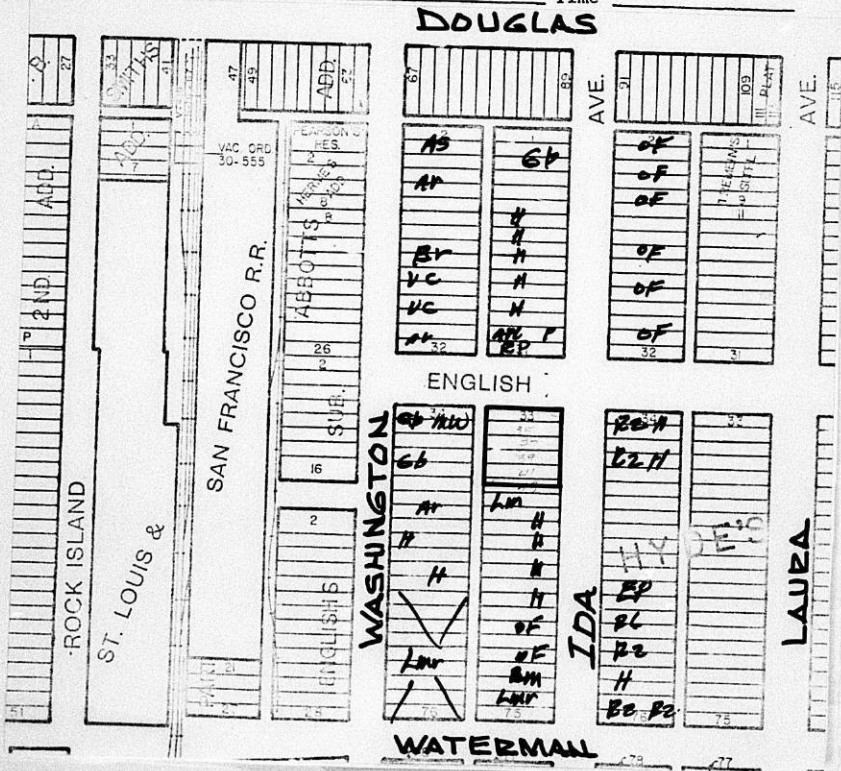
BZA- 40-81  
 SCZ- \_\_\_\_\_  
 CU- \_\_\_\_\_  
 Filed \_\_\_\_\_

AREA DATA:

1. Acres: 0.45 ( 140 ft. by 140 ft.)
2. Adjoining Zoning: E \_\_\_\_\_ S \_\_\_\_\_ W \_\_\_\_\_ N \_\_\_\_\_
3. Land Use: East TWO FAM South LIGHT MANUFACTURING  
 West GEN BUSINESS SS North ELKS TRAINING SCHOOL
4. Sketch Plan Land Use is for: \_\_\_\_\_
5. Present Land Use is for: \_\_\_\_\_
6. Area (is) (is not) platted. \_\_\_\_\_

PHOTO DATA:

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



LOS ANGELES-CINCINNATI-LOGAN CH  
 WASHINGTON, THE EAST SHORE, OH  
 U.S.A.

Shiloh  
 No. 2153C

"Helping Others Help Themselves"

## Kansas Elks Training Center for the Handicapped

1006 EAST WATERMAN • WICHITA, KANSAS 67211 • (316) 265-2603

October 1, 1981



Mr. Glen Lytle, Assistant Secretary  
Board of Zoning Appeals  
City Hall, 10th Floor  
455 North Main  
Wichita, Kansas 67202

Re: Case No BZA 40-81  
Request for Variance

Dear Mr. Lytle:

The variance granted by the Board of Zoning Appeals at their September 22, 1981 meeting will no longer be necessary for the property located at 201 South Ida. This is due to the Training Center's withdrawal of its re-zoning application to the City Commission.

I would like to thank the Board of Zoning Appeals for their interest in and responsiveness to our request concerning the aforementioned property.

If you have questions regarding this correspondence, please do not hesitate to call.

Sincerely,

KANSAS ELKS TRAINING CENTER

Bob Lawrence, Executive Director

BL:dr

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

Kansas Elks Training Center for the Handicapped, Inc. The major project of the Kansas Elks Association. A Non-Profit Organization.

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Liberi, Kansas 67901

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Chanute, Kansas 66720

WILLARD CAMPBELL  
326 Garfield  
City Center, Kansas 67432

LLOYD CHAPMAN  
706 West 10th  
El Dorado, Kansas 67042

TONY C. DYE  
Rte. 2, Country Club Road  
Chanute, Kansas 66720

EARL FLESHER  
10133 Reads Drive  
Overland Park, Kansas 66207

HOWARD HOUK  
844 Roach  
Salina, Kansas 67401

DOUGLAS H. McLELLAND  
315 West 1st  
Pratt, Kansas 67124

Accredited by Commission on Accreditation of Rehabilitation Facilities

RECEIVED

OCT 6 1981

METROPOLITAN PLANNING

ROUTE

September 25, 1981

William R. Lawrence, Executive Director  
Kansas Elks Training Center for the Handicapped  
1006 East Waterman  
Wichita, Kansas 67211

Re: Case No. MEA 40-51  
Request for Variance

Dear Mr. Lawrence:

Enclosed is a signed copy of the Resolution adopted by the Board of Zoning Appeals on September 22, 1981.

This Resolution reflects the official action of the Board to approve your request, and sets out the condition of approval. The resolution will not be released until such time that "C" zoning is established on the property permitting the conversion to residential purposes.

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

Sincerely,

Glen E. Lytle  
Assistant Secretary

GEL:sad

cc: Kansas Elks Training Center for the Handicapped, 1006 East  
Waterman, Wichita 67211  
Robert Feldner, Superintendent of Central Inspection (2)  
Don Gisick, City Clerk

SECRETARY'S REPORT  
CASE NO. BZA 40-81

APPLICANT: Kansas Elks Training Center for the Handicapped,  
1006 East Waterman, Wichita, Kansas

AGENT: William R. Lawrence, Executive Director, Kansas  
Elks Training Center for the Handicapped, 1006  
East Waterman, Wichita, Kansas

REQUEST: Variance pursuant to Section 2.12.590.B, Code of  
the City of Wichita, to reduce the side yard  
adjacent to English from 5 feet to 0 feet

GENERAL LOCATION: On the southwest corner of English and Ida

ZONING: Subject property is zoned "E" Light Industrial  
as are all adjacent properties. The applicant  
has filed for "C" Commercial zoning.

LAND USE: Subject property is occupied by an existing  
commercial building. Surrounding properties are  
developed with a mixture of commercial and  
industrial uses.

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 and the Board may grant the request when all five conditions as required by the State Statutes are found to exist.

COMMENTS BY THE SECRETARY:

The applicant is requesting a variance of the required 5 foot side yard, adjacent to English Street, to 0 feet so that an existing building may be converted to residential useage. The building is adjacent to the property line on the north and the zoning ordinance states that any structure to be erected or converted to residential purposes shall comply with the same setbacks as is required in the "B" Multiple-family Dwelling District.

The building is to be converted to living quarters for the handicapped while being trained at the Center. The applicant owns most of the adjacent property in the block and will be remodeling and improving the building. Since the zoning ordinance does not permit the conversion or construction of buildings for residential purposes in the Industrial Districts, the applicant has filed a change of zoning to "C" Commercial which would permit the proposed use.

UNIQUENESS:

It is the opinion of the Secretary that this property is somewhat unique inasmuch as the building is existing and will not be expanded to further reduce any yard requirements.

ADJACENT PROPERTY:

It is the opinion of the Secretary that the granting of the variance requested will not adversely affect the rights of adjacent property owners inasmuch as the building will be remodeled interiorly and any change to the building should be an improvement to the area.

HARDSHIP:

It is the opinion of the Secretary that the strict application of the provisions of the zoning ordinance may constitute an unnecessary hardship upon the applicant inasmuch as the requirement of a 5 foot side yard would make the remodeling costs prohibitive.

Page 2  
EZA 40-81  
EZA AGENDA  
9-22-51

PUBLIC INTEREST:

It is the opinion of the Secretary that the requested variance would not adversely affect the public interest inasmuch as any remodeling will not interfere with any easements or public right-of-way.

SPIRIT AND INTENT:

It is the opinion of the Secretary that the granting of the variance requested would not be opposed to the general spirit and intent of the zoning ordinance inasmuch as the side yard in question is adjacent to the street and will provide light and air to the property.

RECOMMENDATION:

Should the Board determine that all five conditions necessary to the granting of a variance can be found to exist, then it is the recommendation of the Secretary that the variance be granted subject to the following condition:

1. The variance to reduce the side yard adjacent to English Street from 5 foot to 0 feet shall only apply to the existing building. In the event the existing building is removed, any new structure shall comply with the required side yard.

BZA CASE NO. 40-81

2 NOTICES SENT TO APPLICANT/AGENT

10 NOTICES SENT TO MAPC

1 NOTICES SENT TO CPO

11 NOTICES SENT TO ADJOINING PROPERTY OWNERS

24 TOTAL NOTICES SENT 9-4-81

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

9-04-81

NOTICE TO ADJOINING PROPERTY OWNERS:

CASE NO. BZA 40-81

As required by law, all property owners of record, within 200 feet of a property to be considered for an exception or variance by the Board of Zoning Appeals, are to be notified of the public hearing. An application has been filed by Kansas Elks Training Center for the Handicapped, 1006 East Waterman, Wichita, Kansas, requesting a variance.

Pursuant to Section 2.12.590.B, of the Code of the City of Wichita, the applicant is requesting a variance to reduce the side yard setback on the north side of existing building along English Street from 5' to 0' on property zoned "E" Light Industrial District. A legal description of the applicant's property is as follows:

Lots 33, 35, 37, 39, 41 and N 15' of Lot 43 and reserve E. line W. of Lot 33 and 35 in Hyde's Addition to Wichita, Sedgwick County, Kansas. Generally located on the southwest corner of Ida and English (201 Ida).

This application has been assigned Case No. BZA 40-81. It will be considered by the Board of Zoning Appeals on September 22, 1981, at 1:30 p.m. in the Board Room, First Floor of City Hall, 455 North Main Street, Wichita, Kansas. If you have no interest or objections regarding the requested variance you have no obligation to appear or comment. If you desire to appear at the Board meeting, you are invited to do so, 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.

If you have any questions about the application, please feel free to call the Wichita-Sedgwick County Metropolitan Area Planning Department at 268-4421.

Jack H. Galbraith  
Secretary

BOARD OF ZONING APPEALS  
CITY OF WICHITA, KANSAS

CASE NO. 40-81  
FILED 8-21-81

APPLICATION FOR VARIANCE

I. Name of Applicant KANSAS ELKS TRAINING CENTER FOR THE HANDICAPPED

Mailing Address 1006 EAST WATERMAN, WICHITA, KS Phone 265-2603

Name of Authorized Agent William R. Lawrence, Executive Director

Mailing Address 1006 E. Waterman, Wichita, KS Phone 265-2603

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

II. The variance requested is to reduce the side yard setback  
Exemption for 5 ft. side yard requirement.

use red.

on North side of existing building along English street. Request variance  
from 5 ft. to 0 ft.

for property located on the southwest corner of 10a and English  
[201 10a], Wichita, KS

and legally described as: Lots 33, 35, 37, 39, 41, and N. 15' of

Lot 43 and reserve E. line W. of Lot 33 and 35 in Hyde's Addition. To

Wichita, Sedgwick County, Kansas

in the City of Wichita; and which is presently zoned E  
(A change to "C" has been requested.)

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 KANSAS ELKS TRAINING CENTER FOR THE HANDICAPPED

Authorized Agent William R. Lawrence

OFFICE USE ONLY: Received in Office of Secretary, Board of Zoning Appeals, 4:40 (a.m. 6:00), August 21, 1981, together with appropriate fee of 75.00

Signed J. Lynn Shirley

"Helping Others Help Themselves"

## Kansas Elks Training Center for the Handicapped

1006 EAST WATERMAN • WICHITA, KANSAS 67211 • (316) 265-2603



August 21, 1981

Office of Secretary  
Board of Zoning Appeals  
City Hall  
455 North Main  
Wichita, KS 67202

RE: Variance request 201 Ida exemption of side yard requirement

Dear Sirs:

The variance requested is justifiable for the following reasons:

1. The side of the building that the variance is requested for abutts a city street (English) with a grassed area and not a private citizens property. So, there is no imposition on any adjacent property owners.
2. The building is an existing structure that is being converted to a residential facility for the Kansas Elks Training Center for the Handicapped. To move the north wall of the building five feet would be cost-wise prohibitive and would effectively kill the project.

Thank you for your consideration in this matter.

Sincerely,

KANSAS ELKS TRAINING CENTER

William R. Lawrence  
Executive Director

WRL/rg

Kansas Elks Training Center  
for the Handicapped, Inc.  
The major project of the  
Kansas Elks Association  
A Non-Profit Organization

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HOWARD HOLK  
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Salina, Kansas 67401  
DOUGLAS H. McLELLAND  
315 West 1st  
Pratt, Kansas 67124  
Accredited by Commission  
on Accreditation of  
Rehabilitation Facilities

OWNERSHIP LIST

| <u>Lot</u>   | <u>Addition</u> | <u>Property Owner</u>  |
|--|-----------------|--|
| 24, on Washington  | Hyde's          | <del>F. J. Walker, Address Unknown</del>   |
| 26 & 28, on Washington                                       | "               | ✓ Joe W. Brown, 3901 S. Broadway, 67216  |
| 30 & 32, on Washington                                       | "               | <del>Arthur M. Jessup (Deceased) and Nadine Jessup Freeman, Address Unknown</del>  |
| 34, 36, 38 & 40', on Washington                              | "               | ✓ S. M. Wilkin, Jr. and Kathleen K. Wilkin, 557 Elpyco, 67218  |
| 42, 44, 46 & 48, on Washington                               | "               | ✓ Billy Elroy Freidline and Marie Kathleen Freidline, Rt. 1, Clearwater, 67026, Co-trustees of the Billy Elroy Freidline Trust |
| 50, 52, 54 & 56, on Washington                               | "               | <i>Dwp.</i> The Kansas Elks Training Center for the Handicapped, Inc., 1006 E. Waterman, 67211                                 |
| 58 & 60 on Washington  | "               | Same as above  |
| Odd lots 23 thru 31 incl. on Ida                             | "               | ✓ Othal D. Vrana, c/o General Communications Systems, Inc., 1020 E. English, 67211   |
| Odd lots 33 thru 41 on Ida, & reserve west of 33 & 35        | "               | Frank A. Symonds, (Deceased)   |
| North 15' of Lot 43 on Ida                                   | "               | Same as above  |
| South 10' of Lot 43, all of Lot 45, and N 15' of Lot 47      | "               | ✓ Cora L. Bonnell, 217 Ida, 67211  |
| South 10' of Lot 47, all of odd Lots 49 thru 59 incl. on Ida | "               | ✓ Dennis A. Main and Penny K. Main, c/o Main Electronics, Inc., 225 Ida, 67211<br><i>Max A 1401 W. River Blvd. apt 40</i>      |
| 24 & 26 on Ida   | "               | <del>Luella Noble, Address Unknown</del><br>Harriett Morris, 1401 W. River Blvd., Apt. 2C, 67203                               |
| 28, 30 & 32 on Ida   | "               | ✓ Patrick J. Manning and Judith H. Manning, 229 S. Belmont, 67218  |

Page 2.

| <u>Lot</u>                  | <u>Addition</u> | <u>Property Owner</u>   |
|-----------------------------|-----------------|---|
| 34 & 36 on Ida              | Hyde's          | ✓ Service Leasing Corp, Inc.<br>210 Ida, 67211                          |
| 38 & 40 on Ida              | "               | Same as above   |
| 42 & 44 on Ida              | "               | Same as above   |
| 46,48 & 50 on Ida           | "               | ✓ Superior, Inc., c/o Superior<br>Supply Co., Inc., 215 Laura,<br>67211 |
| 52,54,56,58 & '60<br>on Ida | "               | ✓ Airtechnics, Inc., 230 Ida,<br>67211                                  |

Page 3.

We hereby certify the foregoing to be a true and correct list of the property owners within a 200 foot radius of

Lots 33, 35, 37, 39, 41 and the North 15 feet of Lot 43 on Ida, together with that part of Reserve E lying West of Lots 33 and 35, all in Hyde's Addition to the City of Wichita, Sedgwick County, Kansas

as shown by the last deed of record on file in the Office of the Register of Deeds of Sedgwick County, Kansas, on the 7th of August, 1981, at 7:00 A.M.

THE SECURITY ABSTRACT & TITLE CO., INC

By

*Mary Hable*  
Vice-President

Order No. 301751  
GE/LLV

**MICROFILMED**  
 FROM THE BEST  
 AVAILABLE COPY

FORM 2-21

PAYMENT NOTICE  
 City of Wichita

| Bldg. | Use of Str.      | Code Bks   | Copies |
|-------|------------------|------------|--------|
| Elec  | Elev. Insp.      | Hse Moving | Lic.   |
| Mech  | Boiler Insp.     | Pav. Cuts  | Cert.  |
| Plbg  | Exam Fees        | Sewer      | Elev.  |
| Signs | Plan Rev. (P.W.) | Cement     | M.S.P. |
|       | Planning         |            |        |

| DESCRIPTION | AMOUNT |
|-------------|--------|
| 228 V       | 75     |
| 25          |        |

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

FUND \_\_\_\_\_ DUE DATE \_\_\_\_\_

COMMENTS \_\_\_\_\_

DATE \_\_\_\_\_ BY \_\_\_\_\_

\*

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

Roll # 2