

M.A.P.C.

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

BZA41-64 - First Church of God re-
quest variance and exception to permi-
off-street parking on the W side of
Market bet. Lincoln & Bayley

POSTED
7-18-64 64

ACTION

Bye COMMITTEE *No jurisdiction* DATE 10-27-64

M.A.P.C. _____

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

BZA41-64 - First Church of God re-
quest variance and exception to per-
mit off-street parking on the W side of
Market bet. Lincoln & Bayley

March 1, 1965

Reverend E. E. Kardatzke
8325 Maple
Wichita, Kansas

Dear Reverend Kardatzke:

Re: Case No. BZA 41-64

This is to advise that at the regular meeting of the Board of Zoning Appeals held on February 23, 1964, your request for amendment of conditions established by the Board in Resolution No. 11-64 and Resolution No. 41-64, was considered. Your request related specifically to the elimination of the requirement for a fence along the north side of the Market Street parking lot, and the matter of access to the north-south alley from this parking lot.

After a full hearing and discussion of this request, and upon advice of Legal Counsel for the Board, it was moved, seconded and carried unanimously that the Board does not have jurisdiction over this request, and that a new application should be filed, along with a \$50 filing fee.

Very truly yours,

Jack H. Galbraith
Secretary

JHG:JWH:ber

THE CITY OF WICHITA

OFFICE OF Secretary

DATE February 23, 1965

TO Board of Zoning Appeals Members

FROM Jack H. Galbraith, Secretary

SUBJECT Request from First Church of God for deletion of a screening requirement, and request for access to alley from the Main Street parking lot

On February 25, 1964, the Board of Zoning Appeals approved a request (BZA 11-64), on behalf of the First Church of God, 1201 South Market, for an off-street parking lot located on the south side of Lincoln between Market and Main Streets. On October 27, 1964, the Board of Zoning Appeals approved another request (BZA 41-64), for additional off-street parking which was needed in conjunction with the expansion of the church. In the approval of both of these applications, the Board required a fence along both the north and south sides of the Main Street parking lot located west of the church, and also denied all access to the north-south alley, (except for the lot immediately south of the church and north of the Lucas property), from the parking lots, due to the protests of the adjoining property owners in the area.

The First Church of God is now requesting that Resolution No. 41-64 be amended to read in part that

"access to said alley will be denied unless said alley is vacated or paved."

At the present time, the church is in the process of paving the north half of the north-south alley lying between Market and Main Street and south of Lincoln. This would give access to the alley from the Main Street parking lot. It is the understanding of the Secretary that there will be no access from the parking lots to the alley on the Market Street parking lots since the alley next adjacent to these lots will not be paved.

The property owners adjacent to the north side of the ~~Market~~^{Main} Street parking lot have also requested that the screening fence (required in BZA Resolution 11-64), along the north side of the lot be deleted.

It should be pointed out that the adjoining property owners protested the church having access to the alley. It is also recommended that the fence along the north side of the ~~Market~~^{Main} Street parking lot not be required since the adjoining property owners see no need for the fence.

It should be pointed out that if it is the desire of the Board to grant the church a access to the alley, it should only be granted for the Main Street parking lot. If access to the alley is granted, condition #14 of BZA Resolution 11-64, should be amended to read as follows:

Direct vehicular access from parking areas to the north-south alley between Market and Main shall be denied unless said alley is vacated; permanent physical barriers shall be provided, such as concrete rail or curb, fencing or chain, provided, however, that vehicular access shall be permitted to the alley from the parking area located on the South 20 feet of Lot 17 and north half of Lot 19 on Market Street in Fitzgerald's Addition, and access to the alley shall also be permitted on the South half of Lot 12, all of Lots 14, 16, and 18 and the north 3½ feet of Lot 20 on Main Street in Fitzgerald's Addition to the City of Wichita, Sedgwick County, Kansas.

If the fence along the north side of the Main Street parking lot is waived, condition #9 of BZA Resolution 41-64, should be amended to read as follows:

Condition #8 as originally established in BZA Resolution 11-64(B), and condition #8 as originally established in BZA Resolution 11-64(C), are hereby superseded by the following requirement:

A five-foot high solid wall masonry, brick or louvered redwood fence shall be erected along the south line of the following described property: The South half of Lot 12, all of Lots 14, 16, and 18 and north 3½ feet of Lot 20 on Main Street in Fitzgerald's Addition to the City of Wichita, Sedgwick County, Kansas.

A five-foot high solid wall masonry, brick or louvered redwood fence shall be erected along the north and south lines of the following described property: Lots 23, 25, 27, 29 and 31 on Market Street in Fitzgerald's Addition to the City of Wichita, Sedgwick County, Kansas.

Said fence shall also be provided along the south line of the following described tract:

The south 20 feet of Lot 17 and the north half of Lot 19 on Market Street in Fitzgerald's Addition to the City of

Page 3 - Board of Zoning Appeals Members
February 23, 1965

Wichita, Sedgwick County, Kansas, except that in the
front yard setback areas of the above described lots the
fence shall be reduced from 5 to 3 feet in height.

JHG:JWH:ber

CASE NO. BZA 41-64

36 NOTICES MAILED FEBRUARY 10, 1965

FOR HEARING ON FEBRUARY 23, 1965

(See pink sheet for notices mailed October 8, 1964
for meeting on October 27, 1964.)

*Notice to
John E. Brane, Jr.
612 So. Ash
returned 2-12-65
No other address found*

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

February 10, 1965

NOTICE TO ADJOINING PROPERTY OWNERS

Case No. BZA 41-64

This is to advise you that the First Church of God, 1201 South Market, Wichita, Kansas, has requested that Condition #14 of the BZA Resolution No. 41-64, be amended to read as follows:

Direct access to the parking area from the north-south alley between Market and Main shall be denied unless said alley is vacated or paved. Permanent physical barriers shall be provided, such as concrete railing or curb, fencing or chain to assure that there will be no access to the alley.

Specifically, the First Church of God is requesting that they have access to the alley from the rear of the Main Street parking lot. They have not requested that they be given access to the alley on the parking lots to the south.

The church, in conjunction with Mr. and Mrs. Charles C. McDonald, owners of the property immediately to the north of the Main Street parking lot, have also requested that Condition #9 of BZA Resolution No. 41-64, be amended to delete the fencing requirement along the north side of the parking lot.

The two requests of the Church have been placed on our Board of Zoning Appeals agenda for its regular meeting on Tuesday, February 23, 1965, at 2 p.m. in Room 401 City Building Annex, 104 South Main, Wichita, Kansas, at which time you may appear, if you desire, either in person or by agent or attorney.

Jack H. Gylbraith
Secretary

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

February 10, 1965

NOTICE TO ADJOINING PROPERTY OWNERS

Case No. BZA 41-64

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Jack H. Galbraith
Secretary

Jan 29, 1965
We own the property north adjacent to
the parking lot of First Church of God. We
request there be no fence erected between
our properties. Through the years we
have an understanding between us
and want it to remain the same.
Charles C. McDonald
Dorothea M. (Certa) McDonald



1212 S. Main

E. E. KARDATZKE, PASTOR
8325 MAPLE PA 2-1936

D. L. JONES, ASSOC. PASTOR
1450 PALISADE AM 5-5926

The First Church of God

1201 South Market Ph. FO 3-8468
WICHITA II, KANSAS



New Proposed Building

January 31, 1965



Mr. Jim Howe
c/o City Building
Room 401
102 South Main
Wichita, Kansas

Dear Mr. Howe:

Our contractor is getting ready to blacktop our parking lot on Main St. south of Lincoln and adjacent to the rear of our new sanctuary at First Church of God. Our application for concreting the alley for 285 feet immediately south of Lincoln St., between Main and Market Sts., has been approved. As soon as the weather allows, the blacktopping of the parking lot and the concreting of the alley will be undertaken.

After the alley is concreted and the parking lot blacktopped, we would very much like to have the restriction lifted, which is referred to in your Resolution Number BZA 41-64, Condition Number 14, that reads, "Direct access to the parking area from the north-south alley between Market and Main shall be denied unless said alley is vacated." Now, if two words could be added there, so that it would read, ".....said alley is vacated or paved." The rest of the condition reads, "Permanent physical barriers shall be provided, such as concrete, fencing, or chain, to assure that there will be no access to the alley." This was adopted on October 27, 1964.

We wish to have the restriction lifted only on the Main St. parking lot, because the alley will be paved at that point. For our other parking lot, which faces Market St. farther to the south, we do not want the restriction lifted, because the alley at that point will not be paved.

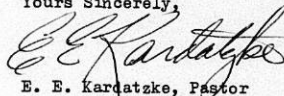
We feel that traffic on the alley will be considerably reduced if cars can come from the church carport directly across to the parking lot, rather than have to go north or south in the alley in order to come around by way of one-way streets to either of the parking lots. I have checked this possibility with Mr. Paul Graves of Traffic Engineering, with City Attorney Mr. Decker, and with Mr. Epperson, all of whom feel that it might be able to be worked out by following the proper procedures so that it might be considered by the Board of Zoning Appeals, Tuesday, February 23rd, if at all possible, when we would ask that two words be added to Condition Number 14—the words being, "or paved" following the words, "said alley is vacated."

Page 2

You will note by the enclosed request from Mr. and Mrs. Charles C. McDonald, owners of the property immediately to the north of our Main St. parking lot, that they are herewith requesting that the fence, which you list under your Condition Number 9, not be erected. We, too, request that this requirement be deleted for this particular fence on the north side of our Main St. parking lot, because it is in the interest of the McDonalds, and First Church of God, to leave out that fence. Our architect, Ted Mason, is herewith submitting a new blueprint showing our proposal for the parking stalls at 90 degree angles for the Main St. parking lot. He is also, submitting another blueprint to show what would be the different position for the parking stalls after we acquire the Dearsmit property, immediately to the south of our Main St. parking lot.

Thank you so very much for your kind consideration of these requests. Be assured that we want to abide by your requirements, which are in the best interests of our neighbors, for the free flow of traffic, and for the good of all concerned.

Yours Sincerely,



E. E. Kardatzke, Pastor

EEK:bb
Enc.

December 17, 1964

First Church of God
1201 South Market
Wichita, Kansas

Dear Sir:

Re: Case No. BEA 41-64

On November 10, 1964, we advised you that the decision of the Board of Zoning Appeals made on October 27, 1964, at which time the above request was approved, had been appealed to the Board of City Commissioners and would be heard by that body on November 10, 1964.

Subsequent to that date, however, the appeal was withdrawn and the matter was never presented to the City Commission. Therefore, the decision of the Board of Zoning Appeals is final.

A copy of the resolution setting forth the action of the Board is attached for your information and files.

Very truly yours,

Jack H. Galbraith
Secretary

JMS:JWH:ber

Attachment

cc: Rev. F. E. Kardatske, 8325 Maple
Dorothy McDonald, 1212 South Main
Norman Lucas, 1221 South Market
Mr. and Mrs. Carl Manning, 1247 South Market
Glen Lytle, Superintendent of Central Inspection

R E S O L U T I O N N O . B Z A 4 1 - 6 4

WHEREAS, First Church of God, 1201 South Market, Wichita, Kansas, by Charles C. McCarter, Attorney, Suite 701 Petroleum Building, Wichita, Kansas, requests Variance pursuant to Section 2.12.590.2, Code of the City of Wichita, to allow waiver of a requirement that off-street parking may not occupy any part of a required front yard setback in a dwelling district, and also waiver of the requirement that off-street parking may not occupy any more than one-half the required side yard setback, and further requests an Exception, pursuant to Section 28.04.140.B, Code of the City of Wichita, to permit the installation and construction of off-street parking lot in residential "RB" Four Family zoning district, all related to property legally described as follows:

Lots 23 and 25 on Market Street in Fitzgerald's Addition in the City of Wichita, Sedgwick County, Kansas,

generally located on the west side of Market in an area between Lincoln and Bayley; and

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, in regular meeting, consider said application on the 27th day of October, 1964; and

WHEREAS, the Board of Zoning Appeals has found that the request for a variance with respect to allowing off-street parking in the front and side yard setback areas, in conjunction with the construction of church facilities, arises from conditions which are found to be unique and not ordinarily found in the same zoning district inasmuch as the Board of Zoning Appeals has previously granted a waiver of the side and front yard setback requirements so that they may be utilized for off-street parking on the lots just to the south of the area in question and, consequently, it would seem somewhat unreasonable to not allow the setback areas to be used for parking on subject property; and

WHEREAS, the Board of Zoning Appeals has found that the granting of the variance, as approved, would not adversely affect the rights of adjacent property owners; and

WHEREAS, the Board of Zoning Appeals has found that the strict application of the enforcement provisions of the zoning ordinance will constitute unnecessary hardship upon the applicant inasmuch as the Board has previously waived the setback requirements on the parking lot to the south of subject area, and further, because of limited finances, the church must gain the maximum utilization of its property; and

WHEREAS, the Board of Zoning Appeals has found that the variance, as approved, will not adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare; and

WHEREAS, as shown above, each of the four conditions required by Section 2.12.590.2, Code of the City of Wichita to be present before a variance can be granted, has been found to exist; and

WHEREAS, the Board of Zoning Appeals determined that it had proper jurisdiction to consider the request for an Exception, under the provisions of Section 28.04.140.B, Code of the City of Wichita.

NOW, THEREFORE, BE IT RESOLVED by the Board of Zoning Appeals of the City of Wichita, Kansas, that an Exception be granted to allow construction of an off-street parking lot, and that variances be granted to permit off-street parking in the front and side yard setback areas, subject to the following conditions:

1. The front yard setback requirement and the side yard setback requirements on Lots 23 and 25, on Market Street, in Fitzgerald's Addition, in the City of Wichita, Sedgwick County, Kansas, are hereby waived so that these areas might be utilized for off-street parking.
2. The parking areas shall be used for passenger vehicles only, and in no case shall it be used for sales, repair work, storage, dismantling or servicing of any vehicles, equipment, materials or supplies.
3. Only such signs as are necessary for the proper operation of the lot shall be permitted.
4. In no case shall a fee be charged for parking facilities provided hereunder.
5. Parking lots and driveways providing ingress and egress to the lot shall be surfaced with concrete, asphaltic concrete, or asphalt, and shall be maintained in good condition and free of all weeds, trash and other debris.
6. All parking spaces which abut property lines shall have adequate concrete, bar wheel or bumper guards to prevent overhanging or extension of vehicles beyond property lines or parking spaces.
7. The parking area shall have proper marking for channelization and movement of vehicles.
8. No lights shall be installed on said parking lot having a height greater than 6 feet above ground level, and the beam of light shall be directed downward.
9. Condition #8 as originally established in BZA Resolution 11-64(B), and condition #8 as originally established in BZA Resolution 11-64(C), are hereby superseded by the following requirement:

A five foot high solid wall masonry, brick or louvered redwood fence shall be erected along the north and south lines of the following described property: The south half of Lot 12, all of Lots 14, 16 and 18 and north 3½ feet of Lot 20 on Main Street in Fitzgerald's Addition to the City of Wichita, Sedgwick County, Kansas.

Lots 23, 25, 27, 29 and 31 on Market Street in Fitzgerald's Addition to the City of Wichita, Sedgwick County, Kansas.

Said fence shall also be provided along the south line of the following described tract:

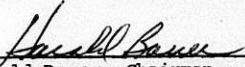
The south 20 feet of Lot 17 and the north half of Lot 19 on Market Street in Fitzgerald's Addition to the City of Wichita, Sedgwick County, Kansas, except that in the front yard setback areas of the above described lots the fence shall be reduced from 5 to 3 feet in height.

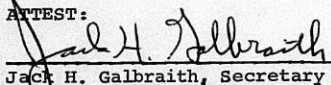
10. The condition that a performance bond, or other similar security, in the amount of \$7,500 shall be submitted to the Secretary of the Board to guarantee the installation of paving of parking lot areas required by the Board, which condition was originally established in Resolution BZA 11-64(B) and BZA Resolution 11-64(C), is hereby amended to read as follows:

Said performance bond shall also relate to and guarantee the installation of the paving of the parking lot areas and construction of the fencing as required by the Board on Lots 23 and 25 on Market Street, in Fitzgerald's Addition to the City of Wichita, Sedgwick County, Kansas. If said performance bond has been filed with the City Clerk, it shall be amended to include the above requirement.

11. The lot shall be constructed in accordance with the conditions and requirements outlined above within 24 months of the effective date of the approval of this application or the permit shall be null and void, except that the fence as required along the north line of Lot 23 shall be constructed within 6 weeks from the effective date of the approval of this application.
12. A plot plan containing the parking layout of all lots concerned shall be submitted to the Traffic Engineer for his approval prior to the time a permit is issued for the construction of the lot.
13. A low type of landscaping (hedges or planting) shall be provided along the parking lots when they face or side into Market Street. No parking stall shall be located nearer than 4 feet of the sidewalk and physical barriers, such as plantings or concrete curbs, shall be used to maintain this distance.
14. Direct access to the parking area from the north-south alley between Market and Main shall be denied unless said alley is vacated. Permanent physical barriers shall be provided, such as concrete railing or curb, fencing or chain to assure that there will be no access to the alley.

ADOPTED AT WICHITA, KANSAS, this 27th day of October, 1964.


Harold Bauer, Chairman

ATTEST:

Jack H. Galbraith, Secretary

November 10, 1964

First Church of God
1201 South Market
Wichita, Kansas

Gentlemen:

Re: Case No. BSA 41-64

On October 30, 1964, we advised you that the Board of Zoning Appeals had approved subject application for an Exception to permit the installation of off-street parking facilities on property zoned "R2" Four Family Dwelling District, and the request for a variance to allow parking in the front yard setback area and in one-half of the required side yard setback, on property generally located on the west side of Market in an area between Lincoln and Bayley, subject to certain conditions as set forth in our letter of October 30, 1964.

We also advised that the Board's decision might be appealed to the City Commission provided that such appeal was filed on or before November 6, 1964. The City Clerk has advised us that an appeal was filed in his office on November 4, 1964, by Carl R. Manning, 1247 South Market, in view of the fact that he was of the opinion that some solution should be worked out relative to the drainage problem created by the construction of the church's off-street parking lot, and he was also of the opinion that the fence along his north property line should be constructed within 6 months rather than within 24 months as set out in the resolution. The appeal will be submitted to the City Commission on November 10, 1964, at which time it will be referred to the Board of Zoning Appeals for a report to the Board of City Commissioners, disclosing in what respect the application and facts offered in support thereof met or failed to meet the necessary requirements.

We will advise you when the Board of Zoning Appeal's report will be submitted to the City Commissioners for a hearing of this case.

Very truly yours,

Jack H. Galbraith
Secretary

JHG:JWH:ber

cc: Rev. E. E. Kardatzke, 8325 Maple
Dorothy McDonald, 1212 South Main
Norman Lucas, 1221 South Market
Mr. and Mrs. Carl Manning, 1247 South Market
Glen Lytle, Superintendent
of Central Inspection
Robert A. Finch, City Clerk

October 30, 1964

First Church of God
1201 South Market
Wichita, Kansas

Gentlemen:

Re: Case No. BZA 41-64

This is to advise you that at its regular meeting of October 27, 1964, the Board of Zoning Appeals of the City of Wichita considered your request for Exception and Variances as follows:

Exception to permit the installation or construction of off-street parking facilities on property zoned "RB" Four Family Dwelling District; and

Variance that off-street parking may not occupy any part of the required front yard setback, and may not occupy any more than one-half the required side yard setback,

all being in conjunction with expansion of church facilities generally located on the west side of Market in an area between Lincoln and Bayley.

It was the decision of the Board of Zoning Appeals to approve the above requests, subject to the following conditions:

1. The front yard setback requirement and the side yard setback requirements on Lots 23 and 25, on Market Street, in Fitzgerald's Addition, in the City of Wichita, Sedgewick County, Kansas, are hereby waived so that these areas might be utilized for off-street parking.
2. The parking areas shall be used for passenger vehicles only, and in no case shall it be used for sales, repair work, storage, dismantling or servicing of any vehicles, equipment, materials or supplies.
3. Only such signs as are necessary for the proper operation of the lot shall be permitted.

4. In no case shall a fee be charged for parking facilities provided hereunder.
5. Parking lots and driveways providing ingress and egress to the lot shall be surfaced with concrete, asphaltic concrete or asphalt, and shall be maintained in good condition and free of all weeds, trash and other debris.
6. All parking spaces which abut property lines shall have adequate concrete, bar wheel or bumper guards to prevent overhanging or extension of vehicles beyond property lines or parking spaces.
7. The parking area shall have proper marking for channelization and movement of vehicles.
8. No lights shall be installed on said parking lot having a height greater than 6 feet above ground level, and the beam of light shall be directed downward.
9. Condition #8 as originally established in BSA Resolution No. 11-64(B), and condition #8 as originally established in Resolution No. 11-64(C), are hereby superseded by the following requirement:

A five foot high solid wall masonry brick or louvered redwood fence shall be erected along the north and south lines of the following described property: The south half of Lot 12, all of Lots 14, 16 and 18 and north 3½ feet of Lot 20 on Main Street in Fitzgerald's Addition to the City of Wichita, Sedgewick County, Kansas.

Also, a tract in the NE¼ of the SE¼ of Section 29, Township 27 South, Range 1 East of the 6th P.M., Sedgewick County, Kansas, described as beginning 220.4 feet south and 190 feet west of the NE corner of the SE¼, thence south 12 feet, thence west 140 feet, thence north 12 feet, thence east to beginning.

Said fence shall also be provided along the south line of the following described tract:

The south 20 feet of Lot 17 and the north half of Lot 19 on Market Street in Fitzgerald's Addition to the City of Wichita, Sedgewick County, Kansas, except that in the front yard setback areas of the above described lots the fence shall be reduced from 5 to 3 feet in height.

10. The condition that a performance bond, or other similar security, in the amount of \$7,500 shall be submitted to the Secretary of the Board to guarantee the installation of paving of parking lot areas required by the Board, which condition was originally established in Resolution BZA 11-64(B) and BZA Resolution 11-64(C), is hereby amended to read as follows:

Said performance bond shall also relate to and guarantee the installation of the paving of the parking lot areas and construction of the fencing as required by the Board on Lots 23 and 25 on Market Street, in Fitzgerald's Addition to the City of Wichita, Sedgwick County, Kansas. If said performance bond has been filed with the City Clerk, it shall be amended to include the above requirement.

11. The lot shall be constructed in accordance with the conditions and requirements outlined above within 24 months of the effective date of the approval of this application or the permit shall be null and void, except that the fence as required along the north line of Lot 23 shall be constructed within 6 weeks from the effective date of the approval of this application.
12. A plot plan containing the parking layout of all lots concerned shall be submitted to the Traffic Engineer for his approval prior to the time a permit is issued for the construction of the lot.
13. A low type of landscaping (hedges or planting) shall be provided along the parking lots when they face or side into Market Street. No parking stall shall be located nearer than 4 feet of the sidewalk and physical barriers, such as plantings or concrete curbs shall be used to maintain this distance.
14. Direct access to the parking area from the north-south alley between Market and Main shall be denied unless said alley is vacated. Permanent physical barriers shall be provided, such as concrete railing or curb, fencing or chain to assure that there will be no access to the alley.

Section 2.12.610 of the Code of the City of Wichita provides that the decision of the Board of Zoning Appeals shall be final unless it is appealed to the Board of City Commissioners within ten days of the date of the Board's action. Accordingly, an appeal could be filed in this case on or before November 6, 1964.

Page 4 - First Church of God
October 30, 1964

Subsequent to the expiration of the appeal period, you will be advised whether or not an appeal has been filed. If none has been filed on or before November 6, 1964, the decision of the Board will be final and the Superintendent of Central Inspection will be in a position to issue the appropriate permit.

Very truly yours,

Jack H. Galbraith
Secretary

JHG:JMH:ber

cc: Rev. R. E. Kardatske
8325 Maple

Dorothy McDonald
1212 South Main

Norman Lucas
1221 South Market

Mr. and Mrs. Carl Manning
1247 South Market

Glen Lytle, Superintendent
of Central Inspection

Robert G. Finch
City Clerk

SECRETARY'S REPORT

CASE NO. BZA 41-64

APPLICANT: First Church of God of Wichita, Kansas, 1201 South Market.

AGENT: Charles C. McCarter, Attorney, 701 Petroleum Building

REQUEST:

Variance pursuant to Section 2.12.590.2, Code of the City of Wichita, from a requirement that off-street parking may not occupy any part of a required front yard setback in a dwelling district, and the requirement that off-street parking may not occupy any more than one-half the required side yard setback, and an exception pursuant to Section 28.04.140.B, Code of the City of Wichita, to permit the installation and construction of off-street parking lot in residential "RB" Four family zone.

ZONING: Property in question - "RB" Four family

North - "RB" Four family
East - "B" Multiple family
South - "RB" Four family
West - "RB" Four family

LAND USE: Existing land use to the north is a church and single family. East is single family and duplex. South is single family and west is single family.

JURISDICTION

The Board has jurisdiction to consider the variance under provisions outlined in Section 2.12.590 of the Code of the City of Wichita, and also has jurisdiction to consider the exception request under the provisions of Section 28.04.140 of the Code.

COMMENTS BY THE SECRETARY

As the Board will recall, the First Church of God, generally located on the south side of Lincoln between Market and Main, earlier this year in BZA Case No. 11-64, obtained permission from the Board to construct several off-street parking lots for a new expansion to the church. At that time the Board waived all side yard setback requirements and front yard setback requirements so that these areas could be utilized for off-street parking. At the time these permits were approved, the Board encouraged the church to acquire additional properties in this particular block which could be utilized for off-street parking. In accordance with this suggestion, the church has now acquired two additional lots which they would like to have approved for off-street parking.

VARIANCE - PART I

The Board may grant the variance request when all four of the following conditions are found to exist:

1. That the variance desired arises from some condition which is not ordinarily found in the same zoning district.
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 enforcement provisions of this zoning ordinance would constitute an unnecessary hardship upon the property owner represented in the appeal.
4. That the variance desired is not against the public interest.

UNIQUENESS

The Secretary is of the opinion that this request is somewhat unique in that the Board has already granted a waiver of the side and front yard setback requirements so that they may be utilized for off-street parking on the lots just to the south of the area represented in this application. Consequently, it seems somewhat unreasonable to not allow the church to use the setback areas on these two lots for off-street parking. These lots have now been compiled into one large area and it appears that nothing would be gained by not allowing the church to utilize the setback areas for parking.

ADJACENT PROPERTY

The Secretary is of the opinion that the granting of the variance to allow parking in the required front and side yard setback area should not have any adverse affect on adjacent properties.

HARDSHIP

The Secretary is of the opinion that the church would be burdened with an unnecessary hardship if the variance is not granted inasmuch as the Board has already waived the setback requirements on the off-street parking lot to the south of the area represented in this application. It is further the opinion of the Secretary that almost all churches have a limited amount of finances on which to operate, so consequently, must gain the maximum utilization of their property.

PUBLIC INTEREST

The Secretary is of the opinion that the granting of the variance should in no way adversely affect the public interest.

RECOMMENDATION

The Secretary is of the opinion that all four conditions necessary to the granting of a variance can be found to exist; therefore, it is recommended that the front and side yard setback requirements on Lots 23 and 25, on Market Street, Fitzgerald's Addition, be waived, in order that these areas might be utilized for off-street parking.

EXCEPTION - PART II

In order that the church may utilize the two lots for off-street parking, it has become necessary that they request an exception to the ordinance since off-street parking is not permitted as a use by right in a four family dwelling district.

The church has submitted a plan of the off-street parking layout which has been approved by the Traffic Engineer.

RECOMMENDATION OF THE SECRETARY

It is the recommendation of the Secretary that the variance and Exception be approved subject to the following conditions and requirements:

1. The front yard setback requirement and the side yard setback requirements on Lots 23 and 25, on Market Street, in Fitzgerald's Addition, in the City of Wichita, Sedgwick County, Kansas, are hereby waived so that these areas might be utilized for off-street parking.
2. The parking areas shall be used for passenger vehicles only, and in no case shall it be used for sales, repair work, storage, dismantling or servicing of any vehicles, equipment, materials or supplies.
3. Only such signs as are necessary for the proper operation of the lot shall be permitted.
4. In no case shall a fee be charged for parking facilities provided hereunder.

5. Parking lots and driveways providing ingress and egress to the lot shall be surfaced with concrete, asphaltic concrete, or asphalt, and shall be maintained in good condition and free of all weeds, trash and other debris.
6. All parking spaces which abut property lines shall have adequate concrete, bar wheel or bumper guards to prevent overhanging or extension of vehicles beyond property lines or parking spaces.
7. The parking area shall have proper marking for channelization and movement of vehicles.
8. No light shall be installed on said parking lot having a height greater than 6 feet above ground level, and the beam of light shall be directed downward.
9. Condition #8 as originally established in BZA Resolution 11-64(B), and condition #8 as originally established in BZA Resolution 11-64(C), are hereby superseded by the following requirement:

A five foot high solid wall masonry brick or louvered redwood fence shall be erected along the north and south lines of the following described property: The south half of Lot 12, all of Lots 14, 16 and 18 and north 3½ feet of Lot 20 on Main Street in Fitzgerald's Addition to the City of Wichita, Sedgwick County, Kansas.

Lots 23, 25, 27, 29 and 31 on Market Street in Fitzgerald's Addition to the City of Wichita, Sedgwick County, Kansas.

The east 65 feet of the following described tract: The south 5 feet of Lot 14 and all of Lot 16 on Market Street in Parkhurst Addition to the City of Wichita, Sedgwick County, Kansas.

Also a tract in the NE¼ of the SE¼ of Section 29, Township 27 South, Range 1 East of the 6th Principal Meridian, Sedgwick County, Kansas, described as beginning 220.4 feet south and 190 feet west of the NE corner of the SE¼, thence south 12 feet, thence west 140 feet, thence north 12 feet, thence east to beginning.

Said fence shall also be provided along the south line of the following described tract:

The south 20 feet of Lot 17 and the north half of Lot 19 on Market Street in Fitzgerald's Addition to the City of

Wichita, Sedgwick County, Kansas, except that in the front yard setback areas of the above described lots the fence shall be reduced from 5 to 3 feet in height.

10. The condition that a performance bond, or other similar security, in the amount of \$7,500 shall be submitted to the Secretary of the Board to guarantee the installation of paving of parking lot areas required by the Board, which condition was originally established in Resolution BZA 11-64(B) and BZA Resolution 11-64(C), is hereby amended to read as follows:

Said performance bond shall also relate to and guarantee the installation of the paving of the parking lot areas and construction of the fencing as required by the Board on Lots 23 and 25 on Market Street, in Fitzgerald's Addition to the City of Wichita, Sedgwick County, Kansas.

11. The lot shall be constructed in accordance with the conditions and requirements outlined above within 24 months of the effective date of the approval of this application or the permit shall be null and void, except that the fence as required along the north line of Lot 23 shall be constructed within 6 weeks from the effective date of the approval of this application.
12. A plot plan containing the parking layout of all lots concerned shall be submitted to the Traffic Engineer for his approval prior to the time a permit is issued for the construction of the lot.
13. A low type of landscaping (hedges or planting) shall be provided along the parking lots when they face or side into Market Street. No parking stall shall be located nearer than 4 feet of the sidewalk and physical barriers, such as plantings or concrete curbs shall be used to maintain this distance.
14. Direct access to the parking area from the north-south alley between Market and Main shall be denied unless said alley is vacated. Permanent physical barriers shall be provided, such as concrete railing or curb, fencing or chain to assure that there will be no access to the alley.

SECRETARY'S REPORT**CASE NO. BZA 41-64****APPLICANT:** First Church of God of Wichita, Kansas, 1201 South Market.**AGENT:** Charles C. McCarter, Attorney, 701 Petroleum Building**REQUEST:**

Variance pursuant to Section 2.12.590.2, Code of the City of Wichita, from a requirement that off-street parking may not occupy any part of a required front yard setback in a dwelling district, and the requirement that off-street parking may not occupy any more than one-half the required side yard setback, and an exception pursuant to Section 28.04.140.B, Code of the City of Wichita, to permit the installation and construction of off-street parking lot in residential "RB" Four family zone.

ZONING: Property in question - "RB" Four family

North - "RB" Four family
East - "B" Multiple family
South - "RB" Four family
West - "RB" Four family

LAND USE: Existing land use to the north is a church and single family. East is single family and duplex. South is single family and west is single family.**JURISDICTION**

The Board has jurisdiction to consider the variance under provisions outlined in Section 2.12.590 of the Code of the City of Wichita, and also has jurisdiction to consider the exception request under the provisions of Section 28.04.140 of the Code.

COMMENTS BY THE SECRETARY

As the Board will recall, the First Church of God, generally located on the south side of Lincoln between Market and Main, earlier this year in BZA Case No. 11-64, obtained permission from the Board to construct several off-street parking lots for a new expansion to the church. At that time the Board waived all side yard setback requirements and front yard setback requirements so that these areas could be utilized for off-street parking. At the time these permits were approved, the Board encouraged the church to acquire additional properties in this particular block which could be utilized for off-street parking. In accordance with this suggestion, the church has now acquired two additional lots which they would like to have approved for off-street parking.

Page 2 - Secretary's Report
Case No. BZA 41-64

VARIANCE - PART I

The Board may grant the variance request when all four of the following conditions are found to exist:

1. That the variance desired arises from some condition which is not ordinarily found in the same zoning district.
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 enforcement provisions of this zoning ordinance would constitute an unnecessary hardship upon the property owner represented in the appeal.
4. That the variance desired is not against the public interest.

UNIQUENESS

The Secretary is of the opinion that this request is somewhat unique in that the Board has already granted a waiver of the side and front yard setback requirements so that they may be utilized for off-street parking on the lots just to the south of the area represented in this application. Consequently, it seems somewhat unreasonable to not allow the church to use the setback areas on these two lots for off-street parking. These lots have now been compiled into one large area and it appears that nothing would be gained by not allowing the church to utilize the setback areas for parking.

ADJACENT PROPERTY

The Secretary is of the opinion that the granting of the variance to allow parking in the required front and side yard setback area should not have any adverse affect on adjacent properties.

HARDSHIP

The Secretary is of the opinion that the church would be burdened with an unnecessary hardship if the variance is not granted inasmuch as the Board has already waived the setback requirements on the off-street parking lot to the south of the area represented in this application. It is further the opinion of the Secretary that almost all churches have a limited amount of finances on which to operate, so consequently, must gain the maximum utilization of their property.

Page 3 - Secretary's Report
Case No. BZA 41-64

PUBLIC INTEREST

The Secretary is of the opinion that the granting of the variance should in no way adversely affect the public interest.

RECOMMENDATION

The Secretary is of the opinion that all four conditions necessary to the granting of a variance can be found to exist; therefore, it is recommended that the front and side yard setback requirements on Lots 23 and 25, on Market Street, Fitzgerald's Addition, be waived, in order that these areas might be utilized for off-street parking.

EXCEPTION - PART II

In order that the church may utilize the two lots for off-street parking, it has become necessary that they request an exception to the ordinance since off-street parking is not permitted as a use by right in a four family dwelling district.

The church has submitted a plan of the off-street parking layout which has been approved by the Traffic Engineer.

RECOMMENDATION OF THE SECRETARY

It is the recommendation of the Secretary that the variance and Exception be approved subject to the following conditions and requirements:

1. The front yard setback requirement and the side yard setback requirements on Lots 23 and 25, on Market Street, in Fitzgerald's Addition, in the City of Wichita, Sedgwick County, Kansas, are hereby waived so that these areas might be utilized for off-street parking.
2. The parking areas shall be used for passenger vehicles only, and in no case shall it be used for sales, repair work, storage, dismantling or servicing of any vehicles, equipment, materials or supplies.
3. Only such signs as are necessary for the proper operation of the lot shall be permitted.
4. In no case shall a fee be charged for parking facilities provided hereunder.

Page 4 - Secretary's Report
Case No. BZA 41-64

5. Parking lots and driveways providing ingress and egress to the lot shall be surfaced with concrete, asphaltic concrete, or asphalt, and shall be maintained in good condition and free of all weeds, trash and other debris.
6. All parking spaces which abut property lines shall have adequate concrete, bar wheel or bumper guards to prevent overhanging or extension of vehicles beyond property lines or parking spaces.
7. The parking area shall have proper marking for channelization and movement of vehicles.
8. No lights shall be installed on said parking lot having a height greater than 6 feet above ground level, and the beam of light shall be directed downward.
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Also a tract in the NE¼ of the SE¼ of Section 29, Township 27 South, Range 1 East of the 6th Principal Meridian, Sedgwick County, Kansas, described as beginning 220.4 feet south and 190 feet west of the NE corner of the SE¼, thence south 12 feet, thence west 140 feet, thence north 12 feet, thence east to beginning.

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Page 5 - Secretary's Report
Case No. BZA 41-64

Wichita, Sedgwick County, Kansas, except that in the front yard setback areas of the above described lots the fence shall be reduced from 5 to 3 feet in height.

10. The condition that a performance bond, or other similar security, in the amount of \$7,500 shall be submitted to the Secretary of the Board to guarantee the installation of paving of parking lot areas required by the Board, which condition was originally established in Resolution BZA 11-64(B) and BZA Resolution 11-64(C), is hereby amended to read as follows:

Said performance bond shall also relate to and guarantee the installation of the paving of the parking lot areas and construction of the fencing as required by the Board on Lots 23 and 25 on Market Street, in Fitzgerald's Addition to the City of Wichita, Sedgwick County, Kansas.

11. The lot shall be constructed in accordance with the conditions and requirements outlined above within 24 months of the effective date of the approval of this application or the permit shall be null and void, except that the fence as required along the north line of Lot 23 shall be constructed within 6 weeks from the effective date of the approval of this application.
12. A plot plan containing the parking layout of all lots concerned shall be submitted to the Traffic Engineer for his approval prior to the time a permit is issued for the construction of the lot.
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CASE NO. BZA 41-64

~~36~~ 37

~~35~~ NOTICES MAILED OCTOBER 8, 1964 FOR MEETING OCTOBER 27, 1964

First Church of God
1201 South Market

E. E. Kardatzke
8325 Maple

Charles C. McCarter, Attorney
701 Petroleum Building

Mary Ellingham
1203 South Main

Grace A. Brumfield
1211 South Main

John F. Hollinger
Mary O. Hollinger
1804 South Main

Helen & Chas. A. Maurer
1489 Coolidge

Edwina & Stella Brenneisen
1235 South Main

Marjorie K. Hamlin
1239 South Main

Vernon C. & Dorothy S. Axley
1200 South Main

Ada Dears Smith
1220 South Main

Ivan J. and Nola I. Beery
1224 South Main

Harry E. & Colene P. Weaver
1230 South Main

Delphia E. Stowell
1250 South Main

Mary Alice Whitton Lucas
1221 South Market

Ruby Herder
810 South Emporia

Clarence D. and Fern E. Songer
118 East Bayley

John E. Brane, Jr.
612 South Ash

Eugene P. Brane
732 South Spruce

Robert E. Burns & Virginia Mae Burns
1210 South Market

Virgil and Edith Russell
7101 Castle Drive

J. C. and Arva M. Lewis
1230 South Market

Glen W. and Emma M. Ryel
1250 South Market

Roger Clifton and Fern Irene
Thomason
1254 South Market

Albert & Regina T. Butters
1534 South Main

Roy S. McDaniel
Earl C. McDaniel
619 North Broadway

Harold B. McDaniel
2022 Payne

Helen Allen
1201 North Emporia

E. R. Houk
3219 South 71st Street West

F. J. and Elsie Clark
1900 South Broadway

*Ret 10-15-64
no other address
found*

*Ret 10-12-64
Resent to
R.F.D. 1,
Valley Center*

Alfred E. and Eva Arnett
7600 North Broadway

J. A. Hendrickson Inv. Co., Inc.
204 North Market

Vinnie McCloud
1212 South Market

Judge C. Porter, Jr. & Clara Porter
1252 South Main

Charles A. and Martha J. Bourman
1240 South Minnesota

Golda Elmore
2646 North Waco

Walter J. & Blanche Mannings
1247 So. Market

Carl R. & L. Grace Manning
~~to~~ instead of
Walter J. & Blanche
Mannings
Box 41-64.

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

October 9, 1964

NOTICE TO ADJOINING PROPERTY OWNERS

Case No. BZA 41-64

An application has been filed by First Church of God, 1201 South Market, Wichita, Kansas, by Charles C. McCarter, Attorney, 701 Petroleum Building, Wichita, Kansas, requesting a VARIANCE, pursuant to Section 2.12.590.2, Code of the City of Wichita, Kansas, to permit off-street parking in the front yard setback area, and also requesting an Exception, pursuant to Section 28.04.140, Code of the City of Wichita, Kansas, requesting a permit for the installation or construction of off-street parking facilities on property zoned "R4" Four Family Dwelling District, all related to property legally described as follows:

lots 23 and 25 on Market Street in Fitzgerald's Addition
to the City of Wichita, Sedgwick County, Kansas, and
generally located on the west side of Market in an area
between Lincoln and Bayley.

This application has been assigned Case No. BZA 41-64, and will be considered by the Board of Zoning Appeals on Tuesday, October 27, 1964, at 2 p.m. in Room 401 City Building Annex, 104 South Main, Wichita, Kansas, at which time you may appear, if you desire, either in person or by agent or attorney.

Jack H. Galbraith
Secretary

45

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

October 9, 1964

NOTICE TO ADJOINING PROPERTY OWNERS

Case No. BZA 41-64

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Lots 23 and 25 on Market Street in Fitzgerald's Addition to the City of Wichita, Sedgwick County, Kansas, and generally located on the west side of Market in an area between Lincoln and Bayley.

This application has been assigned Case No. BZA 41-64, and will be considered by the Board of Zoning Appeals on Tuesday, October 27, 1964, at 2 p.m. in Room 401 City Building Annex, 104 South Main, Wichita, Kansas, at which time you may appear, if you desire, either in person or by agent or attorney.

Jack H. Galbraith
[Redacted]
Secretary

LIST OF PROPERTY OWNERS

LOT	STREET	ADDITION	PROPERTY OWNER
1	Main	Fitzgerald's	Mery Ellingham 1203 S. Main ✓
3	"	"	Same
5	"	"	Same
7	"	"	Grace A. Brumfield ✓ 1211 S. Main
9	"	"	Same
11	"	"	John F. Hollinger ✓ Mary O. Hollinger 1304 S. Main
13	"	"	Same
15	"	"	<i>no address</i> Deloris Maurer
17 (N.20')	"	"	Same
17 (S.10')	"	"	<i>no address</i> Remona Mae Murray
19	"	"	Same
21	"	"	Helen Maurer & Chas. A. Maurer ✓ 1489 Coolidge
23 (N½)	"	"	Same
23 (S½)	"	"	Edwina Brenneisen & Stella Brenneisen ✓ 1235 S. Main
25	"	"	Same
27	"	"	Marjorie K. Hamlin ✓ 1239 S. Main
29 (N½)	"	"	Same
29 (S½)	"	"	<i>no address</i> Myrtle Munns Carothers
31	"	"	Same
2	"	"	Vernon C. Axley & Dorothy S. Axley ✓ 1200 S. Main
4 (N. 23')	"	"	Same
5 (S. 7')	40' of "	"	Same
6 (E.40')	"	"	Same



<u>LOT</u>	<u>STREET</u>	<u>ADDITION</u>	<u>PROPERTY OWNER</u>
4 (S.7' of W. 100')	Main	Fitzgerald's	^{no} <i>address</i> Dorotha M. Porter
6 (W.100')	"	"	Same
8	"	"	Same
10	"	"	Same
N $\frac{1}{2}$ 12	"	"	Same
S $\frac{1}{2}$ 12	"	"	First Church of God of Wichita, Kansas 1201 S. Market St.
14	"	"	Same
16	"	"	Same
18	"	"	Same
20 (N 3 $\frac{1}{2}$ ')	"	"	Same
20 (S.26 $\frac{1}{2}$ ')	"	"	Ada Dearsmit 1220 S. Main ✓
22 (N $\frac{1}{2}$)	"	"	Same
22 (S $\frac{1}{2}$)	"	"	Ivan J. Beery & Nola I. Beery 1224 S. Main ✓
24	"	"	Same
26(N 10')	"	"	Same
26 (Exc. N.10')	"	"	Charles A. Bourman and Martha J. Bourman ✓ ^{1240 S.} <i>Minnesota</i>
28	"	"	Same
30	"	"	Harry E. Weaver and Colene P. Weaver 1230 S. Main ✓
32 (N.20')	"	"	Same
32 (S.10')	"	"	^{no} <i>address</i> Ralph J. Miner and Vera Miner
34	"	"	Same
36	"	"	Delphia E. Stowell ✓ 1250 S. Main
38 (N.20')	"	"	Same
38 (S.10')	"	"	Judge C. Porter, Jr. & Clara Porter
40	"	"	Same ^{1252 S.} <i>to Main</i> ✓

<u>LOT</u>	<u>STREET</u>	<u>ADDITION</u>	<u>PROPERTY OWNER</u>
46 (W.90')	Main	Bayley's 2nd Sub. in Fitzgerald's	Walter T. Menninga and Blenche Menninga <i>247 So Market</i>
46 (E.50')	"	"	First Church of God of Wichita 1201 S. Market
1	Market	Fitzgerald's	Same
3	"	"	Same
5	"	"	Same
7	"	"	Same
9	"	"	Same
11	"	"	Same
13	"	"	Same
15	"	"	Same
17	"	"	Same
19 (N½)	"	"	Same
19 S.15'	"	"	Mary Alice Whitton Lucas 1221 S. Market ✓
21	"	"	Same
23	"	"	Ruby Herder 310 S. Emporia ✓
25	"	"	Same
27	"	"	First Church of God, Inc. 1201 S. Market
29	"	"	Same
31	"	"	Same
33	"	"	<i>no add</i> Dorothy Bardwell
35	"	"	Same
37	"	"	Clarence D. Songer and Fern E. Songer 118 E. Bayley ✓
39	"	"	Same
45	"	Bayleys Sub. in Fitzgerald's	First Church of God in Wichita 1201 S. Market St.

LOT	STREET	ADDITION	PROPERTY OWNER
2	Market	Parkhurst's	John E. Brene, Jr. 612 S. Ash ✓ Eugene P. Brene 732 S. Spruce ✓ <i>no add</i> Eva L. Cotter Georgia M. Burge
4	"	"	Same
6	"	"	Same
8	"	"	Same
10	"	"	Robert E. Burns & Virginia Mae Burns 1210 S. Market St. ✓
12 (N½)	"	"	Same
12 (S½)	"	"	Vinnie McLoud 1212 S. Market ✓
14 (N.20')	"	"	Same
14 (S.5')	"	"	First Church of God, Inc. 1201 S. Market
16	"	"	Same
22	"	"	Virgil Russell & Edith Russell 7101 Castle Drive. ✓
24	"	"	Same
26	"	"	J. C. Lewis & Arva M. Lewis 1230 S. Market ✓
28 (N.24.6')	"	"	Same
42	"	"	Glen W. Ryel and Emma M. Ryel 1250 S. Market ✓
44	"	"	Same
46	"	"	Roger Clifton Thomason and Fern Irene Thomason 1254 S. Market ✓
48	"	"	<i>no add</i> Claude Dalbon
1	Broadway	"	Albert Butters & Regina T. Butters 1534 S. Main ✓
3	"	"	Same
5	"	"	John E. Brene, Jr. 612 S. Ash Eugene P. Brene 732 S. Spruce Eva L. Cotter Georgia M. Burge
7 (N.16'9")	"	"	Same
9 (S.5')	"	"	Same
11	"	"	Same

LOT	STREET	ADDITION	PROPERTY OWNER
7 (S. 8'3")	Broadway	Perkhurst's	Roy S. McDaniel ✓ Earl C. McDaniel 619 N. Broadway Harold B. McDaniel 2022 Payne ✓
9 (N. 25')	"	"	Same
13	"	"	<i>no address</i> Virgil L. Teague and Rosella M. Teague
15	"	"	Same
17	"	"	Helen Allen ✓ 1201 N. Emporia
19	"	"	Same
21	"	"	E. R. Houk ✓ 3219 S. 71st St. West
23	"	"	Same
25	"	"	F. J. Clerk & Elsie Clark ✓ 1900 S. Broadway
27	"	"	Same
29	"	"	Alfred E. Arnett & Eva Arnett ✓ 7600 N. Broadway

Beginning 220.4 ft. S. & 190 ft. S. of NE cor. SE $\frac{1}{4}$ Sec. 29-27-1 E., th. S. 12 ft; th W. 140 ft; th N. 12 ft. th E. 140 ft. to beg.

First Church of God, Inc.
1201 S. Market

S. 38 ft. of tract, Beg. 220.4 ft. S. & 190 ft. W. of NE cor. SE $\frac{1}{4}$ Sec. 29-27-1 E., th S. 50 ft; th W. 140 ft; th N. 50 ft.; th E. 140 ft. to beg.

no address George G. Jurgens and
Stine Jurgens

Beginning 330 ft. W. & 370 ft. S. of NE cor. SE $\frac{1}{4}$ Sec. 29-27-1 E., th S. 140 ft; th E. 150 ft; th N. 140 ft. th S. 150 ft. to beg., exc. E. 10 ft.

J. A. Hendrickson Investment Co. Inc. ✓
204 N. Market St.

We hereby certify the foregoing to be a correct list of property owners within a radius of 200 ft. of S $\frac{1}{2}$ of Lot 12, all Lots 14, 16, and 18 on Main St., and Lots 27, 29, and 31, on Market St., in Fitzgerald's Add., and S. 5 ft. of Lot 14, all Lot 16, and strip of land 12 ft. wide adjoining Lot 16, on the South, all on Market Street, in Perkhurst's Addition to the City of Wichita, as shown by the records in the office of the Register of Deeds of Sedgewick County, Kansas, this 4th day of Feb. A. D. 1964 at 7 o'clock A. M.

THE SECURITY ABSTRACT AND TITLE COMPANY, INC.

Order No. 110799.

By *E. Dennis P. Brown*
Vice President.

Changes in ownership since the 4th day of February, 1964 at 7 o'clock A. M. to the date of this certificate on the land covered by the list certified under Order No. 110799

Lot	Street	Addition	Property Owner
W 45' of lot 45	Market	Bayley's Sub in Fitzgerald's Addition	Golda Elmore Address unknown
23	Market	Fitzgerald's Addition	First Church of God, Inc. 1201 S. Market
25	"	"	"

2646 710
Waco

We hereby certify there have been no change of ownerships in the within ownership list except as set out above, from the 4th day of February, 1964 at 7 o'clock A. M. to this 16th day of September, 1964 at 7 o'clock A. M.

THE SECURITY ABSTRACT AND TITLE COMPANY, INC.

By *Luille Johnson*
Vice-President

Order No.
117882

Form 223-021

PAYMENT NOTICE

City of Wichita

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
Gas Connections	100 ⁰⁰

Name Hart Electric Co. Inc

Address 1201 S. Market

Type R-712 Due Date

Comments:

Date 9-15-64 By L. Showers

BOARD OF ZONING APPEALS

CASE NO. _____

CITY OF WICHITA, KANSAS

FILED _____

APPLICATION FOR VARIANCE

1. Name of Applicant FIRST CHURCH OF GOD ✓

Mailing Address 1201 South Market - Wichita, Kans. Phone FO 3-8468

E. E. Kardatzke - Minister ✓

Name of Authorized Agent Charles C. McCarter - Attorney-at-Law ✓

Suite 701 - Petroleum Building

Mailing Address Wichita 2, Kansas Phone MU 66926

Relationship of applicant to property is that of Owner
(owner, tenant, lessee, other)

II. The variance requested is The use of subject property in RB Zone for a
Church Parking Lot.

for property located 1237 South Market

and legally described as: Lots 23 and 25 on Market Street in Fitzgerald's
Addition to the City of Wichita, Sedgwick County, Kansas.

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

(Give metes and bounds description below if appropriate):

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 appeal of the decision of the Board to the City Commission within ten (10) days of that decision;
- d. That all documents are attached hereto as noted in paragraphs 3 and 4 of the instructions.

FIRST CHURCH OF GOD

Applicant

Authorized Agent

OFFICE USE ONLY: Received in office of Secretary, Board of Zoning Appeals, 3:30 (a.m. - 6:00), 7-15, 1964, together with appropriate fee of \$50.00.

Blowers & J. Howe
Signed

BOARD OF ZONING APPEALS
CITY OF WICHITA, KANSAS

CASE NO. _____
FILED _____

APPLICATION FOR EXCEPTION

I. Name of Applicant FIRST CHURCH OF GOD
Mailing Address 1201 South Market - Wichita, Kansas Phone FO 3-8468
E. E. Kardatzke - Minister
Name of Authorized Agent or Charles C. McCarter - Attorney-at-Law
Mailing Address Suite 701 - Petroleum Building
Wichita 2, Kansas Phone MU 6-6926
Relationship of applicant to property is that of Owner
(owner, tenant, lessee, other).

II. Application is made for an exception as provided in Section _____, Code of the City of Wichita, Kansas (Zoning Ordinance); to permit the installation or construction of off-street parking lot on property zoned R B, located 1237 South Market and legally described as: Lots 23 and 25 on Market Street in Fitzgerald's Addition to the City of Wichita, Sedgwick County, Kansas, in the City of Wichita. (Give metes and bounds description below if appropriate).

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

Applicant FIRST CHURCH OF GOD
Authorized Agent _____

OFFICE USE ONLY: Received in office of Secretary, Board of Zoning Appeals, 3:30 (a.m. ~~(p.m.)~~), Sept. 15, 1964, together with appropriate fee of \$50.00.

Signed L. Showers & J. Howe

THE CITY OF WICHITA, KANSAS
BOARD OF ZONING APPEALS
104 SOUTH MAIN
WICHITA, KANSAS
ZIP CODE 67202



41-64

Roy S. McDaniel
Earl C. McDaniel *R.F.D. 1, Valley Center*

- Moved, left no address
- No such number
- Moved, not forwardable
- Addressee unknown

619 North Broadway
Wichita, Kansas



RETURN TO WRITER



Resent 10-12-64 to R.F.D. 1, Valley Center

THE CITY OF WICHITA, KANSAS
BOARD OF ZONING APPEALS
104 SOUTH MAIN
WICHITA, KANSAS
ZIP CODE 67202



41-64

Mary Ellingham

~~1203 South Main~~

Wichita, Kansas

- Moved, left no address
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- Moved, not forwardable
- Addressee unknown

RETURN TO WRITER



Does not live here.

13770

THE CITY OF WICHITA, KANSAS
BOARD OF ZONING APPEALS
104 SOUTH MAIN
WICHITA, KANSAS
ZIP CODE 67202



1117

- Moved, left no address
- No such number
- Moved, not forwardable
- Addressee unknown

John E. Brane, Jr.

~~612 South Ash~~

Wichita, Kansas



RETURN TO WRITER



RETURN TO WRITER



*

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