

Case No. BZA 63-85 - Kimberly Conette Kasten requests an exception to permit the establishment of an off-street parking lot on property zoned the "AA" One-family Dwelling District and generally located on the east side of Doris and

*Per 100
11-19-85 GZ*

ACTION

BZA ~~63-85~~ *Deferred*

12/1/80
DATE

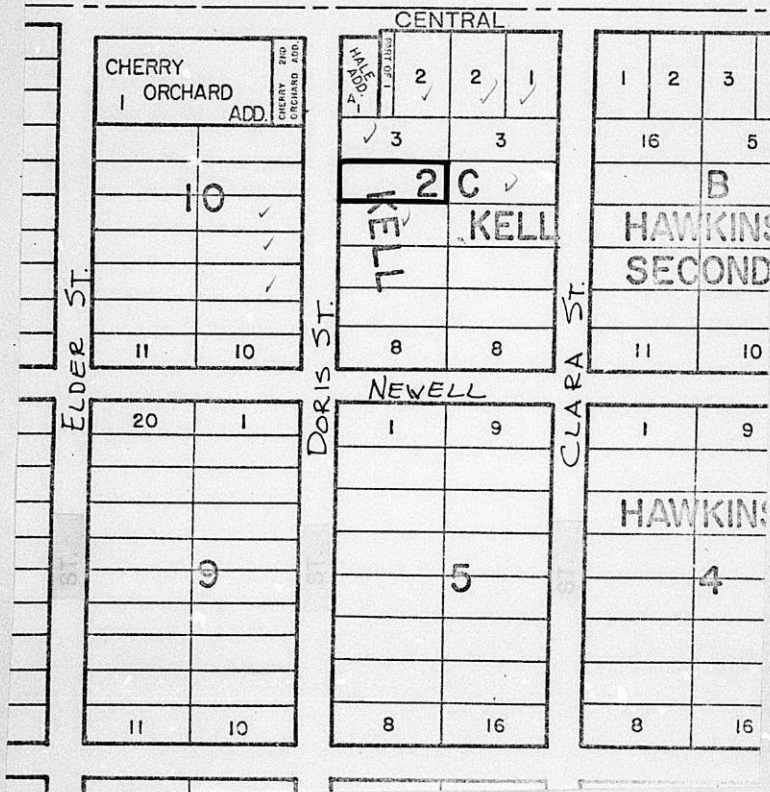
BZA _____

Map No. 5147D

BZA 63-85
Filed

AREA DATA:

1. Acres: _____ (_____ ft. by _____ ft.)
2. Adjoining Zoning: E AA S AA W A N AA
3. Land Use: East I-F South I-F
West I-F North I-F
4. Area (is) (~~is not~~) platted.



LOG ANGELES
MEMBERSON
U.S.A.

Shaw
No. 2153C

HARTING, INC.

100 AVENUE
MEMBERSON,
U.S.A.

December 18, 1985

William Krober
330 Laura
Wichita, KS 67211

RE: BZA 63-85 - Request for Exception

Dear Mr. Korber:

Please be advised that the Board of Zoning Appeals deferred your client's request for an exception to permit an off-street parking lot until such time as the City Commission has acted on your zone change request. In addition, it will be necessary to again seek a variance of the required number of off-street parking spaces if additional building area is proposed. The Board will then be able to consider the entire proposal and better evaluate the need for this property as a parking lot.

I hope that prior to filing any additional requests before the Board, you can take time to review same with us. If I can be of any assistance, please give me a call.

Sincerely,

Glen E. Lytle
Assistant Secretary

GEL/iw

cc: Kimberly Connette Kasten, Route 1, Augusta, KS 67010
Merriam Raber, 648 N. Doris, Wichita, KS 67212

4-28-86
KORBER SAYS
OWNER SAYS TO
DEFER TO JUNE 24
MEETING.



Dec 13-1984

Yves H. Lytle:

Most everyone said we were wasting
out time, like what is it so.

Here is most of the names that
live within 200 feet of the Project Lot
4. Block 2.

Two of the houses that face Central
we don't know who owns them, and
some of the residents did not receive a
letter from the Board of zoning Appeals.

Parking lots are nothing but trouble
ask your Police Department. We do
hope you give us the courtesy of sharing
the petition at the meeting Dec 13, 1985

Jeffrey M. D. Raber



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

December 7, 1985

Case No BZA 63-85

Attention:

Glen E. Lytle:

All property Owners of Record within 200 feet of the property, Lot 4 Block 2 Kell Hawkins Addition to Wichita, Sedgwick County Kansas, generally located on the east side of Doris and south of Central, property zoned "AA" one family Dwelling.

WE ARE OPPOSED TO THE EXCEPTION TO PERMIT THE ESTABLISHMENT OF AN OFF STREET PARKING LOT.

Would you please share this at the BOARD OF APPEALS meeting December 17, 1985.

William Fisher - 648 N. Doris - Wichita, Kansas
Albert Donald - 615 N. Doris - Wichita, KS.
Paul Warren - 607 N. Doris - Wichita, KS.
Herman Nguyen 629 N. Clara Wichita KS
James Warren 614 N. Doris - Wichita, KS.
Leckiel Stewart 631 N. Doris - Wichita, KS.
Mr. & Mrs. Lawrence Connelly 655 N. Clara - Wichita, KS 67212
Mrs. Leo Knowles 624 No. Doris Wichita KS
Forest W. Borge R1 Box 235 Rnoe Hill KS

RE: AGENDA ITEM NO 2

SECRETARY'S REPORT
CASE NO. BZA 63-85

APPLICANT: Kimberly Conette Kasten, Route 1, Augusta, KS 67010

AGENT: William Korber, 330 Laura, Wichita, KS 67211

REQUEST: Exception pursuant to Section 28.04.145 Code of the City of Wichita to permit the establishment of of an off-street parking lot on property zoned the "AA" One-family Dwelling District.

GENERAL LOCATION: On the east side of Doris and south of Central.

ZONING: Subject property is zoned the "AA" One-family Dwelling District as are the properties to the east, north and south. To the west is the "A" Two-family Dwelling District which has been requested to be changed to "LC" Light Commercial.

LAND USE: Subject property is vacant. Properties to the north, east and south are one-family dwellings. To the west is a one-family dwelling and a vacant lot.

JURISDICTION:

The Board has jurisdiction to consider this request under the provisions outlined under Section 2.12.590.C, Code of the City of Wichita. The Board may grant the exception provided the conditions set out in Section 28.04.145 can be complied with.

COMMENTS BY THE SECRETARY:

The applicant is requesting an exception to permit the construction of an off-street parking lot for the expansion of the furniture business that is located on the west side of Doris and the south side of Central. As of this date, the zoning change request has not been acted on by the Planning Commission or the City Commission, so this request will be dependent upon their approval of the zoning. Without the zoning, there would be no demand for the off-street parking lot and the expansion of the building would not be permitted under the present zoning.

At the present time, the application area is surrounded on the north, east and south by one-family dwellings that are owner occupied. The Secretary has received calls from several of the owners that are opposed to the installation of the parking lot adjacent to their property. It should be noted that the zoning policy for properties adjacent to Central would be to look with favor on "LC" Light Commercial. This would not include this property since it is not adjacent to Central, nor is it an extension of development to the north.

In most instances, the development of a parking lot for the expansion of an existing use on a major street would best be handled by a BZA exception. In this case, since the property is bordered on three sides by existing residential property, it is the Secretary's opinion that the use is inappropriate until such time the property is adjacent to commercial development on the north.

RECOMMENDATION:

It is the recommendation of the Secretary that the proposed use of the property is inappropriate and the exception should be denied.

However, should the Board determine that the proposed use of the property as an off-street parking lot is appropriate, then it is the recommendation of the Secretary that the exception be approved subject to the following conditions:

1. The parking spaces and all drives and circulation aisles shall be surfaced with asphalt or concrete and be maintained in good condition.
2. Only such signs as are necessary for the operation of the parking lot shall be permitted and shall not exceed the size set forth in 28.04.139 C.1 of the Zoning Ordinance.
3. The parking area shall be used for passenger vehicles only and shall not include trucks or equipment of any business. The area shall not include the use of the property for any storage, work area, dismantling or servicing of any vehicles, equipment materials or supplies.
4. A screening fence not less than six feet in height nor more than eight feet in height shall be installed along the north, east and south property lines. Such fence shall be reduced to three feet in height for the west 25 feet adjacent to Doris Street.
5. Prior to the release of the resolution, three copies of a landscape plan shall, for the 25 foot front yard setback adjacent to Doris Street, be submitted to the Secretary for approval. Said landscaping shall be installed within the first planting season after approval by the Board.
6. Prior to occupancy of the property as a parking lot, and in no case later than 12 months from the approval by the Board, all conditions of this resolution and those of 28.04.145 of the zoning ordinance shall be complied with or the resolution shall become null and void.

IMPORTANT MESSAGE

FOR Alex
DATE 12-3 TIME 3-19 A.M. PM

WHILE YOU WERE AWAY
Mrs Taylor RABER

OF _____
PHONE No. 943-7765

TELEPHONED	<input checked="" type="checkbox"/>	PLEASE CALL	<input checked="" type="checkbox"/>
CALLED TO SEE YOU	<input type="checkbox"/>	WILL CALL AGAIN	<input type="checkbox"/>
WANTS TO SEE YOU	<input type="checkbox"/>	RETURNED YOUR CALL	<input type="checkbox"/>

MESSAGE No: SA 63-85

Agreed to apply

SIGNED Flenda

FORM 000-017

Orig. 82A 64-79 phy. Van 18200

BZA CASE NO. 63-85

<u>2</u>	NOTICES SENT TO APPLICANT/AGENT
<u>15</u>	LEGAL ADVERTISEMENT SENT TO MAPC & BZA
<u>1</u>	NOTICES SENT TO CPO
<u>10</u>	NOTICES SENT TO ADJOINING PROPERTY OWNERS
<u>19</u>	TOTAL NOTICES SENT <u>12/2/85</u>

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

November 25, 1985

NOTICE TO ADJOINING PROPERTY OWNERS:

CASE NO. BZA 63-85

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 Kimberly Conette Kasten, Route 1, Augusta, Kansas, requesting an exception.

Pursuant to Section 2.12.590.C, of the Code of the City of Wichita, the applicant is requesting an exception to permit the establishment of an off-street parking lot on property zoned the "AA" One-family Dwelling District. A legal description of the applicant's property is as follows:

Lot 4, Block 2, Kell Hawkins Addition to Wichita, Sedgwick County, Kansas. Generally located on the east side of Doris and south of Central.

This application has been assigned Case No. BZA 63-85. It will be considered by the Board of Zoning Appeals on December 17, 1985 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 exception, 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.

Glen E. Lytle
Assistant Secretary

BOARD OF ZONING APPEALS

CASE NO. 63-85

CITY OF WICHITA, KANSAS

FILED _____

APPLICATION FOR EXCEPTION

I. Name of Applicant Kimberly Conette Kasten
Mailing Address Route 1, Augusta, KS 67010 Phone _____
Name of Authorized Agent William L. Korber
Mailing Address 330 Laura Phone 262-7271
Relationship of applicant to property is that of OWNER
(Owner, Tenant, Lessee, Other)

II. Application is made for an exception as provided in Section 2.12.590.C,

Code of the City of Wichita, Kansas, to permit the establishment of

Offstreet Parking Lot

on property zoned AA

located on the east side of Doris south of Central

and legally described as: Lot 4, Block 2, Kell Hawkins

Addition to Wichita, Kansas

_____, in the City of Wichita.

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. 36-596); and that the appropriate fee is herewith tendered;
- c. That all documents are attached hereto as noted in paragraphs 2, 3, and 4 of the instructions;
- d. 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.

Applicant _____

Authorized Agent William L. Korber

OFFICE USE ONLY: Received in Office of Secretary, Board of Zoning Appeals,
11:00 (a.m. p.m.), Nov. 7, 1985, together with
appropriate fee of 3.00.

Signed _____

WILLIAM L. KORBER, L.S.

JOHN E. LUNDBLADE, L.S.

N. BRENT WOOTEN, P.E.



BAUGHMAN COMPANY, P.A.

SURVEYING & ENGINEERING

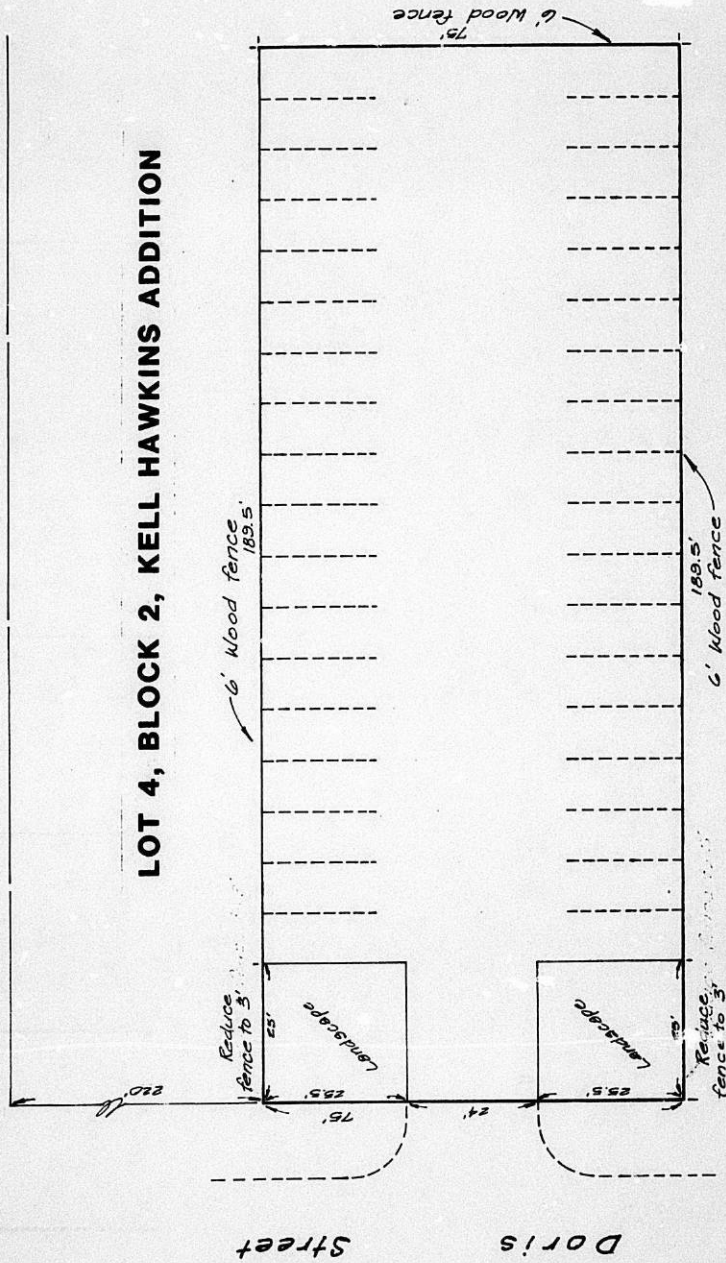
316/262-7271 • 330 LAURA • WICHITA, KANSAS 67211

Cherry Orchard Furniture, 5215 W. Central,
wishes to expand and will need more parking.

This parking lot will be across the street
from the property they wish to expand onto.

Central Avenue

LOT 4, BLOCK 2, KELL HAWKINS ADDITION



OWNERSHIP LIST

Lot	Block	Addition	Property Owner
Lot 1 exc. the West 65' & lot 2 exc. the East 60'.	Block 2	Kell Hawkins Addition	Sam R. Clift Lois M. Clift 10804 E. 31st South Wichita, KS 67210
The East 60' of Lot 2.	Block 2	"	Forest Wayne Barger Route 1 Rose Hill, KS 67133
Lot 3	Block 2	"	Louis E. Nixon Marrian M. Nixon n/k/a Marrian Raber 648 N. Doris Wichita, KS 67212
Lot 4	Block 2	"	Kimberly Conette Kasten Route 1 Augusta, KS 67010
Lot 5	Block 2	"	Leo Knowles Leota Knowles 624 N. Doris Wichita, KS 67212
Lot 6	Block 2	"	Edward S. McKinney Marie E. McKinney Address Unknown
Lot 7	Block 2	"	Daniel L. Warren Shirley A. Warren 614 N. Doris Wichita, KS 67212
Lots 1 & 2	Block C	Kell Hawkins 2nd Addition	Lawrence W. Connelly Eva D. Connelly 655 N. Clara Wichita, KS 67212
Lot 3	Block C	"	Stanley D. Carroll Linda A. Carroll 641 N. Clara Wichita, KS 67212
The South 25' of Lot 4 & the North 25' of Lot 5	Block C	"	Hung Duc Nguyen Hai Mai Nguyen 629 N. Clara Wichita, KS 67212
North 50' of Lot 4	Block C	"	Stephen L. Weatherford Cleo Weatherford 635 N. Clara Wichita, KS 67212
South 50' of Lot 5	Block C	"	Sarah M. Otti Address Unknown

<u>Lot</u>	<u>Block</u>	<u>Addition</u>	<u>Property Owner</u>
S½ Lot 6	Block C	Kell Hawkins 2nd Addition	Steven Paul Jones Address Unknown
N½ Lot 6	Block C	"	✓ Otto B. Cantrell Hattie A. Cantrell 601 N. Anna Wichita, KS 67212
Lot 7	Block C	"	✓ Earl N. Pierce Jr. Genevieve K. Pierce 1316 S. Santa Fe Wichita, KS 67211
Lot 1	Block A	Hale Addition	✓ Donald R. Ediger Nancy C. Ediger 11322 Valley Hi Drive Wichita, KS 67209
Lot 4	Block 10	Fruitvale Park Addition	✓ M. G. Enterprises, Inc. 5215 W. Central Wichita, KS 67212
Lot 5	Block 10	"	✓ John B. Shepherd Gladys B. Shepherd 1133 W. 29th St. South Wichita, KS 67217
Lot 6	Block 10	"	✓ Lethial J. Stewart Charles E. Stewart Anita Jean Wilderson 631 N. Doris Wichita, KS 67212
Lots 7 & 8	Block 10	"	✓ Altus A. Arnold Nita Arnold 615 N. Doris Wichita, KS 67212
Lot 1		Cherry Orchard Addition	M & G Enterprises, Inc. 5215 W. Central Wichita, KS 67212

Page 3

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

Lot 4, Block 2, Kell Hawkins Addition to Sedgwick County, Kansas.

as shown by the last deed of record on file in the Office of the Register of Deeds, Sedgwick County, Kansas, on the 7th day of October, 1985, at 7:00 o'clock A.M.

THE SECURITY ABSTRACT AND TITLE COMPANY, INC.

Mary Gable

By
Sr. Vice-President

Order No: 351863
nj

**MICROFILMED
FROM THE BEST
AVAILABLE COPY**

FORM 29-1121 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
CITY K2A EXAM /	300.00

NAME: John B. Shepherd Co.

ADDRESS: 310 E. 10th St.

FUND: 11-41-716-1100 DUE DATE: _____

COMMENTS: _____

DATE: 11-27-1955 BY: J. B. Shepherd

WICHITA - SEDGWICK COUNTY
METROPOLITAN AREA PLANNING DEPARTMENT
CITY HALL - TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202-1588

WICHITA, KS
DEC-29 1955
U.S. POSTAGE
22

John B Shepherd
Gladys B Sheperd
1133 W 29th St South
Wichita KS 67217

FORWARDING
ORDER EXPIRED
RETURN TO SENDER
Important Notice of Meeting Enclosed

WICHITA, KS
PM
DEC 30 1955

63-85