

BZA 25-90 Secretary's Report
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SPIRIT AND INTENT: It is the opinion of staff that the granting of the variance requested would not be opposed to the general spirit and intent of the zoning ordinance inasmuch as the intent of the parking requirement is for businesses to provide adequate parking on site for their functions, thus restricting on-street parking and, due to the nature of this business, adequate parking will be provided even by the reduced number of spaces (40).

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 conditions:

1. The variance in the parking requirement from 52 to 40 spaces shall be valid for a 13,000-square-foot insurance claims office building only and any other use of the building or any expansion of the building beyond 13,000 square feet or any interior remodeling which substantially increases the area devoted to offices will require compliance with the parking requirements as established by code or the filing of a new variance request.
2. The proposed site shall be developed substantially in compliance with Site Plan "A" submitted with this application, which shows 40 parking spaces. The north 77± feet of the lot in front of the building shall be maintained as a landscaped area until such time as it may be paved for additional parking.

BACKGROUND: The applicant, Farm Bureau Mutual Insurance, proposes to construct a 12,900-sq.-ft. office building on the south side of 21st Street in an area west of Broadmoor. It will be their eastside claims office where property and auto claims are processed. No sales agents will have offices here and the anticipated number of employees is 8, with a 10-year projected increase to 14. One of the policies of the company is to have adjusters contact the policyholders rather than have the policyholders come to the adjusters. Based on volume at the westside claims office, it is estimated there will be 5 to 6 walk-in customers per day and 8 to 10 customers per day at the drive-thru auto claims area.

Two site plans have been submitted: one showing 40 parking spaces as desired; and one showing that 52 spaces can be provided if required at some future time. To provide all 52, however, the majority of the front yard would have to be paved for a parking lot.

ADJACENT ZONING AND LAND USE:

NORTH	"AA"*	Drainage lake
SOUTH	"BB"	Undeveloped
EAST	"BB"	Day care center
WEST	"BB"	Office building

(*w/DP-73)

UNIQUENESS: It is the opinion of staff that this property is unique inasmuch as the proposed use of the building is for an insurance claims office which will have few employees and customers in comparison with the size of the building, which is the basis on which the parking requirement is determined.

ADJACENT PROPERTY: It is the opinion of staff that the granting of the variance requested will not adversely affect the rights of adjacent property owners inasmuch as there will be sufficient parking provided on site to accommodate the needs of the proposed business so that no overflow parking will encroach upon adjacent lots or public streets.

HARDSHIP: It is the opinion of staff that the strict application of the provisions of the zoning ordinance may constitute an unnecessary hardship upon the applicant inasmuch as approximately 5,400 square feet of additional paved area would be required which would not be utilized and which would take up space that could otherwise be devoted to landscaping.

PUBLIC INTEREST: It is the opinion of staff that the requested variance would not adversely affect the public interest inasmuch as adequate parking will be provided on site to meet the needs of the current proposed user without utilizing adjacent street rights-of-way, and there will be enough area on the lot to provide an additional 12 parking spaces in the future, should the use of the building change and there be a need for additional parking.

SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

CITY HALL — TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202-1888
(316) 268-4561

January 23, 1991

Jack Hollowell
5920 W. Central
Wichita, KS 67212

Re: BZA 25-90 - Variance to reduce the required number of parking spaces from 52 to 40 on property zoned "BB" Office, located west of Broadmoor on the south side of 21st Street.

Dear Mr. Hollowell:

Enclosed is a signed copy of the above-referenced BZA resolution adopted by the Board of Zoning Appeals on January 21, 1991. This resolution reflects the official action of the Board to grant your request and sets out the conditions of approval. It is forwarded to you for your information and files. A copy of Site Plan "A", referenced in the resolution, is enclosed.

This is a reminder that the zoning adjustment signs should now be removed from the property. If you have any questions concerning this matter, please contact our office.

Sincerely,

Louise Olivarez, Secretary
Board of Zoning Appeals

LO:jcm
Enclosures

cc: Bob Larsen, Farm Bureau Mutual Insurance, 2627 KFB Plaza,
Manhattan, KS 66503-8255
Schaefer Johnson Cox Frey, ATTN: Shannon Ferguson-Bohm,
220 S. Hillside, 67211
Paul Hays, CID
Lance Flowers, CID
Pat Burnett, Deputy City Clerk

FILE COPY

Lot 2 and the east 175 feet of the north 24 feet of Lot 4, Block 1, Broadmoor at 21st Street, an addition to Wichita, Sedgwick County, Kansas. Generally located west of Broadmoor on the south side of 21st St.

subject to the following conditions:

1. The variance in the parking requirement from 52 to 40 spaces shall be valid for a 13,000-square-foot insurance claims office building only and any other use of the building or any expansion of the building beyond 13,000 square feet or any interior remodeling which substantially increases the area devoted to offices will require compliance with the parking requirements as established by code or the filing of a new variance request.
2. The proposed site shall be developed substantially in compliance with Site Plan "A" submitted with this application, which shows 40 parking spaces. The north 77+ feet of the lot in front of the building shall be maintained as a landscaped area until such time as it may be paved for additional parking.

ADOPTED AT WICHITA, KANSAS, this 22nd day of January, 1991.



Keith A. Alter, President

ATTEST:



Louise Olivarez, Secretary

BZA RESOLUTION NO. 25-90

WHEREAS, Farm Bureau Mutual Insurance, pursuant to Section 2.12.590.B, Code of the City of Wichita, requests a variance to reduce the required number of parking spaces from 52 to 40 on property zoned the "BB" Office District and legally described as follows:

Lot 2 and the east 175 feet of the north 24 feet of Lot 4, Block 1, Broadmoor at 21st Street, an addition to Wichita, Sedgwick County, Kansas. Generally located west of Broadmoor on the south side of 21st St.

WHEREAS, proper notice as required by ordinance and by the rules of the Board of Zoning Appeals has been given; and

WHEREAS, the Board of Zoning Appeals did, at the meeting of January 22, 1991, consider said application; and

WHEREAS, the Board of Zoning Appeals has proper jurisdiction to consider said request for a variance under the provisions of Section 2.12.590.B, Code of the City of Wichita; and

WHEREAS, the Board of Zoning Appeals has found that the variance arises from such condition which is unique to the property in question and which is not ordinarily found in the same zone or district; and is not created by an action or actions of the property owner or the applicant inasmuch as the proposed use of the building is for an insurance claims office which will have few employees and customers in comparison with the size of the building, which is the basis on which the parking requirement is determined; and

WHEREAS, the Board of Zoning Appeals has found that the granting of the permit for the variance will not adversely affect the rights of adjacent property owners or residents inasmuch as there will be sufficient parking provided on site to accommodate the needs of the proposed business so that no overflow parking will encroach upon adjacent lots or public streets; and

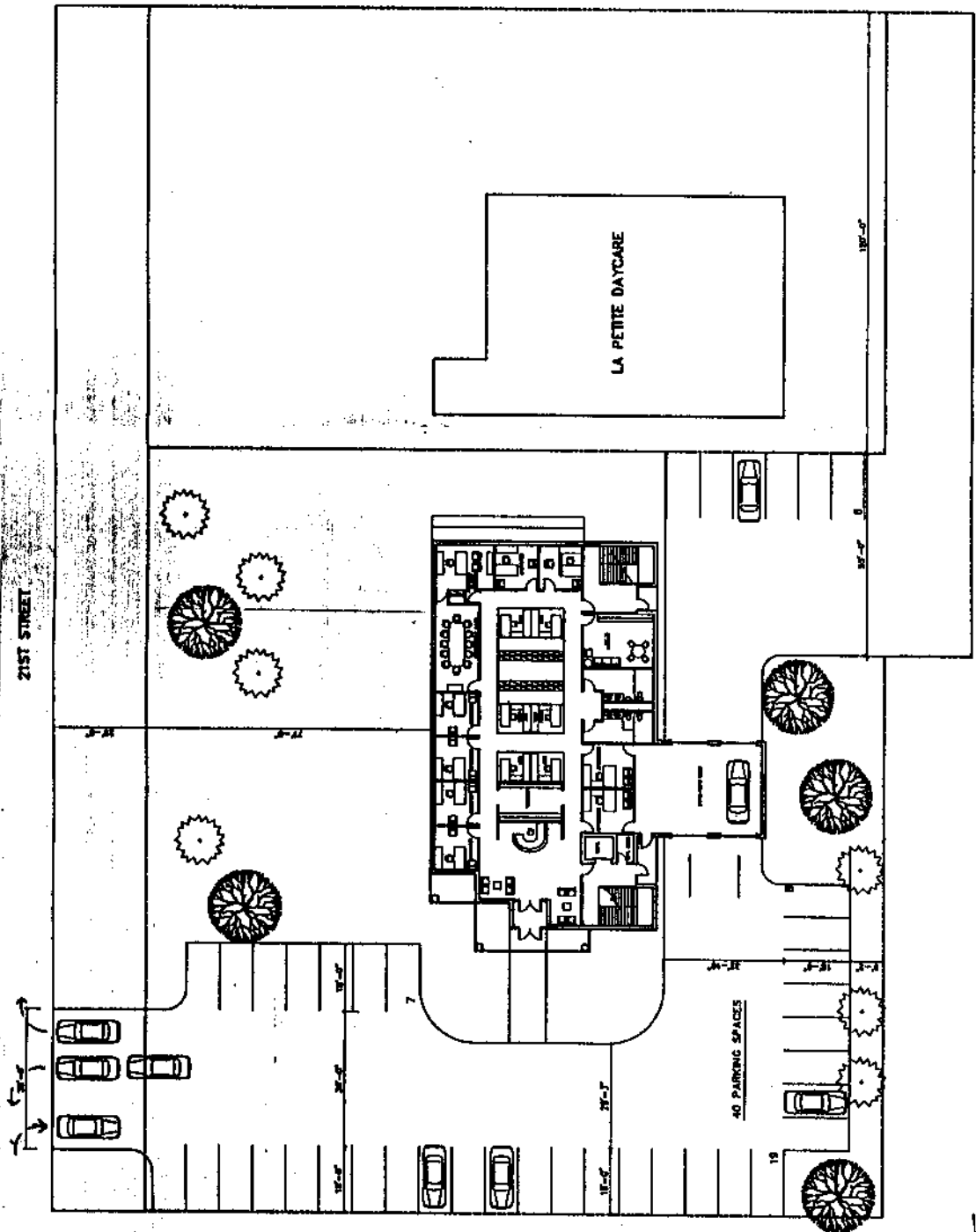
WHEREAS, the Board of Zoning Appeals has found that the strict application of the provisions of Title 28 (Zoning Ordinance) of which variance is requested will constitute unnecessary hardship upon the property owners represented in the application inasmuch as approximately 5,400 square feet of additional paved area would be required which would not be utilized and which would take up space that could otherwise be devoted to landscaping; and

WHEREAS, the Board of Zoning Appeals has found that the variance desired will not adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare, due to the fact that adequate parking will be provided on site to meet the needs of the current proposed user without utilizing adjacent street rights-of-way, and there will be enough area on the lot to provide an additional 12 parking spaces in the future, should the use of the building change and there be a need for additional parking; and

WHEREAS, the Board of Zoning Appeals has found that the granting of the variance desired will not be opposed to the general spirit and intent of Title 28 (Zoning Ordinance) inasmuch as the intent of the parking requirement is for businesses to provide adequate parking on site for their functions, thus restricting on-street parking and, due to the nature of this business, adequate parking will be provided even by the reduced number of spaces (40); and

WHEREAS, each of the five conditions required by Section 2.12.590.B, Code of the City of Wichita, to be present before a variance can be granted has been found to exist.

NOW, THEREFORE, BE IT RESOLVED by the Board of Zoning Appeals of the City of Wichita that this request be approved for a variance to reduce the required number of parking spaces from 52 to 40 on property zoned the "BB" Office District and legally described as follows:



BZA 25-90
 SITE PLAN 'A' - 40 SPACES

SITE PLAN 
 1"=30'-0"

SCF
 SCHAFER JOHNSON COX MEY & ASSOCIATES PA
 ARCHITECTS, ENGINEERS, PLANNERS & INTERIOR DESIGN
 200 SOUTH HOLLAND
 CHICAGO, ILLINOIS 60601
 (312) 587-1000