

BZA 4-66 - St. Francis Hospital re-
quests variance of setback lines on
property located between Emporia &
St. Francis, between 9th & 10th

B3 a 3-22-66
Deferred To 4-26-66
Approved 1

VV
5548

BZA 4-66 - St. Francis Hospital re-
quests variance of setback lines on
property located between Emporia &
St. Francis, between 9th & 10th.

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

WHEREAS, St. Francis Hospital and School of Nursing, Inc., 929 North St. Francis, Wichita, Kansas, by Richard A. Loyd, Attorney, 500 Farmers & Bankers Building, Wichita, Kansas, requests a variance of the regulations of Section 28.04.100, Code of the City of Wichita, ("C" Commercial District), to remove all setback lines related to property zoned "C" and legally described as follows:

Lots 1, 3, 5, 7, 9, 11, 13, 15, 17, and 19, on Emporia Avenue in Mueller's Addition to the City of Wichita, Sedgwick County, Kansas; Lots 2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22, 24, and 26, on St. Francis Avenue in Mueller's Addition to Wichita, Sedgwick County, Kansas; Lots 27, 29, 31, 33, 35, 37, 39, and 41, on Emporia Avenue in Thomas Addition, to Wichita, Sedgwick County, Kansas; Lots 28, 30, 32, 34, 36, 38, 40, 42, and the south 10 feet of Lot 44, on St. Francis Avenue in Thomas Addition to Wichita, Sedgwick County, Kansas. Generally located in the area between Emporia and St. Francis, 9th and 10th Streets; 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, at the meeting of March 22, 1966, consider said application, and deferred final decision until April 26, 1966; and

WHEREAS, the Board of Zoning Appeals did, in regular meeting, consider said application on April 26, 1966; and

WHEREAS, the Board of Zoning Appeals determined that it had proper jurisdiction to consider said request for variance under provisions of Section 2.12.590.2, Code of the City of Wichita, Kansas; and

WHEREAS, the Attorney for the applicant orally amended the application to request removal of all front yard setback lines related to subject property and deleted the request as it applied to rear and side yard setback requirements; and

WHEREAS, the Board of Zoning Appeals has found that the variance of the front yard setback as requested arises from such condition which is unique and not ordinarily found in the same zoning district, and is not created by an action or actions of the property owner or the applicant inasmuch as it is the policy of the Planning Commission to look with favor on "C" zoning in this area and not require setbacks, and it can be assumed that eventually the entire block will be zoned "C" and no front yard setbacks will be required; and

WHEREAS, the Board of Zoning Appeals has found that the granting of the variance, as approved, would not adversely affect adjacent property owners or residents inasmuch as the area is in a transitional state and will eventually all become a "C" zoned district and no front yard will be required; further, no adjoining property owner appeared to speak in opposition to this request; 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 property owner represented inasmuch as the front yard setback will be eliminated by the ordinance at such time as the remaining residential properties are zoned "C" and, therefore, the applicant should be entitled to the utilization of this front 20 feet at this time; 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; and

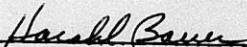
WHEREAS, the Board of Zoning Appeals has determined that the variance desired will not be opposed to the general spirit and intent of Title 28, Code of the City of Wichita, inasmuch as the ordinance provides for the removal of said setback at such time as the property in the block is zoned "C", and the Planning Commission has a policy of looking with favor on "C" zoning in the area; and

WHEREAS, each of the five conditions required by Section 2.12.590.2, Code of the City of Wichita, necessary to be present before a variance can be granted, has been found to exist.

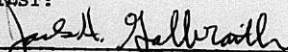
NOW, THEREFORE, BE IT RESOLVED by the Board of Zoning Appeals of the City of Wichita, that the requests be approved to permit complete waiver of the 20-foot required front yard setback, and to delete the variance request relating to the side and rear yard setbacks, all on property zoned "C" Commercial and legally described as follows:

Lots 1, 3, 5, 7, 9, 11, 13, 15, 17, and 19, on Emporia Avenue in Mueller's Addition to the City of Wichita, Sedgwick County, Kansas; Lots 2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22, 24, and 26, on St. Francis Avenue in Mueller's Addition to Wichita, Sedgwick County, Kansas; Lots 27, 29, 31, 33, 35, 37, 39, and 41, on Emporia Avenue in Thomas Addition to Wichita, Sedgwick County, Kansas; Lots 28, 30, 32, 34, 36, 38, 40, 42, and the south 10 feet of Lot 44, on St. Francis Avenue in Thomas Addition to Wichita, Sedgwick County, Kansas. Generally located in the area between Emporia and St. Francis, 9th and 10th Streets.

ADOPTED AT WICHITA, KANSAS, this 26th day of April, 1966.


Harold Bauer, Chairman

ATTEST:


Jack H. Galbraith, Secretary

May 26, 1966

**St. Francis Hospital and School
of Nursing, Inc.
929 North St. Francis
Wichita, Kansas**

Gentlemen:

**Re: BZA 4-66 - Request for Vari-
ance**

We have completed the preparation of the Resolution adopted by the Board of Zoning Appeals in connection with the above-numbered case, which was heard by the Board on April 26, 1966, which Resolution has been signed by the Chairman and Secretary.

As indicated in our letter of May 3, 1966, we are enclosing a copy of this Resolution for your information and files. A copy has also been provided the Central Inspection Division, and you may now obtain the appropriate permit from that Division with respect to your use of property generally located between Emporia and St. Francis, and 9th and 10th Streets.

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

Very truly yours,

**Jack H. Galbraith
Secretary**

**JHG:ber
Enclosure**

**cc: Richard A. Loyd, Attorney, 500 Farmers & Bankers Building
Glen Lytle, Superintendent of Central Inspection
L. L. Binkley, Maintenance Inspection Supervisor
Ralph Eberly, City Clerk**

St. Francis Hospital

Wichita 14, Kansas

May 11, 1966

Mr. Jack H. Galbraith, Secretary
Board of Zoning Appeals
City Building Annex
Wichita, Kansas 67202

File

Re: Case BZA-4-66 Request for variance of setback requirements on property generally located between Emporia and St. Francis, 9th and 10th Streets

Dear Mr. Galbraith:

I acknowledge and thank you for your recent letter indicating that the request for variance which is identified in the caption of this letter, will be the subject of a resolution in which the Board will grant our amended request for a variance of the front yard setback from 20 feet to 0 feet.

Please accept the assurance that your letter is warmly appreciated, because it will enable the Hospital Administration now to correct a deficiency in the record, and to validate a construction plan which is completely logical, substantially esthetic, and prudent in every respect.

We at St. Francis Hospital are especially grateful to the Board of Zoning Appeals for the endorsement of a request for variance which is so urgently needed as to justify a pressing application, even though the tract involved is small and even though there is only a technical and not a practical problem involved.

Yours very truly,

R. E. Stone

R. E. Stone
Assistant Administrator

RES:LH



May 3, 1966

St. Francis Hospital and School
of Nursing, Inc.
929 North St. Francis
Wichita, Kansas

Gentlemen:

Re: Case BZA 4-66 - Request for variance
of setback requirements on property
generally located between Emporia
and St. Francis, 9th and 10th Streets

This is to advise you that at its regular meeting of April 26, 1966, the Board of Zoning Appeals of the City of Wichita considered your request for variance of setback requirements (front, side and rear yards) as related to property located generally between Emporia and St. Francis, and 9th and 10th Streets.

Mr. Richard Loyd orally amended the application to request variance of only the front yard setback from 20 feet to 0 feet. It was the action of the Board to approve the amended request as it related to the front yard variance, and to delete the variance request of the side and rear yard setback.

A resolution effectuating the action of the Board will be mailed to you as soon as it can be prepared and signatures of the Chairman and Secretary of the Board obtained. If you have any questions concerning this matter, please let us hear from you.

Very truly yours,

Jack H. Galbraith
Secretary

JHG:WJ:bar

cc: Richard A. Loyd, Attorney, 500 Farmers & Bankers Building
Glen Lytle, Superintendent of Central Inspection
L. L. Binkley, Maintenance Inspection Supervisor
Ralph Eberly, City Clerk

<p>STANDER OLD OLD</p>	<p>FERRELL A4 B4 H H H H H</p>	<p>D 265 A7 264 R 258 R 256 B 252 R 250</p>	<p>265 1 263 261 H 259 H 257 H 255 H 251 R 249 R</p>	<p>A3 266 D 264 R 261 H H 260 H 258 H 256 R 252 R 250</p>	<p>265 1 263 R 261 R R 259 R 257 R R 255 R</p>
<p>Bh 248 R 244 R 242 238 236 234 232 230 228 226 224 222 220 218 216 214 212 210 208 206 204 202 200 R 198</p>	<p>ADD'N Bh 247 245 243 241 239 237 235 233 231 229 227 225 223 221 219 217 215 213 211 209 207 205 203 199</p>	<p>R 240 R 238 R 236 R 234 H 232 H 230 R 228 R 226 R 224 R 222 R 220 R 218 R 216 R 214 R 212 R 210 R 208 R 206 R 204 R 202 H 200 H 198</p>	<p>43 41 39 37 35 33 31 29 27 25 23 21 19 17 15 13 11 9 7 5 3 R 61</p>	<p>CH 50 R 46 R 44 R 42 H 40 R 38 R 36 R 34 R 32 R 30 R 28 R 26 R 24 R 22 H 20 H 18 R 16 H 14 H 12 H 10 R 8 R 6 H 4 H 2</p>	<p>X 44 42 40 38 36 34 32 30 28 26 24 22 20 18 16 14 12 10 8 6 4 2</p>
<p>Bh 218 H 216 H 214 H 212 H 210 H 208 H 206 H 204 H 202 H 200 R 198 R 196 R 194 R 192 R 190 R 188 R 186 R 184 R 182 R 180 R 178 R 176 R 174 R 172 R 170 R 168 R 166 R 164 R 162 R 160 R 158 R 156 R 154 R 152 R 150 R 148 R 146 R 144 R 142 R 140 R 138 R 136 R 134 R 132 R 130 R 128 R 126 R 124 R 122 R 120 R 118 R 116 R 114 R 112 R 110 R 108 R 106 R 104 R 102 R 100 R 98 R 96 R 94 R 92 R 90 R 88 R 86 R 84 R 82 R 80 R 78 R 76 R 74 R 72 R 70 R 68 R 66 R 64 R 62 R 60 R 58 R 56 R 54 R 52 R 50 R 48 R 46 R 44 R 42 R 40 R 38 R 36 R 34 R 32 R 30 R 28 R 26 R 24 R 22 R 20 R 18 R 16 R 14 R 12 R 10 R 8 R 6 R 4 R 2</p>	<p>ADD'N Bh 217 215 213 211 209 207 205 203 201 199 197 195 193 191 189 187 185 183 181 179 177 175 173 171 169 167 165 163 161 159 157 155 153 151 149 147 145 143 141 139 137 135 133 131 129 127 125 123 121 119 117 115 113 111 109 107 105 103 101 99 97 95 93 91 89 87 85 83 81 79 77 75 73 71 69 67 65 63 61 59 57 55 53 51 49 47 45 43 41 39 37 35 33 31 29 27 25 23 21 19 17 15 13 11 9 7 5 3 1</p>	<p>R 44 Bh 42 H 40 H 38 H 36 Bh 34 H 32 H 30 H 28 R 26 R 24 R 22 R 20 R 18 R 16 R 14 R 12 R 10 R 8 R 6 R 4 R 2</p>	<p>50 H B 48 R 46 H 44 H 42 B 40 B 38 H 36 H 34 H 32 H 30 H 28 H 26 H 24 H 22 H 20 H 18 H 16 H 14 H 12 H 10 H 8 H 6 H 4 H 2</p>	<p>H 49 R 47 R 45 R 43 R 41 R 39 R 37 R 35 R 33 R 31 R 29 R 27 R 25 R 23 R 21 R 19 R 17 R 15 R 13 R 11 R 9 R 7 R 5 R 3 R 1</p>	<p>X 44 42 40 38 36 34 32 30 28 26 24 22 20 18 16 14 12 10 8 6 4 2</p>

F. S. & A. T. RAILROAD (SANTA FE)
 5TH (Use any one of 5)

TOPEKA

EMPORIA

ST. FRANCIS

SANTA FE

9TH

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

April 4, 1966

NOTICE TO ADJOINING PROPERTY OWNERS

Case No. BZA 4-66

An application has been filed by St. Francis Hospital and, School of Nursing, Inc., 939 North St. Francis, Wichita, Kansas, pursuant to Section 2.12.590, Code of the City of Wichita, requesting a variance to remove all setback lines related to property zoned "C" and legally described as follows:

Lots 1, 3, 5, 7, 9, 11, 13, 15, 17, and 19, on Emporia Avenue in Mueller's Addition to the City of Wichita, Sedgwick County, Kansas; Lots 2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22, 24, and 26, on St. Francis Avenue in Mueller's Addition to Wichita, Sedgwick County, Kansas; Lots 27, 29, 31, 33, 35, 37, 39, and 41, on Emporia Avenue in Thomas Addition to Wichita, Sedgwick County, Kansas; Lots 28, 30, 32, 34, 36, 38, 40, 42, and the south 10 feet of Lot 44, on St. Francis Avenue in Thomas Addition to Wichita, Sedgwick County, Kansas. Generally located in the area between Emporia and St. Francis, 9th and 10th Streets.

This application has been assigned Case No. BZA 4-66, and will be considered by the Board of Zoning Appeals at its meeting on Tuesday, April 26, 1966, at 2 p.m. in Room 401 City Building Annex, 104 South Main, Wichita, Kansas, at which time you may appear, if you so desire, either in person or by agent or attorney.

Jack H. Galbraith
Secretary

35 Notices Mailed 4-4-66 + 8 to P.C.

BOARD OF ZONING APPEALS

CASE NO. BZA 4-66

CITY OF WICHITA, KANSAS

FILED _____

AMENDMENT TO APPLICATION FOR VARIANCE

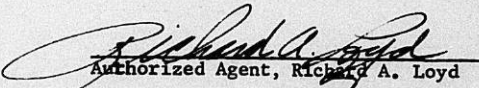
APPLICANT: St. Francis Hospital and School of Nursing, Inc., 929 North St. Francis, Wichita, Kansas

AUTHORIZED AGENT: Richard A. Loyd, attorney, 500 Farmers & Bankers Life Building, Wichita, Kansas

The applicant hereby amends paragraph II of its Application for Variance to change the legal description to read as follows:

Lots 1, 3, 5, 7, 9, 11, 13, 15, 17, and 19, on Emporia Avenue in Mueller's Addition to the City of Wichita, Sedgwick County, Kansas; Lots 2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22, 24, and 26, on St. Francis Avenue in Mueller's Addition to Wichita, Sedgwick County, Kansas; Lots 27, 29, 31, 33, 35, 37, 39, and 41, on Emporia Avenue in Thomas Addition to Wichita, Sedgwick County, Kansas; Lots 28, 30, 32, 34, 36, 38, 40, 42, and the south 10 feet of Lot 44, on St. Francis Avenue in Thomas Addition to Wichita, Sedgwick County, Kansas.

ST. FRANCIS HOSPITAL AND SCHOOL OF NURSING, INC., Applicant


Authorized Agent, Richard A. Loyd

Received in office of Secretary, Board of Zoning Appeals,

(a.m. - p.m.) _____, 19 66.

JOCHEMS.
SARGENT &
BLAES

500 FARMERS &
BANKERS LIFE
BUILDING

WICHITA, KANSAS 67202
AMHERST 2-8444

March 25, 1966

St. Francis Hospital and School of Nursing, Inc.
929 North St. Francis
Wichita, Kansas

Gentlemen:

Re: Case BEA 4-66 - Request for variance of setback requirements on property generally located between Emporia and St. Francis, 9th and 10th Streets

At the regular meeting of the Board of Zoning Appeals of the City of Wichita held on March 22, 1966, the Assistant Secretary stated that a request for deferral had been received from the Attorney in this case, inasmuch as there appears to be a discrepancy in the legal description of property involved.

There were several people at the meeting interested in this case, but they offered no objections to a deferral. The Chairman declared the application deferred until the meeting of April 26, 1966, and stated that notices would be sent to property owners involved.

Very truly yours,

Robert A. Lakin
Assistant Secretary

RAL:HW:ber

cc: Richard A. Loyd, Attorney
500 Farmers & Bankers Building

Glan Lytle, Superintendent
of Central Inspection

Ralph Eberly
City Clerk

SECRETARY'S REPORT

CASE NO. BZA ⁴-66

APPLICANT: St. Francis Hospital and School of Nursing,
929 North St. Francis

AGENT: Richard A. Loyd, Attorney, 500 Farmers & Bankers Building

REQUEST: Variance pursuant to Section 2.12.590.2, Code of the City
of Wichita to remove all setbacks on property zoned "C"

LOCATION: Generally located between Emporia and St. Francis and 9th
and 10th

LAND USE: The existing land use on both the area in question and
surrounding property consists of St. Francis Hospital and Nursing
School facilities, single family, boarding houses, offices, parking
lots and multiple family dwellings.

ZONING: Subject property is zoned "C" and adjoining property is mixed
"B" and "C"

JURISDICTION

The Board has jurisdiction to consider the variance request
under the provisions outlined in Section 2.12.590.2, Code of the
City of Wichita. The Board may grant the request when all five of
the following conditions are found to exist:

1. That the variance requested arises from such condition
which is unique to the property in question and which
is not ordinarily found in the same zone or district;
and is not created by an action or actions of the
property owner or the applicant.
2. That the granting of the permit for the variance will not
adversely effect the rights of adjacent property owners or
residents.
3. That the strict application of the provisions of Title 28
of which variance is requested will constitute unnecessary
harshness upon the property owner represented in the appli-
cation.
4. That the variance desired will not adversely affect the
public health, safety, morals, order, convenience, prosperity
or general welfare; and
5. That granting the variance desired will not be opposed to
the general spirit and intent of Title 28 (Zoning ordinance).

COMMENTS BY THE SECRETARY

The St. Francis Hospital and School of Nursing is requesting the removal of all setback lines on property zoned "C" and generally located between Emporia and St. Francis and between 9th and 10th Streets. The applicant essentially is requesting these variances:

1. A variance of the front yard setback from 20 feet to 0 feet.
2. A variance of the side yard setback from 5 feet to 0 feet.
3. A variance of the rear yard setback from 15 feet to 0 feet.

The ordinance states that there is no required front setback in the "C" zone if all the frontage on the same side of the street between two intersecting streets is zoned "C". However, if a residential district is located in abovescribed frontage, then the "C" zoned property must maintain the same front yard setback as required in "B" and, therefore, the whole block must maintain a 20-foot front setback.

The ordinance requires that a side yard setback of 5 feet be provided for all buildings erected, enlarged, converted or altered for dwelling purposes in the "C" district and that where the "C" district abuts any dwelling district, a minimum 5-foot side yard setback must be provided.

The ordinance also requires a rear yard of 15 feet for dwellings located in the "C" district.

UNIQUENESS

It is the opinion of the Secretary that the request for varying the front setback is unique inasmuch as the Planning Commission has a policy of looking with favor on "C" zoning in the area and not requiring front setbacks because of the location near the downtown area and because of the character of the existing development. It can readily be assumed that eventually the whole block will be zoned "C" and then no front setbacks will be required.

It is the opinion of the Secretary that there is nothing unique concerning the requests for varying the rear and side yard requirements. The area is mixed residential and hospital facilities presently and probably will remain as such due to the nature of the type of development that occurs in hospital areas.

ADJACENT PROPERTY

It is the opinion of the Secretary that the granting of the variance of the front yard setback should not adversely affect the rights of adjacent property owners inasmuch as the area is in a transitional state and will eventually all become a "C" zoned district and no front yard will be required.

However, it is the opinion of the Secretary that the granting of the variance of the side yard setback would have an adverse affect on the adjacent properties since it would allow commercial or residential structures to be built on the property line eliminating light and air from the adjacent properties. Even though this area is in a transitional state, residential uses will always be present because of the existence of the hospital itself, and the ordinance specifically states that residential uses in the "C" zone must maintain certain rear and side yard setbacks.

HARDSHIP

It is the opinion of the Secretary that it would create an unnecessary hardship on the applicant by not granting the front yard variance inasmuch as the front yard setback will be eliminated by the ordinance at such time as the remaining residential properties are zoned "C" and, therefore, the applicant should be entitled to the utilization of this front 20 feet at this time.

It is the opinion of the Secretary that it would not create an unnecessary hardship on the applicant by not granting the variance of the side and rear yard setbacks because the rear yard setback applies to residential structures only and due to the nature of development surrounding a hospital, residential uses may always be present.

PUBLIC INTEREST

It is the opinion of the Secretary that the granting of any of the variances would in no way adversely affect the general public.

PURPOSE AND INTENT

It is the opinion of the Secretary that the granting of the front yard setback would not be opposed to the general purpose and intent of Title 28 inasmuch as the ordinance provides for the removal of said setback at such time as the property in the block is zoned "C" and the Planning Commission has a policy of looking with favor on "C" zoning in the area.

Page 4 - Secretary's Report
Case No. BZA 4-66
4

It is the opinion of the Secretary that the granting of the side yard and rear yard variances is opposed to the purpose and intent of Title 28 inasmuch as the ordinance specifically requires these setbacks for dwelling purposes in the "C" district and further, to grant these variances would encourage the overbuilding of lots for residential purposes.

RECOMMENDATION

It is the opinion of the Secretary that all five conditions necessary to the granting of the front yard setback can be found to exist and, therefore, it is the recommendation of the Secretary that the front yard variance from 20 feet to 0 feet be granted.

It is the opinion of the Secretary that all five conditions necessary to the granting of the side yard and rear yard variances cannot be found to exist and, therefore, it is the recommendation of the Secretary that the request for the variance of the rear yard and side yard setbacks not be approved.

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

February 25, 1966

NOTICE TO ADJOINING PROPERTY OWNERS

Case No. BZA 4-66

An application has been filed by St. Francis Hospital and School of Nursing, Inc., 929 North St. Francis, Wichita, Kansas, pursuant to Section 2.12.590, Code of the City of Wichita, requesting a variance to remove all setback lines related to property zoned "C" and legally described as follows:

Odd Lots 1 thru 11 and S 5 feet Lot 13 & all Lot 19, on Emporia Ave. & Even Lots 2 thru 10 & N 13 ft Lot 26, on St. Francis Ave., in Mueller's Add. & Odd Lots 27 thru 41, Emporia Ave. & Even Lots 28 thru 42 & S 10 ft of Lot 44, St. Francis Ave., in Thomas Addition, in the City of Wichita, Sedgwick County, Kansas. Generally located between Emporia and St. Francis, 9th and 10th Streets.

This application has been assigned Case No. BZA 4-66, and will be considered by the Board of Zoning Appeals at its meeting on Tuesday, March 22, 1966, at 2 p.m. in Room 401 City Building Annex, 104 South Main, Wichita, Kansas, at which time you may appear, if you so desire, either in person or by agent or attorney.

Jack H. Galbraith
Secretary

36 Notices Mailed 2-25-66 + 7 to P.C.

BOARD OF ZONING APPEALS
CITY OF WICHITA, KANSAS

CASE NO. 4-66
FILED 2-16-66

APPLICATION FOR VARIANCE

1. Name of Applicant St. Francis Hospital and School of Nursing, Inc.
Mailing Address 929 North St. Francis, Wichita Phone AM2-6211
Name of Authorized Agent Richard A. Loyd, Attorney
Wichita
Mailing Address 500 Farmers & Bankers Bldg., Phone AM2-8444
Relationship of applicant to property is that of owner
(owner, tenant, lessee, other)

II. The variance requested is removal of all set back lines for pro-
perty located generally between Emporia Avenue and St. Francis

Avenue and Ninth Street and Tenth Street, legally described as
Lots 1,3,5,7,9,11 and the South 5' of Lot 13 and Lot 19, on Emporia
Avenue in Mueller's Addition to the City of Wichita, Sedgwick County,
Kansas; Lots 2,4,6,8,10 and the North 13' of Lot 26 on St. Francis
Avenue in Mueller's Addition to Wichita, Sedgwick County, Kansas;
Lots 27,29,31,33,35,37,39 and 41 on Emporia Avenue, Thomas Addition,
to Wichita, Sedgwick County, Kansas; Lots 28,30,32,34,36,38,40,42
and the South 10' of Lot 44 on St. Francis Avenue in Thomas Addition
to Wichita, Sedgwick County, Kansas.

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

(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.

ST. FRANCIS HOSPITAL AND SCHOOL OF
Applicant NURSING, INC.

Richard A. Loyd
Authorized Agent, Richard A. Loyd

OFFICE USE ONLY: Received in office of Secretary, Board of Zoning Appeals,
3:45 (a.m. (p.m.)), 2-16, 1966, together with
appropriate fee of \$50.00.

T9-402

Jack Galbraith S.P.
Signed (ma)

This variance is requested for the following reasons:

1. This property is presently zoned "C," which normally, under City Ordinance 28.04.100 (C 1.1), requires no front yard or building set back lines. However, in the same block where this property is located, there are some areas presently zoned "B." Under those circumstances, under City Ordinance 28.04.100 (C 1.2), the front yard or set back requirements of 20 feet under "B" zoning apply for the whole block.

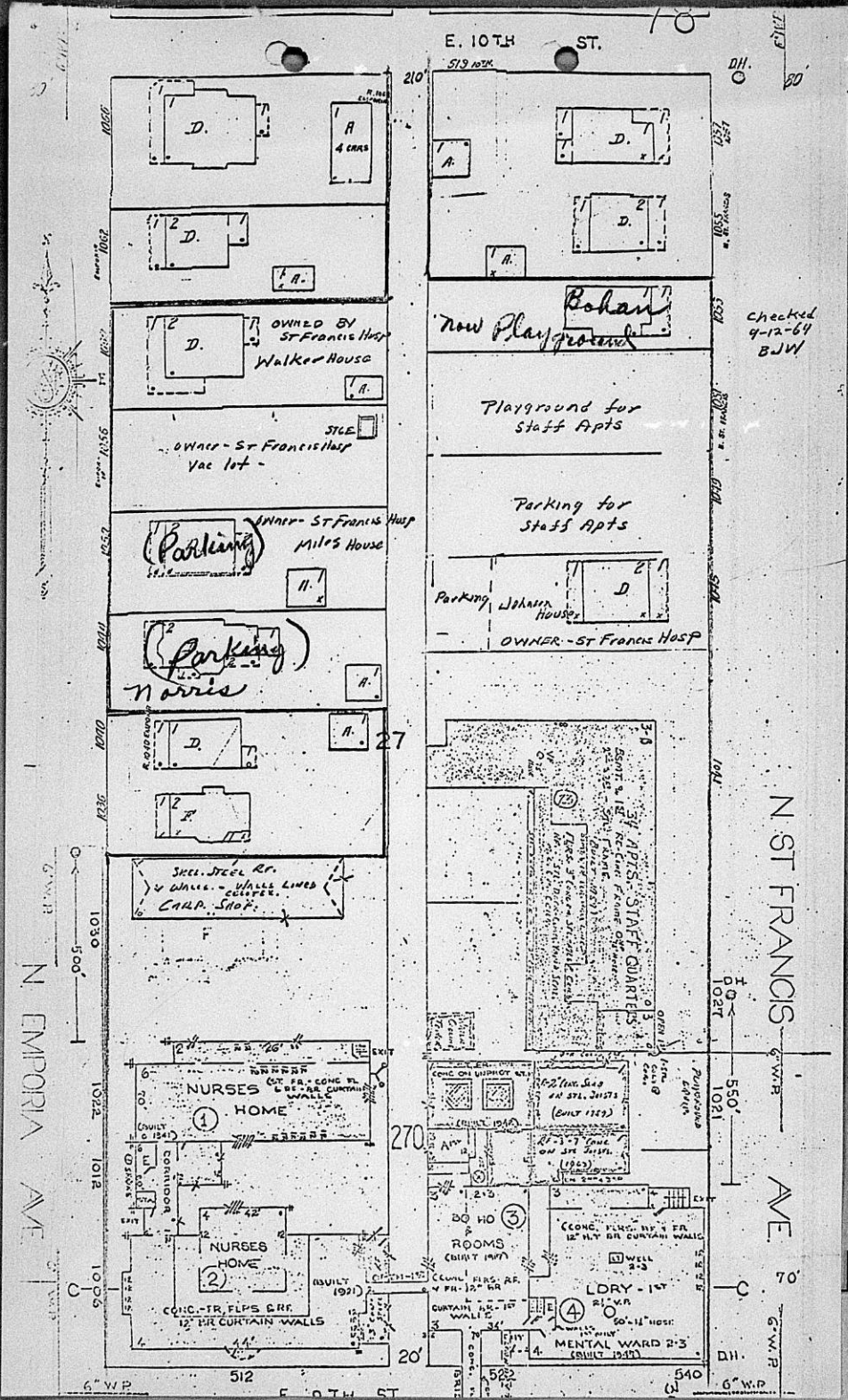
2. St. Francis Hospital and School of Nursing, Inc., is attempting to upgrade the entire area surrounding the Hospital, including this block, and in addition, to provide adequate facilities for the Hospital.

3. The building contemplated by applicant is for water chilling facilities. The area will be beautified by the new addition, and therefore will not adversely affect the rights of adjacent property owners or residents.

4. This area is a transitional one, surrounded by "C" zoning. "C" zoning is the logical zoning for the entire area, and the area someday will be zoned "C." The transitional character of the area is unique, and is not ordinarily found as prevalently in the same zoning district.

5. The requested variance will not adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare, but will in actuality be a benefit.

6. All conditions contained in City Ordinance 2.12.590.2 are present.



Checked
9-12-64
BJW

N ST FRANCIS
AVE

N EMPORIA
AVE

E. 10TH ST

519' 10"

210'

27'

270'

20'

D.H.

102'

550'

102'

6" W.P.

512'

E. 9TH ST

512'

540'

6" W.P.

STATEMENT OF RECORD OWNERSHIP

STATE OF KANSAS)
)
SEDGWICK COUNTY)

The undersigned duly bonded and qualified abstractor within and for the County and State aforesaid, does hereby certify:

That we have examined the records in the office of the Register of Deeds of Sedgwick County, Kansas, with reference to the ownership of the following property in Sedgwick County, Kansas, viz:

Property lying within a radius of 200 ft of:

Odd Lots 1 thru 11 & S 5 ft Lot 13 & all Lot 19, on Emporia Ave. & Even Lots 2 thru 10 & N 13 ft Lot 26, on St. Francis Ave., in Mueller's Add. & Odd Lots 27 thru 41, Emporia Ave. & Even Lots 28 thru 42 & S 10 ft of Lot 44, St. Francis Ave., in Thomas Addition, City of Wichita, Kansas.

And from such examination find that the record owners thereof are as set opposite the description of the property below, viz:

Lot 199, Emporia Ave., Stafford & Wright's Add.

✓ Jessie Fogleman, daughter
Gertrude B. Fogleman, mother
1117 N. Emporia

Lots 1 & 3, Emporia Ave., Stone's Add.

✓ Hugh F. & Margaret L. Allison, ux
1067 N. Emporia

Lots 5 & 7, Emporia Ave., Stone's Add.

✓ L. D. Sharp, sgle.
614 S. Erie

Lots 9 & 11, Emporia Ave., Stone's Add.

✓ Herbert Lee Mann
336 S. Minnesota

Lots 13 & 15, Emporia Ave., Stone's Add.

✓ J. C. & Anice L. Fleming, ux
1813 Looman

7
Fidelity
Title
Company.
inc.



Lots 17 & 19, Emporia Ave., Stone's Add.

✓ Adam & Mary Etta Brown, ux
Norwich, Kansas

Lots 21 & 23, Emporia Ave., Stone's Add.

✓ Leo F. & Violet R. Stroot, ux
1043 N. Emporia

Lots 2, 4, 6, Emporia Ave., Bentley & Schoonover's Add.

✓ Harry K. Randle, Klou Randle, &
Thearl K. Randle
426 S. Yale

Lots 10 & 12, Emporia Ave., Bentley & Schoonover's Add.

⊕ Harry A. Randle, Klou Randle &
Thearl Randle,
426 S. Yale

Lot 14 & S 21 ft Lot 16, Emporia Ave., Bentley & Schoonover's Add.

✓ Maude E. & John W. Peterson, vir
1027 N. Emporia

N 4 ft Lot 16, all Lots 18 & 20, Emporia Ave., Bentley & Schoonover's Add.
& S $\frac{1}{2}$ Lot 22,

✓ Dr. Martin Hagan
R # 8, Wichita, Ks.

N $\frac{1}{2}$ Lot 22, all Lot 24 & S 22 $\frac{1}{2}$ ft Lot 26,
Emporia Ave., Bentley & Schoonover's Add.

✓ Vera A. McGuire, sgle.
1035 N. Emporia

N 9.15 ft of Lot 26, Emporia Ave., Bentley & Schoonover's Add.

⊕ Leo F. & Violet R. Stroot, ux
1043 N. Emporia

S 9 ft Lot 3, all Lots 5, 7, 9, 11, 13, 15,
Emporia Ave., Miller's Add.

✓ Nine Fifty Nine, Inc.
959 N. Emporia

Lots 41, 43, 45, 47, 49, 51, 53, Emporia Ave., Burleigh's 2nd Add.

⊕ St. Francis Hospital & School of Nursing,
929 N. St. Francis Inc.

Lots 42, 44, 46, 48, 50, 52, 54, St. Francis, Burleigh's 2nd Add.

⊕ St. Francis Hospital & School of Nursing,
929 N. St. Francis Inc.

Lots 45, 47, 49, 51 & 53, St. Francis Ave., Burleigh's 2nd Add.

⊕ St. Francis Hospital & School of Nursing,
929 N. St. Francis Inc.

Lot 1, St. Francis Ave., Mueller's Add.

*no
address
found*

Lena M. Pennington & Pearl Dempsey, jt.
No Address Available

Lots 3 & 5, St. Francis Ave., Mueller's Add.

✓ Clarence J. & Nellie F. Smith, ux
1016 N. St. Francis

Lot 7 & 9, St. Francis Ave., Mueller's Add.

✓ Margaret E. & Charles L. Hyde, vir
1020 N. St. Francis

Lots 11 & 13, St. Francis Ave., Mueller's Add.
& S 1.7 ft Lot 15 " " "

✓ Dewey J. & Clara A. Rockwell, ux
1024 N. St. Francis

Lot 15, exc S 1.7 ft, all Lot 17 & S 22½ ft
of Lot 19, St. Francis Ave., Mueller's Add.

✓ Olive W. Garvey
352 N. Broadway

N 2½ ft Lot 19, all Lots 21 & 23 & S½ Lot 25,
St. Francis Ave., Mueller's Add.

✓ Lawrence E., Clarence J. Smith, jt.
1122 N. Emporia

N½ Lot 25, St. Francis Ave., Mueller's Add.

✓ Pearl V. Garner
1042 N. St. Francis

Lots 2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22,
24 & 26, St. Francis Ave., Mueller's Add.

St. Francis Hospital & School of Nursing,
929 N. St. Francis Inc.

Lots 1, 3, 5, 7, 9, 11, 13, 15, 17, 19, on
Emporia Ave., Mueller's Add.

St. Francis Hospital & School of Nursing,
929 N. St. Francis Inc.

Lot 21 & S½ Lot 23, Emporia Ave., Mueller's Add.

✓ Delpha M. Stanaland
100 S. Tyler

N½ Lot 23, all Lot 25, Emporia Ave., Mueller's Add.

✓ Gus Liebl
1040 N. Emporia

Lots 27, 29, 31, 33, 35, 37, 39, 41, Emporia Ave.,
Thomas Add.

St. Francis Hospital & School of Nursing,
929 N. St. Francis Inc.

Lots 43, 45 & S 2 ft Lot 47, Emporia Ave.,
Thomas Add.

Lillie M. Archer, sgle
✓ Thomas J. Archer, son
1062 N. Emporia

Lot 47, exc S 2 ft & all Lot 49, Emporia Ave.,
Thomas Add.

Sadie Harding Dunn, und ½ int.
✓ Mary Chapin Clark, und ¼ int.
Max K. Givens, und ¼ int.
1066 N. Emporia

Lots 28, 30, 32, 34, 36, 38, 40, 42 & S 10 ft
of Lot 44, on St. Francis Ave., Thomas Add.

✓ St. Francis Hospital & School of Nursing,
929 N. St. Francis Inc.

N 15 ft of Lot 44, all Lot 46 & S 15 ft Lot 48,
St. Francis Ave., Thomas Add.

✓ Albert E. & Hattie Mae Long, ux
1055 N. St. Francis

N 10 ft Lot 48 & all Lot 50, St. Francis Ave.,
Thomas Add.

✓ B. F. & Alzora Hollaway, ux
1057 N. St. Francis

Lots 27 & 29, St. Francis Ave., Thomas Add.

✓ Pearl V. Garver
1042 N. St. Francis

Lots 31 & 33, St. Francis Ave., Thomas Add.

✓ Preston & Waunita Sprecher, ux
1050 N. St. Francis

Lots 35 & 37, St. Francis Ave., Thomas Add.

✓ Edith N. Cunningham
1052 N. St. Francis

Lots 39 & 41, St. Francis Ave., Thomas Add.

✓ Emery J. & Madeleine Hawthorne, ux
1054 N. St. Francis

Lots 43 & 45, St. Francis Ave., Thomas Add.

✓ Henry F. & Edna Timm, ux
1058 N. St. Francis

Lots 47 & 49, St. Francis Ave., Thomas Add.

✓ Henry F. & Edna A. Timm, ux
1058 N. St. Francis

Lots 2 & 4, Emporia Ave., Burleigh's Add.

✓ Eula A. Kennedy
1100 N. Emporia

Lots 6 & 8, Emporia Ave., Burleigh's Add.

✓ W. M. & Mary E. Dunn, ux
1108 N. Emporia

W 50 ft of Lots 1, 3, 5 & S 15 ft Lot 7, on
St. Francis Ave., Burleigh's Add.

Elwyn P. & Martha L. Bond, ux
No Address Available

E 90 ft of Lots 1, 3, 5, on St. Francis Ave.,
Burleigh's Add.

✓ Emery B. & Alice M. Schwartz, ux
822 Big Bend

W 94 ft of Lot 2 & W 94 ft of S 114 ft of
Lot 4, St. Francis Ave., Burleigh's Add.

✓ Thomas H. Simpson
1102 N. St. Francis

E 46 ft of Lot 2 & E 46 ft of S 11 $\frac{1}{4}$ ft of
Lot 4, St. Francis Ave., Burleigh's Add.

✓ Lena Hicks & Ralph E. Hicks
2407 E. Pawnee *notice Returned*

N 13 $\frac{3}{4}$ ft of Lot 4, all Lot 6, St. Francis Ave.,
Burleigh's Add.

✓ Richard M. & Beulah E. Miller, ux
311 S. Oak

Dated at Wichita, Kansas this 9th day
of February, 1966 at 7:00 A. M.

FIDELITY TITLE COMPANY, INC.

By *Elise M. Farrell* Sec. OEM

Tracer # 73754

FORM 223-021

PAYMENT NOTICE
City of Wichita

PAY 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
Variance	\$50 ⁰⁰

Name *Richard G. Lloyd*

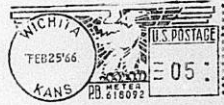
Address *500 Farmers & B. Bldg*

Type *Re-Plan* Due Date

Comments:

Date *2-16-66* By *Meta Burdette*

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



Lena & Ralph E. Hicks

2407 E. Pawnee

Wichita, Kansas

not at this address

1128

4-66

RETURN TO WRITER

