

Riverside Christian Ch.  
Litchfield & Harrison NW

BZA 16-64

ACTION

Bye COMMITTEE Henry DATE 5-22-64

M.A.P.C. Henry

B.C.C. ~~16-64~~ 5-22-64

BZA Reversed by action of  
BCC on 6-2-64.  
auth 23 pages subj to  
cond 1 thru 8 (see 6) of  
Secretary's Report.

BZA 16-64 - Riverside Christian  
Church requests variance of off-st.  
parking requirements on NW corner of  
Harrison & Litchfield

February 3, 1966

Lee Baggett, Minister  
The Riverside Christian Church  
1001 Litchfield  
Wichita, Kansas 67203

Dear Mr. Baggett:

Re: Off-street parking for Riverside  
Christian Church

In answer to your letter of February 2, 1966, your proposal to trade property owned by the Nobles and that at 1031 Litchfield seems reasonable and in the best interest of the entire area. I have discussed your letter with Mr. Lytle, Superintendent of Central Inspection, and we both agree that you should submit a new off-street parking plan to his office showing the area that will be utilized for off-street parking, and a schedule as to when you think the area can be incorporated into the development of parking for the church. The revised plan would, of course, not include the three spaces at the rear of 1031 Litchfield.

It should be pointed out that an exception to utilize the area for off-street parking will not be necessary since the property is contiguous to the church. However, the required front setback of 25 feet cannot be utilized for off-street parking.

If you have questions concerning the requested plan, please contact Mr. Lytle.

Very truly yours,

Jack H. Galbraith  
Secretary

JHG:ber

cc: Glen Lytle, Superintendent  
of Central Inspection

Glenn Benedick, Architect  
230 Laura

LEE BAGGETT, MINISTER  
AM 4-6766

MRS. WANDA GAMMEL, YOUTH MINISTER  
MISS JANE RAU, CUSTODIAN

THE RIVERSIDE CHRISTIAN CHURCH

1001 Litchfield

Forest 3-0900

Wichita, Kansas 67203

February 2, 1966



Board of Zoning Appeals  
City of Wichita  
Wichita, Kansas

ATT: Mr. Jack Galbraith

Gentlemen:

A little more than a year ago the Riverside Christian Church at 1001 Litchfield was granted a variance in off-street parking in order that the old sanctuary might be demolished and a new building erected. This construction is under way and the completion is scheduled for July 1, 1966.

The off-street parking as it was finally resolved showed 18 cars on the lot north of the church, two additional spaces behind the church and the additional three were shown on the back of the lot at 1031 Litchfield.

In between these two parking areas, there is a home owned by Mr. and Mrs. V. C. Noble at 1017 Litchfield and a lot north of their home also belonging to the Nobles. At the time we requested the variance it was stated that this property might be available soon and that additional parking would be provided. Now the Nobles have offered their property to the church.

The deal they would like to make is to give the church the house at 1017 Litchfield and the vacant lot in exchange for the 1031 Litchfield property and cash. I am sure this can be worked out soon to the satisfaction of everyone. However, they would not want the property at 1031 Litchfield if the back twenty feet were used now for a parking area. Both parties feel this is a good deal since the church will have three full parking lots next to the church and the Noble's home will be protected on the north by the parsonage at 1033 Litchfield.

We want to request that the parking shown on the rear of the lot at 1031 Litchfield be deleted from the present plans, with the promise from us that the Noble property will be converted to parking lots when it is acquired, and that all city codes and regulations will be met in this construction.

The completed project will give us approximately 60 parking spaces rather than the 23 now called for in the variance.

We would appreciate a letter from you giving your approval to the content of this letter so that the deletion at 1031 Litchfield can be effected now.

Respectfully submitted for the Riverside Christian Church by,

*Lee Baggett*  
Lee Baggett  
Minister

cc-Glen Lytle, Central Inspection  
Glenn Benedict, Architect.

R. A. Lakin-

Mr. Lakin, in answer to inquiry by Commissioner Stevens, stated that the Metropolitan Area Planning Commission does include the County Commission and that appropriations involving local funds will be shared on an equal basis, however, local funds are not involved in this particular expenditure.

Mr. Wulz-

Director of Public Works, in answer to question by Commissioner Bell, recalled that the Commission had authorized him (Mr. Wulz) to negotiate with Wilson and Company and in the initial discussions it was hoped that the work could be accomplished within the initial authorization of \$25,000, however, due to later requirements in connection with the report, the amount has exceeded expectations. Mr. Wulz also noted that several joint meetings of the City and Planning Commissions were held in regard to the location of the South Industrial Thruway at which time Wilson and Company presented rather detailed cost estimates on various alignments, and Mr. Wulz concurred with Commissioner Bell's opinion that the City Commission was in a closer relationship with the project than has been indicated and that the company engaged in this work through the recommendations of the City as such and not the Planning Department.

Tarrant-

President Tarrant expressed concern regarding the fact that an amendment to an agreement was being proposed without the agreement being presented the Commission for review in conjunction with the amendment and favored deferral of the matter.

Deferred one week-  
presented again-

Tarrant moved that the matter be deferred one week and the document be presented to the Commission for review. Motion carried unanimously.

BZA Case No. 16-64-  
Riverside Christian Church-

Report to the City Commission regarding Board of Zoning Appeals Case No. BZA 16-64 Riverside Christian Church, presented.

City Manager reported that under the provisions of Section 2.12.610 of the Code of the City of Wichita, an appeal from a decision of the Board of Zoning Appeals has been filed for consideration by the Board of City Commissioners. At its regular meeting of March 24, 1964, the Board of Zoning Appeals denied a request made by the Riverside Christian Church for a variance from the strict application of the enforcement provisions of the zoning ordinance to require less off-street parking space than is normally required by the zoning ordinance, on property legally described as:

Odd Lots 97 through 109, inclusive, on Litchfield Street, Riverside Addition, and Lots 3 and 4 on Litchfield Street, Nobles Second Addition, in the City of Wichita, Sedgwick County, Kansas.

As provided by the Code, the Riverside Christian Church has appealed the decision of the Board of Zoning Appeals. In accordance with the provisions of the Code, a report has been written by the Secretary of the Board to consider the appeal of the Riverside Christian Church and to consider in what respect the application and facts offered in support of the application for a variance met or failed to meet the necessary requirements of the Code of the City of Wichita. The Secretary of the Board submitted the report on the appeal to the Board of Zoning Appeals on April 28, 1964. The action of the Board was to approve and concur in the report to the City Commission.

In accordance with the Code of the City of Wichita, the concurring vote of a majority (3) of all of the members of the Board of City Commissioners, shall be required to reverse any order, requirement, decision or determination of the Board of Zoning Appeals.

J. H. Galbraith-

Jack H. Galbraith, Secretary of the Board of Zoning Appeals, reviewed the history of the case and stated that the application for a variance in off-street parking was submitted by the Riverside Christian Church requesting that zoning ordinance requirement of

6/2/64

100 off-street parking spaces for the new church sanctuary be reduced from 100 spaces to 23 spaces. He also reported that the church was proposing to raze its present sanctuary, which has no required off-street parking, and construct a new sanctuary which will contain 500 seats, however, the office of Central Inspection determined that based on the 500 seating capacity it would require 100 off-street parking spaces be provided before a permit would be issued for the proposed construction. He further stated that legal advertising and individual notices were mailed to all property owners within 200 feet of the applicants property in compliance with the state law and city ordinance and that a meeting was held on March 24, 1964 to hear the proponents and that no one appeared in opposition to the church.

Mr. Galbraith pointed out that certain conditions must exist before the Board of Zoning Appeals can exercise its jurisdiction to grant a variance and that all four conditions must be found in the affirmative. He reported that the Board found that the variance desired was unique in as much as the location is in a desirable area of the city which makes it difficult to purchase additional property for parking facilities; that the granting of the variance would adversely affect the rights of adjacent property owners by creating additional traffic congestion in the area; that strict enforcement of the zoning ordinance would constitute an unnecessary hardship on the applicant if the church was not allowed to continue with the construction of the new sanctuary; and that the granting of the variance would adversely affect the safety, order, convenience and general welfare of the neighborhood by perpetuating rather than eliminating the off-street parking in the area.

Discussed.

- J. H. Galbraith- Mr. Galbraith, in answer to inquiry by Commissioner Bell, stated that under the proposed plan the church would be increasing their parking spaces substantially, and he further stated that no one appeared in opposition to the application when it was heard.
- Stevens- Commissioner Stevens noted that since no one opposed the application apparently the adjacent property owners did not feel that their rights were being violated.
- J. H. Galbraith- Mr. Galbraith presented a map showing the location of the church and the general area in question and pointed out that the church is planning to purchase some land when the land becomes available. He also stated that the 23 parking spaces are proposed to be immediately north of the proposed sanctuary.
- Mr. Galbraith reviewed the appeal of the Riverside Christian Church in which the church did not feel that proper consideration was given to the unique situation and that the Secretary did not make a proper study of the church and its request, therefore it was requested that the Board of City Commissioners hear the case.
- Mr. Galbraith, after a brief review of the previous action of the Board of Zoning Appeals, stated that it was the feeling of the Board that its original decision to deny the variance was the correct decision and the appeal should be denied.
- President Tarrant inquired if anyone wished to speak on the matter.
- Rev. Baggett- Rev. Lee Baggett, Minister of the Riverside Christian Church, appeared before the Commission in favor of the variance and stated that the church is in the process of purchasing the property located at 1031 Litchfield and another piece of property in the same general area which will afford additional parking area.
- Bell- Commissioner Bell inquired of Mr. Baggett as to the conditions which would be attached if the variance were granted and Mr. Baggett stated that this had been reviewed by the officials of the church and that all of the conditions would be met and complied with.

6/2/64

J. H. Galbraith- Mr. Galbraith, in answer to inquiry by President Tarrant, stated that under the present proposed seating capacity of the new sanctuary, which is 500 seats, it would require 100 parking spaces which is figured on a ratio of one car space for five seating spaces.

R. A. Lakin- Assistant Planning Director expressed confidence that sufficient parking area would be provided by the acquisition of the lots which Rev. Baggett stated were under negotiation for purchase in the area.

Mr. Lakin- Mr. Lakin, in answer to inquiry by Commissioner Stevens, stated that the applicants property was presently in a non-conforming use to the extent that the parking requirements have not been met however, as to use requirements, the property is conforming.

Stevens-  
motion to reverse  
decision of BZA  
& grant the  
variance- Stevens moved that the decision of the Board of Zoning Appeals be reversed and the variance be granted, that it be granted on the recommendations also made by the Board with the exception of Item 6 and that Item 6 be stricken.

Mr. Dekker- Director of Law, in answer to inquiry by Commissioner Bell, stated that proper procedure in the matter would be to reverse the findings of the Board of Zoning Appeals which were not in favor of the applicant.

Bell-  
sub-motion to  
confirm findings  
of BZA of condi-  
tions 1 & 3 and  
reverse findings  
on 2 & 4- Bell moved substitute motion that the Board of City Commissioners confirm the findings of the Board of Zoning Appeals as to condition 1 and 3, and that it reverse the findings of the Board of Zoning Appeals as to the conditions 2 and 4, and in that regard find that the granting of the permit of the variance will not adversely affect the rights of adjacent property owners or residents and that the variance desired will not adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare.

Tarrant-  
sub-motion to  
postpone amount  
of time for the  
church to come  
within the realm  
of the ordinance Tarrant moved substitute motion that the Commission not relinquish the need for the Riverside Christian Church to come within the realm of an ordinance but to postpone the amount of time required for that church to come within that category. Tarrant's substitute motion failed for lack of a second. Substitute motion by Bell carried 3 to 1. Tarrant voting "NO".

Bell-  
moved to grant  
variance with  
one exclusion- Bell moved that the variance be granted upon conditions 1-5 and 7 and 8, excluding condition number 6. Motion carried. Tarrant voting "NO".

BELL EXCUSED

Tarrant- President Tarrant stated that it had been brought to his attention that the matter relating to the resolution as contained in Item 19 of the City Manager's agenda had been handled on the administrative level. (Pertaining to tax distribution from County Treasurer).

Motion to strike  
from agenda- Tarrant moved that Item 19 be stricken from the agenda. Motion carried unanimously.

An ordinance defining the manner and place of construction of the lines of Southwestern Bell Telephone Company and providing for payment to be made to the City of Wichita, Kansas, presented.

City Manager- City Manager reported that the ordinance under which the telephone company has operated went into effect in 1943 and expired June 30, 1963, and that negotiations on the proposed ordinance have been in progress for about two years. Under the former agreement, the telephone company paid the city approximately \$200,000 per year. In order to raise that amount the company installed a main station

Board of Zoning Appeals

April 22, 1964

Members of Board of Zoning Appeals

Jack H. Galbraith, Secretary

Report to City Commission  
re Case No. BZA 16-64  
Riverside Christian Church

Attached is a report which has been prepared for the Board of City Commissioners regarding the above-captioned Board of Zoning Appeals application.

The Riverside Christian Church did make an appeal to the City Commission of the decision of the Board to deny the request for off-street parking. The City Commission, upon receipt of the appeal, directed the Board of Zoning Appeals to submit a report on the case.

I would like to have your review of the attached report and if you have no comments or recommended changes, the report will be forwarded to the City Commission for its consideration. However, if you do have comments, I would hope this matter can be discussed under "Other Matters" at the meeting of the Board on April 28.

Jack H. Galbraith  
Secretary

JHG:JWH:ber

Attachment

April 22, 1964

Board of City Commissioners  
City Building  
Wichita, Kansas

Gentlemen:

Subject: Report to the City Commission  
regarding Board of Zoning  
Appeals Case No. BZA 16-64  
Riverside Christian Church

Riverside Christian Church, through its agent, Rev. Lee Baggett, filed an application for a variance before the Board of Zoning Appeals, requesting that the Zoning Ordinance requirement of 100 off-street parking spaces for the new church sanctuary be lowered from 100 spaces to 23 spaces. The church is proposing to raze its present sanctuary which has "no required off-street parking". Section 28.04.140.A.2.3 of the Code of the City of Wichita requires one off-street parking space for each five seats in a church, which is based on maximum seating capacity. In this particular instance, the church has proposed to build a new sanctuary which will contain 500 seats. Based upon the seating capacity of the proposed sanctuary, the church will be required to provide 100 off-street parking spaces before a permit will be issued for construction of the proposed addition to the church. Consequently, in recognition of the off-street parking requirements for the proposed sanctuary, the church applied for a variance to have the requirement lowered by approximately 77% to 23 parking spaces.

As required by state law and city ordinance, proper legal advertising was had and individual notices were mailed to all property owners within 200 feet of the applicant's property. The Board of Zoning Appeals held its meeting on March 24, 1964, and heard the proponents. No one appeared in opposition to the church.

The city ordinance governing the action of the Board of Zoning Appeals provides that the Board has jurisdiction to grant variances when all four of the following conditions are found to exist:

1. That the variance desired arises from such condition which is unique and 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 the zoning ordinance will constitute unnecessary hardship upon the property owner represented in the appeal.

4. That the variance desired will not adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare.

It should be noted that before the Board may favorably consider any request, that all, not just part, of the four conditions must be found in the affirmative.

SUMMARY OF BOARD OF ZONING APPEALS ACTION (BZA 16-64)

On March 24, 1964, the Board of Zoning Appeals considered the request of Riverside Christian Church, and took action to deny the application inasmuch as all four conditions were not found to exist.

Following are reasons offered by the Board as to why each of the four conditions were or were not found to exist.

UNIQUENESS - Found in favor of the applicant

It was the feeling of the Board that the variance desired was unique and not ordinarily found in the same zoning district inasmuch as the church has been located for a period of over 40 years in an older, well-maintained area of the City of Wichita. It was further noted that in this particular area (Riverside), there is a rather large demand for any property that is available for sale which, in turn, makes it difficult for the church to acquire additional property for off-street parking.

RIGHTS OF ADJACENT PROPERTY OWNERS - Found not in favor of the applicant

The Board of Zoning Appeals found that the granting of the variance would adversely affect the rights of adjacent property owners inasmuch as the granting of a variance of this magnitude would create and perpetuate traffic congestion in the area and thereby tend to lower residential property values in the immediate vicinity of the church.

It was the feeling of the Board that churches are no longer primarily a Sunday function, but rather more of a daily function because of the ever increasing complexity of modern day churches. There are now several groups within the church, including membership committees, youth groups, choral groups, women's groups, old age groups, and various other committees which carry on many of their activities during the week. Consequently, traffic congestion is not only a problem on Sundays, but also a daily problem.

HARDSHIP - Found in favor of the applicant

It was the feeling of the Board that the strict application of the enforcement provisions of the zoning ordinance would constitute an

unnecessary hardship upon the applicant in view of the fact that if the church is not allowed to construct the new sanctuary the only alternative would be to remodel the existing sanctuary. It was further noted that if the existing sanctuary is remodeled, it would have to be remodeled by building around the existing four walls, which in the end would be more of a financial burden on the church than the construction of a new sanctuary from the ground up.

PUBLIC INTEREST - Found not in favor of the applicant

The Board of Zoning Appeals found that the granting of the variance would adversely affect the safety, order, convenience and general welfare of the neighborhood inasmuch as it would tend to perpetuate rather than eliminate the on-street parking problem in the area. Therefore, if the present traffic congestion is permitted to continue, it would not only have adverse affects on adjoining residential property owners but would also adversely affect the safety of the children attending the school which is located one-half block west of the church. It was also the feeling of the Board that the granting of the variance would cause an aggravation of traffic congestion in the area and thereby circumvent the problem the off-street parking ordinance was designed to eliminate.

APPEAL

The Riverside Christian Church, in filing its appeal to the decision of the Board of Zoning Appeals contends that:

"We believe the Board did not give proper consideration to the unique situation facing us in the church and further the Secretary in making the recommendation, did not make a proper study of the church and its request. Their decision was based solely on the large variance we asked for without regard for what is best for the City of Wichita and the church. Therefore, we humbly request that our case be heard before the Board of City Commissioners."

It is the feeling of the Board that a proper study was made as to the unique situation facing the church, inasmuch as the Board determined that the variance being requested was unique and not ordinarily found in the same zoning district for the reasons stated in the resolution adopted by the Board. (The resolution is included as Attachment #1 to this report and the minutes of the March 24 meeting relative to this case are included as Attachment #2 to this report).

It has also been determined by the Board that the Secretary in making his recommendation did make a proper study of the church and its request for the following reasons:

1. The Secretary did make a personal inspection of the premises on several occasions and took pictures of the area represented in the application.
2. The Secretary conferred with the officials of the church as to the problems associated with the variance request.
3. The Secretary did make a study of all materials supplied by the church and then submitted a written report to the Board, stating in full the reasons for his recommendation to deny the application.
4. The Secretary and his professional staff are qualified to make the determination that the granting of the variance would tend to aggravate traffic congestion in the area and thereby tend to adversely affect adjacent property values, and also be harmful to the safety, order, convenience and general welfare of the area.
5. Several discussions were held with the Traffic Engineer, and his comments as to the traffic problems which would be created if the variance was granted, were incorporated into the Secretary's report.
6. After the Board made its decision to deny the application on March 24, 1964, and after the appeal had been filed, the Secretary again made an inspection of the area on Thursday, April 9, 1964, and counted 106 cars parked on the street in the immediate vicinity of the church.
7. The Secretary in making the recommendation to deny the variance request, maintained concern for the maintenance of property values in the neighborhood by weighing the benefits of the church as opposed to private property rights and the general welfare of the public.

The church has stated in its appeal that the decision of the Board to deny the variance request, "was based solely on the large variance for which we asked without regard for what is best for the City of Wichita and the church."

The Board, in considering its action, determined the adverse affects the large variance would have on the area and determined that such a request was not in the best interest either the adjoining residences, the school, the church itself, and the public at large.

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- April 22, 196

Based upon the foregoing review of this case and the associated appeal, it is the feeling of the Board that its original decision to deny the variance was the correct decision and it is, therefore, recommended that the appeal be denied.

Respectfully submitted,

Jack H. Galbraith  
Secretary

JEG:JWH:ber

Attachments

March 26, 1964

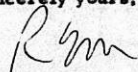
Mr. Leo Baggett, Minister  
The Riverside Christian Church  
1001 Litchfield  
Wichita, Kansas 67203

Dear Mr. Baggett:

Replying to your recent letter regarding your desire to appeal a request for a variance to the Board of City Commissioners, I am transmitting your letter to James F. Clancy, Executive Assistant to the City Manager, who is responsible for the preparation of the agenda for the regular City Commission meetings. A copy is also being sent to Leland R. Edmonds, Director of Planning, so that he may submit a report of the action of the Board of Zoning Appeals.

Mr. Clancy will advise you when this matter is set for hearing by the City Commissioners. Enclosed with this letter is a list of the members of the City Commission and their addresses.

Sincerely yours,

  
Russell E. McClure  
City Manager



REM:gs

Enclosure

cc: James F. Clancy, Executive Assistant  
Leland R. Edmonds, Director of Planning

LEE BAGGETT, MINISTER  
1944-1976

MRS. WANDA GAMMEL, YOUTH MINISTER  
MISS JANE PAU, CANTORIAN

THE RIVERSIDE CHRISTIAN CHURCH  
1001 Litchfield  
FOrest 3-0900  
Wichita, Kansas 67203  
March 24, 1964

Board of Commissioners  
Office of the City Manager  
City Hall Annex  
Wichita, Kansas

Gentlemen:

On March 24, I appeared before the Board of Zoning Appeals as an agent of Riverside Christian Church, 1001 Litchfield, Wichita, Kansas, to request that a Variance be granted in order that the present sanctuary might be razed and a new building erected in its place. This request was denied by that board.

We do not feel that the best interests of the City of Wichita and the membership of Riverside Church are served by this decision and are, therefore, appealing it to you. We were informed that we have the right of appeal to the Board of Commissioners.

Will you please inform us the time and place of the meeting where our appeal will be heard. We would also appreciate the names of the members of the Board and their mailing addresses in order that they might have time to adequately study our reasons for the appeal.

Thank you for your help in this matter.

Respectfully yours,

*Lee Baggett*  
Lee Baggett  
Minister

LB/b



May 11, 1964

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

Dear Mr. Galbraith:

I am in receipt of your letter of May 8th, notifying us that our appeal to the City Commissioners will be heard on May 19th.

I have just been in telephone conversation with your office asking for a two weeks continuance on this hearing. This was granted, but a letter was requested outlining our reasons for this request.

We are in the process of acquiring additional property, which has just become available but will need additional time to complete the deal. We are also in the process of reducing the seating capacity from that originally shown in our building sketch, and it will take time to work this out.

We have hopes that this will change the ratio of our requested variance from the old 100-23 to possibly 84-66 or even better. You will hear of our plans as soon as we have anything definite to report.

We will see you, provided there are no changes in the meantime, on June 2nd.

Respectfully,

Lee Baggett  
Minister

LB/b

May 8, 1964

Rev. Lee Baggett  
1001 Litchfield  
Wichita, Kansas

Dear Rev. Baggett:

Re: Case No. BZA 16-64

Enclosed herewith is a copy of the staff recommendation which has been filed in conjunction with the above-captioned Board of Zoning Appeals application.

Your appeal of the Board's decision on this matter will be placed on the City Commission agenda for May 14, 1964. The Commission meeting will commence at 9 a.m. in the City Commission room on the second floor of the City Building.

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

Very truly yours,

Jack E. Galbraith  
Secretary

JHG:JWH:ber

Enclosure

May 26, 1964

Board of City Commissioners  
City Building  
Wichita, Kansas

Gentlemen:

Subject: Report to the City Commission  
regarding Board of Zoning  
Appeals Case No. BZA 16-64  
Riverside Christian Church

Under the provisions of Section 2.12.610 of the Code of the City of Wichita, an appeal from a decision of the Board of Zoning Appeals has been filed for consideration by the Board of City Commissioners.

At its regular meeting of March 24, 1964, the Board of Zoning Appeals denied a request made by the Riverside Christian Church for a variance from the strict application of the enforcement provisions of the zoning ordinance to require less off-street parking space than is normally required by the zoning ordinance, on property legally described as:

Odd Lots 97 through 109, inclusive, on Litchfield Street, Riverside Addition, and Lots 3 and 4 on Litchfield Street, Nobles Second Addition, in the City of Wichita, Sedgwick County, Kansas.

As provided by the Code, the Riverside Christian Church has appealed the decision of the Board of Zoning Appeals. In accordance with the provisions of the Code, a report has been written by the Secretary of the Board to consider the appeal of the Riverside Christian Church and to consider in what respect the application and facts offered in support of the application for a variance met or failed to meet the necessary requirements of the Code of the City of Wichita. The Secretary of the Board submitted the report on the appeal to the Board of Zoning Appeals on April 28, 1964. The action of the Board was to approve and concur in the report to the City Commission.

Page 2 - Board of City Commissioners  
May 26, 1964

In accordance with the Code of the City of Wichita, the concurring vote of a majority (3) of all of the members of the Board of City Commissioners, shall be required to reverse any order, requirement, decision or determination of the Board of Zoning Appeals.

Respectfully submitted,

Jack H. Galbraith  
Secretary

JHG:JWB:ber

LEE BAGGETT, MINISTER  
AM 4-6766

MRS. WANDA GAMMEL, YOUTH MINISTER  
MISS JANE RAU, CUSTODIAN

THE RIVERSIDE CHRISTIAN CHURCH

1001 Litchfield

FOrest 3-0900

Wichita, Kansas 67203

May 11, 1964

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Board of Zoning Appeals  
City Building Annex  
Wichita, Kansas

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We will see you, provided there are no changes in the meantime, on June 2nd.

Respectfully,

*Lee Baggett*  
Lee Baggett  
Minister

LB/b



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

WHEREAS, Riverside Christian Church, 1001 Litchfield, Wichita, Kansas, has requested a variance pursuant to Section 2.12.590.2, Code of the City of Wichita, to provide only 23 off-street parking spaces in connection with construction of new church facilities, rather than 100 spaces as required under Section 28.04.140. A.2.4, Code of the City of Wichita, on property generally located at the northwest corner of Harrison and Litchfield, and legally described as follows:

Odd Lots 97 through 109, inclusive, on Litchfield Street, Riverside Addition, and Lots 3 and 4 on Litchfield Street, Nobles Second Addition, in the City of Wichita, Sedgwick County, Kansas; 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 on March 24, 1964, at 2 p.m. in Room 401 City Building Annex, 104 South Main, Wichita, Kansas, consider the above application; and

WHEREAS, it was determined by the Board that it had jurisdiction; and

WHEREAS, the Board of Zoning Appeals has found that the request for variance arises from a condition which is found to be unique and not ordinarily found in the same zoning district inasmuch as the church is located, and has been located for a period of over 40 years, in an older well maintained area of the City of Wichita, in which there is a rather large demand for any property that is available for sale which, in turn, makes it difficult for the church to acquire additional property for off-street parking; and

WHEREAS, the Board of Zoning Appeals has found that the granting of the variance would adversely affect the rights of adjacent property owners inasmuch as the granting of a variance of this magnitude would create and perpetuate traffic congestion in the area and thereby tend to lower residential property values in the immediate vicinity of the church; 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 in view of the fact that if the church is not allowed to construct the new sanctuary the only alternative would be to remodel the present sanctuary by building around the existing four walls, which in the end would be more of a financial burden on the church than the construction of a new sanctuary from the ground up; and

WHEREAS, the Board of Zoning Appeals has found that the variance will adversely affect the safety, order, convenience, and general welfare inasmuch as the granting of the variance would tend to perpetuate rather than eliminate the on-street parking problem in the area, and thereby aggravate traffic congestion, which would have adverse affects upon the order, convenience and safety of residents in the adjoining residential neighborhood; and

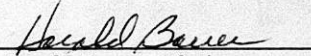
WHEREAS, as shown above, only two of the four conditions required by Section 2.12.590.2, Code of the City of Wichita, to be present before a variance can be granted, have been found to exist.

NOW, THEREFORE, BE IT RESOLVED by the Board of Zoning Appeals of the City of Wichita, Kansas, that the request for a variance of parking requirements as set forth in Section 28.04.140.A.2.14, Code of the City of Wichita, on property legally described as follows:

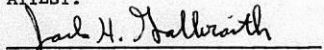
Odd Lots 97 through 109, inclusive, on Litchfield Street, Riverside Addition, and Lots 3 and 4 on Litchfield Street, Nobles Second Addition, in the City of Wichita, Sedgwick County, Kansas,

be denied.

ADOPTED AT WICHITA, KANSAS, this 24th day of March, 1964.

  
Harold Bauer, Chairman

ATTEST:

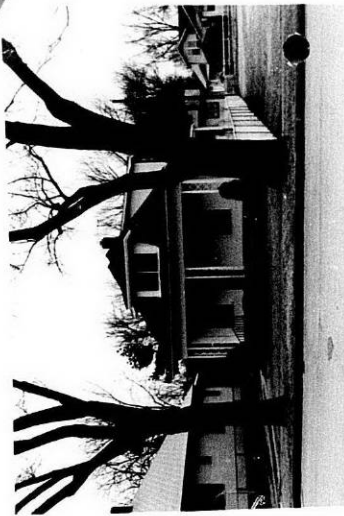
  
Jack H. Galbraith, Secretary



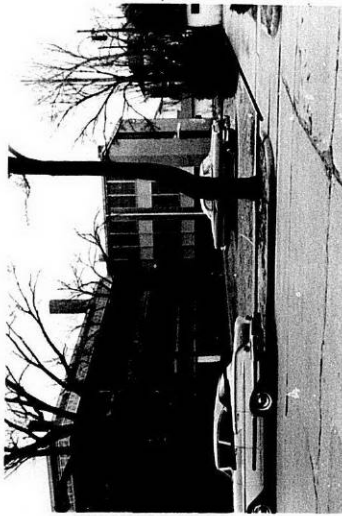
Vacant lot to the north of the church



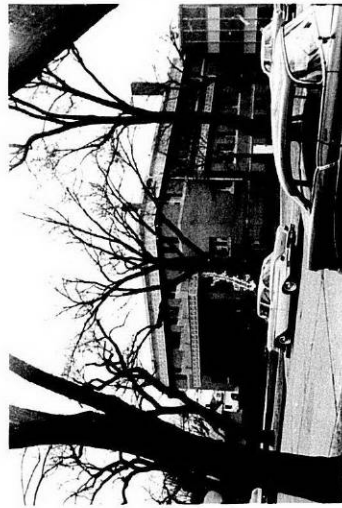
house immediately north of church



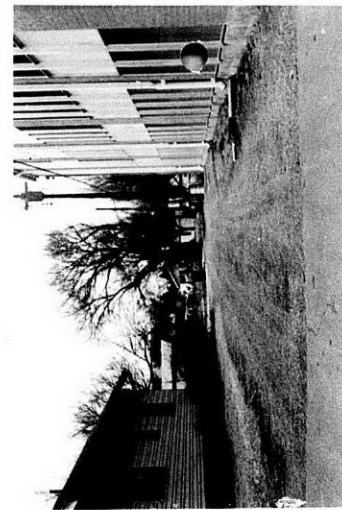
2nd house to the north of the church



Approximate location of proposed Fellowship Hall



Present Sanctuary



Alley to rear of the church

BZA 16-64

Board of Zoning Appeals

April 22, 1964

Members of Board of Zoning Appeals

Jack H. Galbraith, Secretary

Report to City Commission  
re Case No. BEA 16-64  
Riverside Christian Church

Attached is a report which has been prepared for the Board of City Commissioners regarding the above-captioned Board of Zoning Appeals application.

The Riverside Christian Church did make an appeal to the City Commission of the decision of the Board to deny the request for off-street parking. The City Commission, upon receipt of the appeal, directed the Board of Zoning Appeals to submit a report on the case.

I would like to have your review of the attached report and if you have no comments or recommended changes, the report will be forwarded to the City Commission for its consideration. However, if you do have comments, I would hope this matter can be discussed under "Other Matters" at the meeting of the Board on April 28.

Jack H. Galbraith  
Secretary

JHG:JWH:ber

Attachment

Board of Zoning Appeals

April 2, 1964

Robert Finch, City Clerk  
Jack H. Galbraith, Secretary

BZA 16-64

Attached is a copy of Resolution No. 16-64 covering action taken by the Board of Zoning Appeals in connection with Case No. BZA 16-64. This case was heard on March 24, 1964, and an appeal may be filed in your office on or before April 3, 1964. If an appeal is filed, please advise.

Jack H. Galbraith  
Secretary

JHG:ber

Attachment

APPEAL TO  
BOARD OF CITY COMMISSIONERS

FROM

APR 3 1964

DECISION OF BOARD OF ZONING APPEALS

*Brink*

I. Name of Appellant Riverside Christian Church  
Mailing Address 1001 Litchfield Phone PO 3-0900  
Name of Agent William L. Baggett, Minister  
Mailing Address 1033 Litchfield Phone AM 4-6766

II. Appellant herein appeals from the decision of the Board of Zoning Appeals relating to Case Number BZA-\_\_\_\_, in which The  
Riverside Christian Church  
applied for a Variance on the off-street parking law

(describe variance or exception requested in original application)  
for property located at 1001 Litchfield (address) and legally described as Lot(s)\_\_\_\_, Block(s)\_\_\_\_,  
Addition. The Board of Zoning Appeals decision to deny  
(deny, approve) the application was in error and should be reversed for the following reasons:

We believe the board did not give proper study to the unique situation facing us in the church, and further that the Secretary making the recommendation to deny did not make a proper study of the church and its request. Their decision was based solely on the large variance for which we asked without regard for what is best for the City of Wichita and for the Church. Therefore, we humbly request that our case be heard before the Board of City Commissioners.

Riverside Christian Church  
Appellant

Authorized Agent  
William L. Baggett, Minister

OFFICE USE ONLY:

This appeal from a decision rendered by the Board of Zoning Appeals was received in the Office of the City Clerk at 7:00  
(a.m., p.m.) APR 3 1964 (date).

Signed *Robert Brink*

CITY CLERK

Title

BZA-1

THE RIVERSIDE CHRISTIAN CHURCH

1001 Litchfield

F0rest 3-0900

Wichita, Kansas 67203

March 24, 1964

Board of Zoning Appeals  
Wichita, Kansas

RE: Case EZA 16-64

Gentlemen:

In answer to the report of the Secretary concerning the Riverside Christian Church request for a Variance, I would like to offer the following information. Before answering the specific recommendations made, let me first say that evidently we did not submit our case plainly enough for there seems to be some misunderstanding about what we propose to do. For this we accept full responsibility, but it is hoped that this can be clarified before a decision is made by the Board.

UNIQUENESS. We did not submit our request for a variance on the basis of the facts stated in the Secretary's report alone. Our primary case for a unique situation is that this is replacement construction and not additional construction. We are not adding to the present property, we wish to replace a building which is now in use and which will continue to be used if the request is turned down by the Board. It may be pointed out that our request is for a 500 seat sanctuary to replace a 387 seat sanctuary. This is a maximum figure we use, since we were warned that any variance granted would become null and void if we built more sanctuary than shown in the preliminary sketch. In all probability when the plans are made final the actual seating capacity will be closer to 400 than 500.

ADJACENT PROPERTY: The Secretary has stated it is his opinion that the granting of this variance would have adverse effect on adjacent property, because it would produce more off-street parking and thereby aggravate traffic congestion in the area on Sunday.

This is not true. Whether we build a new sanctuary or not the membership level and the cars involved will remain about the same. This means that the off-street parking will actually be reduced by the granting of this variance, since we will move from no off-street parking at present to 23. I realize it sounds like a large variance from 100 down to 23, but it actually amounts to increasing the parking from 0 to 23.

We also felt that since Riverside is a purely neighborhood church the granting of the variance would be to the benefit of all concerned. The Secretary is of the opinion that we still drive our cars anyway. ~~I would suggest the Secretary come out some Sunday and see how many of our folks walk to church.~~ Of course they would use cars in bad weather, but not when it is pretty. For example, on a recent bad-weather Sunday we had 325 in the worship service and 90 cars parked outside on the street. The previous Sunday to that the weather was pretty and there were only 38 cars for the same number of worshippers. In support of this claim, I would submit the following map of the city, showing the location of our church families. As you look at the map I would like to point out that almost all of the families in the outlying areas are the deaf folks in the city to which our church ministers. We have the only service in the city for totally deaf folks, with a paid interpreter provided by

the church and the Wichita Council of Churches cooperatively. About half of these families are not members of Riverside but are pinpointed here because they do worship with us on Sunday.

**HARDSHIP** Our hardship claim is based upon the fact that a refusal of this request would force us to remodel the present sanctuary, using the existing four walls as they now stand. To have to resort to this would in no way solve any problems as far as parking is concerned. We consider it a definite hardship because it would cost more to build around the four existing walls than it would to start from the ground up. One contractor estimated, in round figures, that this would add \$25,000.00 to the previous estimate of 165,000.00. The architect contacted, but not retained yet, would not quote a figure but stated that such a job would be considerably higher than a new building. It seems to us that the two choices are - either request the variance and the church spends 25,000.00 more for a building that will not be as good, or grant the variance and allow the church to build new from the ground up.

The church has been trying, and is still doing so, to purchase additional property for off-street parking. We face the situation of property "increasing" in value by 5,000.00 or so as soon as it is discovered the church is interested in the property. We are at present negotiating with two property holders and may be able to work something out. One is a home facing Porter directly ~~west~~ of our present parking area site and would give us through parking from Litchfield to Porter and double what we can show now. The other is a vacant lot north of the church. Our only hesitancy here is that this would give us two parking lots with a home in between and we are not sure this would be the proper thing to do *to that homeowner.*

It must be added that we have polled the entire neighborhood, most of whom are members of the church or use it facilities in other ways, and everyone has been for the remodernization plan.

There is no congestion, even when church is out at noon. Litchfield is a residential street but is wide enough to permit a two-way flow of traffic even with parking on both sides of the street.

In the ADDITIONAL COMMENTS it is noted that the plot submitted shows only 21 parking areas against a claimed 23. This was an oversight in the sketch, the 23 figure was arrived at taking into full consideration the requirements outlined to us by the Traffic Engineering Division. There is ample room for 23 spaces, taking into consideration all requirements, including the off-sets, turning, entering and leaving, etc.

We believe that the facts do warrant your consideration of our request. Let me repeat this is not a request to build a new church, it is a request to replace a presently-existing building which has outlived its usefulness. Your decision will not be whether we can build a new building or not in the usual sense, as we see it. You will decide whether we can replace the present building or not. Your refusal to grant this variance will mean that the church can either go on as it has for the past 40 years or rebuild around the present outside walls; neither of which would be advantageous to the city or to the church and certainly not to the neighborhood.

We have all respect for the laws and believe that the off-street parking law is a good one but we also believe there are exceptions to ~~every~~ <sup>them</sup>. In making your decision, I would ask, and this is a quotation of Jesus, "Was the law created to serve man, or man created to serve the law."

Lee Baggett,  
Minister

March 25, 1964

Riverside Christian Church  
1001 Litchfield  
Wichita, Kansas

Gentlemen:

Subject: B2\ 16-64

This is to advise you that at its regular meeting of March 24, 1964, the Board of Zoning Appeals of the City of Wichita considered your request for a variance to permit only 23 off-street parking spaces in connection with construction of new church facilities, rather than 100 spaces as required under the Code. This relates to property generally located on the northwest corner of Harrison and Litchfield.

It was the action of the Board to deny this application inasmuch as all four of the conditions necessary to be found to exist before a variance can be granted, were not found to be present in this instance.

Section 2.12.610 of the Code of the City of Wichita provides that the decision of the Board 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 April 3, 1964.

Subsequent to the expiration of the appeal period, you will be advised whether or not an appeal has been filed. If no appeal has been filed on or before April 3, 1964, the decision of the Board will be final.

Very truly yours,

Jack H. Galbraith  
Secretary

JHS:ber

cc: Rev. Lee Baggett  
1001 Litchfield

Howard Johnson  
1107 West River Boulevard

Robert Finch, City Clerk  
Glen Lytle, Superintendent of Central Inspection

SECRETARY'S REPORT

CASE NO. BZA 16-64

**APPLICANT:** Riverside Christian Church

**AGENT:** Rev. Lee Baggett, 1001 Litchfield

**REQUEST:** Variance pursuant to Section 2.12.590.2, Code of the City of Wichita, to permit the applicant to provide only 23 off-street parking spaces in connection with construction of new church facilities rather than 100 spaces as required under Section 28.04.140.A.2.4 of the Code.

**LOCATION:** Generally located at the northwest corner of Harrison and Litchfield.

**LAND USE:** The property in question is occupied by a church. The existing land use to the north and west is single family and duplexes and east and south is single family.

**ZONING:** The property in question and all property in the surrounding area is zoned "A" Two Family.

**JURISDICTION:** The Board of Zoning Appeals has the authority to consider the variance request under the provisions of Section 2.12.590.2, Code of the City of Wichita. The Board may grant the variance request when all four of the following conditions can be found to exist:

1. Uniqueness
2. Affects on adjacent property
3. Hardship
4. Public interest

**STAFF COMMENT:** The applicant has submitted a statement of justification and plot plan which are included as Attachments #1 and #2 to this report.

The existing ordinance provides that churches must have one off-street parking space for every five seats in the church. The church is requesting a variance of one off-street parking space for every five seats in the church to one off-street parking space for every 22 seats in the church. In other words, a 77% reduction of required parking spaces (variance of 100 spaces to 23 spaces). According to the applicant's statement, the church is going to raze the existing sanctuary (no off-street parking space is required for the existing sanctuary since it was there prior to the time the off-street parking ordinance was adopted) and erect in its place a new one-story sanctuary containing 500 seats.

**UNIQUENESS:** The church suggests that the variance desired is unique and not ordinarily found in the same zoning district, inasmuch as the church needs to build a new sanctuary but cannot provide the required amount of off-street parking because they have not been able to purchase any additional property. They have also suggested that they will purchase additional property for parking as it becomes available.

The Secretary is of the opinion that there is nothing about this property which is unique from a physical standpoint. The Board on several occasions in the past few months has considered uniqueness as to the use of the property concerned. The Secretary is of the opinion that if uniqueness is to be considered as to the use of the property, that almost every church throughout the city could be considered unique as far as parking is concerned. Almost every older church in town is located on a corner lot in a residential zoning district and most of these churches are having extreme difficulty in providing the required parking for new additions to the churches. The basic reason the off-street parking provision was incorporated into the ordinance requiring off-street parking for all new construction and additions to existing structures, was to help eliminate on-street parking and alleviate traffic congestion. If variances to the ordinance are constantly granted (as far as parking is concerned), it will only perpetuate the problem that the ordinance was designed to eliminate.

**ADJACENT PROPERTY:** The Secretary is of the opinion that the granting of the variance of lowering the parking ratio by 77% would have adverse affects on adjacent property inasmuch as it would produce more on-street parking and thereby aggravate traffic congestion in the area, especially on Sundays.

The applicant is of the opinion that there will be no adverse affects on adjacent property in view of the fact that the church members are presently parking on the street and there are no objections. It is also suggested that since 75% of the members of the church live within a mile radius of the church, that there isn't as great a demand for off-street parking as normally the case.

The Secretary is of the opinion that even though 75% of the membership lives within a mile radius of the church, many of these people will still drive to church even though they may live fairly close.

**HARDSHIP:** The applicant suggests that hardship would exist if the variance is not granted inasmuch as it would be too costly to remodel the present sanctuary. They have also pointed out the present sanctuary is in a dilapidated condition and unsightly to the neighborhood.

The Secretary is of the opinion that "hardship" exists if the property cannot be used for the purpose for which it is zoned. In this instance, the church can use any property which is contiguous with the church for off-street parking to satisfy the parking requirements. However, the problem in this instance seems to center around the fact that the church has evidently been unable to acquire additional property for off-street parking. Consequently, in order to go ahead with plans for the new sanctuary and fellowship hall, it has become necessary that a variance of the off-street parking requirement be had in order to get a permit for the proposed addition.

In some instances where churches and various other public institutions have filed applications for variances, the Board has taken a more liberal interpretation of "hardship". However, in this instance the Secretary is of the opinion that even though hardship might possibly be found to exist, a variance of this magnitude should not be granted.

PUBLIC INTEREST: The Secretary is of the opinion that the granting of the variance could adversely affect the safety, order and convenience of people who own property in the immediate vicinity of the church, in view of the fact that on-street parking would certainly aggravate and perpetuate congestion in the area.

ADDITIONAL COMMENTS: In discussing this matter with the Traffic Engineer, it was determined that it is very doubtful if there is enough room on the parking lot to the north of the church for the type of parking layout that is shown on the plot plan.

The applicant has shown 23 parking spaces on the plot plan; however, the Secretary counts only 21 spaces. Of these 21 spaces at least three will have to be eliminated since two spaces occupy part of the required front yard setback and it appears that one of the spaces to the rear of the educational building will have to be eliminated since there is not enough room for three cars at 90° parking. If these spaces are eliminated, this leaves only 18 spaces and it is very doubtful if this many spaces can be located on the lot and meet the minimum requirement for 45° parking set out by the Traffic Engineering Division.

RECOMMENDATION: The Secretary is of the opinion that it is very doubtful if any of the four requirements necessary to be found to exist before a variance can be granted, have been found to exist and it is, therefore, recommended that the variance be denied.

In the event the Board should determine that all four requirements can be found to exist and wishes to approve the variance, it is recommended that the following conditions be attached:

1. Parking areas 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 trash, weeds and other debris.
2. All parking spaces which abut a property line shall have adequate wheel or bumper guards to prevent overhanging or extension of vehicles beyond property lines or parking spaces.
3. The parking areas shall have proper markings for channelization and movement of vehicles.
4. No lights shall be erected on said parking lot having a height greater than six feet above ground level and the beam of light shall be directed downward.
5. A five foot high solid wall masonry, brick or louvered red-wood fence shall be erected along the north line of the lot except that in the front yard setback area the fence shall be reduced from 5 to 3 feet in height.
6. A performance bond, or other similar security, in the amount of \$\_\_\_\_\_ shall be submitted to the Secretary of the Board to guarantee the paving of the parking area and construction of the fence.
7. A plot plan containing the parking layout of the lot, size and dimension of parking spaces, width of driveways, points of ingress and egress and proper markings for traffic channelization shall be submitted to the Traffic Engineering Division of the Department of Public Works, prior to the time a permit is issued for construction of the proposed sanctuary and fellowship hall.
8. Off-street parking shall not occupy any part of any required front yard setback.

Attachments #1 - Statement of Justification  
#2 - Plot Plan

Wichita, Kansas  
March 5, 1964

Board of Zoning Appeals  
City of Wichita  
Kansas

Gentlemen:

The Riverside Christian Church proposes to raze our present sanctuary, 62 ft. x 62 ft. with a seating capacity of 387 people, and in its place erect a new ground level sanctuary, 62 x 62 plus a 10 ft. northex, with a seating capacity of 500 people. We further propose to erect a new Fellowship Hall, 57 ft. x 72 ft. at ground level just north of the proposed new sanctuary. This will replace the present Fellowship Hall in the basement of the present sanctuary. This Fellowship Hall will double in use as classrooms, office and minister's study and fellowship meetings. A new kitchen will also be added.

In order to carry out the above construction, we request a variance in off-street parking code of the City of Wichita, Section 28.04.140.A.2.4.

- A. The variance desired arises from the following conditions not ordinarily found in this same zoning district:
  - 1. We feel a need to build a new sanctuary at ground level, but we do not have the necessary off-street parking.
  - 2. Additional property not available for off-street parking.
  - 3. As property becomes available, we plan to purchase for off-street parking.
- B. The granting of this variance would not adversely affect the rights of adjacent property owners or residents.
  - 1. Presently we are parking on the street and there are no objections.
  - 2. 75% of our present membership lives within a one-mile radius of our church (see membership map).
- C. The strict application of the enforcement provisions of the zoning ordinance will constitute unnecessary hardship upon Riverside Christian Church.

Case No. BZA 16-64  
Attachment #1 - Page 1

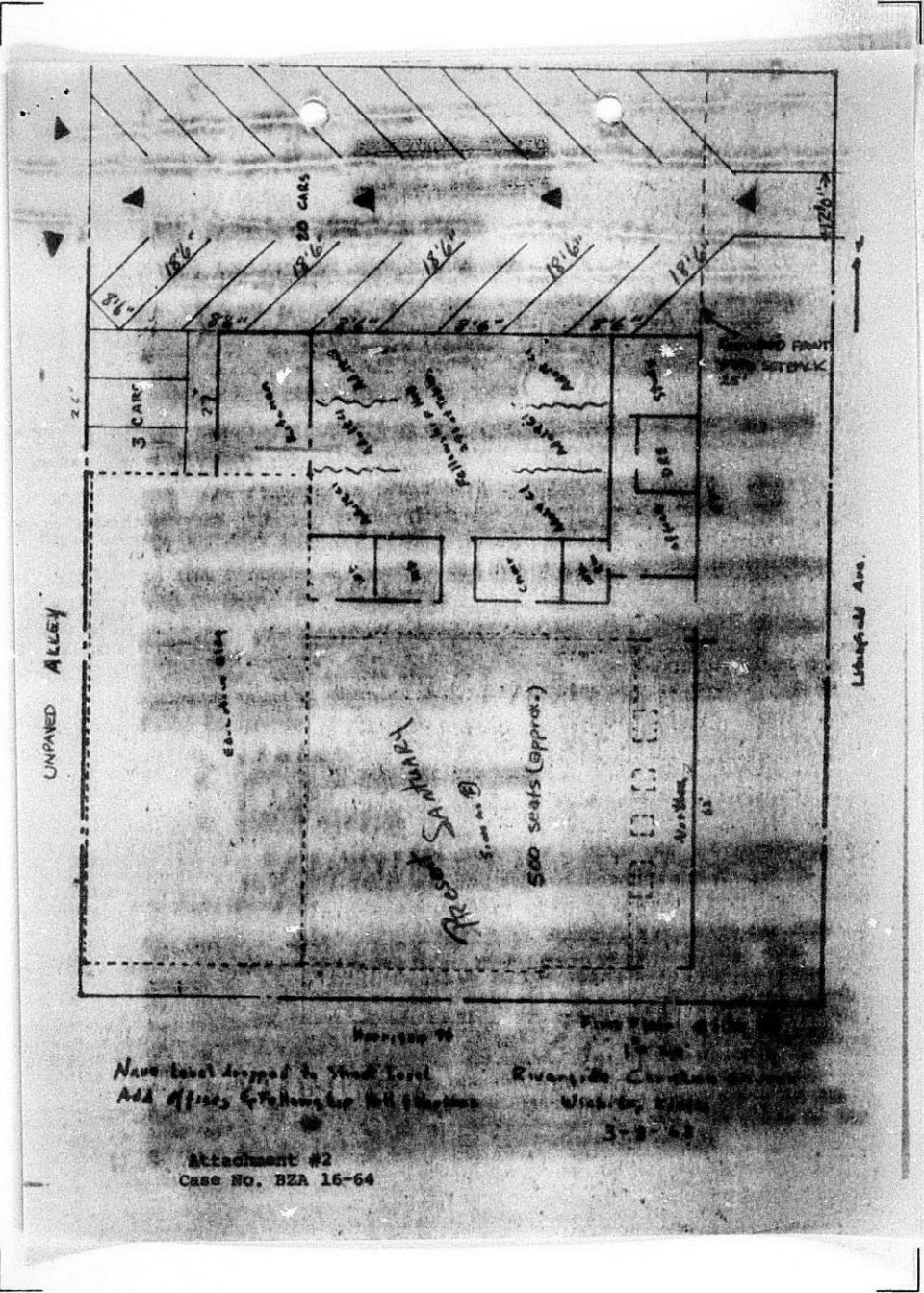
1. Cost of relocation of church to a new location
    - a. We have approximately \$150,000 invested in an educational building (1958).
    - b. 75% of our membership lives within a one-mile radius of present site.
    - c. Remodel of present sanctuary would cost more than new structure.
    - d. Remodeling would be dangerous to workers - having to brace and work with dangerous old walls.
  2. Continuance in present building would present a hardship.
    - a. Large majority of membership is over 40 years of age and the climbing of stairs is a handicap. We prefer a ground level sanctuary and fellowship hall.
    - b. Present building is in a dilapidated condition - termites, walls and roof.
    - c. Unsightly to the neighborhood.
    - d. Failure to replace building would retard progress in neighborhood. The new building would update the area.
- D. The variance desired will not adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare.
1. Construction of new structure will aid enhancement of public morals through the extension of Christ's Kingdom on earth.

Your favorable consideration of this variance will be greatly appreciated by the membership of Riverside Christian Church and will add to the Central Riverside Community.

Sincerely yours,

S/ Lee Baggett

Case No. BZA 16-64  
Attachment #1 - page 2



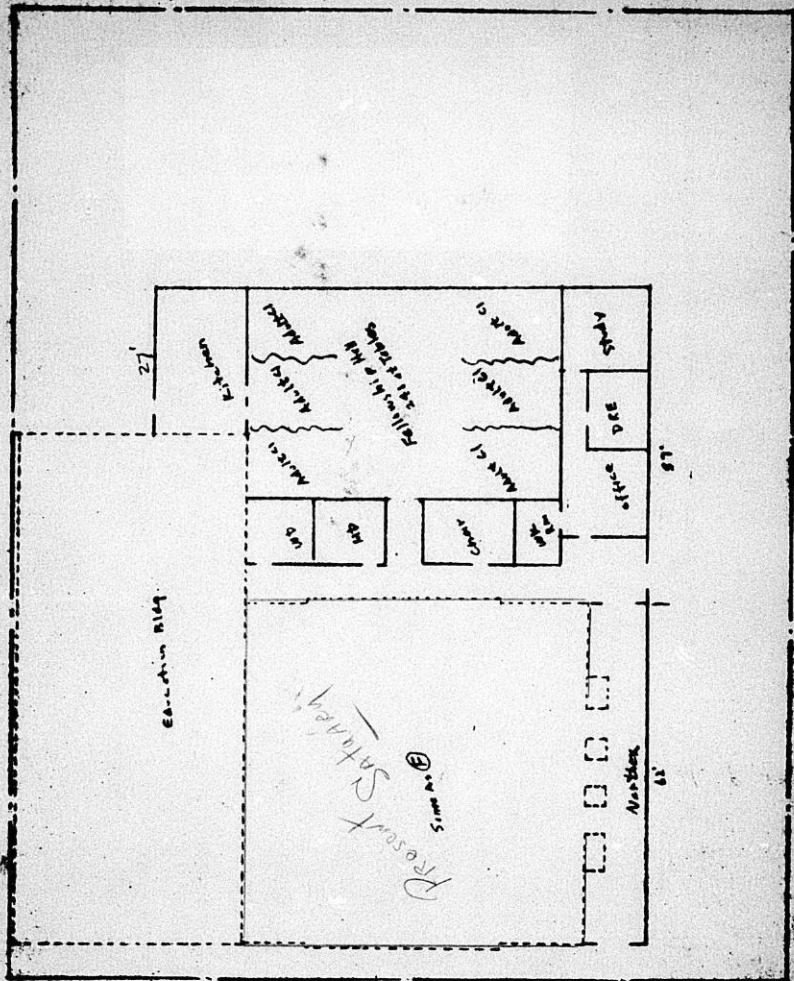
New level dropped to street level  
 Add offices & parking for 100 cars

Rear level dropped to street level  
 Under the stairs

Attachment #2  
 Case No. BZA 16-64

3-3-64





Harrison 96. First Floor of Site  
 1 1/2" = 20'  
 Main Level dropped to Street Level Riverside Christian Church  
 Add Offices & Fellowship Hall & Bathrooms Wichita, Kansas  
3-8-48

CASE NO. BZA 16-64

NOTICES MAILED MARCH 6, 1964 FOR MEETING MARCH 24, 1964:

Riverside Christian Church  
1001 Litchfield

Rev. Lee Baggett  
1001 Litchfield

L. B. Wilkins  
Mary Ruth Wilkins  
1031 South West Street

Harry A. Bell  
Norville Bell  
939 Litchfield

Luther E. Johnson  
Della E. Johnson  
945 Litchfield

Delia King Noble  
V. C. Noble  
1017 Litchfield

B. A. Leatherman  
Glenna M. Leatherman  
942 Litchfield

Lee W. Bonine  
Ruby L. Bonine  
952 Litchfield

George Farmer  
Sadie Farmer  
960 Litchfield

Thomas A. Love  
Annie P. Love  
1027 Porter

James L. Clenhall  
Marjorie M. Clenhall  
1026 Porter

R. C. Mock  
1020 Porter

Floyd E. Brooks  
Flora M. Brooks  
1014 Porter

A. E. Jones  
Lillian I. Jones  
1002 Porter

Byron D. Jacques  
Modena H. Jacques  
1520 Harrison

Gladys Sturham  
1518 Harrison

Zella M. Marriott  
1002 litchfield

G. D. Glaze  
Gladys P. Glaze  
1004 Litchfield

Frederick E. Hoyles  
Hazel M. Hoyles  
1010 Litchfield

Richard Allen Aaby  
Peggy D. Aaby  
948 Porter

C. E. Bazzelle  
Bess H. Bazzelle  
952 Porter

Charles T. Miller  
Alta Miller  
954 Porter

Earl W. Hamman  
1321 West River Blvd.

John W. Pearson  
Olga E. Pearson  
1638 Burns

Anna V. Longsdorf  
1031 Litchfield

25

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

March 6, 1964

NOTICE TO ADJOINING PROPERTY OWNERS

Case No. BZA 16-64

An application has been filed by Riverside Christian Church, 1001 Litchfield, Wichita, Kansas, by Rev. Lee Baggett, 1001 Litchfield, Wichita, Kansas, pursuant to Section 28.04.140.A.2.4, Code of the City of Wichita, requesting a Variance to permit the applicant to provide only 23 parking spaces in connection with construction of new church facilities, rather than 100 parking spaces as required under the Code, on property legally described as:

Lots 97 thru 109 odd inclusive on Litchfield Street, Riverside Addition, and Lots 3 and 4 on Harrison Street, in Mobles Second Addition. Generally located at the northwest corner of Harrison and Litchfield.

This application has been assigned Case No. BZA 16-64. A hearing will be held by the Board of Zoning Appeals on Tuesday, March 24, 1964, 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

BOARD OF ZONING APPEALS  
CITY OF WICHITA, KANSAS

CASE NO. \_\_\_\_\_  
FILED \_\_\_\_\_

APPLICATION FOR VARIANCE

I. Name of Applicant Riverside Christian Church  
Mailing Address 1001 Litchfield Phone EO 3-0900  
Name of Authorized Agent Rev. Lee Baggett  
Mailing Address 1001 Litchfield Phone EO 3-0900  
Relationship of applicant to property is that of Owner  
(owner, tenant, lessee, other)

II. The variance requested is Code of City of Wichita, Section 28.04.140 A 2.4.  
Variance of off street parking from 100 spaces to 23.

for property located Northwest corner of Harrison and Litchfield

and legally described as: Lots 97 thru 109 odds inclusive on  
Litchfield Street - Riverside Addition and Lots 3 and 4 on Harrison St.,  
Nobles Second Addition.

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

(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 here-with tendered;
- c. That he has been advised of his right to appeal of the deci-sion 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.

Riverside Christian Church  
Applicant

Rev. Lee Baggett  
Authorized Agent

-----  
OFFICE USE ONLY: Received in office of Secretary, Board of Zoning Appeals,  
(a.m. - p.m.), \_\_\_\_\_, 19\_\_\_\_, together with  
appropriate fee of \$50.00.

## MEMO REPORT

CG-720 (10-60)

TO Bob Lakin  
NAME LOCATIONDATE 3-5-64

SUBJECT OR CUSTOMER'S NAME, ADDRESS AND ACCT. NO.

If you need further information or if we could help in any way, please phone me - 8 AM to 4:30 pm - at AM 53226 or at my home evening - 7038515

Howard Johnson

We hope this will come up on Tues mail 24

SIGNED

LOCATION

Wichita, Kansas  
March 5, 1964

Board of Zoning Appeals  
City of Wichita  
Kansas

Gentlemen:

The Riverside Christian Church proposes to raze our present sanctuary, 62 ft. x 62 ft. with a seating capacity of 387 people, and in its place erect a new ground level sanctuary, 62 x 62 plus a 10 ft. northex, with a seating capacity of 500 people. We further propose to erect a new Fellowship Hall, 57 ft. x 72 ft. at ground level just north of the proposed new sanctuary. This will replace the present Fellowship Hall in the basement of the present sanctuary. This Fellowship Hall will double in use as classrooms, office and minister's study and fellowship meetings. A new kitchen will also be added.

In order to carry out the above construction, we request a variance in off-street parking code of the City of Wichita, Section 28.04.140 A 2.4.

- A. The variance desired arises from the following conditions not ordinarily found in this same zoning district:
1. We feel a need to build a new sanctuary at ground level, but we do not have the necessary off-street parking.
  2. Additional property not available for off-street parking.
  3. As property becomes available, we plan to purchase for off-street parking.
- B. The granting of this variance would not adversely affect the rights of adjacent property owners or residents.
1. Presently we are parking on the street and there are no objections.
  2. 75% of our present membership lives within a one-mile radius of our church (see membership map).

C. The strict application of the enforcement provisions of the Zoning Ordinance will constitute unnecessary Hardship upon Riverside Christian Church.

1. Cost of relocation of church to a new location

- a. We have approximately \$150,000 invested in an educational building (1958).
- b. 75% of our membership lives with a one-mile radius of present site.
- c. Remodel of present sanctuary would cost more than new structure.
- d. Remodeling would be dangerous to workers - having to brace and work with dangerous old walls.

2. Continuance in present building would present a hardship.

- a. Large majority of membership is over 40 years of age and the climbing of stairs is a handicap. We prefer a ground level sanctuary and fellowship hall.
- b. Present building is in a dilapidated condition - termites, walls and roof.
- c. Unsightly to the neighborhood.
- d. Failure to replace building would retard progress in neighborhood. The new building would update the area.

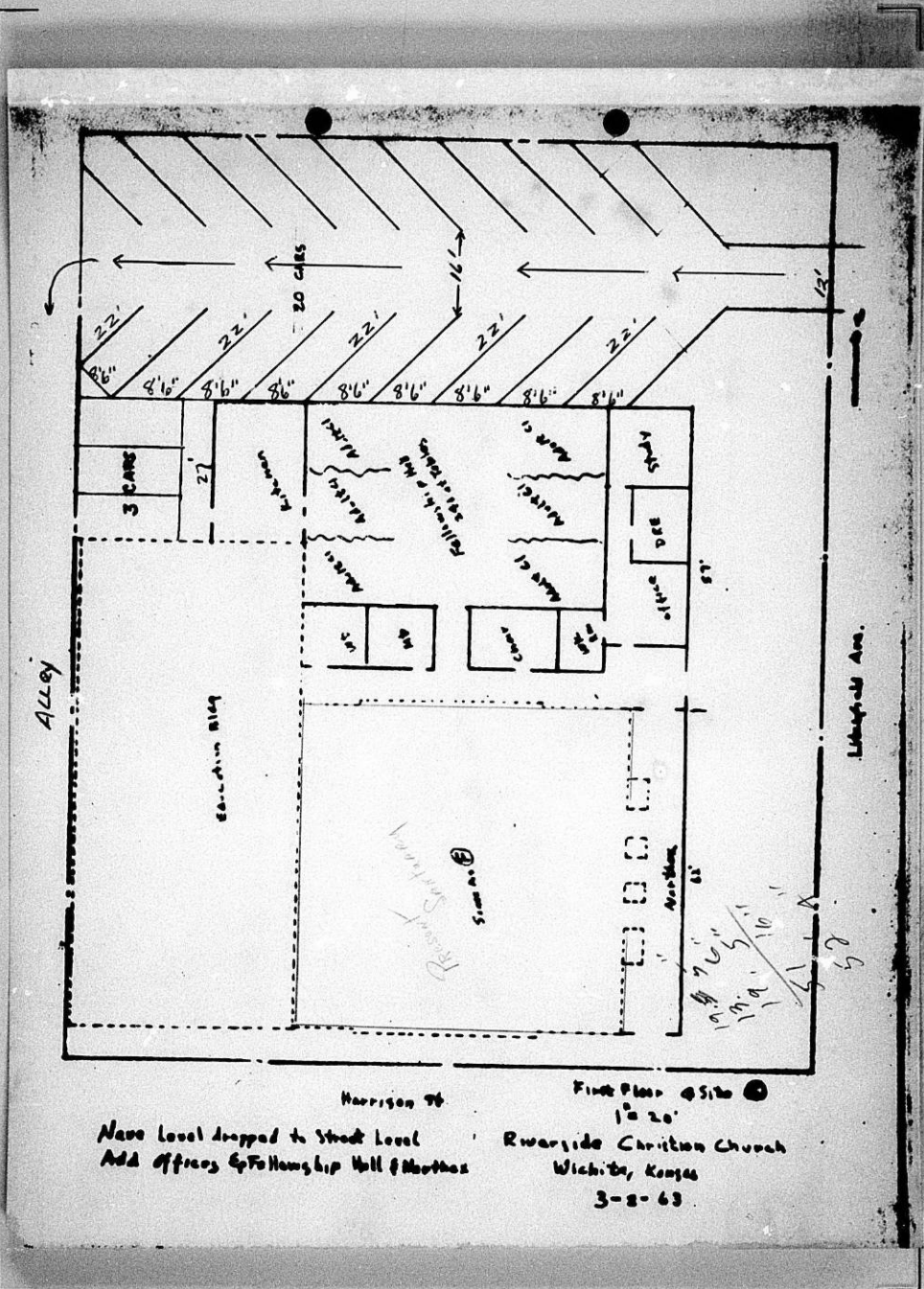
D. The variance desired will not adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare.

1. Construction of new structure will aid enhancement of public morals through the extension of Christ's Kingdom on earth.

Your favorable consideration of this variance will be greatly appreciated by the membership of Riverside Christian Church and will add to the Central Riverside Community.

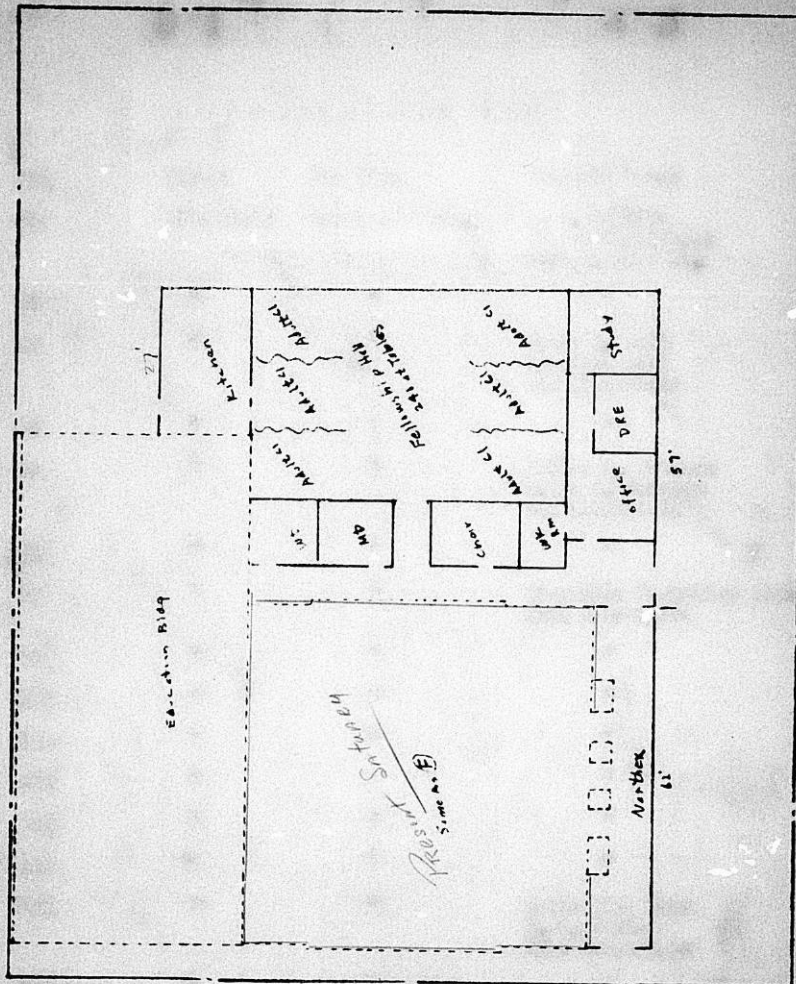
Sincerely yours,

*Lee Baggett*  
Lee Baggett



Harrison St  
 First Floor of Site  
 1" = 20'  
 Riverside Christian Church  
 Wichita, Kansas  
 3-8-63

Nave Level dropped to Street Level  
 Add Offices & Fellowship Hall & Narthos



Harrison St  
 Nave Level dropped to Street Level  
 Add Offices & Fellowship Hall & Narthex

First Floor of Site ④  
 1" = 20'  
 Riverside Christian Church  
 Wichita, Kansas  
 3-2-63

## OWNERSHIP LIST

Lot	Street	Addition	Property Owner
85	Litchfield	Riverside Add.	L. B. Wilkins Mary Ruth Wilkins 1031 S. West St.
87	"	"	"
89	"	"	Harry A. Bell Norville Bell 939 Litchfield
91	"	"	"
93	"	"	Luther E. Johnson Della E. Johnson 945 Litchfield
95	"	"	"
97	"	"	X Riverside Christian Church 1001 Litchfield
99	"	"	"
101	"	"	"
103	"	"	"
105	"	"	"
107	"	"	"
109	"	"	"
111	"	"	Delia King Noble V. C. Noble 1017 Litchfield
113	"	"	"
115	"	"	"
117	"	"	"
86	"	"	B. A. Leatherman Glenna M. Leatherman 942 Litchfield
88	"	"	"
90	"	"	Lee W. Bonine Ruby L. Bonine 952 Litchfield
92	"	"	"
94	"	"	George Farmer Sadie Farmer 960 Litchfield
96	"	"	"

Continued page 3

Lot	Addition	Property Owner
3	Noble's 2nd Add.	The Riverside Christian Church, Inc. 1001 Litchfield
4	"	"
19	"	<sup>700</sup> Quentin Lowell Albert Ila Fern Albert Address unknown
20	"	Thomas A. Love Annie P. Love 1027 Porter
21	"	James L. Clenhall Marjorie M. Clenhall 1026 Porter
22	"	R. C. Mock 1020 Porter
23	"	Floyd E. Brooks Flora M. Brooks 1014 Porter
24	"	A. E. Jones Lillian I. Jones 1002 Porter
25	"	Byron D. Jacques Modena H. Jacques 1520 Harrison
26	"	Gladys Sturham 1518 Harrison


We, The Security Abstract and Title Company, Inc., hereby certify the foregoing to be a true and correct list of property owners within a 200 foot radius of the following property:

Lots 97, 99, 101, 103, 105, 107 and 109, on Litchfield Avenue, in Riverside Addition to Wichita, Sedgwick County, Kansas.

as shown by the deeds on file in the Office of the Register of Deeds of Sedgwick County, Kansas, on this 26th day of February, 1964 at 7:00 A. M.

THE SECURITY ABSTRACT AND TITLE COMPANY, INC.

By

  
Vice-President

Order No. 111378

Continued page 2

Lot	Street	Addition	Property Owner
98	Litchfield	Riverside Add.	Zella M. Marriott 1002 Litchfield
S $\frac{1}{2}$ of 100	"	"	"
N $\frac{1}{2}$ of 100	"	"	T. D. Glaze Gladys P. Glaze 1004 Litchfield
102	"	"	"
104	"	"	Frederick E. Hoyles Hazel M. Hoyles 1010 Litchfield
106	"	"	"
108	"	"	X J. M. McDonald Jennie McDonald Address unknown
110	"	"	"
86	Porter	"	Richard Allen Aaby Peggy D. Aaby 948 Porter
88	"	"	"
90	"	"	C. E. Bazzelle Bess H. Bazzelle 952 Porter
92	"	"	"
94	"	"	Charles T. Miller Alta Miller 954 Porter
96	"	"	"
112	River Blvd	"	Earl W. Hamman 1321 W. River Blvd
114	"	"	"
116	"	"	"
118	"	"	"
120	"	"	John W. Pearson Olga E. Pearson 1638 Burns Ave.
1		Noble's 2nd Add.	Anna V. Longsdorf 1031 Litchfield
2		"	"

Form 223-021

**PAYMENT NOTICE**

City of Wichita

**PAY AT TREASURER'S OFFICE - FIRST FL.**

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
<i>Special Assessment</i>	<i>450.00</i>

Name

Address

Type

Due Date

Comments:

Date

By