

BZA 16-72 - Mission Chapel
Mausoleum, Inc. req. exception
to permit off-st. parking lot
in an area north of 21st St. &

POSTED

6-7-72

MAC ✓

C.I. ✓

8-15-72

ACTION

DATE

[REDACTED] _____

Approved

BZA

[REDACTED] _____

[REDACTED] _____

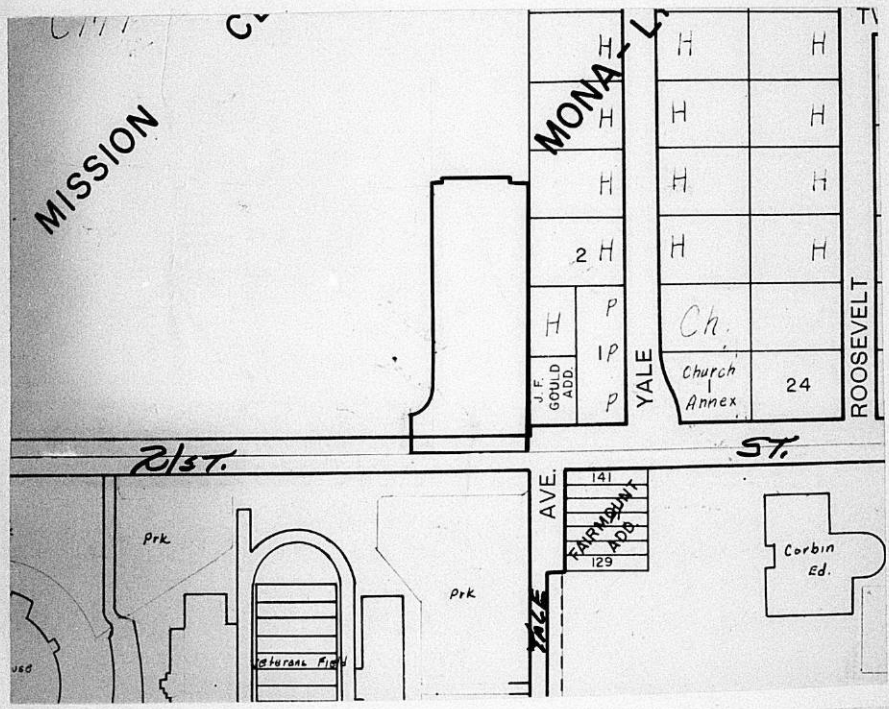
BZA 6-27-72

Map No. 5750
 Sec. 2
 Twp. 27
 Range 1E

EZA- 16-72
 SCZ- _____
 CU- _____
 Filed _____

AREA DATA:
 1. Acres: 1.64 (206 ^{IRREGULAR} ft. by 480 ft.)
 2. Adjoining Zoning: E _____ S _____ W _____ N _____
 3. Land Use: East SINGLE FAMILY PARKING LOT South WSU STADIUM
 West CEMETERY North CEMETERY
 4. Sketch Plan Land Use is for: _____
 5. Present Land Use is for: CEMETERY
 6. Area (is) (is not) platted.

PHOTO DATA:
 Taken by _____ Date _____ Time _____



NOTICE ALSO SENT TO:

1. Dr. Clark Ahlberg, President
 Wichita State University 67208
2. Roger Lowe, Business Manager
 Wichita State University 67208
3. Dr. George Platt, Director
 Land Use Planning
 Wichita State University 67208
4. Wayne Coulson, Attorney
 125 North Market 67202

RESOLUTION NO. BZA 16-72

WHEREAS, Mission Chapel Mausoleum, Inc., P. O. Box 8265, Wichita, Kansas, by Mrs. Olive Quiring Miller, P. O. Box 8265, Wichita, Kansas, requests an exception as provided in Section 2.12.590.C, Code of the City of Wichita, to permit the installation or construction of an off-street parking lot on property zoned "AA" One Family District and legally described as follows:

A tract in the S.W.¼ of the S.W.¼ of Sec. 2, Twp. 27-S, R-1-E; described as follows: Beginning at the S.E. corner thereof; thence west along the south line of the S.W.¼ of said S.W.¼ 206.24 feet; thence with an angle to the right of 90° 19' and along the west line of Garden of the Last Supper to Old Mission Cemetery, Sedgwick County, Kansas, a distance of 71.53 feet; thence easterly and northerly along a curve to the left having a radius of 50 feet, a distance of 78.54 feet to the P.T. of said curve; thence north along tangent of said curve and the west line of said Garden of the Last Supper 354.75 feet to the south line of Garden of Prayer; thence east 20 feet to the S.E. corner of said Garden of Prayer; thence north along the east line of said Garden of Prayer 5 feet; thence east at right angles 116 feet; thence south at right angles 10.5 feet; thence east at right angles, to the east line of the S.W.¼ of said S.W.¼; thence south to beginning.
Generally located in an area north of 21st Street and east of Hillside.

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 June 27, 1972, consider said application; and

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

WHEREAS, the Board of Zoning Appeals has authority to permit the installation or construction of an off-street parking lot on property zoned "AA" One Family, subject to the conditions outlined in Section 28.04.145, Code of the City of Wichita.

NOW, THEREFORE, BE IT RESOLVED by the Board of Zoning Appeals of the City of Wichita, that this application be approved to permit the installation or construction of an off-street parking lot on property zoned "AA" One Family, and legally described as follows:

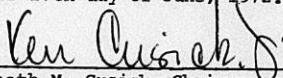
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thence north along tangent of said curve and the west line of said Garden of the Last Supper 354.75 feet to the south line of Garden of Prayer; thence east 20 feet to the S.E. corner of said Garden of Prayer; thence north along the east line of said Garden of Prayer 5 feet; thence east at right angles 116 feet; thence south at right angles 10.5 feet; thence east at right angles, to the east line of the S.W.¼ of said S.W.¼; thence south to beginning. Generally located in an area north of 21st Street and east of hillside.

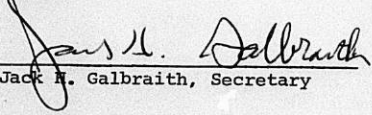
subject to the following conditions:

1. The parking area shall be used for passenger vehicles only and in no case shall it be used for sales, repair work, storage, dismantling or servicing of any vehicle, equipment, materials or supplies.
2. Only such signs as are necessary for the proper operation of the parking lot shall be permitted.
3. In no case shall a fee be charged for parking facilities.
4. The off-street parking lot and all driveways providing ingress and egress to the parking lot shall be paved with concrete, asphaltic concrete, or asphalt, and shall be maintained in good condition and free of all weeds, dust, trash and debris.
5. All parking spaces abutting property lines shall have adequate guards to prevent the extension or overhanging of vehicles beyond property lines or parking spaces. All parking areas shall have adequate markings for channelization and movement of vehicles.
6. If lighting facilities are provided, they shall be so arranged as to reflect or direct light away from adjacent residential properties.
7. The required front yard setback area and the area between the east line and the circulation drive shall remain unpaved and shall be landscaped with trees, shrubs and grass.
8. The applicant shall submit drainage plans to the Department of Public Works for approval prior to the surfacing of the lot for parking purposes.

ADOPTED AT WICHITA, KANSAS, this 27th day of June, 1972.


Kenneth M. Cusick, Chairman

ATTEST:


Jack N. Galbraith, Secretary

July 7, 1972

Mrs. Olive Quiring Miller
P. O. Box 8265
Wichita, Kansas

Subject: Case No. EZA 16-72 - Request for Exception

Dear Mrs. Miller:

Enclosed is a signed copy of the Resolution adopted by the Board of Zoning Appeals on July 27, 1972, in connection with your request for an exception to permit the installation or construction of an off-street parking lot on property zoned "AA" One Family Dwelling District and generally located in an area north of 21st Street and east of Hillside.

This Resolution reflects the official action of the Board to approve your request and sets out the conditions of approval. It is forwarded to you for your information and files.

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

Very truly yours,

Jack H. Galbraith
Secretary

JHG:gw

Enclosure

cc: Mission Chapel Mausoleum, Inc., P. O. Box 8265
Robert Feldner, Superintendent of Central Inspection
Ralph Eberly, City Clerk
Joe Donnelly, Central Inspection

June 28, 1972

Mrs. Olive Quiring Miller
P. O. Box 8265
Wichita, Kansas

Subject: Case No. BEA 16-72 - Request for Exception

Dear Mrs. Miller:

At the regular meeting of the Board of Zoning Appeals on June 27, 1972, your request for an exception to permit the installation or construction of an off-street parking lot on property zoned "AA" One Family Dwelling District and generally located in an area north of 21st Street and east of Hillside, was considered.

It was the action of the Board to approve this request subject to the seven conditions listed in the Secretary's Report and an additional condition which reads as follows:

- (6) The applicant shall submit drainage plans to the Department of Public Works for approval prior to the surfacing of the lot for parking purposes.

A Resolution setting forth the official action of the Board is being prepared and you will be mailed a copy as soon as the signatures of the Chairman and Secretary have been obtained.

If you have any questions, please call our office.

Very truly yours,

Jack H. Galbraith
Secretary

JG:gw

cc: Mission Chapel Mausoleum, Inc.
P. O. Box 8265

Robert Feldner, Superintendent of Central Inspection
Ralph Eberly, City Clerk
Joe Donnelly, Central Inspection

SECRETARY'S REPORT
CASE NO. BZA 16-72

APPLICANT: Mission Chapel Mausoleum, Inc., P. O. Box 8265, Wichita, Kansas

AGENT: Mrs. Olive Quiring Miller, P. O. Box 8265, Wichita, Kansas

REQUEST: Exception pursuant to Section 2.12.590.C, Code of the City of Wichita to permit the installation or construction of an off-street parking lot

GENERAL LOCATION: In an area north of 21st Street and east of Hillside

LAND USE: Subject property is a part of an existing cemetery that has not been developed; to the east are single family homes and a church parking lot; south is the W.S.U. stadium; and west and north is the cemetery

ZONING: Subject property is zoned "AA"; east and north are "AA"; south is "B"; and west is "BB"

JURISDICTION:

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

COMMENTS BY THE SECRETARY:

The applicant is requesting an exception to permit the installation or construction of an off-street parking lot on property zoned "AA" One Family to serve those wishing to attend services in the Chapels of Mission Chapel Mausoleum and Mortuary.

The plot plan submitted with the application has been approved by the City Traffic Engineer's Office.

It is the opinion of the Secretary that a solid fence need not be constructed along the east line of the application area, since two of the adjacent property owners have constructed fences which are sufficient to shield themselves from light and blowing debris;

and the operation of a parking lot to serve a mausoleum and mortuary should not have any detrimental effects upon the use of the University Methodist Church Annex and their existing parking lot.

It is also the opinion of the Secretary that once the east and south lines of the application area have been properly landscaped with trees, shrubs and grass, the parking lot will be compatible with the general area.

RECOMMENDATION:

It is the recommendation of the Secretary that the application to permit the installation or construction of an off-street parking lot be approved, subject to the following conditions:

1. The parking area shall be used for passenger vehicles only and in no case shall it be used for sales, repair work, storage, dismantling or servicing of any vehicle, equipment, materials or supplies.
2. Only such signs as are necessary for the proper operation of the parking lot shall be permitted.
3. In no case shall a fee be charged for parking facilities.
4. The off-street parking lot and all driveways providing ingress and egress to the parking lot shall be paved with concrete, asphaltic concrete, or asphalt, and shall be maintained in good condition and free of all weeds, dust, trash and debris.
5. All parking spaces abutting property lines shall have adequate guards to prevent the extension or overhanging of vehicles beyond property lines or parking spaces. All parking areas shall have adequate markings for channelization and movement of vehicles.
6. If lighting facilities are provided, they shall be so arranged as to reflect or direct light away from adjacent residential properties.
7. The required front yard setback area and the area between the east line and the circulation drive shall remain unpaved and shall be landscaped with trees, shrubs and grass.

BOARD OF ZONING APPEALS
Room 402 City Building Annex
104 South Main Street
Wichita, Kansas 67202

June 7, 1972

NOTICE TO ADJOINING PROPERTY OWNERS

Case No. BZA 16-72

An application has been filed by Mission Chapel Mausoleum, Inc., P. O. Box 8265, Wichita, Kansas, pursuant to Section 2.12.590.C, Code of the City of Wichita, requesting an exception to permit the installation or construction of an off-street parking lot, on property zoned "AA" One Family and legally described as follows:

A tract in the S.W.¼ of the S.W.¼ of Sec. 2, Twp. 27-S, R-1-E; described as follows: Beginning at the S.E. corner thereof; thence west along the south line of the S.W.¼ of said S.W.¼ 206.24 feet; thence with an angle to the right of 90° 19' and along the west line of Garden of the Last Supper to Old Mission Cemetery, Sedgwick County, Kansas, a distance of 71.53 feet; thence easterly and northerly along a curve to the left having a radius of 50 feet, a distance of 78.54 feet to the P.T. of said curve; thence north along tangent of said curve and the west line of said Garden of the Last Supper 354.75 feet to the south line of Garden of Prayer; thence east 20 feet to the S.E. corner of said Garden of Prayer; thence north along the east line of said Garden of Prayer 5 feet; thence east at right angles 116 feet; thence south at right angles 10.5 feet; thence east at right angles, to the east line of the S.W.¼ of said S.W.¼; thence south to beginning. Generally located in an area north of 21st Street and east of Hillside.

This application has been assigned Case No. BZA 16-72, and will be considered by the Board of Zoning Appeals at its meeting on Tuesday, June 27, 1972, at 1:30 p.m., in Room 401 City Building Annex, 104 South Main Street, Wichita, Kansas, at which time you may appear, if you so desire, either in person or by agent or attorney.

JACK H. GALBRAITH
Secretary

*6-7-72 mailed 13 notices for June 27, 1972 meeting
mailed 8 notices to Planning Commission*

BOARD OF ZONING APPEALS

CASE NO. BZA 16-72

CITY OF WICHITA, KANSAS

FILED May 30, 1972

APPLICATION FOR EXCEPTION

I. Name of Applicant MISSION CHAPEL MAUSOLEUM, INC.
Mailing Address PO BOX 8265 Phone 6829243
Name of Authorized Agent MRS. OLIVE QUIRING MILLER
Mailing Address PO BOX 8265 Phone 6829243
Relationship of applicant to property is that of OFFICER OF CORPORATION
(Owner, Tenant, Lessee, Other).

II. Application is made for an exception as provided in Section
28.04.145, Code of the City of Wichita, Kansas
(Zoning Ordinance); to permit the installation or construction
of PARKING LOT

_____ on property zoned

AA, located 3424 E. 21ST. STREET, WICHITA, KANSAS

_____ and legally described as: _____

SEE ATTACHED SHEET WITH LEGAL DESCRIPTION

_____, in the City of Wichita.

III. The applicant herein, or his authorized agent, acknowledges:

- a. That he has received an instruction sheet concerning the filing and hearing of this matter;
- b. That he has been advised of the fee requirements established by Section 2.12.580 of the Code of the City of Wichita (Ordinance No. 24-606); and that the appropriate fee is herewith tendered;
- c. That all documents are attached hereto as noted in paragraphs 2, 3, and 4 of the instructions.
- d. That he has been advised of his right to bring action in the District Court of Sedgwick County to appeal the decision of the Board.

Applicant Mission Chapel Mausoleum, Inc.

Authorized Agent Olive Quiring Miller, Inc.

OFFICE USE ONLY: Received in office of Secretary, Board of Zoning Appeals, 10:50 (a.m. - ~~p.m.~~), May 30, 1972, together with appropriate fee of \$50.00.

T9-403

Signed James H. Gilbride

MISSION CHA MAUSOLEUM

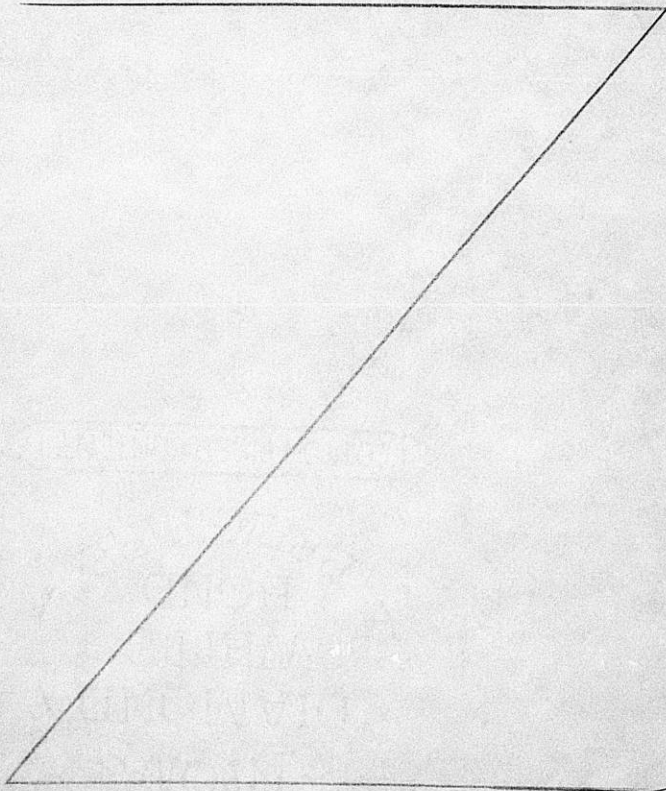
LEGAL DESCRIPTION

APPLICATION FOR EXCEPTION

State of Kansas

Sedgwick County

A tract in the S.W. $\frac{1}{4}$ of the S.W. $\frac{1}{4}$ of Sec. 2, Twp. 27-S, R-1-E; described as follows: Beginning at the S.E. corner thereof; thence west along the south line of the S.W. $\frac{1}{4}$ of said S.W. $\frac{1}{4}$ 206.24 feet; thence with an angle to the right of 90^o 19' and along the west line of Garden of the Last Supper to Old Mission Cemetery, Sedgwick County, Kansas, a distance of 71.53 feet; thence easterly and northerly along a curve to the left having a radius of 50 feet, a distance of 78.54 feet to the P.T. of said curve; thence north along tangent of said curve and the west line of said Garden of the Last Supper 354.75 feet to the south line of Garden of Prayer; thence east 20 feet to the S.E. corner of said Garden of Prayer; thence north along the east line of said Garden of Prayer 5 feet; thence east at right angles 116 feet; thence south at right angles 10.5 feet; thence east at right angles, to the east line of the S.W. $\frac{1}{4}$ of said S.W. $\frac{1}{4}$; thence south to beginning.



MISSION CHAPEL MAUSOLEUM
APPLICATION FOR EXCEPTION

Application is hereby made for off street parking exception available under provision 28.04.145 of the zoning code as follows:

Mission Chapel is desirous of creating a parking area to the east of its present location. This will be on ground zoned as AA and owned by it but is situated within the confines of Old Mission Cemetery. The parking is to be used for passenger vehicles only for those wishing to attend services in the chapels of Mission Chapel Mausoleum and Mortuary and not as a public parking lot.

All of the requirements can be met as to location, use and improvements. We feel that this parking exception will enable us to meet our needs and will enhance the appearance of the general area.

MISSION CHAPEL MAUSOLEUM, INC.

Olive Quiring Miller
(Mrs.) Olive Quiring Miller
President


Fidelity
Title
Company.
inc.

Lot	Block	Addition	Owner
1	A	Mona Lynn Estates	University Methodist Church 2200 N. Yale 67220
2	"	" " "	✓ Cordia J. Taylor Agnes A. Taylor 2231 N. Yale 67220
3	"	" " "	✓ David E. Bernard Vivian L. Bernard 2243 N. Yale 67220
4	"	" " "	✓ Kenneth G. Fite Frances J. Fite 2255 N. Yale 67220
5	A	" " "	✓ Paul B. Swartz Katherine E. Swartz 2267 N. Yale 67220

See next page. Clerk Evelyn Miller
Dated at Wichita, Kansas this 22 day of May, 1972 at *PO Box 265*
7:00 A.M.

FIDELITY TITLE COMPANY INC.

BY 
VP

No. 12462



FORM 273-02

PAYMENT NOTICE
City of Wichita

PAY AT TREASURER'S OFFICE - FIRST FLOOR

Blds & 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
17A (1000)	

Name *100 South Main*

Address *100 South Main*

Type *1000* Due Date

Comments:

Date *2-30-12* By *me*

*

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