

BZA 18-69 - Wm. F. Farha requests exception to permit off-street parking on "AA". NW corner of 22nd, no. and Hood.

POSTED  
7/31/69

**ACTION**

DATE

8-26-69

COMMITTEE Approved

~~MEMBER~~

~~SECRETARY~~

November 29, 1972

Mr. Eugene G. Coombs  
725 Sutton Place  
Wichita, Kansas 67202

Dear Mr. Coombs:

Subject: Case No. BZA 18-69  
Request for Exception

Enclosed is a signed copy of the Resolution adopted by the Board of Zoning Appeals on August 26, 1969, in connection with your request for an exception to permit the installation or construction of an off-street parking lot on property zoned "AA" Single Family and generally located on the northwest corner of 22nd Street North and Hood.

This Resolution reflects the official action of the Board 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.

Sincerely,

Jack H. Galbraith  
Secretary

JHG:so

Enclosure

cc: William F. Farha, 2220 North Somerset, Wichita, Kansas 67204  
Robert Feldner, Superintendent of Central Inspection  
Ralph Eberly, City Clerk

RESOLUTION NO. BZA 18-69

WHEREAS, William F. Farha, 2220 North Somerset, by Eugene Coombs, 725 Sutton Place, 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" Single Family and legally described as follows:

Lots 25 and 27 on Guthrie Avenue, now Hood Avenue, in Guthrie Subdivision of the East Half of SE/4, Sec. 6, Twp. 27, R 1 E, Sedgwick County, Kansas. Generally located on the north-west corner of 22nd Street North and Hood.

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 August 26, 1969, 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" Single 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" Single Family and legally described as follows:

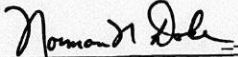
Lots 25 and 27 on Guthrie Avenue, now Hood Avenue, in Guthrie Subdivision of the East Half of SE/4, Sec. 6, Twp. 27, R 1 E, Sedgwick County Kansas. Generally located on the north-west corner of 22nd Street North and Hood.

subject to the following conditions:

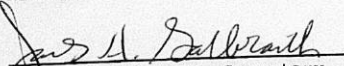
1. In no event shall any portion of the area contained in this application be utilized to satisfy the off-street parking requirements associated with the Community Unit Plan to the south. (DP-18).
2. The off-street parking plan shall be redesigned to eliminate the proposed access to Garland. Two copies of the revised plan approved by the Traffic Engineer, shall be submitted to the Secretary of the Board.

3. A five to eight foot high solid fence constructed of masonry, architectural tile, staggered or louvered redwood or rough sawed cedar shall be erected along the north line of the application area and shall not extend closer to Hood Avenue or Garland Avenue than the front 25 foot setback line. Said fence shall be reduced to three feet in height and extended south along the front 25 foot setback lines on both Avenues to the south property line, except for the point of ingress and egress to Hood Avenue.
4. The required front yard setbacks on Hood and Garland and the required side yard setback on 22nd, except for points of ingress and egress shall not be paved and they shall be landscaped with grass, trees, and shrubs, which shall be maintained and replaced when necessary.
5. Prior to the occupancy of any portion of subject property for an off-street parking lot, the applicant shall remove the existing dwellings.
6. 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 vehicles, equipment, materials or supplies.
7. Only such signs as are necessary for the proper operation of the parking lot shall be permitted.
8. In no case shall a fee be charged for parking facilities provided hereunder.
9. The off-street parking lot and 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.
10. All parking spaces abutting property lines shall have adequate guards to prevent the extension or overhanging of vehicles beyond property lines or parking spaces. The parking area shall have adequate markings for channelization and movement of vehicles.
11. If lighting facilities are provided, they shall be so arranged as to reflect or direct light away from adjacent properties.
12. All improvements as outlined above shall be installed prior to the occupancy of the site for an off-street parking lot.

ADOPTED AT WICHITA, KANSAS, this 26th day of August,  
1969.

  
\_\_\_\_\_  
NORMAN N. DOKE, Chairman

ATTEST:

  
\_\_\_\_\_  
JACK H. GALBRAITH, Secretary

August 27, 1969

Mr. Eugene G. Coombs  
725 Sutton Place  
Wichita, Kansas 67202

Dear Mr. Coombs:

Subject: Case No. BZA 18-69  
Request for Exception

At the regular meeting of the Board of Zoning Appeals on August 26, 1969, your request for an exception to permit the installation or construction of an off-street parking lot on property zoned "AA" Single Family and generally located on the northwest corner of 22nd Street and Hood was considered. It was the action of the Board to approve this request, subject to the twelve conditions in the Secretary's Report.

A Resolution setting forth the official action of the Board is being prepared. At such time as the corrected copies of the plan are submitted, we will forward the signed Resolution to you.

If you have any questions, please call our office.

Sincerely,

Jack H. Galbraith  
Secretary

JHG:so

cc: William F. Farha, 2220 North Somerset, Wichita, Kansas 67204  
Robert Feldner, Superintendent of Central Inspection  
Ralph Eberly, City Clerk

SECRETARY'S REPORT

CASE NO. BZA 18-62

APPLICANT: William F. Farha, 2220 North Somerset

AGENT: Eugene Coombs, 725 Sutton Place

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: Northwest corner of 22nd Street and Hood.

LAND USE: Subject property is occupied by two single family homes, to the north and east is single family, west is single family and vacant with a Pizza Inn to the south.

ZONING: Subject property is zoned "AA" Single Family as is that to the north, east and west, south is "LC" Light Commercial.

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 to permit the installation or construction of an off-street parking lot providing the conditions under 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 of an off-street parking lot in order to provide additional off-street parking facilities for light commercial zoned property located to the south of the application area.

It should be pointed out that the property this off-street parking facility is intended to serve is being developed under the Community Unit Plan provision of the zoning ordinance. The Plan (DP-18) approved by the Board of City Commissioners in 1966,

provided in part that off-street parking would be supplied on the site as required by ordinance (one space for every 250 square feet of floor area.)

It is the opinion of the Secretary that this request, with proper screening, is logical and proper inasmuch as the area to the south is zoned and is being developed commercially. However, it is also the opinion of the Secretary that approval should not be given simply to allow the applicant to over-develop the area to the south.

RECOMMENDATION

Based on the foregoing comments it is the recommendation of the Secretary that this request for an exception to install an off-street parking lot be approved subject to the following conditions:

1. In no event shall any portion of the area contained in this application be utilized to satisfy the off-street parking requirements associated with the Community Unit Plan to the south (DP-18).
2. The off-street parking plan shall be redesigned to eliminate the proposed access to Garland. Two copies of the revised plan, approved by the Traffic Engineer, shall be submitted to the Secretary of the Board.
3. A five to eight foot high solid fence constructed of masonry, architectural tile, staggered or louvered red-wood or rough sawed cedar shall be erected along the north line of the application area and shall not extend closer to Hood Avenue or Garland Avenue than the front 25 foot setback line. Said fence shall be reduced to three feet in height and extended south along the front 25 foot setback lines on both Avenues to the south property line, except for the point of ingress and egress to Hood Avenue.
4. The required front yard setbacks on Hood and Garland and the required side yard setback on 22nd, except for points of ingress and egress shall not be paved and they shall be landscaped with grass, trees, and shrubs, which shall be maintained and replaced when necessary.

5. Prior to the occupancy of any portion of subject property for an off-street parking lot, the applicant shall remove the existing dwellings.
6. 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 vehicles, equipment, materials or supplies.
7. Only such signs as are necessary for the proper operation of the parking lot shall be permitted.
8. In no case shall a fee be charged for parking facilities provided hereunder.
9. The off-street parking lot and 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.
10. All parking spaces abutting property lines shall have adequate guards to prevent the extension or overhanging of vehicles beyond property lines or parking spaces. The parking area shall have adequate markings for channelization and movement of vehicles.
11. If lighting facilities are provided, they shall be so arranged as to reflect or direct light away from adjacent properties.
12. All improvements as outlined above shall be installed prior to the occupancy of the site for an off-street parking lot.

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

August 6, 1969

NOTICE TO ADJOINING PROPERTY OWNERS

Case No. BZA 18-69

An application has been filed by William F. Farha, 2220 North Somerset, by Eugene Coombs, 725 Sutton Place, 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" Single Family Residential and legally described as follows:

Lots 25 and 27 on Guthrie Avenue, now Hood Avenue, in Guthrie Subdivision of the East Half of SE/4, Sec. 6, Twp. 27, R. 1E, Sedgwick County, Kansas. Generally located on the northwest corner of 22nd Street, North, and Hood.

This application has been assigned Case No. BZA 18-69, and will be considered by the Board of Zoning Appeals at its meeting on Tuesday, August 26, 1969, 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

19 NOTICES MAILED 8-6-69 FOR 8-26-69 BZA MEETING

BOARD OF ZONING APPEALS

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

CITY OF WICHITA, KANSAS

FILED \_\_\_\_\_

*map 5350*

**APPLICATION FOR EXCEPTION**

I. Name of Applicant William F. Farha

Mailing Address 2220 North Somerset Phone TE 8-0004

Name of Authorized Agent Eugene G. Coombs

Mailing Address 725 Sutton Place Phone FO 3-2261 **263 2261**

Relationship of applicant to property is that of Owner  
(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 off street parking area lot

\_\_\_\_\_ on property zoned

"AA", located from 22nd Street North 265 feet north  
between Hood and Garland and legally described as: Lots 25

and 27 on Guthrie Avenue, <sup>*now Hood Avenue,*</sup> in Guthrie Subdivision of the East Half  
of SE/4, Sec. 6, Twp. 27, R. 1E, Sedgwick County, Kansas, ~~the City of Wichita, Kansas~~

*OK for  
Legal*

(Give metes and bounds description below if appropriate).

III. The applicant herein, or his authorized agent:

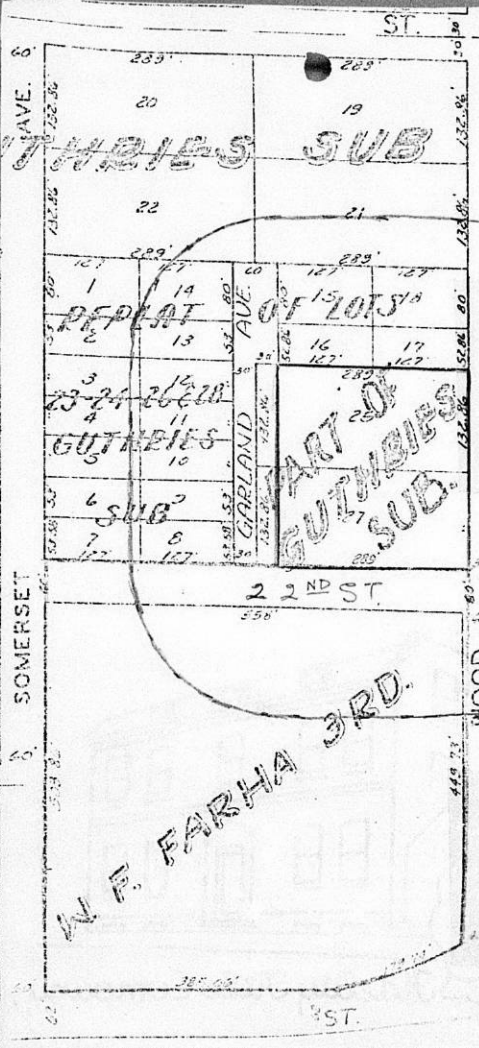
- A. Acknowledges receipt of an instruction sheet relating to this application for an exception.
- B. Agrees to conform to all requirements of the appropriate section of the Zoning Ordinance if this application is approved;
- C. Acknowledges that he has been advised of his right of appeal of the decision of the Board to the Board of City Commissioners within ten (10) days of the date of that decision.

Applicant William F. Farha  
*William F. Farha*

Authorized Agent Eugene G. Coombs  
*Eugene G. Coombs*

**OFFICE USE ONLY:** Received in office of Secretary, Board of Zoning Appeals, \_\_\_\_\_ (a.m. - p.m.), 7-25, 1969, together with appropriate fee of \$50.00.

Signed \_\_\_\_\_



23<sup>rd</sup> ST HIGH

1	130	2	130
3	130	5	130
7	130	9	130
11	130	13	130
15	130	17	130
19	130	21	130
23	130	25	130
27	130	31	130
31	130	35	130
33	130	37	130
39	130	41	130
43	130	45	130
47	130	49	130
51	130	53	130
55	130	57	130
59	130	61	130
63	130	65	130
67	130	69	130
71	130	73	130

PAYNE

1	130	15	130
5	130	19	130
9	130	23	130
13	130	27	130
17	130	31	130
21	130	35	130
25	130	39	130
29	130	43	130
33	130	47	130
37	130	51	130
41	130	55	130
45	130	59	130
49	130	63	130
53	130	67	130
57	130	71	130
61	130	75	130

SALINA

CURTIS SHULTZ  
ADD.

21<sup>ST</sup> LITTLE ADAMS

## STATEMENT OF OWNERSHIP

STATE OF KANSAS )  
 ) SS  
 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:  
 Lots 25 & 27, on Guthrie Avenue, now Hood Avenue,  
 in Guthrie's Subdivision of E $\frac{1}{2}$  SE $\frac{1}{4}$  Sec 6, Twp 27,  
 R 1 East.

  
**Fidelity**  
**Title**  
**Company,**  
**inc.**

And from such examination find that the owners thereof are as set opposite the description of the property below, viz: (Addresses as given are furnished as a service and not certified.)

LOT	ADDITION	OWNER
21 & 22,	<u>GUTHRIE'S SUB</u>	✓ Adalbert Avery Armstrong, sgle 720 Southerland 67217
25 & 27,		✓ William F. Farha 2220 Somerset 67204
1, 2, 3, 4 & N $\frac{1}{2}$ of 5,	<u>REPLT. OF Lots 23, 24, 26 &amp; 28,</u>	✓ Adm. of Veterans Affairs 5500 E. Kellogg 67218
S 26.5' of 5, all 6 & 7,		✓ Walter P. & Bonna Mae Mullens, 2334 Somerset 67204 ux
8, 9 & S 26.5' of 10,		✓ Adm. of Veterans Affairs 5500 E. Kellogg 67218
N 26.5' of 10, all 11 & 12,		✓ Armand R. & Ruby A. Villegas, 2345 Garland 67204 ux
13 & 14,		✓ David P. & Amelia Orynelas, ux 2359 Garland 67204
15 & 16,		✓ Rudolph P. & Amy L. Gauselman, 2359 Garland 67204 ux
17 & 18,		✓ Adm. of Veterans Affairs 5500 E. Kellogg 67218



LOT	BLK.	ADDITION	OWNER
W 150' of S 150', Blk 1, exc W 150' of S 150', 1	1	<u>W. P. FARHA 3rd.</u>	✓ Gulf Oil Corp. P. O. Box 2140, Houston, Tex. William F. & Victoria Farha, 2220 Somerset 67204 ux
1		<u>ROBERT BLASE</u>	✓ Robert E. & Dorothy D. Blase, 2302 Hood 67204ux
17 & 19,	Hood	<u>RIVER BEND</u>	✓ Dale A. McQuiston Maxine McRae McQuiston, ux 1207 Coolidge 67203
21 & 23, & N6' of Lot 25, S 19' of 25, all 27, Hood	"		✓ Ira A. Beatty 2366 Hood 67204 Edward R. & Fredia R. Ukens, Cheney, Ks. ux
29 & 31,	Hood		✓ Don Dinning Realtors, Inc. 4714 E. Central 67208
33, 35, 37,	"		✓ Edna R. Kolb, wdo. 2350 Hood 67204
39 & 41,	"		✓ Irven R. & Edna A. Calkins, ux 1943 S. Plumer, Tucson, Ariz.
43 & 45,	"		✓ Donald L. Douglass Betty E. Douglass, ux 2338 Hood 67204
47 & 49,	"		✓ Bob & Geneva Bekemeyer, ux R # 1, Box 150, Colwich, Ks.
51, 53, 55, 57,	"		✓ Joel Birch Wooldridge Mary Maxine Wooldridge, ux Ietham, Ks. 67972
59, 61, 63 & 65,	"		Adm. of Veterans Affairs 5500 E. Kellogg 67218

Dated at Wichita, Kansas this 22nd day  
of July, 1969 at 7:00 A. M.

FIDELITY TITLE COMPANY, INC.

By Edna M. Jarell Sec. OEM

July 25, 1969

STATEMENT

Board of Zoning Appeals  
City of Wichita  
Wichita, Kansas

Gentlemen:

I am submitting this written statement to advise you that we are applying for an exception, as provided in Section 28.04.145, Code of the City of Wichita, Kansas (Zoning Ordinance) for off-street parking on Lots 25 and 27 on Guthrie Avenue, now Hood Avenue, in Guthrie's Subdivision of E 1/2, SE 1/4, Sec. 6, Twp. 27, Range 1E.

This property is of dimensions 284' east and west; 265.72' north and south lying between Hood and Garland and immediately adjacent to north of 22nd Street. South of the above described property, across 22nd Street, is W. F. Farha 3rd Addition, which has been developed under the Community Unit Plan and is light commercial.

The exception is requested, in order to provide additional off-street parking facilities for light commercial property known as "W. F. Farha 3rd Addition". Applicant is applying for this exception as a non-conforming use, in order that the Metropolitan Planning Commission may have better control over the area in question and protect the surrounding property, which is predominately "AA" single family.

Respectfully submitted,

*W. F. Farha*

W. F. Farha  
Applicant

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

BZA (Construction)

150.00

Name

Excelsior, Corporation

Address

Suite 725, Sutton Place

Type

P-71-C

Due Date

Comments:

Date

7-25-69

By

SO

\*

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