

ACTION

DATE

*Bza* COMMITTEE *App* 2-23-63

M.A.P.C. \_\_\_\_\_

B.C.C./B. CO. C. \_\_\_\_\_

BZA 20-63 - Mt. Olivet Methodist Church requests exception to off-st. parking requirements for SW corner of Elizabeth and 24th St. South.

R E S O L U T I O N N O . 2 0 - 6 3

WHEREAS, W. Jay Esco, attorney, 510 Petroleum Building, Wichita, Kansas, on behalf of Mt. Olivet Methodist Church, 3515 South Elizabeth, Wichita, Kansas, has requested the granting of an exception to permit installation or construction of an off-street parking area, as provided in Section 2.12.560, et seq. and Section 28.04.140.B, Code of the City of Wichita, Kansas; and

WHEREAS, W. Jay Esco, attorney, 510 Petroleum Building, Wichita, Kansas, on behalf of Mt. Olivet Methodist Church, 3515 South Elizabeth, Wichita, Kansas, has also requested the granting of a variance from a required 25 foot front yard setback as required in Section 28.04.040, to a six foot front yard setback; and

WHEREAS, the above requests apply to the following described property:

The south 212.5 feet of the west 125 feet of a tract described as follows: A tract beginning at the southwest corner of north 50 acres of east half of the northeast quarter of Section 7, Township 28 South, Range 1 East of 6th P.M. Sedgwick County, Kansas; thence north along the west line of the said east half of the northeast quarter 312.5 feet; thence east parallel to the south line of the north 50 acres of said east half of the northeast quarter 250 feet; thence south 312.5 feet; thence west 250 feet to the point of beginning; except the west 30 feet thereof which has been dedicated as Elizabeth Street,

generally located at the southeast corner of Elizabeth and 34th Street South; 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 consider said application on the 27th day of August, 1963; and

WHEREAS, the Board of Zoning Appeals determined that it had proper jurisdiction to consider said requests for variance and exception under the provisions of Section 2.12.590, Code of the City of Wichita, Kansas; and

WHEREAS, the property is zoned "AA" Single Family Dwelling District; and

WHEREAS, the Board of Zoning Appeals has found that the variance arises from such condition which is unique and not ordinarily found in the same zoning district in that the property represented in this application is unplatted and is part of an area made up of unusual sized tracts and arrangement as related to the existing platting and development of the area and in view of the very unusual ownership pattern there appears to be no practical way to create a desirable residential type plat and as such is doubtful that this particular property would develop residentially; and further, the required front yard setback is normally found on one end of the deepest portion of a lot which abuts a street; however, in

in this instance, the required front yard setback is on the narrow portion (95 feet east and west as opposed to 212.5 feet north and south) of the lot abutting Elizabeth Street; and

WHEREAS, the Board of Zoning Appeals has found that the granting of the variance would not adversely affect the rights of adjacent property owners or residents in that the lot will be screened and paved with a hard surface material; and

WHEREAS, the Board of Zoning Appeals has found that the strict application of the enforcement provisions of the Zoning Ordinance will constitute unnecessary hardship upon the property owner represented in the appeal in that if the applicants are required to abide by the setback, it would eliminate 18 parking spaces, leaving a total of 34 parking spaces which would not be adequate to satisfy the future needs of the church and further, in view of the fact that it is doubtful if the property will ever develop residentially due to the inadequate depth of the lot, it would seem that an off-street parking lot would be a reasonable use for the property; and

WHEREAS, the Board of Zoning Appeals has found that the variance desired will not adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare; and

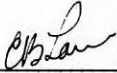
WHEREAS, each of the four conditions required by Section 2.12.590.2, Code of the City of Wichita to be present before a variance can be granted has been found to exist.

NOW, THEREFORE, BE IT RESOLVED by the Board of Zoning Appeals of the City of Wichita, Kansas, that the variance be granted to reduce to 6 feet, the front yard setback line on property heretofore described herein, and further that an Exception be granted to allow construction of the off-street parking lot, subject to the following conditions and requirements:

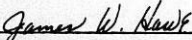
1. Parking area be used for passenger vehicles only and in no case shall it be used for sales, repair work, storage, dismantling or servicing of any vehicles, equipment, materials or supplies.
2. Only such signs as are necessary for proper operation of the parking lot shall be permitted.
3. In no case shall a fee be charged for parking facilities provided hereunder.
4. Parking lots and driveways providing ingress and egress to the lot shall be surfaced with concrete, asphaltic concrete or any other comparable hard surfacing and be maintained in good condition and free of all weeds, trash and other debris.
5. All parking spaces shall have adequate guards to prevent overhanging or extension of vehicles beyond property lines or parking spaces.
6. The parking area shall have proper markings for channelization and movement of vehicles.
7. No lights shall be installed on said parking lot having a height greater than six feet above ground level and that the beam of light shall be directed downward.

8. The south 70 feet of parking designed as the "first paving project" (as shown on the plot plan on file with the Secretary of the Board of Zoning Appeals) shall be completed within 12 months after the adoption of the resolution.
9. The "second paving project" (as shown on said plot plan) shall be completed within 6 months from the date that any building permit is issued that will enlarge the church or within 6 months from the date that any alterations take place which may increase the capacity of the church.
10. A 5-foot high solid wall masonry, louvered redwood fence or combination of the two shall be erected on the north, east and south property lines prior to any use of the lot for off-street parking, such fence being requested to prevent passage of light from vehicles or blowing of debris. The applicant is hereby requested by the Board of Zoning Appeals to give serious consideration to some low type plantings or greenery along the west side of the lot which would make the lot more compatible with the surrounding neighborhood.
11. A performance bond in the amount of \$1250 (the form of which to be approved by legal counsel for the Board) shall be filed with the City Clerk and such bond shall remain on file and in full force until such time as the entire fence is constructed.
12. The off-street parking lot shall be constructed in accordance with the plot plan on file with the Secretary of the Board of Zoning Appeals and Superintendent of Central Inspection, provided that any major revision thereof shall require the re-approval of the Board of Zoning Appeals.

ADOPTED at Wichita, Kansas, this 27th day of August, 1963.

  
\_\_\_\_\_  
E. B. Law, Chairman

ATTEST:

  
\_\_\_\_\_  
James W. Howe  
Assistant Secretary

September 9, 1963

Mr. W. Jay Esco, Attorney  
510 Petroleum Building  
Wichita, Kansas

Dear Mr. Esco:

Subject: BZA 20-63

On September 3, 1963, we advised you that the Board of Zoning Appeals approved subject application for a variance and an exception related to property at the southwest corner of Elizabeth and 34th Street South, subject to certain specified conditions.

We also advised that the Board's decision might be appealed to the City Commission provided that such appeal was filed on or before September 6, 1963.

The City Clerk has advised that no appeal was filed on or before the date indicated, and the decision of the Board of Zoning Appeals is, therefore, final.

A copy of the resolution setting forth the action of the Board is attached for your information and files.

Very truly yours,

James W. Howe  
Assistant Secretary

JWH:ber  
Attachment  
cc: Mt. Olivet Methodist Church  
3515 South Elizabeth

Robert Finch, City Clerk  
Glen Lytle, Superintendent of Central Inspection  
L. L. Binkley, Supervisor of Maintenance

Board of Zoning Appeals

September 4, 1963

Robert Finch, City Clerk

James W. Howe, Assistant Secretary

BZA 20-63

Attached is a copy of BZA Resolution No. 20-53, covering action taken by the Board of Zoning Appeals on the above case.

This case was heard on August 27, 1963, and an appeal may be filed in your office on or before September 6, 1963.

If an appeal is filed, please advise.

James W. Howe  
Assistant Secretary

JWH:ber

Attachment

September 3, 1963

Mr. W. Jay Esco, Attorney  
510 Petroleum Building  
Wichita, Kansas

Dear Mr. Esco:

Subject: BZA 20-63

This is to advise you that at its regular meeting of August 27, 1963, the Board of Zoning Appeals of the City of Wichita considered your request for a variance and for an exception related to property at the southwest corner of Elizabeth and 34th Street, which Mt. Olivet Methodist Church desires to use for a parking lot. This application was approved, subject to the following:

1. Parking area 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.
2. Only such signs as are necessary for proper operation of the parking lot shall be permitted.
3. In no case shall a fee be charged for parking facilities provided hereunder.
4. Parking lots and driveways providing ingress and egress to the lot shall be surfaced with concrete, asphaltic concrete or any other comparable hard surfacing and be maintained in good condition and free of all weeds, trash and other debris.
5. All parking spaces shall have adequate guards to prevent overhanging or extension of vehicles beyond property lines or parking spaces.
6. The parking area shall have proper markings for channelization and movement of vehicles.

7. No lights shall be installed on said parking lot having a height greater than six feet above ground level and that the beam of light shall be directed downward.
8. The south 70 feet of parking designated as the "first paving project" (as shown on the plot plan on file with the Secretary of the Board of Zoning Appeals), shall be completed within 12 months after the adoption of the resolution.
9. The "second paving project" (as shown on said plot plan), shall be completed within 6 months from the date that any building permit is issued that will enlarge the church, or within 6 months from the date that any alterations take place which may increase the capacity of the church.
10. A 5-foot high solid wall masonry, louvered redwood fence or combination of the two, shall be erected on the north, east and south property lines prior to any use of the lot for off-street parking, such fence being requested to prevent passage of light from vehicles or blowing of debris. The applicant is hereby requested by the Board of Zoning Appeals to give serious consideration to some low type plantings or greenery along the west side of the lot which would make the lot more compatible with the surrounding neighborhood.
11. A performance bond in the amount of \$1250 (the form of which to be approved by legal counsel for the Board), shall be filed with the City Clerk, and such bond shall remain on file and in full force until such time as the entire fence is constructed.
12. The off-street parking lot shall be constructed in accordance with the plot plan on file with the Secretary of the Board of Zoning Appeals and Superintendent of Central Inspection, provided that any major revision thereof shall require the re-approval of the Board of Zoning Appeals.

Section 2.12.610 of the Code of the City of Wichita provides that the decision of the Board of Zoning Appeals 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 September 6, 1963.

Page 3 - Mr. W. Jay Esco  
September 3, 1963

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 September 6, 1963, the decision of the Board will be final and the Superintendent of Central Inspection will be in a position to issue the appropriate permit.

Very truly yours,

James W. Howe  
Assistant Secretary

JWH:ber

cc: Mt. Olivet Methodist Church  
3515 South Elizabeth

Robert Finch  
City Clerk

Glen Lytle, Superintendent  
of Central Inspection

NOTICES MAILED AUGUST 8, 1963:

BZA 20-63

W. Jay Esco, Attorney  
510 Petroleum Building

Mt. Olivet Methodist Church  
3515 South Elizabeth

James F. and Barbara A. Criswell  
1529 West 33rd Street South

Keith L. and Wilma J. Pearson  
1523 West 33rd Street South

Sherman L. and Hattie L. Campbell  
1530 Webster

Master Corporation  
240 West 10th Street

Admr. of Veterans Admr.  
5500 East Kellogg

Gerald L. and Elizabeth Corpening  
1525 Webster

James Maltby and Peggy June Foster  
1530 West 34th Street South

Frank B. and Rosalie Horton  
1430 West 34th Street South

Sidney R. and Mary B. Fore  
1418 West 34th Street South

Clara R. Hill  
1400 West 34th Street South

Curtis O. and Mary L. Barker  
544 South Poplar

Charles K. and Cecelia D. Harvey  
1405 West 33rd Street South

Bernard F. and Martha M. Mahaney  
3202 South Mt. Carmel

Bernard F. and Martha M. Mahaney  
3202 South Mt. Carmel

Sherman L. and Lola Campbell  
1530 Webster

SECRETARY'S REPORT

Case BZA No. 20-63

GENERAL DESCRIPTION

This case is generally located on the northeast corner of Elizabeth and 34th Street South. The property in question is zoned "AA" Single Family and is currently vacant.

All the property in the surrounding area is zoned "AA" Single Family and has been developed into single-family homes with the exception of the Mt. Olivet Methodist Church property at the southwest corner of Elizabeth and 34th Street South.

REQUEST

The request is for an exception for an off-street parking lot permit as provided in Section 28.04.140A, Code of the City of Wichita, to allow construction of an off-street parking lot for the Mt. Olivet Methodist Church. There is also a request for a variance as provided in Section 2.12.560 of the Code of the City of Wichita to allow the off-street parking lot to extend within 6 feet of the front of the property line (the setback requirement in this instance is 25 feet).

COMMENTS BY THE SECRETARY - PART I. REQUEST FOR VARIANCE

The request for the variance along with the exception was made on the basis of an interpretation of the Superintendent of Central Inspection that the required front yard setback of 25

feet must be maintained for that portion of the lot abutting Elizabeth Street. The Ordinance provides that no off-street parking shall be allowed in any required front yard setback in a dwelling district. Therefore, to allow the parking arrangement as shown on the plot plan, (see Attachment #2 to this report), the applicants have requested a variance to eliminate the requirement of the front yard setback area for that portion which they wish to use for parking purposes. The variance is within the jurisdiction of the Board of Zoning Appeals to grant provided all four of the following conditions are found to exist:

1. The variance desired arises from such condition which is unique and not ordinarily found in the same zoning district.
2. The granting of the permit for the variance will not adversely affect the rights of adjacent property owners or residents.
3. Strict application of the enforcement provisions of the Zoning Ordinance would constitute an unnecessary hardship on the property owner represented in the appeal.
4. The variance desired will not adversely affect public health, safety, morals, order, convenience, prosperity or general welfare.

A statement of justification and plot plan are shown as Attachments #1 and #2 to this report.

UNIQUENESS

It is the opinion of the Secretary that the variance desired arises from such condition which is unique and not ordinarily found in the same zoning district in view of the fact that the property represented in this application is unplatted and is part of an area made up of unusual sized tracts and arrangement as related to the existing platting and development in the area.

In discussions with the Engineering Division, it was determined that several attempts have been made to plat the area; however, the ownership patterns were so irregular and odd-shaped that it made platting for normal single-family development an impossibility.

Single-family dwellings have been built up along both 33rd Street and 34th Street. Both of these dwellings front to either the north or south rather than on Elizabeth. However, there is a large open space approximately 175 feet wide through the center of the block. The property represented in this application is located on the west end of this open area and is currently being used for the stabling of horses.

In view of the very unusual ownership pattern and the impossibility of platting the open area through the center of the block, it is very doubtful if this particular property would ever develop residentially.

Uniqueness may also be found to exist in view of the fact that the required front yard setback is normally found on one end of the deepest portion of the lot which abuts a street; however, in this instance, the required front yard setback is on the narrow portion (95 feet east and west as opposed to 212.5 feet north and south) of the lot abutting Elizabeth Street.

ADJACENT PROPERTY

It is the opinion of the Secretary that if this lot is properly screened and paved with a hard surface material, it should not adversely affect any adjacent property owners.

HARDSHIP

It is the opinion of the Secretary that the strict application of the enforcement provisions of the Zoning Ordinance will constitute an unnecessary hardship upon the applicant in that, if the applicants are required to abide by the setback, it would eliminate 18 parking spaces and leave them with a total of 34 spaces. If this is done, there would not be adequate parking space to satisfy future needs of the church.

Further, it seems doubtful that the property will be developed for residences because of the inadequate depth. It seems that an off-street parking lot would be a reasonable use for the property. As shown on the plot plan, the applicants do not intend to park clear up to the front property line, but have indicated that they intend to, and will, maintain a 6-foot setback.

PUBLIC INTEREST

It is the opinion of the Secretary that in view of the above considerations, the granting of the variance should in no way adversely affect the public interest.

COMMENTS BY THE SECRETARY - PART II. EXCEPTION FOR OFF-STREET PARKING PERMIT

The exception is also within the jurisdiction of the Board of Zoning Appeals to grant, provided the conditions as outlined below are found to exist.

1. Parking provided must be within 600 feet (along lines of public access) for the boundary for which the use is provided.
2. 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.

3. Only such signs as are necessary for proper operation of the parking lot shall be permitted.
4. In no case shall a fee be charged for parking facilities provided.
5. Parking areas and driveways on private property, providing ingress and egress to parking areas shall be surfaced with concrete, asphaltic concrete, asphalt or any other comparable surfacing which meets the approval of the Board of Zoning Appeals and shall be maintained in good condition and free of all weeds, dust and trash or other debris.
6. Parking area 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.
7. If lighting facilities are provided, they shall be so arranged as to deflect or direct light away from any adjacent dwelling district.
8. A fence (such as solid-wall masonry, wood, louvered wood, metal or other similar material) shall be erected along any property line adjacent to or adjoining any dwelling district to eliminate the passage of light from vehicles and to prevent the blowing of debris. Whenever a fence shall be required along

the front yard, the fence shall not be higher than 4 feet and such fence shall be located within one (1) foot of the front yard setback line. Fences along said yard shall not extend nearer to the street than the front yard setback line.

The permit may be revoked for any of the following reasons:

1. Failure to commence the use of the area within 12 months after the issuance of the permit.
2. Abandonment of the area for parking purposes for six months.
3. Failure to comply with the requirements contained in this section or imposed by the Board of Zoning Appeals.

ADDITIONAL COMMENTS BY THE SECRETARY

The applicant points out that their present building permit was issued on a stipulation that the additional parking space be acquired to meet requirements overlooked when expansion plans were previously checked by the City on three different occasions. It is also suggested that the proposed parking lot along with parking space already in use on the north side of the church will be adequate to handle all present and future needs of the church.

From viewing the area, it can be seen that there is vacant land north of the church which could possibly be used for a parking area; however, the applicant states that this space is reserved for future expansion of the church. The applicant suggests that even if the vacant area north of the church were used for parking, it would not be adequate to serve the future church needs.

The plot plan of the proposed off-street parking area submitted by the applicant has been reviewed and been given preliminary approval by the Traffic Engineer.

There has been an additional 30-foot dedicated for Elizabeth Street along the west side of the proposed parking area which has been paved.

The applicants show that construction of the lot has been divided into two paving projects. The first portion of the project will be constructed in the near future to take care of parking requirements at the present time. The second project will not be undertaken until the church expands and additional parking is required.

CONDITIONS

It is the opinion and recommendation of the Secretary that the four conditions 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 granted to within 6 feet of the front property line and that an exception be granted to allow construction of the off-street parking lot, subject to the following conditions and requirements:

1. Parking area 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.
2. Only such signs as are necessary for proper operation of the parking lot shall be permitted.
3. In no case shall a fee be charged for parking facilities provided hereunder.
4. Parking lots and driveways providing ingress and egress to the lot shall be surfaced with concrete, asphaltic concrete or any other comparable hard surfacing and be maintained in good condition and free of all weeds, trash and other debris.

5. All parking spaces shall have adequate guards to prevent overhanging or extension of vehicles beyond property lines or parking spaces.
6. The parking area shall have proper markings for channelization and movement of vehicles.
7. No lights shall be installed on said parking lot having a height greater than six feet above ground level and that the beam of light shall be directed downward.
8. The south 70 feet of parking designated as the "first paving project" (as shown on the plot plan) shall be completed within 12 months after the adoption of the Resolution.
9. The "second paving project" (as shown on the plot plan) shall be completed within 6 months from the date that any building permit is issued that will enlarge the church or within 6 months from the date that any alterations take place which may increase the capacity of the church.
10. A 5-foot high solid-wall masonry, louvered redwood fence or combination of the two shall be erected within one year on the north, east and south property lines to prevent the passage of light from vehicles or blowing of debris.\*

\*The applicants should also give serious consideration to some low-type plantings or greenery along the west side of the lot which would make the lot more compatible with the surrounding neighborhood.

11. A performance bond in the amount of \_\_\_\_\_ (the form of which to be approved by legal counsel for the Board) shall be filed with the City Clerk to insure that the fence will be erected.
12. The off-street parking lot shall be constructed in accordance with the plot plan on file with the Secretary of the Board of Zoning Appeals and Superintendent of Central Inspection, provided that any major revision thereof shall require the re-approval of the Board of Zoning Appeals.

ATTACHMENTS

- #1 - Statement of Justification
- #2 - Plot Plan
- #3 - Variance Vote Sheet

MT. OLIVET METHODIST CHURCH

3515 S. Elizabeth  
Wichita 17, Kansas

June 27, 1963

Board of Zoning Appeals  
City of Wichita  
Wichita, Kansas

Gentlemen:

We of the Mt. Olivet Methodist Church request special permission to use the land in question for purposes of approved off-street parking for the following reasons:

- (1) Our present building permit was issued on the stipulation that additional parking space be acquired to meet requirements overlooked when plans were previously checked by the city on three different occasions.
- (2) This available land, along with present parking space will be adequate for all present and future parking needs in accordance with the Master Plan as developed and present City requirements.
- (3) This land will be the best of all available land in terms of location when the proposed permanent sanctuary is built, being closer to the main entrance.
- (4) We feel the use of this land as a surfaced parking area will enhance the general area, particularly as regards the present use of this land for the stabling of horses.
- (5) Most available space on our present site will be used for the next phase of our building program and thus would be an unwise investment for the present if we should surface it for parking. Also this would still present us with the need for additional land at that future time. Thus it seems wisest to purchase existing available land now in preparation for our anticipated needs of the future as well as for the purpose of meeting present requirements.
- (6) We wish to be in full compliance with the parking requirements of the City of Wichita.

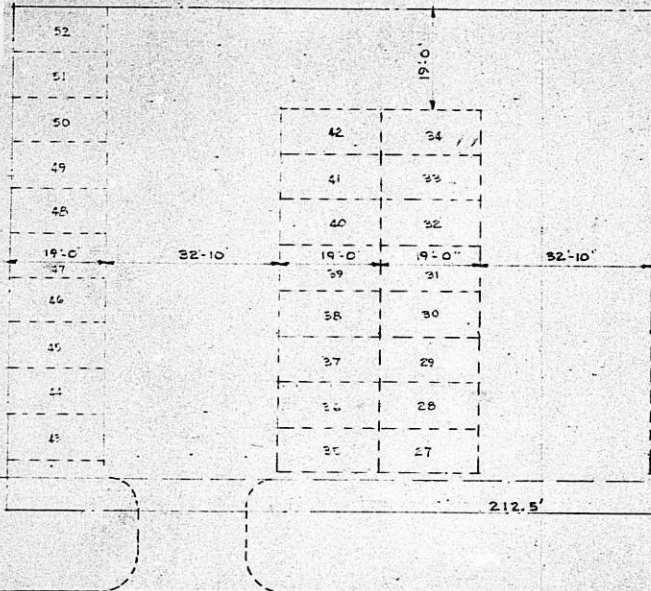
We will appreciate your consideration of this matter.

GSS/ds

Sincerely,  
S/ Gene S. Seely, Pastor  
Mt. Olivet Methodist Church

Attachment #1  
BZA 20-63

FINAL PAVING AREA PROJECT  
141'-8" x 89'-0"



CITY OF ELIZABETH

PARKING LAYOUT

SCALE 1/4" = 1'-0"



**BZA ACTION**

Motion made by	Seconded by	Action
		<b>Jurisdictions</b>
		<b>FINDINGS OF FACT</b>  1. Variance desired arises from such condition which is unique and which is not ordinarily found in the same zoning district.
		2. Granting of the permit for the variance will not adversely affect the rights of adjacent property owners or residents.
		3. Strict application of the enforcement provisions of the zoning ordinance will constitute unnecessary hardship upon the property owner represented in the appeal.
		4. Variance desired will not adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare.
		Determination (Approve or Deny)

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

August 8, 1963

NOTICE TO ADJOINING PROPERTY OWNERS

Case No. BZA 20-63

An application has been filed by W. Jay Esco, Attorney, 510 Petroleum Building, Wichita, Kansas, on behalf of Mt. Olivet Methodist Church, 3515 South Elizabeth, Wichita, Kansas, as provided in Section 2.12.560, et seq. and Section 28.04.140.B, Code of the City of Wichita, for an EXCEPTION to permit installation or construction of an off-street parking area, and for a VARIANCE as provided in Section 2.12.590.2, Code of the City of Wichita, from a required 25 foot front yard setback to a six foot front yard setback as required in Section 28.04.040, all on property zoned "AA" Single Family, and legally described as:

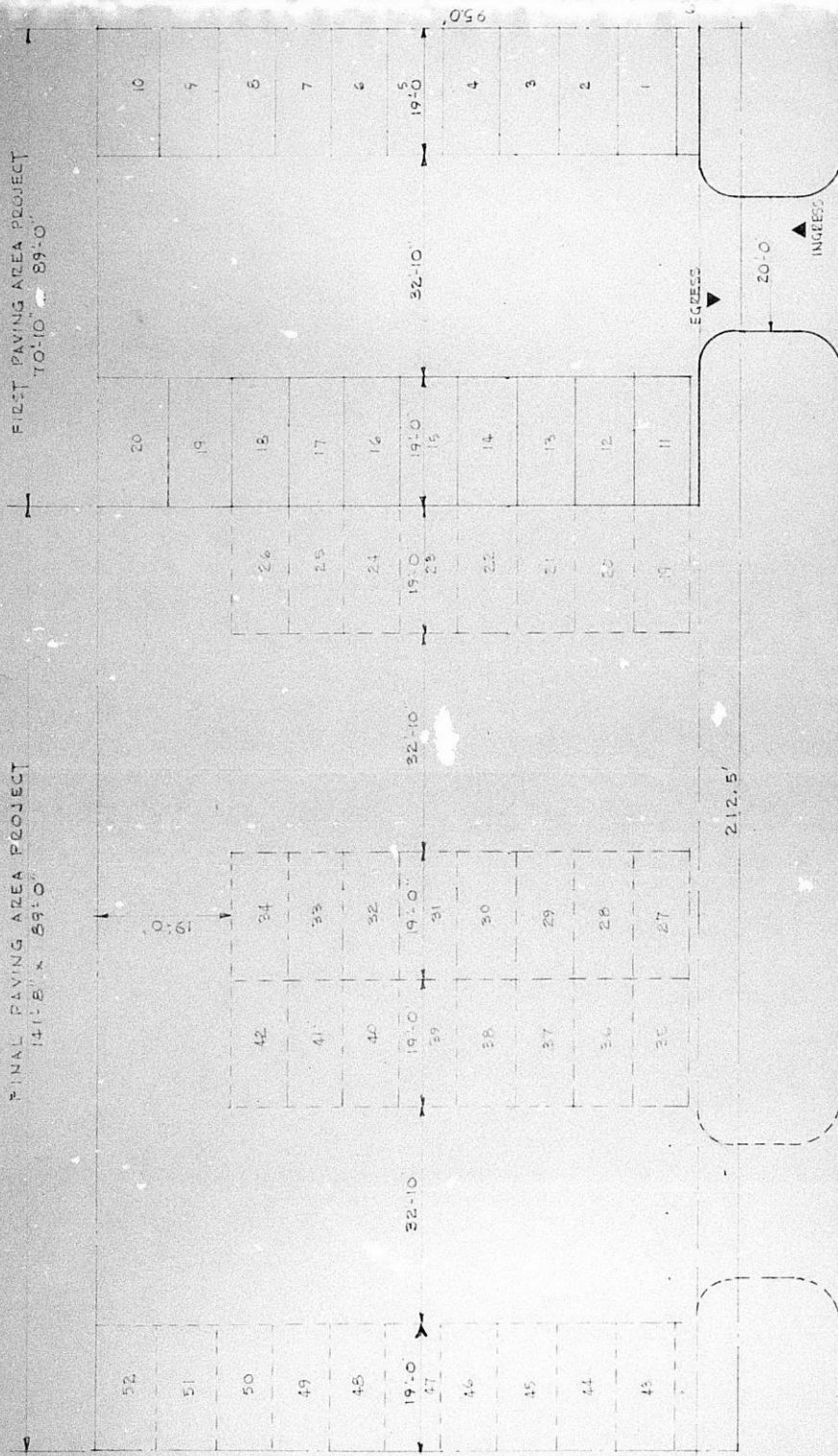
The south 212.5 feet of the west 125 feet of a tract described as follows: A tract beginning at the southwest corner of north 50 acres of east half of the northeast quarter of Section 7, Township 28 South, Range 1 East of 6th P.M. Sedgwick County, Kansas; thence north along the west line of the said east half of the northeast quarter 312.5 feet; thence east parallel to the south line of the north 50 acres of said east half of the northeast quarter 250 feet; thence south 312.5 feet; thence west 250 feet to the point of beginning; except the west 30 feet thereof which has been dedicated as Elizabeth Street. Generally located at the southeast corner of Elizabeth and 34th Street South.

This application has been assigned Case No. BZA 20-63. A hearing will be held by the Board of Zoning Appeals on Tuesday, August 27, 1963, 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.

Robert A. Lakin  
Secretary

FINAL PAVING AREA PROJECT  
141.8' x 89.0'

FIRST PAVING AREA PROJECT  
10.10' x 89.0'



↑ OF ELIZABETH STREET

PARKING LAYOUT

SCALE 1/4" = 1.0'



MT. OLIVET METHODIST CHURCH  
GEFFERTH & BONHAM ARCHITECTS AIA  
314 S. BITTING BLDG WICHITA KS



COOPER, ESCO, COOPER & LOYD  
ATTORNEYS AT LAW  
510 PETROLEUM BUILDING  
221 SOUTH BROADWAY  
WICHITA 2, KANSAS

LLOYD F. COOPER  
W. JAY ESCO  
DALE H. COOPER  
RICHARD A. LOYD

TELEPHONE  
FOREST 3-8231

July 18, 1963

Wichita Metropolitan Area Planning Commission,  
402 City Building Annex,  
104 South Main Street,  
Wichita, Kansas

Attention: James Howe

Re: Case No. BZA 20-63

Gentlemen:

Concerning captioned matter, it has been brought to our attention that there is a twenty-five foot setback off of Elizabeth, required under the regulations. Consequently, we request a variance of this regulation, and in order to do so, it will be necessary to re-publish a notice in captioned matter, and this, of course, necessitates a continuance of captioned matter which is set for July 23, 1963, at 2:00 P.M. Consequently, we sincerely request that this matter be deferred on that date until some time in August.

Very truly yours,

COOPER, ESCO, COOPER & LOYD

By *W. Jay Esc*

WJE:mp



BZA 20-63

NOTICES MAILED JULY 18, 1963 CANCELING THE HEARING SCHEDULED FOR  
JULY 23, 1963

Mt. Olivet Methodist Church  
3515 South Elizabeth

Curtis O. and Mary L. Barker  
544 South Poplar

W. Jay Esco, Attorney  
510 Petroleum Building

Charles K. and Cecelia D. Harvey  
1405 West 33rd Street South

James F. and Barbara A. Criswell  
1529 West 33rd Street South

Bernard F. and Martha M. Mahaney  
3202 South Mt. Carmel

Keith L. and Wilma J. Pearson  
1523 West 33rd Street South

Henry Burt and Lola Mae Burns  
112 North Socora Drive *Ret 7-22-63*

Sherman L. and Hattie L. Campbell  
1530 Webster

Sherman L. and Lola Campbell  
1530 Webster

Master Corporation  
240 West 10th Street

Admr. of Veterans Admr.  
5500 East Kellogg

Gerald L. and Elizabeth Corpening  
1525 Webster

James Maltby and Peggy June Foster  
1530 West 34th Street South

Frank B. and Rosalie Horton  
1430 West 34th Street South

Sidney R. and Mary B. Fore  
1418 West 34th Street South

Clara R. Hill  
1400 West 34th Street South

Charles W. and Lena B. Gibbs  
1402 West 33rd Street South

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

July 18, 1963

NOTICE TO ADJOINING PROPERTY OWNERS

Case No. BZA 20-63  
Exception - 34th Street South  
and Elizabeth

This is to advise that the attorney for the applicant in the above captioned Board of Zoning Appeals case, has requested a deferral of this application until the next regular meeting of the Board of Zoning Appeals.

This application has been re-scheduled for the Board of Zoning Appeals meeting to be held on Tuesday, August 27, 1963, in Room 401 City Building Annex, 104 South Main, Wichita, Kansas, at 2 p.m.

New notices will be sent out approximately 15 days prior to the August 27th hearing.

Robert A. Lakin  
Secretary

BZA NO. 20-63

HEARING: JULY 23, 1963

NOTICES MAILED JULY 5, 1963

Mt. Olivet Methodist Church  
3515 South Elizabeth

Curtis O. and Mary L. Barker  
544 South Poplar

W. Jay Esco, Attorney  
510 Petroleum Building

Charles K. and Cecelia D. Harvey  
1405 West 33rd Street South

James F. and Barbara A. Criswell  
1529 West 33rd Street South

Bernard F. and Martha M. Mahaney  
3202 South Mt. Carmel

Keith L. and Wilma J. Pearson  
1523 West 33rd Street South

Henry Burt and Lola Mae Burns  
112 North Socora Drive

Sherman L. and Hattie L. Campbell  
1530 Webster

Sherman L. and Lola Campbell  
1530 Webster

Master Corporation  
240 West 10th Street

Admr. of Veterans Admr.  
5500 East Kellogg

Gerald L. and Elizabeth Corpening  
1525 Webster

James Maltby and Peggy June Foster  
1530 West 34th Street South

Frank B. and Rosalie Horton  
1430 West 34th Street South

Sidney R. and Mary B. Fore  
1418 West 34th Street South

Clara R. Hill  
1400 West 34th Street South

Charles W. and Lena B. Gibbs  
1402 West 33rd Street South

*notice  
returned*

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

July 5, 1963

NOTICE TO ADJOINING PROPERTY OWNERS

Case No. BZA 20-63

An application has been filed by W. Jay Esco, attorney, 510 Petroleum Building, Wichita, Kansas, on behalf of Mt. Olivet Methodist Church, 3515 South Elizabeth, Wichita, Kansas, as provided in Section 2.12.560, et seq. and Section 28.04.140.B, of the Code of the City of Wichita, for an exception to permit installation or construction of an off-street parking area on property zoned "AA" and legally described as:

The south 212.5 feet of the west 125 feet of a tract described as follows: A tract beginning at the southwest corner of north 50 acres of east half of the northeast quarter of Section 7, Township 28 South, Range 1 East of 6th P.M.; Sedgwick County, Kansas; thence north along the west line of the said east half of the northeast quarter 312.5 feet; thence east parallel to the south line of the north 50 acres of said east half of the northeast quarter 250 feet; thence south 312.5 feet; thence west 250 feet to the point of beginning; except the west 30 feet thereof which has been dedicated as Elizabeth Street. Generally located at the southwest corner of Elizabeth and 34th Street South.

This application has been assigned Case No. BZA 20-63. A hearing will be held by the Board of Zoning Appeals on Tuesday, July 23, 1963, 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.

Robert A. Lakin  
Secretary

BOARD OF ZONING APPEALS  
CITY OF WICHITA, KANSAS

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

APPLICATION FOR EXCEPTION

- I. NAME OF APPLICANT MT. OLIVET METHODIST CHURCH  
MAILING ADDRESS 3515 South Elizabeth, PHONE LY 11753  
NAME OF AUTHORIZED AGENT W. JAY ESCO  
MAILING ADDRESS 510 Petroleum Building, Wichita, Ks PHONE FO38231  
RELATIONSHIP OF APPLICANT TO PROPERTY IS THAT OF contract purchaser  
(OWNER, TENANT, LESSEE, OTHER).

- II. APPLICATION IS MADE FOR AN EXCEPTION AS PROVIDED IN SECTION  
29-04140.A, CODE OF THE CITY OF WICHITA, KANSAS (ZONING  
ORDINANCE); TO PERMIT THE INSTALLATION OR CONSTRUCTION OF \_\_\_\_\_  
off-street parking ON PROPERTY ZONED AA, LOCATED AT

The South 212.5 feet of the West 125 feet of  
a tract described as follows: A tract beginning  
at the Southwest corner of North 50 acres of  
East Half of the Northeast Quarter of Section  
7, Township 28 South, Range 1 East of the Sixth  
Principal Meridian, Sedgwick County, Kansas,  
thence North along the West line of the said  
East half of the Northeast Quarter 312.5 feet,  
thence East parallel to the South line of the  
North 50 acres of said East Half of the North-  
east Quarter 250 feet thence South 312.5 feet,  
thence West 250 feet to the point of beginning,  
Sedgwick County, Kansas; except the west 30  
feet thereof which has been dedicated as  
Elizabeth Street.

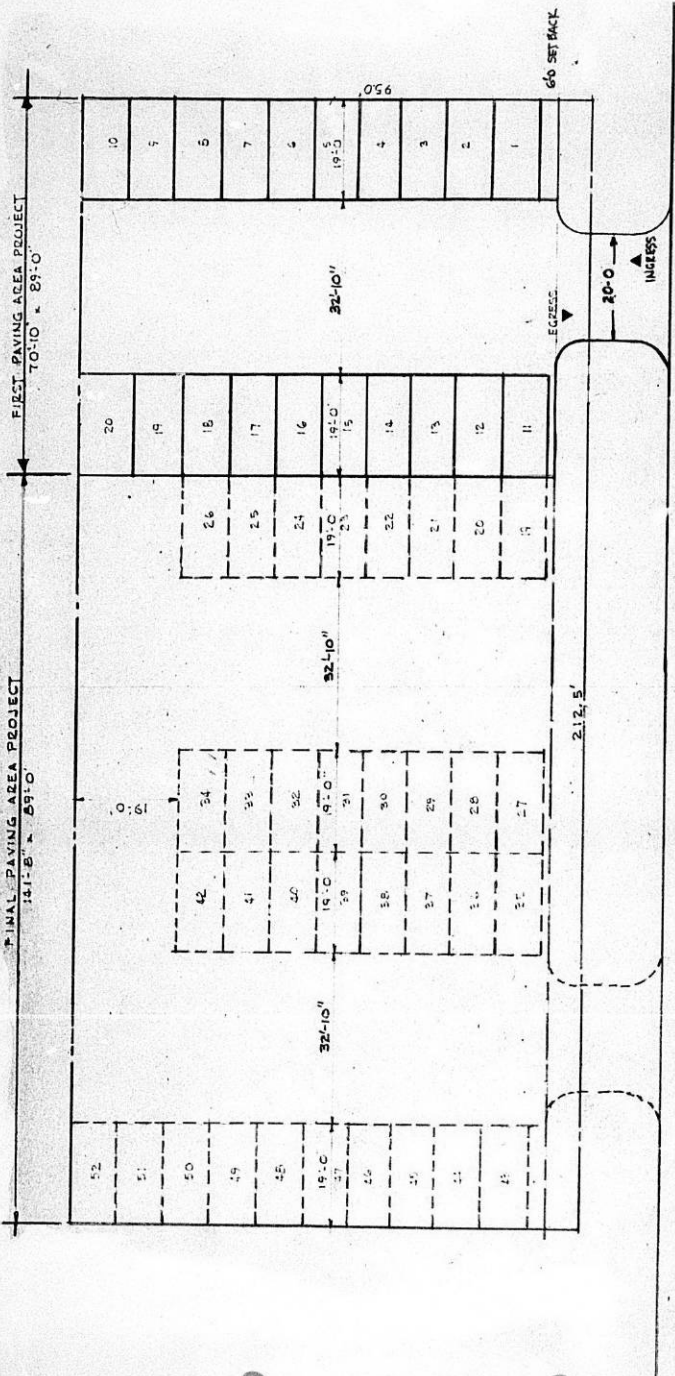
- B. AGREES TO CONFORM TO ALL REQUIREMENTS OF THE APPROPRIATE  
SECTION OF THE ZONING ORDINANCE IF THIS APPLICATION IS  
APPROVED;
- C. ACKNOWLEDGES THAT HE HAS BEEN ADVISED OF HIS RIGHT OF  
APPEAL OF THE DECISION OF THE BOARD TO THE BOARD OF  
CITY COMMISSIONERS WITHIN TEN (10) DAYS OF THE DATE OF  
THAT DECISION.

MT. OLIVET METHODIST CHURCH  
APPLICANT

By W. Jay Escó  
AUTHORIZED AGENT W. Jay Escó

OFFICE USE ONLY: RECEIVED IN OFFICE OF SECRETARY, BOARD OF ZONING  
APPEALS, \_\_\_\_\_ (A.M. P.M.) \_\_\_\_\_, 19\_\_\_\_,  
TOGETHER WITH APPROPRIATE FEE OF \$50.00.





C of ELIZABETH STREET

**PARKING LAYOUT**

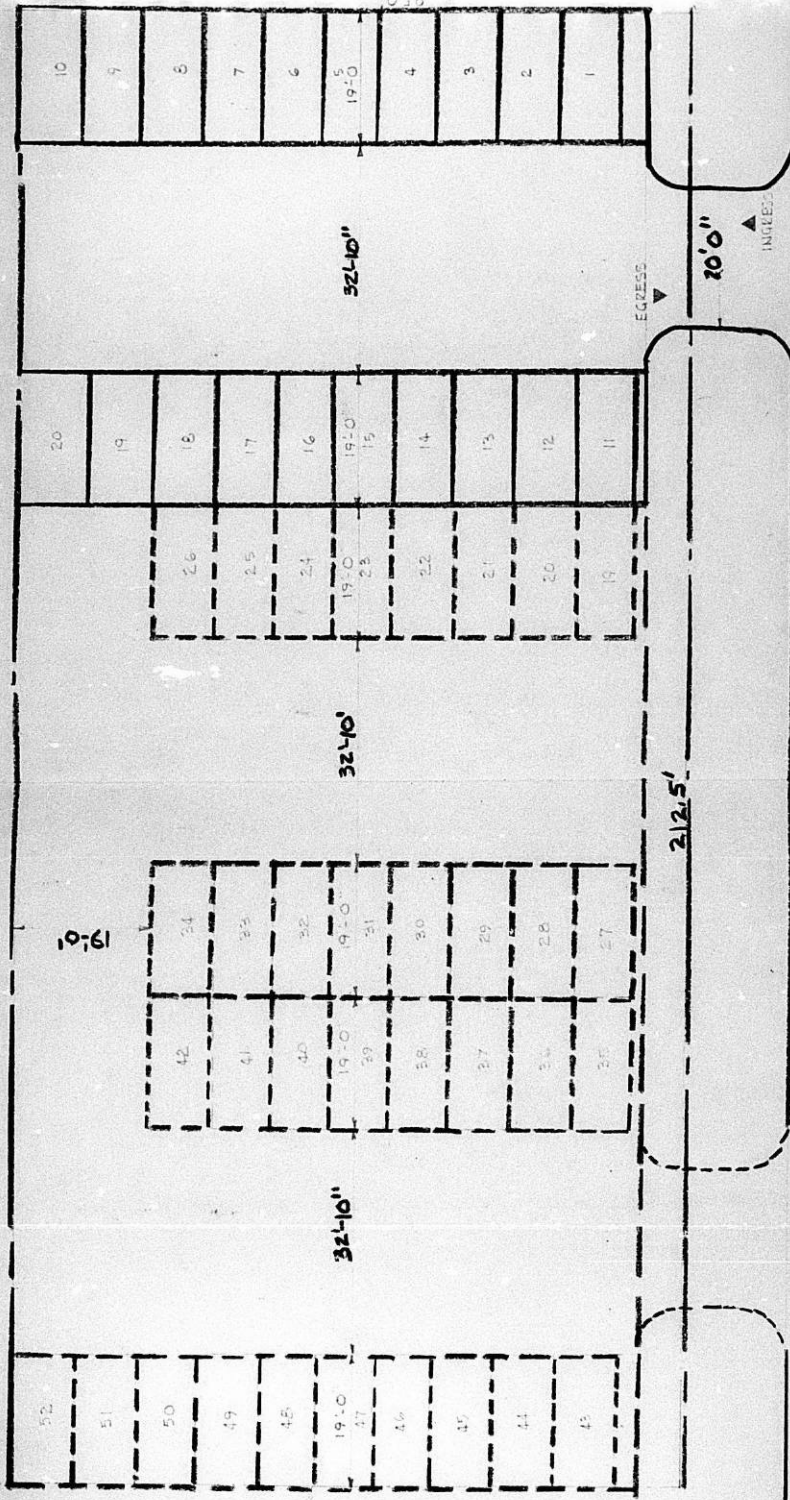
SCALE 1/4" = 1'-0"

MT OLIVET METHODIST CHURCH  
 CLIFFITH & BOYDHAM ARCHITECTS AIA  
 314 BITTING BLDG NICHITA MS

SEA 20-63  
 Attachment #2

FINAL PAVING AREA PROJECT  
141'8" X 89'0"

FIRST PAVING AREA PROJECT  
70'10" X 89'0"



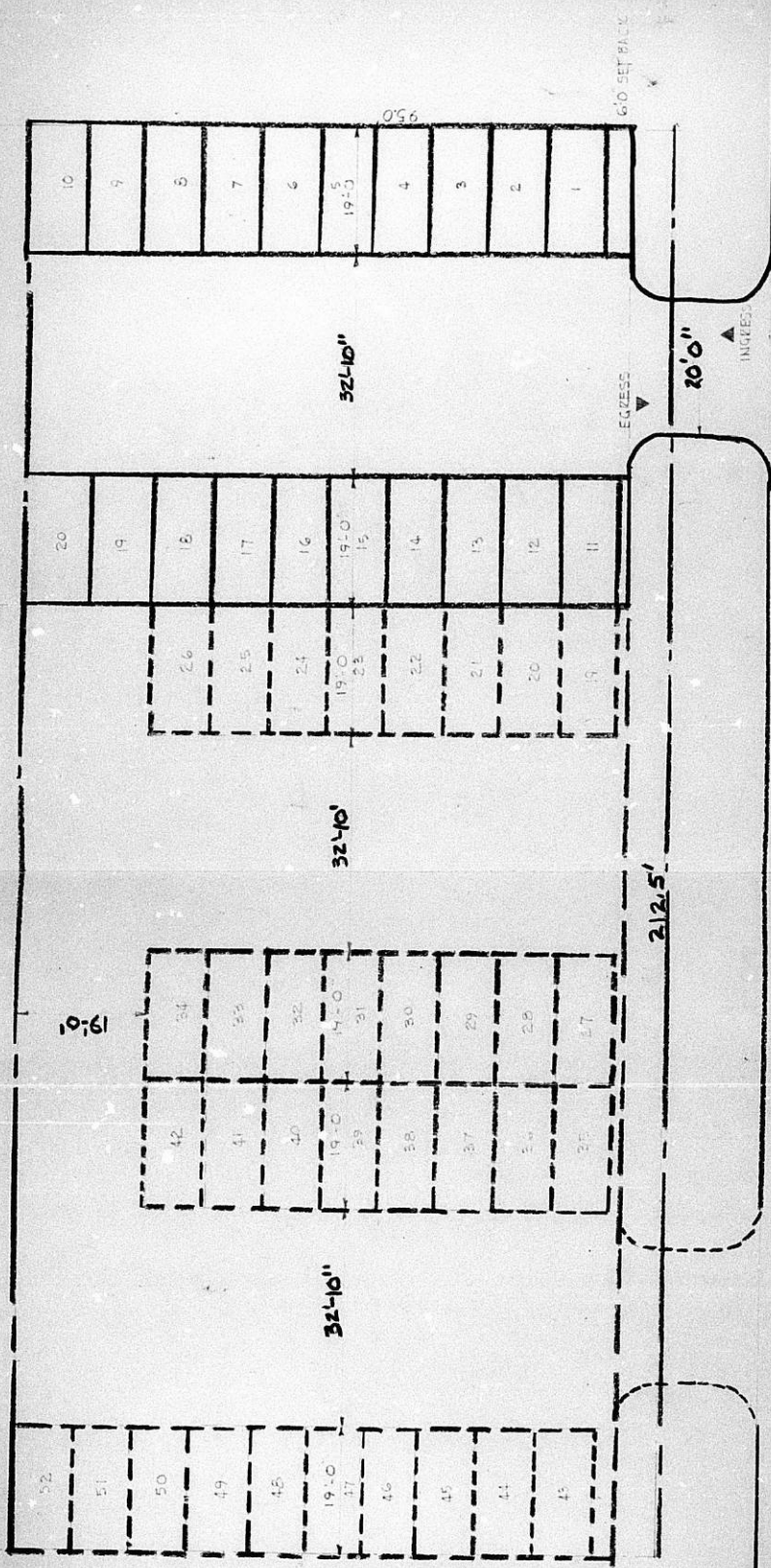
C. OF ELIZABETH STREET

PARKING LAYOUT  
SCALE 1/8" = 1'-0"

MT. OLIVET METHODIST CHURCH  
621 FIFTH & BONHAM  
ARCHITECTS AIA  
304 BITTING BLDG NICHITA MS

FINAL PAVING AREA PROJECT  
141'-8" X 89'-0"

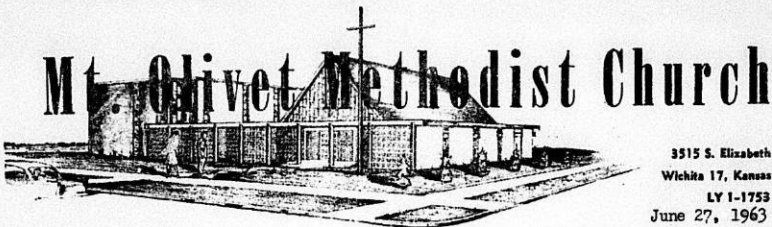
FIRST PAVING AREA PROJECT  
70'-10" X 89'-0"



C OF ELIZABETH STREET

PARKING LAYOUT  
SCALE 1/8" = 1'-0"

MT. OLIVET METHODIST CHURCH  
GRIFFITH & BONHAM ARCHITECTS A.T.A.  
214 BITTING BLDG WICHITA KS



3515 S. Elizabeth  
Wichita 17, Kansas  
LY 1-1753  
June 27, 1963

Board of Zoning Appeals  
City of Wichita  
Wichita, Kansas

Gentlemen:

We of the Mt. Olivet Methodist Church request special permission to use the land in question for purposes of approved off street parking for the following reasons:

- (1) Our present building permit was issued on the stipulation that additional parking space be acquired to meet requirements overlooked when plans were previously checked by the city on three different occasions.
- (2) This available land, along with present parking space will be adequate for all present and future parking needs in accordance with the Master Plan as developed and present City requirements.
- (3) This land will be the best of all available land in terms of location when the proposed permanent sanctuary is built, being closer to the main entrance.
- (4) We feel the use of this land as a surfaced parking area will enhance the general area, particularly as regards the present use of this land for the stabling of horses.
- (5) Most available space on our present site will be used for the next phase of our building program and thus would be an unwise investment for the present if we should surface it for parking. Also this would still present us with the need for additional land at that future time. Thus it seems wisest to purchase existing available land now in preparation for our anticipated needs of the future as well as for the purpose of meeting present requirements.
- (6) We wish to be in full compliance with the parking requirements of the city of Wichita.

We will appreciate your consideration of this matter.

Sincerely,

*Gene S. Seely*  
Gene S. Seely, Pastor  
Mt. Olivet Methodist Church

GSS/ds

CERTIFICATE OF OWNERSHIP

- - - -

GUARANTEE ABSTRACT COMPANY, INC., hereby certifies the following to be a true and correct list of the property owners as shown by the records in the office of the Register of Deeds of Sedgwick County, Kansas, of the real estate within a radius of 200 feet of the following described property:

G The South 212.5 Feet of the West 125 Feet of a tract  
 U described as follows: A tract beginning at the Southwest  
 A corner of North 50 acres of East Half of the Northeast  
 R Quarter of Section 7, Township 28 South, Range 1 East of  
 A the Sixth Principal Meridian, Sedgwick County, Kansas;  
 N thence North along the West line of the said East Half  
 T of the Northeast Quarter 312.5 Feet; thence East parallel  
 E to the South line of the North 50 Acres of said East Half  
 E of the Northeast Quarter 250 Feet; thence South 312.5 Feet;  
 A thence West 250 Feet to the point of beginning, Sedgwick  
 B County, Kansas; except the West 30 feet thereof which  
 S has been dedicated as Elizabeth Street.

	DESCRIPTION	OWNER/OWNERS
	<u>Carlans Addition</u> Block 3	
E	Lot 6	James F. Criswell Barbara A. 1529 West 33rd St. So.
A	Lot 7	Keith L. Pearson Wilma J. 1523 West 33rd St. So.
B	Lot 8, exc. E 30'	X Paul Lawrence Sandahl Jeane unknown
T	<u>Jenkins 2nd Addn.</u> Block 7	
R	Lot 6 and W/2 of Lot 7	Sherman L. Campbell Hattie L. Campbell 1530 Webster
A	E 30' of Lot 7 and Lot 8, except W 30' for street	Master Corporation 240 West 10th St.
C	Block 8 Lot 9-11-13	Admr. of Veterans Admr. 5500 E. Kellogg
O.	Lot 10	Gerald L. Corpening Elizabeth 1525 Webster
I	Lot 12	X Bennie E. Moring, Jr. Thelma R. unknown
N	Lot 14	James Maltby Foster Peggy June 1530 West 34th St. So.
C.	Block 9 Lots 5-6-7	Mount Olivet Methodist Church 35 15 So. Elizabeth



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

July 18, 1963

NOTICE TO ADJOINING PROPERTY OWNERS

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and Elizabeth

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Robert A. Lakin  
Secretary

THE CITY OF WICHITA, KANSAS  
BOARD OF ZONING APPEALS  
104 SOUTH MAIN  
WICHITA 2, KANSAS



✓ 1206  
HENRY BURT AND LOLA MAE BURNS  
~~112 North Socora Drive~~



RETURN  
TO  
WRITER



Wichita, Kansas

Wrong Address

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

July 5, 1963

**NOTICE TO ADJOINING PROPERTY OWNERS**

Case No. BZA 20-63

An application has been filed by W. Jay Esco, attorney,

Methodist Church, 3515 South Elizabeth, Wichita, Kansas, as provided in Section 2.12.560, et seq. and Section 28.04.140.B, of the Code of the City of Wichita, for an exception to permit installation or construction of an off-street parking area on property zoned "AA" and legally described as:

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Robert A. Lakin  
Secretary

THE CITY OF WICHITA, KANSAS  
BOARD OF ZONING APPEALS  
104 SOUTH MAIN  
WICHITA 2, KANSAS



*opened by mistake - wrong address*

Henry Burt and Lola Mae Burns  
~~112 north Sojers Drive~~  
Wichita, Kansas



*Referred @ 1206 UNCLAS*

PAYMENT NOTICE  
City of Wichita

PAY AT TREASURER'S OFFICE - FIRST FLOOR

Bld'g & Elev. \_\_\_\_\_ Elec. \_\_\_\_\_ Elev. Insp. \_\_\_\_\_  
Exam Fees \_\_\_\_\_ Hse. Mvr. \_\_\_\_\_ Hse. Moving \_\_\_\_\_  
Licse. \_\_\_\_\_ Mech. \_\_\_\_\_ Oil Well \_\_\_\_\_ Pav. Cuts \_\_\_\_\_  
Plan.  P/b'g. \_\_\_\_\_ P/b'g. Cert. \_\_\_\_\_  
Sanitation \_\_\_\_\_ Sewer \_\_\_\_\_ Signs \_\_\_\_\_ Sidewalk \_\_\_\_\_  
Street \_\_\_\_\_ Trailers \_\_\_\_\_

DESCRIPTION	AMOUNT
<i>2000</i>	<i>100.00</i>
<i>1000</i>	<i>50.00</i>

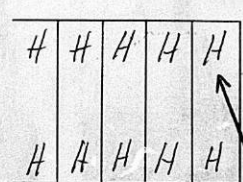
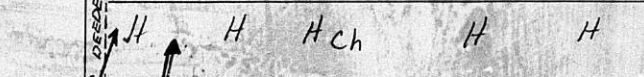
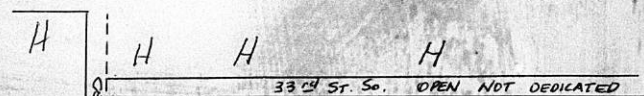
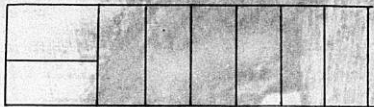
Name *Wichita Electric Illum. Co.*

Address *1000 Broadway*

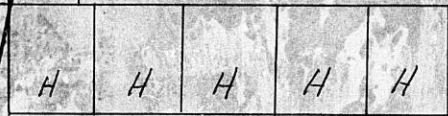
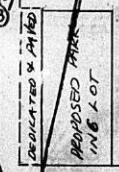
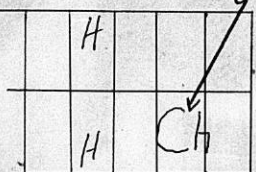
Type \_\_\_\_\_ Due Date *5/1/60*

Comments \_\_\_\_\_

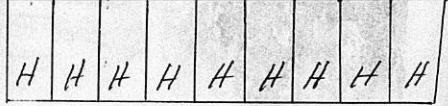
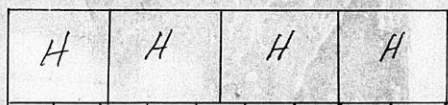
Date *5/1/60* By \_\_\_\_\_



34 St. So.



34TH ST.



ELIZABETH AVENUE



1

2

3



1



2



3



4

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H  
OPEN NOT DEDICATED  
H H

H	H
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H	H
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H	H	H
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