

BZA 29-56 - Phillips Investments Inc.  
request Exception to permit off-  
street parking on the west side of  
Rose Marie Court in an area between  
Hydraulic and Wassall

5894  
P.C.  
B.I.

**ACTION**

DATE *11-22-66*  
By COMMITTEE *Approved*

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

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

December 2, 1966

Henry J. Phillips, Jr.  
800 Beacon Building  
Wichita, Kansas

Dear Mr. Phillips:

Re: Case No. BZA 29-66 - Request  
for an Exception

Enclosed is a signed copy of the Resolution adopted by the Board of Zoning Appeals on December 2, 1966, in connection with your application for an Exception to allow the installation or construction of a parking lot on property zoned "AA" Single Family Residential and generally located on the west side of Rose Marie Court between Hydraulic and Wassall. This Resolution reflects the official action of the Board and sets out the conditions of approval.

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

Very truly yours,

Ronald A. Williamson  
Assistant Secretary

RAW:kgg  
Attachment

cc: Phillips Investment, Inc., 2640 South Hydraulic  
Glen Lytle, Superintendent of Central Inspection  
L. L. Binkley, Maintenance Inspection Supervisor  
Ralph Eberly, City Clerk

R E S O L U T I O N N O. B Z A 2 9 - 6 6

WHEREAS, Phillips Investment, Inc., 2640 South Hydraulic, Wichita, by Henry J. Phillips, Jr., 800 Beacon Building, Wichita, requests an exception as provided in Section 28.04.145, Code of the City of Wichita, to allow the installation or construction of a parking lot on property zoned "AA" Single Family Residential, and legally described as follows:

Lot Two (2), Block Five (5), Classen Parked  
Addition to Wichita, Sedgwick County, Kansas.  
Generally located on the west side of Rose  
Marie Court between Hydraulic and Wassall.

WHEREAS, the 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 November 22, 1966, consider said application; and

WHEREAS, the Board of Zoning Appeals determined that it had proper jurisdiction to consider said request for an exception under the provisions of Section 2.12.590.3, Code of the City of Wichita; and

WHEREAS, the Board of Zoning Appeals has authority to permit the installation or construction of a parking lot to be located on property zoned "AA" Single Family Residential subject to the provisions 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 for installation or construction of a parking lot on property zoned "AA" Single Family Residential and legally described as follows:


Lot Two (2), Block Five (5), Classen Parked  
Addition to Wichita, Sedgwick County, Kansas.  
Generally located on the west side of Rose  
Marie Court between Hydraulic and Wassall.

subject to the following:

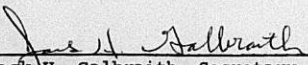
1. Only the rear 19 feet of the lot shall be utilized for off-street parking purposes as indicated on the plan approved by the Traffic Engineer and filed with the Secretary of the Board.
2. The parking area shall be used for passenger vehicles only and in no case shall it be used for sales, repair work, storage, dismantling or servicing of any vehicles, equipment, material or supplies.

3. Only such signs as are necessary for the proper operation of the parking lot shall be permitted. No sign shall project into any public right-of-way.
4. In no case shall a fee be charged for parking facilities provided hereunder.
5. 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 other debris.
6. 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 movements of vehicles.
7. If lighting facilities are provided, they shall be so arranged as to reflect or direct light away from adjacent properties and in no event shall lights be permitted to reach a height of greater than 6 feet.
8. A six foot high solid wall, masonry, wood or louvered redwood fence shall be erected and maintained on the north, east and south boundaries of the parking area. More specifically said wall or fence shall begin at the northwest corner of the lot and run northeast along the northern lot line a distance of 19 feet, thence, southerly, at a right angle to the north property line, a distance of 60 feet, thence southwest along the southern lot line 19 feet to the southwest corner of said lot.
9. All conditions of approval by the Board shall be complied with prior to the occupancy of the property for an off-street parking lot.

ADOPTED AT WICHITA, KANSAS this 22nd day of November, 1966.

  
Harold Bauer, Chairman

ATTEST:

  
Jack H. Galbraith, Secretary

November 23, 1966

Henry J. Phillips, Jr.  
800 Beacon Building  
Wichita, Kansas

Dear Mr. Phillips:

Re: BEA Case No. 29-66 - Request  
for Exception to the Zoning  
Ordinance to permit the in-  
stallation or construction  
of a parking lot on property  
zoned "AA" Single Family

At the regular meeting of the Board of Zoning Appeals on November 22, 1966, your request for an exception to permit the installation or construction of a parking lot on property zoned "AA" Single Family Residential, and being located on the west side of Rose Marie Court between Hydraulic and Wassall, was considered.

It was the action of the Board to approve this request subject to the following conditions:

1. Only the rear 19 feet of the lot shall be utilized for off-street parking purposes as indicated on the plan approved by the Traffic Engineer and filed with the Secretary of the Board.
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, material or supplies.
3. Only such signs as are necessary for the proper operation of the parking lot shall be permitted. No sign shall project into any public right-of-way.

Henry J. Phillips, Jr.  
Page 2  
November 23, 1966

4. In no case shall a fee be charged for parking facilities provided hereunder.
5. 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 other debris.
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9. All conditions of approval by the Board shall be complied with prior to the occupancy of the property for an off-street parking lot.

A Resolution setting forth the official action of the Board is being prepared and you will be mailed a copy as soon as the Chairman and Secretary of the Board have signed it. If you have any questions, please call.

Very truly yours,

RAW:kkj

Ronald A. Williamson  
Assistant Secretary

~~A. H.~~ G. Purdy  
2633 Rose Marie Ct.

Sent copy of ownership  
list 11-17-66

SECRETARY'S REPORT

CASE NO. BZA 29-66

APPLICANT: Phillips Investment, Inc., 2640 S. Hydraulic, Wichita

AGENT: Henry J. Phillips, Jr., 800 Beacon Bldg., Wichita

REQUEST: Exception pursuant to Section 2.12.590.3, Code of the City of Wichita, requesting an exception as provided in Section 28.04.145, Code of the City of Wichita, to permit the installation or construction of a parking lot

GENERAL LOCATION: West side of Rose Marie Court between Hydraulic and Wassall

LAND USE: Existing and that to the north, south and east is single-family to the west is a liquor store and electrical shop

ZONING: Existing and that to the north, south and east is "AA" to the west is "LC"

JURISDICTION

The Board has jurisdiction to consider this request under the provisions outlined under Section 2.12.590.3, Code of the City of Wichita. The Board may grant the exception providing the conditions outlined under Section 28-04.145, Code of the City of Wichita can be complied with.

COMMENTS BY THE SECRETARY

The applicant has pointed out in his statement of justification that he desires the exception in order to provide more off-street parking for his commercial establishments immediately adjacent to the west.

It should also be pointed out that the applicant intends to keep the existing dwelling on the lot for rental purposes and actually desires to utilize only a portion of the rear yard for parking. Since the dwelling is to remain, there should be a minimum 6,000 square feet of lot area retained for it to be in conformance with the minimum lot area requirement in the "AA" Single Family District.

A plan has been approved by the Traffic Engineer for seven spaces perpendicular to the rear lot line. This plan only utilizes the rear 19 feet of the lot and it is the opinion of the Secretary that this proposal is logical and with proper fencing would not adversely affect the neighborhood.

RECOMMENDATION

It is the recommendation of the Secretary that the exception to permit an off-street parking lot be approved subject to the following conditions:

1. Only the rear 19 feet of the lot shall be utilized for off-street parking purposes as indicated on the plan approved by the Traffic Engineer and filed with the Secretary of the Board.
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, material or supplies.
3. Only such signs as are necessary for the proper operation of the parking lot shall be permitted. No sign shall project into any public right-of-way.
4. In no case shall a fee be charged for parking facilities provided hereunder.
5. 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 other debris.
6. 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.
7. If lighting facilities are provided, they shall be so arranged as to reflect or direct light away from adjacent properties and in no event shall lights be permitted to reach a height of greater than 6 feet.

8. A six foot high solid wall, masonry, wood, or louvered redwood fence shall be erected on the north, east and south boundaries of the parking area. More specifically said wall or fence shall begin at the northwest corner of the lot and run northeast along the northern lot line a distance of 19 feet, thence, southerly, at a right angle to the north property line, a distance of 60 feet, thence southwest along the southern lot line 19 feet to the southwest corner of said lot.
  
9. All conditions of approval by the Board shall be complied with prior to the occupancy of the property for an off-street parking lot.

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

November 9, 1966

NOTICE TO ADJOINING PROPERTY OWNERS

Case No. BZA 29-66

An application has been filed by Phillips Investments, Inc., 2640 South Hydraulic, Wichita, by Henry J. Phillips, Jr., 800 Peacor Building, Wichita, Kansas, pursuant to Section 2-12.590.3, Code of the City of Wichita, requesting an exception as provided in Section 28.04.145, Code of the City of Wichita, Kansas; to permit the installation or construction of a parking lot on property zoned "AA" Single Family Residential and legally described as follows:

Lot Two (2), Block Five (5), Classen Parked Addition to Wichita, Sedgwick County, Kansas. Generally located on the west side of Rose Naxie Court between Hydraulic and Wassall.

This application has been assigned Case No. BZA 29-66, and will be considered by the Board of Zoning Appeals at its meeting on Tuesday, November 22, 1966, at 2:00 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

*Phillips Southern Electric Co., Inc.*

2640 S. HYDRAULIC  
WICHITA, KANSAS 67216  
PHONE: AM 5-4186

HENRY J. PHILLIPS

October 14, 1966

Board of Zoning Appeals  
City of Wichita, Kansas

Gentlemen:

We hereby apply for an exception for "off-street parking permit" at our location on S. Hydraulic. The Rose Marie property joins our present parking facility on the east. Because of an increase in business at our present location we are in need of more parking space. There is no on-street parking here on Hydraulic therefore, we must supply our customers with parking if we are to expect them to continue to patronize our businesses.

Respectfully submitted,

PHILLIPS INVESTMENTS, INC.

*Henry J. Phillips, Jr.*  
Henry J. Phillips, Jr.  
President

HJP/js

BOARD OF ZONING APPEALS  
CITY OF WICHITA, KANSAS

CASE NO. 29-66  
FILED 10-25-66

**APPLICATION FOR EXCEPTION**

I. Name of Applicant Phillips Investments, Inc.  
Mailing Address 2640 S. Hydraulic, Wichita Phone AM5-4186  
Name of Authorized Agent ~~Hydraz-Sekter~~ Henry J. Phillips, Jr.  
Mailing Address 800 Beacon Bldg., Wichita Phone AM2-1861  
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 parking facilities  
\_\_\_\_\_ on property zoned

"AA", located 2627 Rose Marie, Wichita on W. side  
of Rose Marie Court bet. and legally described as: Lot two (2)  
Hydraulic & Washnet  
Block Five (5), Classen Parked Addition to Wichita, Sedgwick County, Kansas.  
\_\_\_\_\_, in the City of Wichita.  
(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 Phillips Investments, Inc.  
Authorized Agent H. J. Phillips, Jr.

OFFICE USE ONLY: Received in office of Secretary, Board of Zoning Appeals, 9:00 (a.m.) - p.m.), 10-25, 1966, together with appropriate fee of \$50.00.

Signed Ronald G. Williamson PTH

OWNERSHIP LIST

Lot	Block	Addition	Property Owner
6	3	Classen Parked Addition	X Walter V. Hays & Thelma V. Hays 2624 N. Mason <i>incorrect</i> <i>2624 N. Mason Terrace</i>
7	"	"	X Builders, Inc. 300 W. Douglas
8	"	"	X Hubert C. Wadley & Mae Wadley 1375 S. Kansas
9	"	"	X Edward E. Morris & Mary E. Morris 2629 Mason
10	"	"	X Melvin Earl Brace & Juanita Brace 2633 Mason
12	"	"	X Kenneth Gene Edmiston & Florence Ethel Edmiston 2644 Rose Marie Court
13	"	"	X Wayne L. LeRoy & Loretta K. LeRoy 736 S. Terrace Drive
14	"	"	X Dennis M. Galliard & Karen Lee Galliard 2634 Rose Marie Court
15	"	"	X Jesse M. Crouch & Ruth V. Crouch 2628 Rose Marie Court
16	"	"	X Eugene K. Tennant & Marie E. Tennant, 439 S. Hillside
17	"	"	Loren D. Keeley & Bernice O. Keeley, Address unknown <i>no address found</i>
18	"	"	X Jerry D. Richcreek & Ramona J. Richcreek, 2610 Rose Marie Ct.
19	"	"	X Gerald R. McGinnis & Ellen McGinnis, 2604 Rose Marie Ct.
1	5	"	X Lorene B. Wright 2605 Rose Marie Court
2	"	"	X Phillips Investments, Inc. Address unknown <i>2640 S. Hydraulic</i>
3	"	"	X Harry G. Purdy & Carol Bomhoff Purdy, 2633 Rose Marie Court
4	"	"	X Earl A. Spencer & Nel G. Spencer 2639 Rose Marie Court
5	"	"	X James E. Galvin & Martha S. Galvin, 2643 Rose Marie Court
6	"	"	X Earl F. Leslie, Sr. & Selma L. Leslie, 2649 Rose Marie Court

Continued page 2

Lot	Block	Addition	Property Owner
N 200' of 14	5	Classen Parked Addition	X Harry J. Phillips, Sr. & Judy Ann Phillips, 2725 Larkin Drive
S. 70' of N 270' of 14	"	"	X Alleen Mae Cousatte 2712 S. Hydraulic
3	E	Graber Addition	X Roger E. Whitcomb & Evelyn Whitcomb, 2717 S. Hydraulic
16	"	"	Glenn Harmon Elrod & Claribel L. Elrod, address unknown <i>no address found</i>
17	"	"	Maud M. Clyne & Sonja Kay Clyne Address unknown <i>no address found</i>

Beginning at the SE corner of the N $\frac{1}{2}$  of the SE $\frac{1}{4}$  of the NE $\frac{1}{4}$  of Sec. 4-28-1E, thence N 100' thence W. 435.6', thence S. 100', thence E. 435.6' to beginning except the W. 116.09'

Beginning 100' N of the SE corner of the N $\frac{1}{2}$  of the SE $\frac{1}{4}$  of the NE $\frac{1}{4}$  of Sec. 4-28-1E, thence N 100', thence W. 435.6', thence S. 100', thence E. 435.6' to the place of beginning, except the W. 116.09' T. L. Shuart & Helen Shuart 2659 S. Hydraulic.

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 Lot 2, Block 5, in Classen Parked Addition to Sedgwick County, Kansas, as shown by the deeds on file in the Office of the Register of Deeds of Sedgwick County, Kansas, on this 21st day of October, 1966 at 7:00 o'clock A. M.

THE SECURITY ABSTRACT AND TITLE COMPANY, INC.

By

*Lucille Schmidt*

Vice-President

Order No. 139142

Form 223-021

PAYMENT NOTICE

City of Wichita

PAY AT TREASURER'S OFFICE - FIRST FLOOR

Bldg & Elev.	Elec.	Elev. Insp.	Exam. Fees
Hee. Mvr.	Hee. Moving	Licse.	Mech.
Oil Well	Pav. Cuts	Plan.	Plbg. Cert.
Sanitation	Sewer	Signs	Sidewalk
Street	Trailer		

DESCRIPTION	AMOUNT
BZA Application	

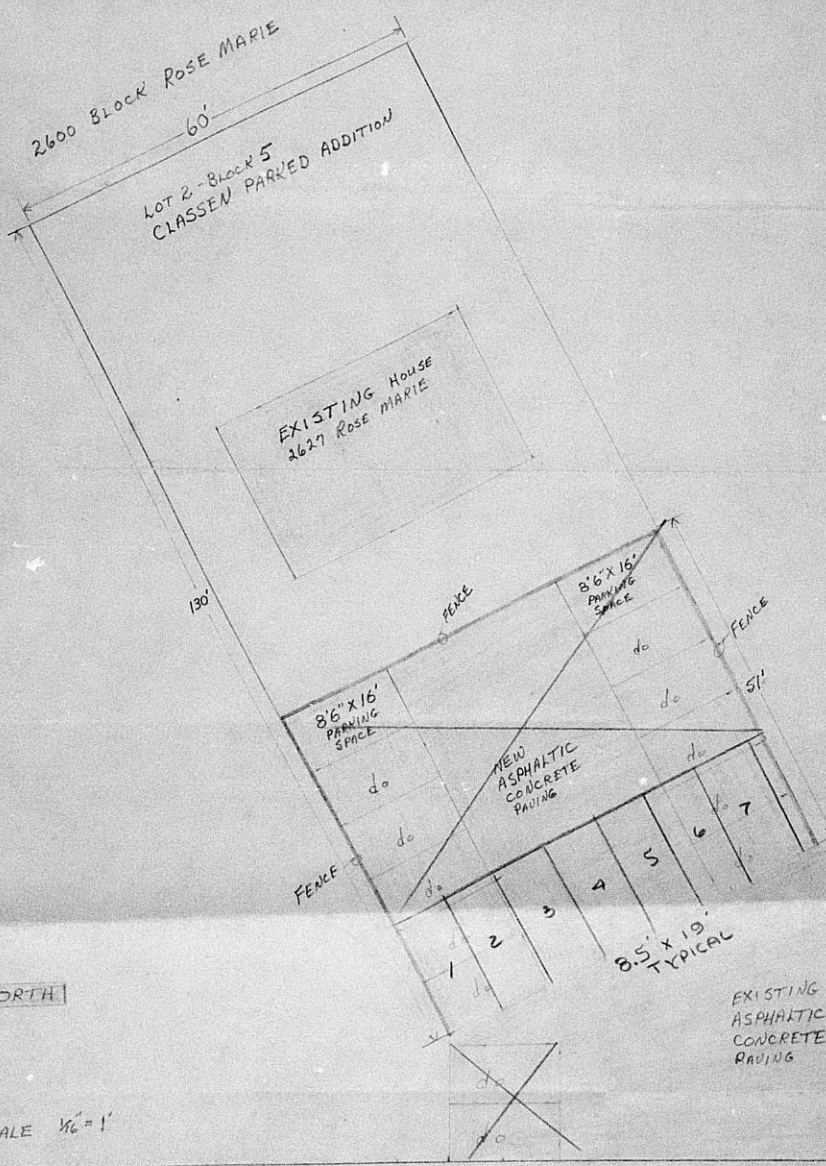
Name Phillips Investment Co.

Address 2640 S. Hydraulic

Type R-712 Due Date 10-25-66

Comments:

Date 10-25-66 By Saltzman



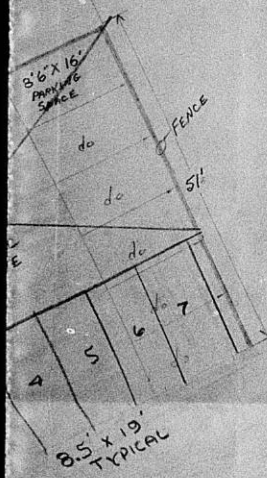
OK AS IN "RED"  
*P.B. Johnson*  
 TRAFFIC ENGINEER  
 25 OCT 19

NORTH

SCALE  $\frac{1}{16}'' = 1'$

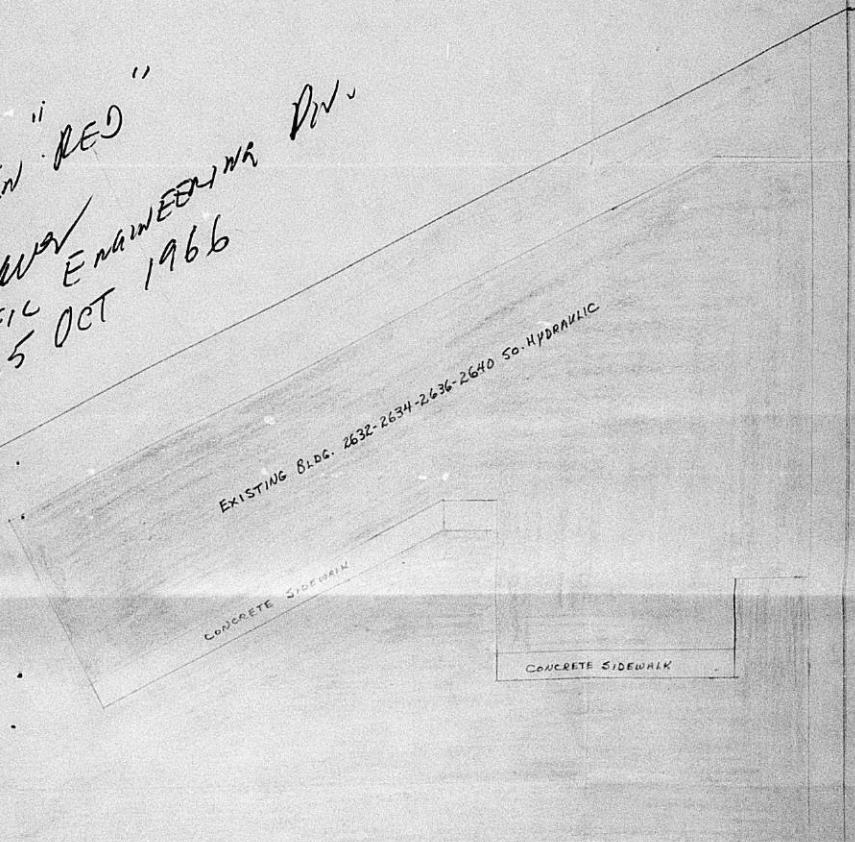
2600 BLOCK SOUTH HYDR

002341



OK AS IN "RED"  
 DRAWN  
 TRAFFIC ENGINEER  
 25 OCT 1966  
 DIV.

EXISTING ASPHALTIC CONCRETE PAVING



2600 BLOCK SOUTH HYDRAULIC

\*

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