

Case No. BZA 53-87 - 920 Partnership
(Jay & Jack Russell) requests a variance
to reduce the rear yard setback from
10' to 0' on property zoned "IC" Light

ACTION

BZA 53-87 Approved 1/26/88
DATE

20'4 Sec. 5-1-88
Checked Jo
Shoh 5-12-88
Record ✓

BZA INSPECTION SHEET

MAP NO.: 4848C

CASE NO. BZA 53-87

REQUEST: Variance to reduce the rear yard setback from 10 feet to 0 feet

EXISTING ZONING: "LC" Light Commercial District

GENERAL LOCATION: On the northeast corner of Central and Maize Road.

APPLICANT: 920 Partnership (Jay & Jack Russell)
ADDRESS: 443 N. Maize Rd., Wichita, KS 67212

PHONE: 722-2417

AGENT: Wilson-Darnell Associates, P.A.
ADDRESS: 128 N. Oliver, Wichita, KS 67208

PHONE: 681-2099

HEARING DATE: 1/26/88

BZA ACTION: Approve subject to no roof overhangs or footings projecting beyond the east property line.

FOLLOW-UP DATES: None

February 2, 1988

Wesley A. Darnell
Wilson-Darnell Associates, P.A.
128 North Oliver
Wichita, Kansas 67208

FILE COPY

Re: BZA 53-87 - Variance to reduce the rear yard setback from 10 feet to 0 feet. Northeast corner of Central and Maize Road.

Dear Mr. Darnell:

Enclosed is a signed copy of the above-referenced BZA Resolution adopted by the Board of Zoning Appeals on January 26, 1988. This Resolution reflects the official action of the Board to grant your request and sets out the conditions of approval. It is forwarded to you for your information and files along with one copy of the approved site plan.

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

Sincerely,

Louise Olivarez
Assistant Secretary
Board of Zoning Appeals

LO/lw

Enclosure

cc: 920 Partnership, 443 N. Maize Rd., Wichita, KS 67212
Monty Robson, Superintendent of Central Inspection (w/site plan)
Joe Donnelly, Zoning Administrator (w/site plan)
Dale Rea, Deputy City Clerk

RESOLUTION NO. BZA 53-87

WHEREAS, 920 Partnership, 443 N. Maize Road, Wichita, Kansas 67212, pursuant to Section 2.12.590.B, Code of the City of Wichita, requests a variance to reduce the rear yard setback from 10 feet to 0 feet on property zoned the "LC" Light Commercial District and legally described as follows:

Lot 2, Block 1, Regency Plaza Addition, Wichita, Sedgwick County, Kansas. Generally located on the northeast corner of Central and Maize Road.

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 January 26, 1988, consider said application; and

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

WHEREAS, the Board of Zoning Appeals has found that the variance arises from such condition which is unique to the property in question and which is not ordinarily found in the same zone or district; and is not created by an action or actions of the property owner or the applicant inasmuch as, due to the lot having two front yards, the east side of the lot could have been designated as the side yard which may have a zero foot setback without obtaining a variance; and

WHEREAS, the Board of Zoning Appeals has found that the granting of the permit for the variance will not adversely affect the rights of adjacent property owners or residents inasmuch as the property to the east, adjacent to the variance application area, is developed with an access drive bordered by trees and is unlikely to ever be developed with structures; and

WHEREAS, the Board of Zoning Appeals has found that the strict application of the provisions of Title 28 (Zoning Ordinance) of which variance is requested will constitute unnecessary hardship upon the property owners represented in the application inasmuch as the building would have to be redesigned and the total floor area would probably have to be reduced if a ten-foot setback from the east line is required; 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 due to the fact that the reduction of the rear yard setback to zero feet will not interfere with any utility easements or street right-of-way; and

WHEREAS, the Board of Zoning Appeals has found that the granting of the variance desired will not be opposed to the general spirit and intent of Title 28 (Zoning Ordinance) inasmuch as the the proposed structure will be located a sufficient distance from any adjoining structure to the east so as to provide adequate separation for light, air and access; and

WHEREAS, each of the five conditions required by Section 2.12.590.B, Code of the City of Wichita, to be present before a variance can be granted has been found to exist.

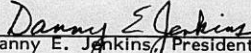
NOW, THEREFORE, BE IT RESOLVED by the Board of Zoning Appeals of the City of Wichita that this request for a variance to reduce the rear yard setback from 10 feet to 0 feet on property zoned the "LC" Light Commercial District and legally described as follows:

Lot 2, Block 1, Regency Plaza Addition, Wichita, Sedgwick County, Kansas. Generally located on the northeast corner of Central and Maize Road.

be approved subject to the following condition:

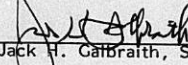
1. No roof overhangs or footings shall project beyond the east property line and the location of the building on the site shall generally conform to the plan submitted with the application.

ADOPTED AT WICHITA, KANSAS, this 26th day of January, 1988.



Danny E. Jenkins, President

ATTEST:



Jack H. Galbraith, Secretary

January 27, 1988

Wilson-Darnell Associates, P.A.
ATTN: Wesley Darnell
128 North Oliver
Wichita, Kansas 67208

FILE COPY

Re: BZA 53-87 - Variance to reduce the rear yard setback from 10 feet to 0 feet (Northeast corner of Central and Maize Road)

Dear Mr. Darnell:

At the regular meeting of the Board of Zoning Appeals on January 26, 1988, your request for a variance was considered. It was the action of the Board to grant your request subject to the following condition:

1. No roof overhangs or footings shall project beyond the east property line and the location of the building on the site shall generally conform to the plan submitted with the application.

The Resolution setting forth the official action of the Board will be released as soon as the signatures of the President and Secretary have been obtained.

If you have any questions, please call our office.

Sincerely yours,

Louise Olivarez
Assistant Secretary
Board of Zoning Appeals

LO/lw

cc: 920 Partnership, 443 N. Maize Rd., Wichita, KS 67212
Monty Robson, Superintendent of Central Inspection
Joe Donnelly, Central Inspection w/BZA Inspection Sheet
Dale Rea, Deputy City Clerk

PL/0348/1

THE CITY OF WICHITA

OFFICE OF Citizen Participation DATE January 22, 1988

TO Louise Oliverez, Principle Planner

FROM Stanley J. Scott, CP Coordinator

SUBJECT BZA 53-87: Northeast corner of
Central and Maize Road

On Wednesday, January 20, 1988, CPO West Side Neighborhood Council 5A considered the captioned case, a request for a zoning variance to reduce the rear yard setback from 10 feet to 0 feet on property zoned the "LC" Light Commercial District. Following discussion, the Council voted 7-0 to recommend approval of the request.

Wes Darnell appeared as a representative for the applicants to describe the request and respond to questions. Mr. Darnell presented a site plan for the commercial strip center.

No area residents or property owners were present to address the request. Council members received a letter from Paul W. Dugan, American National Bank, supporting the request. Council members were provided the notice of public hearing, a map of the area, and MAPD Secretary's report.

Please provide the Council's recommendation to the Board of Zoning Appeals when BZA 53-87 is considered on Tuesday, January 26, 1988.

SJS:dm

RECEIVED

JAN 22 1988

METROPOLITAN PLANNING

ROUTE

SECRETARY'S REPORT

CASE NUMBER: BZA 53-87

OWNER/APPLICANT/AGENT: 920 Partnership (Jay and Jack Russell) (owner)
Wilson-Darnell Associates, P.A. (agent)

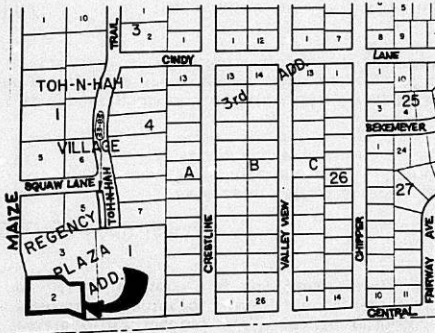
REQUEST: Variance to reduce the rear yard setback from 10 feet to 0 feet

CURRENT ZONING: "LC" Light Commercial District

SITE SIZE: .926 acres (165± ft. by 240± ft.)

LOCATION: On the northeast corner of Central and Maize Road

PROPOSED USE: Commercial strip center



JURISDICTION: The Board has jurisdiction to consider the variance request under the provisions outlined in Section 2.12.590.B, Code of the City of Wichita. The Board may grant the request when all five conditions as required by the State Statutes are found to exist.

BACKGROUND: The applicant is requesting a variance to reduce the rear yard setback from 10 feet to 0 feet on a large platted lot located at the northeast corner of Central and Waize. The lot is zoned "LC" and has a 35-foot platted setback from each street. Either the north or the east side of the lot could have been designated as the rear yard (the other would become the side yard) and the owner chose the east side. This may be the uniqueness of the site which justifies a variance. If the east side of the lot were designated a side yard, the setback could be zero feet without having to obtain a variance. A column supporting the roof overhang is to be located right on the east property line but the face of the building will be two feet from the property line. East of the application area is a 60-foot wide "leg" of Lot 3 which contains the access drive for a real estate office located north of the proposed shopping center. The drive is approximately centered within the 60 feet and trees border the drive on each side. It is unlikely that any buildings will ever be constructed within this 60 feet.

ADJACENT ZONING AND LAND USE:

NORTH	LC	Real estate office & radio studio
SOUTH	LC	Telephone exchange building & residence
EAST	LC	Access drive & bank
WEST	LC	Undeveloped

UNIQUENESS: It is the opinion of staff that this property is unique inasmuch as, due to the lot having two front yards, the east side of the lot could have been designated as the side yard which may have a zero foot setback without obtaining a variance.

ADJACENT PROPERTY: It is the opinion of staff that the granting of the variance requested will not adversely affect the rights of adjacent property owners inasmuch as the property to the east, adjacent to the variance application area, is developed with an access drive bordered by trees and is unlikely to ever be developed with structures.

HARDSHIP: It is the opinion of staff that the strict application of the provisions of the zoning ordinance may constitute an unnecessary hardship upon the applicant inasmuch as the building would have to be redesigned and the total floor area would probably have to be reduced if a ten-foot setback from the east line is required.

PUBLIC INTEREST: It is the opinion of staff that the requested variance would not adversely affect the public interest inasmuch as the reduction of the rear yard setback to zero feet will not interfere with any utility easements or street right-of-way.

SPIRIT AND INTENT: It is the opinion of staff that the granting of the variance requested would not be opposed to the general spirit and intent of the zoning ordinance inasmuch as the proposed structure will be located a sufficient distance from any adjoining structure to the east so as to provide adequate separation for light, air and access.

RECOMMENDATION: Should the Board determine that all five conditions necessary to the granting of a variance can be found to exist, then it is the recommendation of the Secretary that the variance be granted subject to the following condition:

BZA 53-87 SR

BZA 53-87
Page 3

1. No roof overhangs or footings shall project beyond the east property line and the location of the building on the site shall generally conform to the plan submitted with the application.

BZA 53-87 SR

BZA CASE NO. 53-87

- 14 LEGAL ADVERTISEMENT SENT TO MAPC & BZA
- 2 NOTICES SENT TO APPLICANT/AGENT
- 9 NOTICES SENT TO ADJOINING PROPERTY OWNERS
- 5 NOTICES SENT TO BZA MEMBERS

NOTICES SENT 12/31/87

- 1 NOTICES SENT TO CPO
- 2 NOTICES SENT TO CITY MANAGER & CITY COUNCIL REPRESENTATIVE TO DISTRICT
- 4 NOTICES TO MAPD STAFF
 - Jack Galbraith
 - Louise Olivarez
 - Barbara Harris
 - Karen Crook

BOARD OF ZONING APPEALS
Tenth Floor - City Hall
155 North Main, Wichita, Kansas 67202

December 31, 1987

NOTICE OF PUBLIC HEARING:

CASE NO. BZA 53-87

As required by law, all property owners of record within 200 feet of a property to be considered for an exception or variance by the Board of Zoning Appeals are to be notified of the public hearing. An application has been filed by 920 Partnership requesting a variance.

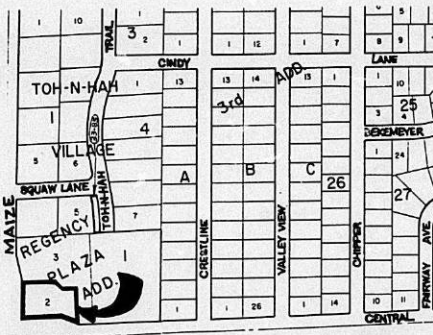
Pursuant to Section 2.12.590.B, of the Code of the City of Wichita, the applicant is requesting a variance to reduce the rear yard setback from 10 feet to 0 feet on property zoned the "LC" Light Commercial District. A legal description of the applicant's property is as follows:

Lot 2, Block 1, Regency Plaza Addition, Wichita, Sedgwick County, Kansas. Generally located on the northeast corner of Central and Maize Road.

This application has been assigned Case No. BZA 53-87. It will be considered by the Board of Zoning Appeals on Tuesday, January 26, 1988 at 1:30 p.m. in the Board Room, First Floor of City Hall, 455 North Main Street, Wichita, Kansas. If you have no interest in or objections to the requested variance, you have no obligation to appear or comment. If you desire to appear at the Board meeting, you are invited to do so either in person or by agent or attorney.

If you have any questions about the application, please feel free to call the Wichita-Sedgwick County Metropolitan Area Planning Department at 268-4421.

NOTE: We have been advised by the Citizen Participation Organization staff that CPO Council 5A, Westside, will consider this case at their meeting to be held on Wednesday, January 20, 1988, at 7 p.m. at the American National Bank, 10222 West Central. Additional information regarding this CPO meeting may be obtained by calling the CPO office at 268-4516.



(_____) Published in The Daily Record, December 31, 1987

OFFICIAL NOTICE

NOTICE IS HEREBY given that on the 26th day of January, 1988, the Board of Zoning Appeals of the City of Wichita, Kansas, in the Board Room, First Floor, City Hall, 455 North Main, Wichita, Kansas will consider the following applications beginning at 1:30 p.m.:

1. Case No. BZA 52-87 - Gordon E. Royse, Route 3, Box 320, Sunrise Beach, Missouri 65079, pursuant to Section 2.12.590.C, Code of the City of Wichita, requests an exception to permit the establishment of an automobile sales business on property zoned the "LC" Light Commercial District and legally described as follows:

Lots 8, 9 and 10 Merton Park Addition, Wichita, Sedgwick County, Kansas. Generally located on the northeast corner of Seneca and Merton.

2. Case No. BZA 53-87 - 920 Partnership, 443 N. Maize Road, Wichita, Kansas 67212, pursuant to Section 2.12.590.B, Code of the City of Wichita, requests a variance to reduce the rear yard setback from 10 feet to 0 feet on property zoned the "LC" Light Commercial District and legally described as follows:

Lot 2, Block 1, Regency Plaza Addition, Wichita, Sedgwick County, Kansas. Generally located on the northeast corner of Central and Maize Road.

3. Case No. BZA 54-87 - O.L.C. Properties, a partnership, 7310 E. Kellogg, Wichita, Kansas 67206, pursuant to Section 2.12.590.C, Code of the City of Wichita, requests an exception to permit the establishment of an off-street parking lot for the adjacent medical office building on property zoned the "AA" One-family Dwelling District and legally described as follows:

The north 160 feet of the east 35 feet of Lot 1, Temple Addition to Wichita, Sedgwick County, Kansas, together with that part of Vacated Stratford Street lying east of and adjacent to the north 160 feet of said Lot 1. Generally located between 7011 and 7015 East Central.

As provided in City Ordinances hereinabove described and Section 2.12.560 et. seq., Code of the City of Wichita, Sedgwick County, Kansas, the same will then and there be discussed and considered by the said Board of Zoning Appeals and all persons interested in said matters will be heard at this time concerning their views and wishes in the premises, and any protest against any of the provisions of the exceptions and the variances will be considered by the Board of Zoning Appeals as by law provided.

WITNESS my hand and seal this 31st day of December, 1987.

Jack H. Galbraith, Secretary

APPLICATION FOR VARIANCE

I. Applicant 920 Partnership (Jay and Jack Russell)
Address 443 N. Maize Road, Wichita, KS Zip Code 67212 Phone 722-2417
Agent Wilson-Darnell-Associates, P.A.
Address 128 N. Oliver, Wichita, KS Zip Code 67208 Phone 681-2099
Relationship of applicant to property is that of Owner
(Owner, Tenant, Lessee, Other)

II. The variance requested is to reduce rear yard setback in L.C. zoning along
East property line from 10' to 0'.

on property zoned L.C. which is
165 ft by 240 ft (or .926 acres) in size, legally described as:
Regency Plaza Addition, Block 1, Lot 2, Wichita, Kansas.

and located on the northeast corner of Central and Maize Road
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. 39-285); and that the appropriate fee is herewith tendered;
 - c. That he has been advised of his right to bring action in the District Court of Sedgewick County to appeal the decision of the Board.
 - d. That all documents are attached hereto as noted in paragraphs 2, 3, 4, and 5 of the instructions.

Applicant Jay W. Russell
Authorized Agent Wilson A. Darnell

OFFICE USE ONLY:

Map No. 4848C Zoning: (N) LC (S) LC (E) LC (W) LC CPO 5A 1-20-88

Received in Office of Secretary, Board of Zoning Appeals, 4:00 (a.m./p.m.),
12-23, 1987, together with appropriate fee of 300.00.

Signed Lennie Olivier

Map # 4848C (N)
T9-402(C1)

A variance is requested by the applicant as pertains to zoning provision 28.04.090 paragraph C 3.1 page 1042. As allowed by Central Inspection due to our locations on a corner, we are able to classify the North property as the side yard (set back of 5') and the East property line the rear yard (set back required as 10'). As can be seen by the proposed site plan, we are requesting reduction of the East or rear yard set back.

It is the applicants contention that this is a reasonable request based on the following factors:

1. The adjoining parcel is a narrow piece of property which serves only as a driveway to the commercial building behind. This property would not be wide enough for construction of a building.
2. Property in the immediate area of this project is all commercial in nature. The density or adjacency that this allowance would provide for seems to be within the norms for commercial development.
3. Leaving a 10' strip of undeveloped or uncovered property in this area would only provide a greater space requiring maintenance and supervision by the Landlord. It is our observation that where unattached or miscellaneous spaces can be avoided, it is often to the betterment of all concerned.

It should be noted that the granting of this variance will not adversely affect the public health, safety, morals, order, convenience, prosperity, or general welfare of the general public of those in the project area.

Further noted, the following items of concern are recorded:

1. By the proposed construction, natural drainage from adjoining property will be controlled and routed to storm sewer systems.
2. The tree row along the East property line will be maintained.

Columbian National Title Insurance of Wichita, Inc. hereby certifies that the owner of the real property legally described as follows:

Lot 2, Block 1,
Regency Plaza Addition to
Wichita, Sedgwick County, Kansas.

is:

920 Partnership
c/o J.W. Russell
443 North Maize Road
Wichita, Kansas 67212

*application
over*

according to the last deeds filed of record in the office of the Register of Deeds, Sedgwick County, Kansas, as of December 11, 1987 @ 7:00 a.m.

Please note that addresses, as given, are furnished as a service and are not certified.

This report is not, nor is it to be considered as, a complete examination, from the beginning, of all the records affecting said land. Liability hereunder is limited to the amount of fee paid herefor.

COLUMBIAN NATIONAL TITLE
INSURANCE OF WICHITA, INC.

BY: 

Richard L. Schodoyf
Executive Vice President
Branch Manager

Researched by:
Gregory Dale
316-262-8231

BZA 53-87

OWNERSHIP LIST
File Number 28460-87

That part of Lot 1, Timber Grove Lakes, an Addition to Wichita, Sedgwick County, Kansas described as beginning at the Southeast Corner thereof; thence South 86 degrees 38 minutes 52 seconds West, along the South line of said Lot 1, 175 feet to a deflection point in said south line; thence South 78 degrees 10 minutes 47 seconds West, along the South line of said Lot 1, 76.93 feet; thence North 00 degrees West 275.99 feet; thence North 90 degrees 00 minutes East, 261.17 feet to a point on the East line of said Lot 1; thence South 8 degrees 28 minutes 13 seconds West along the East line of said Lot 1, 75.83 feet to a deflection point in said East line; thence South 00 degrees East, 175 feet to the place of beginning.

Capitol Federal Savings
and Loan Association
700 Kansas Avenue
Topeka, Kansas 66603

Lot 1, Timber Grove Lakes, an Addition to Wichita, Sedgwick County, Kansas EXCEPT that part described as beginning at the Southeast Corner thereof; thence South 86 degrees 38 minutes 52 seconds West, along the South line of said Lot 1, 175 feet to a deflection point in said South line; thence South 78 degrees 10 minutes 47 seconds West, along the South line of said lot 1, 76.93 feet; thence North 00 degrees West 275.99 feet; thence North 90 degrees 00 minutes East, 261.17 feet to a point on the East line of said Lot 1; thence South 8 degrees 28 minutes 13 seconds West along the East line of said Lot 1, 75.83 feet to a deflection point in said East line; thence South 00 degrees East, 175 feet to the place of beginning.

Kansas State Bank and
Trust Company
123 North Market
Wichita, Kansas 67202

Lot 1, and the East 30 feet of Lot 5, Block 1, Regency Plaza Addition to Wichita, Sedgwick County, Kansas.

American National
Property Partnership c/o
Paul Dugan, 2707 W. Douglas
Wichita, Kansas 67213

A tract of land in Regency Plaza Addition to Wichita, Sedgwick County, Kansas, described as: Beginning at the Northwest corner of Lot 3, Block 1, in said Regency Plaza Addition, thence bearing North 86 degrees 07 minutes 10 seconds East along the North line of Lot 3 a distance of 120.28 feet; thence bearing South 0 degrees 0 minutes 0 seconds East a distance of 178.51 feet to a point in the South line of said Lot 3; thence along said south line bearing South 86 degrees 09 minutes 20 seconds West a distance of 95.21 feet to the West Southwest corner of said Lot 3; thence bearing North 0 degrees 0 minutes 0 seconds East along the West line of said Lot 3 a distance of 9.63 feet; thence along said West line bearing North 14 degrees 02 minutes 11 seconds West a distance of 103.08 feet; thence continuing along said West line bearing North 0 degrees 0 minutes 0 seconds East a distance of 67.12 feet to the point of beginning.

✓ Lakoduk Broadcasting Corp.
2864 S. Circle Drive
Suite 1200
Colorado Springs, Co. 80

Lot 4, Lot 5 EXCEPT the East 30 feet thereof, and Lot 3, all in Block 1, Regency Plaza Addition to Wichita, Sedgwick County, Kansas EXCEPT that part of Lot 3 described as: Beginning at the Northwest corner of Lot 3, Block 1, in said Regency Plaza Addition, thence bearing North 86 degrees 07 minutes 10 seconds East along the North line of Lot 3 a distance of 120.28 feet; thence bearing South 0 degrees 0 minutes 0 seconds East a distance of 178.51 feet to a point in the South line of said Lot 3; thence along said south line bearing South 86 degrees 09 minutes 20 seconds West a distance of 95.21 feet to the West Southwest corner of said Lot 3; thence bearing North 0 degrees 0 minutes 0 seconds East along the West line of said Lot 3 a distance of 9.63 feet; thence along said West line bearing North 14 degrees 02 minutes 11 seconds West a distance of 103.08 feet; thence continuing along said West line bearing North 0 degrees 0 minutes 0 seconds East a distance of 67.12 feet to the point of beginning.

✓ Slawson Investment Corp.
c/o Marcia Metcalf
104 S. Broadway
Wichita, Kansas 67202

Lot 1, Rush Third Addition, Wichita,
Sedgwick County, Kansas.

✓ James David Rush and
Joyce A. Rush
10241 Taylor Circle
Wichita, Kansas 67212

East 24 feet of Lot 1, Rush Fourth
Addition. A tract of land starting
at the Northeast corner of Lot 1, West
24 feet; thence South 255 feet; thence
East 24 feet; thence North 255 feet
to beginning.

✓ James David Rush and
Joyce A. Rush
10241 Taylor Circle
Wichita, Kansas 67212

Lot 1, Rush Fourth Addition, Wichita,
Sedgwick County, Kansas EXCEPT that
part described as: East 24 feet of Lot
1, Rush Fourth Addition. A tract of
land starting at the Northeast corner
of Lot 1, West 24 feet; thence South 255
feet; thence East 24 feet; thence
North 255 feet to beginning.

✓ Earl E. Rush
10229 E. Central
Wichita, Kansas 67212

Lot 1, Block 1, Central-Maize 2nd
Addition, Wichita, Sedgwick County,
Kansas.

✓ Sam E. Rudd; Elenore Rudd;
The Celia Levan Trust;
Highland House,
Partnership; Leslie
J. Rudd; Andrea Skibell,
Suite 1600 Epic Center
301 N. Main
Wichita, Kansas 67202

Beginning at the Northwest corner of
the Northwest Quarter of Section 20,
Township 27 South, Range 1 West of the
Sixth Principal Meridian, thence East
250 feet, thence South 300 feet,
thence West 250 feet, thence North to
the point of beginning EXCEPT the North
50 feet reserved for street; all in
Sedgwick County, Kansas.

✓ Southwestern Bell
Telephone Co.
823 S.E. Quincy
Topeka, Kansas 66612

Columbian National title Insurance of Wichita, Inc., hereby certifies the foregoing Ownership List to be a true and correct list of all property owners within 200 feet of any boundary line of the following described property:

Lot 2, Block 1,
Regency Plaza Addition to
Wichita, Sedgwick County, Kansas.

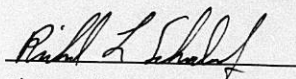
according to the last deeds filed of record in the Register of Deeds Officer, Sedgwick county, Kansas, as of December 11, 1987 @ 7:00 a.m.

Please note that addresses, as given, are furnished as a service and are not certified.

This report is not, nor is it to be considered as, a complete examination, from the beginning, of all records affecting said land. Liability hereunder is limited to the amount of the fee paid herefor.

COLUMBIAN NATIONAL TITLE
INSURANCE OF WICHITA, INC.

BY:



Richard L. Schodorf
Executive Vice President
Branch Manager

Researched By:
Gregory Dale
(316) 262-8231

duplicate

OWNERSHIP LIST
File Number 28460-87

That part of Lot 1, Timber Grove Lakes, an Addition to Wichita, Sedgwick County, Kansas described as beginning at the Southeast Corner thereof; thence South 86 degrees 38 minutes 52 seconds West, along the South line of said Lot 1, 175 feet to a deflection point in said south line; thence South 78 degrees 10 minutes 47 seconds West, along the South line of said Lot 1, 76.93 feet; thence North 00 degrees West 275.99 feet; thence North 90 degrees 00 minutes East, 261.17 feet to a point on the East line of said Lot 1; thence South 8 degrees 28 minutes 13 seconds West along the East line of said Lot 1, 75.83 feet to a deflection point in said East line; thence South 00 degrees East, 175 feet to the place of beginning.

Capitol Federal Savings
and Loan Association
700 Kansas Avenue
Topeka, Kansas 66603

Lot 1, Timber Grove Lakes, an Addition to Wichita, Sedgwick County, Kansas EXCEPT that part described as beginning at the Southeast Corner thereof; thence South 86 degrees 38 minutes 52 seconds West, along the South line of said Lot 1, 175 feet to a deflection point in said South line; thence South 78 degrees 10 minutes 47 seconds West, along the South line of said lot 1, 76.93 feet; thence North 00 degrees West 275.99 feet; thence North 90 degrees 00 minutes East, 261.17 feet to a point on the East line of said Lot 1; thence South 8 degrees 28 minutes 13 seconds West along the East line of said Lot 1, 75.83 feet to a deflection point in said East line; thence South 00 degrees East, 175 feet to the place of beginning.

Kansas State Bank and
Trust Company
123 North Market
Wichita, Kansas 67202

Lot 1, and the East 30 feet of Lot 5,
Block 1, Regency Plaza Addition to
Wichita, Sedgwick County, Kansas.

American National
Property Partnership c/o
Paul Dugan, 2707 W. Douglas
Wichita, Kansas 67213

A tract of land in Regency Plaza Addition to Wichita, Sedgwick County, Kansas, described as: Beginning at the Northwest corner of Lot 3, Block 1, in said Regency Plaza Addition, thence bearing North 86 degrees 07 minutes 10 seconds East along the North line of Lot 3 a distance of 120.28 feet; thence bearing South 0 degrees 0 minutes 0 seconds East a distance of 178.51 feet to a point in the South line of said Lot 3; thence along said south line bearing South 86 degrees 09 minutes 20 seconds West a distance of 95.21 feet to the West Southwest corner of said Lot 3; thence bearing North 0 degrees 0 minutes 0 seconds East along the West line of said Lot 3 a distance of 9.63 feet; thence along said West line bearing North 14 degrees 02 minutes 11 seconds West a distance of 103.08 feet; thence continuing along said West line bearing North 0 degrees 0 minutes 0 seconds East a distance of 67.12 feet to the point of beginning.

Lakoduk Broadcasting Corp.
2864 S. Circle Drive
Suite 1200
Colorado Springs, Co. 80

Lot 4, Lot 5 EXCEPT the East 30 feet thereof, and Lot 3, all in Block 1, Regency Plaza Addition to Wichita, Sedgwick County, Kansas EXCEPT that part of Lot 3 described as: Beginning at the Northwest corner of Lot 3, Block 1, in said Regency Plaza Addition, thence bearing North 86 degrees 07 minutes 10 seconds East along the North line of Lot 3 a distance of 120.28 feet; thence bearing South 0 degrees 0 minutes 0 seconds East a distance of 178.51 feet to a point in the South line of said Lot 3; thence along said south line bearing South 86 degrees 09 minutes 20 seconds West a distance of 95.21 feet to the West Southwest corner of said Lot 3; thence bearing North 0 degrees 0 minutes 0 seconds East along the West line of said Lot 3 a distance of 9.63 feet; thence along said West line bearing North 14 degrees 02 minutes 11 seconds West a distance of 103.08 feet; thence continuing along said West line bearing North 0 degrees 0 minutes 0 seconds East a distance of 67.12 feet to the point of beginning.

Slawson Investment Corp.
c/o Marcia Metcalf
104 S. Broadway
Wichita, Kansas 67202

Lot 1, Rush Third Addition, Wichita,
Sedgwick County, Kansas.

James David Rush and
Joyce A. Rush
10241 Taylor Circle
Wichita, Kansas 67212

East 24 feet of Lot 1, Rush Fourth
Addition. A tract of land starting
at the Northeast corner of Lot 1, West
24 feet; thence South 255 feet; thence
East 24 feet; thence North 255 feet
to beginning.

James David Rush and
Joyce A. Rush
10241 Taylor Circle
Wichita, Kansas 67212

Lot 1, Rush Fourth Addition, Wichita,
Sedgwick County, Kansas EXCEPT that
part described as: East 24 feet of Lot
1, Rush Fourth Addition. A tract of
land starting at the Northeast corner
of Lot 1, West 24 feet; thence South 255
feet; thence East 24 feet; thence
North 255 feet to beginning.

Earl E. Rush
10229 E. Central
Wichita, Kansas 67212

Lot 1, Block 1, Central-Maize 2nd
Addition, Wichita, Sedgwick County,
Kansas.

Sam E. Rudd; Elenore Rudd;
The Celia Levan Trust;
Highland House,
a Partnership; Leslie
J. Rudd; Andrea Skibell,
Suite 1600 Epic Center
301 N. Main
Wichita, Kansas 67202

Beginning at the Northwest corner of
the Northwest Quarter of Section 20,
Township 27 South, Range 1 West of the
Sixth Principal Meridian, thence East
250 feet, thence South 300 feet,
thence West 250 feet, thence North to
the point of beginning EXCEPT the North
50 feet reserved for street; all in
Sedgwick County, Kansas.

Southwestern Bell
Telephone Co.
823 S.E. Quincy
Topeka, Kansas 66612

Columbian National title Insurance of Wichita, Inc., hereby certifies the foregoing Ownership List to be a true and correct list of all property owners within 200 feet of any boundary line of the following described property:

Lot 2, Block 1,
Regency Plaza Addition to
Wichita, Sedgwick County, Kansas.


according to the last deeds filed of record in the Register of Deeds Officer, Sedgwick county, Kansas, as of December 11, 1987 @ 7:00 a.m.

Please note that addresses, as given, are furnished as a service and are not certified.

This report is not, nor is it to be considered as, a complete examination, from the beginning, of all records affecting said land. Liability hereunder is limited to the amount of the fee paid herefor.

COLUMBIAN NATIONAL TITLE
INSURANCE OF WICHITA, INC.

BY:


Richard L. Schodorf
Executive Vice President
Branch Manager

Researched By:
Gregory Dale
(316) 262-8231

MICROFILMED
FROM THE BEST
AVAILABLE COPY

FORM 29-1

PAYMENT NOTICE
 City of Wichita

Bldg.	Use of Str.	Code Bks	Copies
Elec	Elev. Insp.	Hse Moving	Lic.
Mech	Boiler Insp.	Pav. Cuts	Cert.
Plbg	Exam Fees	Sewer	Elev.
Signs	Plan Rev. (P.W.)	Cement	M.S.P.

Planning

DESCRIPTION	AMOUNT
17A Variance	311
(112/2026/Planning/17A)	
NAME	
ADDRESS	
FUND	DUE DATE
COMMENTS	
DATE	BY

NAME Wilson-Darnell Assoc.
 FOR BZA.

96011

9:52 AM
 9:52 AM
 75540710003 FUND
 300.00 TR 1
 300.00 TOTL
 5726 7 3 12/24/87 CASH
 300.00 TOTL 300.00 CHEK

300⁰⁰

CITY OF WICHITA
 CASH REGISTER RECEIPT

43465

FORM 29-021 PAYMENT NOTICE
 City of Wichita

Bldg.	Use of Str.	Code Bks	Copies
Elec	Elev. Insp.	Hse Moving	Lic.
Mech	Boiler Insp.	Pav. Cuts	Cert.
Plbg	Exam Fees	Sewer	Elev.
Signs	Plan Rev. (P.W.)	Cement	M.S.P.
	Planning		

DESCRIPTION # 300⁰⁰ AMOUNT
BZA Variance
(Lot 2, Blk 1, Regency Plaza)

NAME Wilson-Darnell Assoc P.A.

ADDRESS 128 N Oliver 6708

FUND 755-40710-003 DUE DATE 12-24-87

COMMENTS

DATE 12-24-87 BY LO

*

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

Roll # 3