

BZA 55-75 - THE SALVATION ARMY
Variance to reduce the rear yard set-back from 20' to 10' and to reduce the required side yard set back adjacent to the north property line from 25' to 8', generally located at the SE corner of Anna & Second

POSTED
12-29-76
12/29
MA.P.C.
C.I.V.
2-6-76

ACTION

BZA COMMITTEE Approved DATE 1-27-76

M.A.P.C. _____

B.C.C./B. CO. C. _____

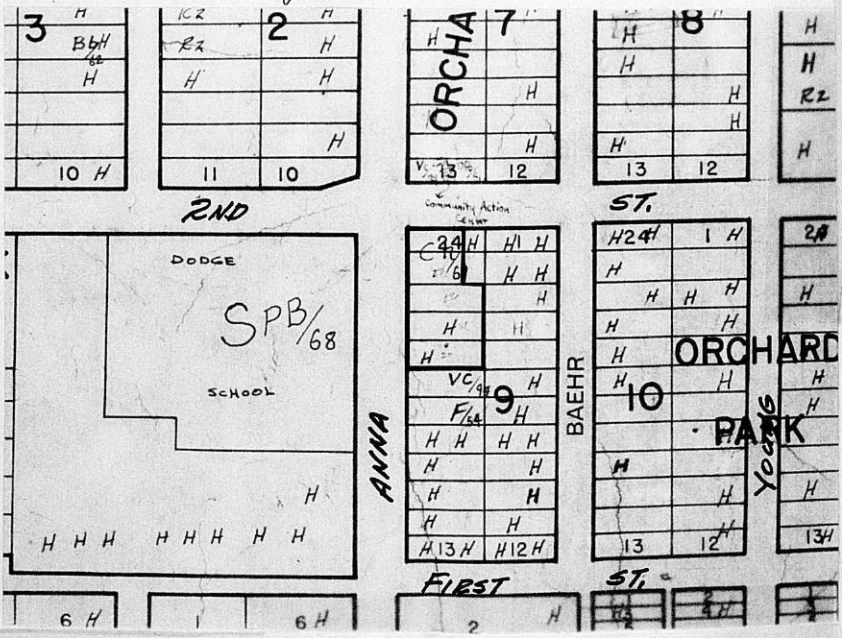
Map No. 5147
 Sec. 23
 Twp. 27
 Range 1E

BZA- 55-75
 SCZ- _____
 CU- _____
 Filed _____

AREA DATA:
 1. Acres: 0.71 (IRREGULAR) (140 ft. by 250 ft.)
 2. Adjoining Zoning: E _____ S _____ W _____ N _____
 3. Land Use: East SINGLE FARM South FOOD STORE
 West SCHOOL North OFFICE
 4. Sketch Plan Land Use is for: _____
 5. Present Land Use is for: CHURCH & SINGLE FARM
 6. Area (is) (is not) platted.

PHOTO DATA:
 Taken by _____ Date _____ Time _____

*Anna St. is paved
 2nd St. is sand*



HARTING, INC. - LOS ANGELES
 No. 2333C
 LOOK UP - AMERICAN, 75 U. S. A.

S
Shirley

RESOLUTION NO. BZA 55-75

WHEREAS, the Salvation Army, 126 North Emporia, Wichita, Kansas, requests a variance as provided in Section 2.12.590.B, Code of the City of Wichita to reduce the required rear yard setback from 20 feet to 10 feet and to reduce the required side yard setback adjacent to a portion of the north property line from 25 feet to 8 feet on property zoned the "AA" Single Family Dwelling District and legally described as follows:

Lots 20, 21, and 22 in Block 9, and Lots 23 and 24, except the east 40 feet thereof, all in Orchard Park, Sedgwick County, Kansas. Generally located at the southeast corner of Anna and Second Street.

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 27, 1976, 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 the applicants are proposing to construct this addition on a limited site, desiring to maintain the required front yard setback and to provide the required number of off-Street parking spaces, all in an area where non-conformance to the zoning regulations is not uncommon; 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 both requests lie adjacent to rear yards of residential developments that maintain more than the minimum 20 foot rear yard setback. Therefore adequate space between structures would be maintained; 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 owner represented in the application inasmuch as the Salvation Army is in need of expanding its facility to meet the needs of this particular area of the City and has a limited site on which to do so; 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 requests are interiorly located; 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 applicants are proposing to maintain adequate setbacks to provide for servicing of utilities and police and fire protection; 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 required rear yard setback from 20 feet to 10 feet and to reduce the required side yard setback adjacent to a portion of the north property line from 25 feet to 8 feet on property zoned the "AA" Single Family Dwelling District, and legally described as follows:

Lots 20, 21, and 22, in Block 9, and Lots 23 and 24, except the east 40 feet thereof, all in Orchard Park, Sedgwick County, Kansas. Generally located at the southeast corner of Anna and Second Streets.

be approved subject to the following conditions:

1. The setback required on the north side yard shall be reduced from 25 feet to 8 feet for only the approximate 30 foot portion shown on the applicants' submitted site plan.
2. The required rear yard setback shall be reduced from 20 feet to 10 feet only on Lots 21 and 22, Orchard Park, Sedgwick County, Kansas.
3. These variance shall be granted only to the Salvation Army, for the expressed purpose of constructing an addition to the existing Salvation Army Church.

ADOPTED AT WICHITA, KANSAS, this 27th day of January, 1976.


Marjorie L. Taylor Chairman

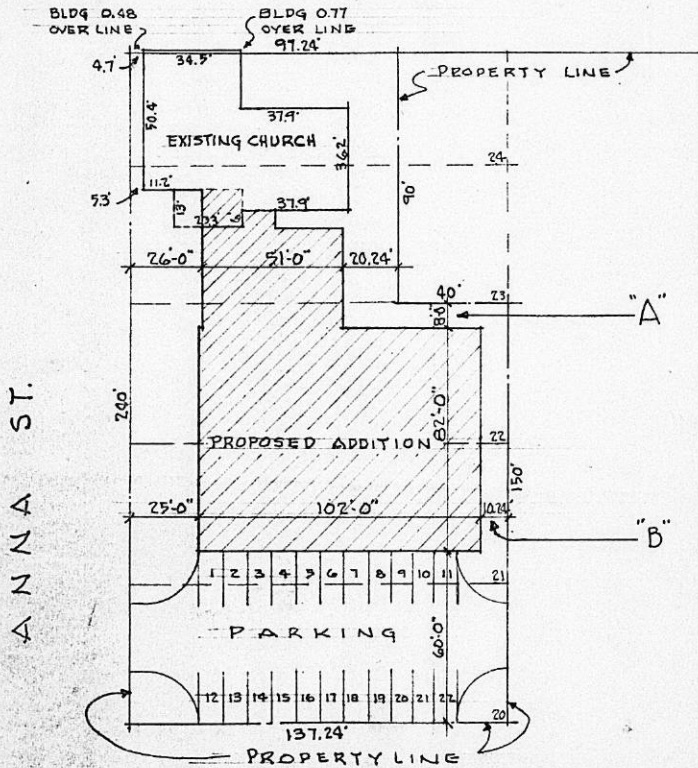
ATTEST:


Jack H. Galbraith, Secretary

SALVATION ARMY
2ND & ANNA



FIRST NOW SECOND ST



S I T E P L A N

SCALE: 1"=40'-0"

WAYNE McVAY 683-5617

BUILDING DESIGN ASSOCIATES - CHARTERED

4711 ARBOR WICHITA, KANSAS 67210

BZA 55-75

*South
220 S. Anna
Community Club*

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

January 6, 1976

NOTICE TO ADJOINING PROPERTY OWNERS:

Case No. BZA 55-75

An application has been filed by The Salvation Army, 126 North Emporia, Wichita, Kansas, pursuant to Section 2.12.590.B, Code of the City of Wichita, requesting a variance to reduce the required rear yard setback from 20 feet to 10 feet and to reduce the required side yard setback adjacent to a portion of the north property line from 25 feet to 8 feet on property zoned the "AA" Single Family Dwelling District, and legally described as follows:

Lots 20, 21, and 22, in Block 9, and Lots 23 and 24, except the east 40 feet thereof, all in Orchard Park, Sedgwick County, Kansas. Generally located at the southeast corner of Anna and Second Street.

This application has been assigned Case No. BZA 55-75, and will be considered by the Board of Zoning Appeals at its meeting on Tuesday, January 27, 1976, at 1:30 p.m., in the Public Meeting Room, First Floor, 455 North Main, Wichita, Kansas, at which time you may appear, if you so desire, either in person, or by agent or attorney.

*2ND
S AND STREETS
Panel*

Jack H. Galbraith
Secretary

*4703
W 2ND
N: Retail sales (Kamp)
W: Dodge Elem. School
E: Sibley Park*

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

January 6, 1976

NOTICE TO ADJOINING PROPERTY OWNERS:

Case No. BZA 55-75

An application has been filed by The Salvation Army, 126 North Emporia, Wichita, Kansas, pursuant to Section 2.12.590.B, Code of the City of Wichita, requesting a variance to reduce the required rear yard setback from 20 feet to 10 feet and to reduce the required side yard setback adjacent to a portion of the north property line from 25 feet to 8 feet on property zoned the "AA" Single Family Dwelling District, and legally described as follows:

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Generally located at the southeast corner of Anna and Second Street.

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Jack H. Galbraith
Secretary

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

January 6, 1976

NOTICE TO ADJOINING PROPERTY OWNERS:

Case No. BZA 55-75

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Generally located at the southeast corner of Anna and Second Street.

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Jack H. Galbraith
Secretary

BOARD OF ZONING APPEALS
Tenth Floor, City Hall
455 North Main
Michita, Kansas 67202

January 6, 1976

NOTICE TO ADJOINING PROPERTY OWNERS:

Case No. BZA 55-75

An application has been filed by The Salvation Army, 126 North Emporia, Michita, Kansas, pursuant to Section 2.12.590.B, Code of the City of Michita, requesting a variance to reduce the required rear yard setback from 20 feet to 10 feet and to reduce the required side yard setback adjacent to a portion of the north property line from 25 feet to 8 feet on property zoned the "AA" Single Family Dwelling District, and legally described as follows:

Lots 20, 21, and 22, in Block 9, and Lots 23 and 24, except the east 40 feet thereof, all in Orchard Park, Sedgwick County, Kansas.
Generally located at the southeast corner of Anna and Second Street.

This application has been assigned Case No. BZA 55-75, and will be considered by the Board of Zoning Appeals at its meeting on Tuesday, January 27, 1976, at 1:30 p.m., in the Public Meeting Room, First Floor, 455 North Main, Michita, Kansas, at which time you may appear, if you so desire, either in person, or by agent or attorney.

Jack H. Galbraith
Secretary

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

January 6, 1976

NOTICE TO ADJOINING PROPERTY OWNERS:

Case No. BZA 55-75

An application has been filed by The Salvation Army, 126 North Emporia, Wichita, Kansas, pursuant to Section 2.12.590.B, Code of the City of Wichita, requesting a variance to reduce the required rear yard setback from 20 feet to 10 feet and to reduce the required side yard setback adjacent to a portion of the north property line from 25 feet to 8 feet on property zoned the "AA" Single Family Dwelling District, and legally described as follows:

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Jack H. Galbraith
Secretary

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

January 6, 1976

NOTICE TO ADJOINING PROPERTY OWNERS:

Case No. BZA 55-75

An application has been filed by The Salvation Army, 126 North Emporia, Wichita, Kansas, pursuant to Section 2.12.590.B, Code of the City of Wichita, requesting a variance to reduce the required rear yard setback from 20 feet to 10 feet and to reduce the required side yard setback adjacent to a portion of the north property line from 25 feet to 8 feet on property zoned the "AA" Single Family Dwelling District, and legally described as follows:

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Generally located at the southeast corner of Anna and Second Street.

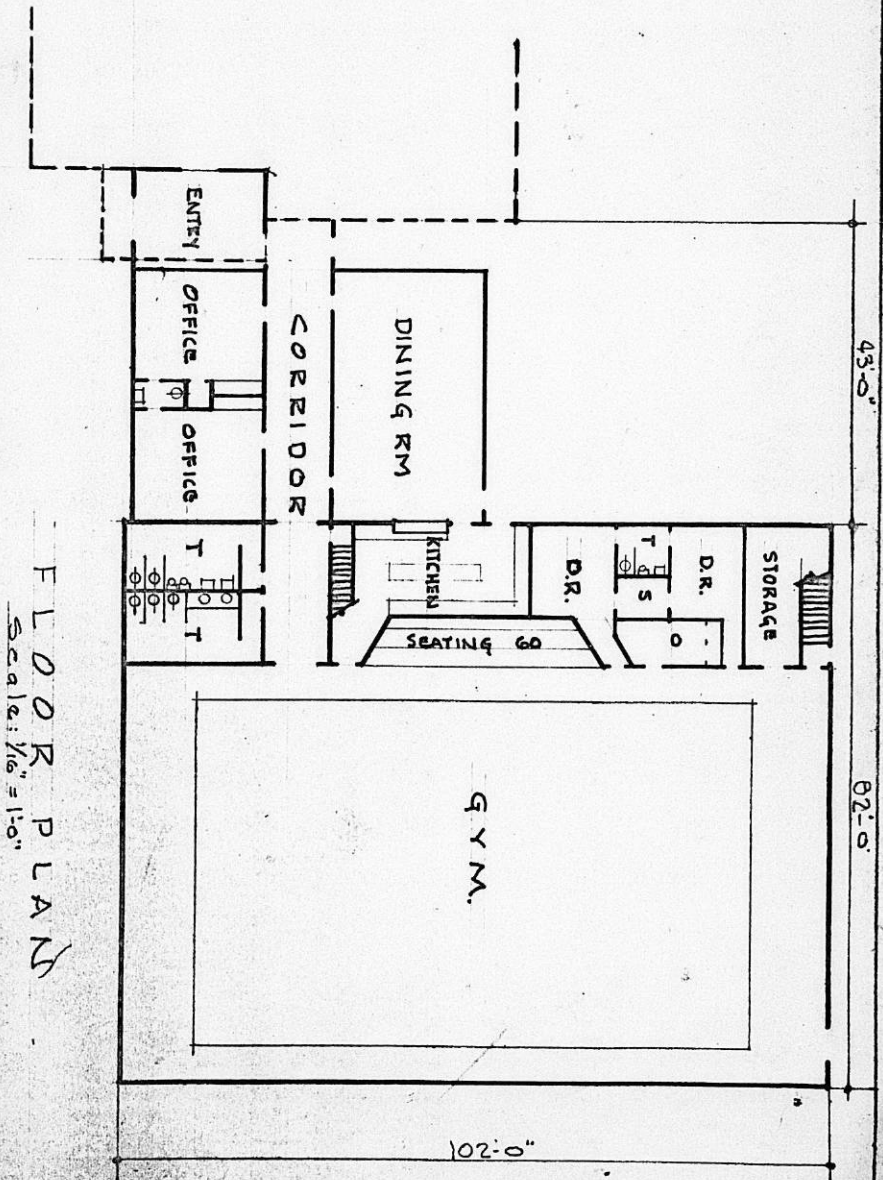
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Jack H. Galbraith
Secretary

SALVATION ARMY
2nd & ANNA ST



BUILDING DESIGN ASSOCIATES - CHARTERED
4711 ARBOR WICHITA, KANSAS 67218



FLOOR PLAN
Scale: 1/8" = 1'-0"

BZA 55-75

*Dobson - Key
in B24 file*

March 1, 1977

Robert Feldner, Superintendent of Central Inspection

Jack H. Galbraith, Chief Planner

Proposed Addition to Salvation Army Church -
S/E corner of Anna and Second.

Reference our telephone conversation of this date concerning off-street parking for the Salvation Army Church and proposed gymnasium located at the southeast corner of Anna and Second Streets. I would concur with your interpretation of the Zoning Ordinance to permit the utilization of a separate and distinct lot south of the church for accessory parking. Inasmuch as the lot is located in the same zoning district and is within 600 feet of the use it is intended to serve, it would appear to meet the criteria of off-street parking as an accessory use. However, it is my opinion that the utilization of the lot for accessory parking to an institutional use, requires the screening of the lot as detailed in Section 28.04.160.K. This section was amended in November, 1976 to include, among other things, provisions for the screening of office and institutional uses, which were previously exempt from the screening requirements.

This amendment would now make it necessary to place screening on the sides and rear of this proposed parking lot as well as requiring the Salvation Army Church to screen their side and rear lot lines as part of their construction. Should you not concur that the screening provisions apply to both of these tracts, please advise.

Jack H. Galbraith
Chief Planner

JHG:LD:el

RESOLUTION NO. BZA 55-75

WHEREAS, the Salvation Army, 126 North Emporia, Wichita, Kansas, requests a variance as provided in Section 2.12.590.B, Code of the City of Wichita to reduce the required rear yard setback from 20 feet to 10 feet and to reduce the required side yard setback adjacent to a portion of the north property line from 25 feet to 8 feet on property zoned the "AA" Single Family Dwelling District and legally described as follows:

Lots 20, 21, and 22 in Block 9, and Lots 23 and 24, except the east 40 feet thereof, all in Orchard Park, Sedgwick County, Kansas. Generally located at the southeast corner of Anna and Second Street.

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 27, 1976, 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 the applicants are proposing to construct this addition on a limited site, desiring to maintain the required front yard setback and to provide the required number of off-street parking spaces, all in an area where non-conformance to the zoning regulations is not uncommon; 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 both requests lie adjacent to rear yards of residential developments that maintain more than the minimum 20 foot rear yard setback. Therefore adequate space between structures would be maintained; 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 owner represented in the application inasmuch as the Salvation Army is in need of expanding its facility to meet the needs of this particular area of the City and has a limited site on which to do so; 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 requests are interiorly located; 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 applicants are proposing to maintain adequate setbacks to provide for servicing of utilities and police and fire protection; 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 required rear yard setback from 20 feet to 10 feet and to reduce the required side yard setback adjacent to a portion of the north property line from 25 feet to 8 feet on property zoned the "AA" Single Family Dwelling District, and legally described as follows:

Lots 20, 21, and 22, in Block 9, and Lots 23 and 24, except the east 40 feet thereof, all in Orchard Park, Sedgwick County, Kansas. Generally located at the southeast corner of Anna and Second Streets.

be approved subject to the following conditions:

1. The setback required on the north side yard shall be reduced from 28 feet to 8 feet for only the approximate 30 foot portion shown on the applicants' submitted site plan.
2. The required rear yard setback shall be reduced from 20 feet to 10 feet only on Lots 21 and 22, Orchard Park, Sedgwick County, Kansas.
3. These variance shall be granted only to the Salvation Army, for the expressed purpose of constructing an addition to the existing Salvation Army Church.

ADOPTED AT WICHITA, KANSAS, this 27th day of January, 1976.


Marjorie L. Taylor, Chairman

ATTEST:


Jack H. Galbraith, Secretary

XXXXXXXXXXXXXXXXXXXX
XXXXXXXXXXXXXXXXXXXX
XXXXXXXXXXXXXXXXXXXX
Tenth Floor
455 North Main
Wichita, Kansas 67203

February 12, 1975

Major J. Arnold Miller
126 North Emporia
Wichita, Kansas 67202

Subject: Case No. BZA 55-75
Request for Variance

Dear Major Miller:

Enclosed is a signed copy of the Resolution adopted by the Board of Zoning Appeals on January 27, 1976, in connection with your request for a variance to reduce the required rear yard setback from 20 feet to 10 feet and to reduce the required side yard setback adjacent to a portion of the north property line from 25 feet to 8 feet on property zoned the "AA" Single Family Dwelling District, and generally located at the southeast corner of Anna and Second Street.

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

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

Sincerely,

Jack H. Galbraith
Secretary

JHG:LD:hh
Encl.

cc: Wayne McVay, 4711 Arbor, 67218
Robert Feldner, Supt., Central Inspection
Joe Donnelly, Central Inspection
Don Glsick, City Clerk

January 28, 1976

Major J. Arnold Miller
126 North Emporia
Wichita, Kansas 67202

Re: CASE NO. BZA 55-75
Request for Variance

Dear Major Miller:

At the regular meeting of the Board of Zoning Appeals on January 27, 1976, your request for a variance to reduce the required rear yard setback from 20 feet to 10 feet and to reduce the required side yard setback adjacent to a portion of the north property line from 25 feet to 8 feet on property zoned the "AA" Single Family Dwelling District, and generally located at the southeast corner of Anna and Second Street was considered.

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

1. The setback required on the north side yard shall be reduced from 25 feet to 8 feet for only the approximate 30 foot portion shown on the applicants' submitted site plan.
2. The required rear yard setback shall be reduced from 20 feet to 10 feet only on lots 21 and 22, Orchard Park, Sedgwick County, Kansas.
3. These variances shall be granted only to the Salvation Army for the expressed purpose of constructing an addition to the existing Salvation Army Church.

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

Major J. Arnold Miller
January 28, 1976

If you have any questions, please call our office.

Yours very truly,

Larry Dobson
Assistant Secretary

LD:bh
cc: Robert Feldner, Supt., Central Inspection
Joe Donnelly, Central Inspection
Don Gisick, City Clerk

SECRETARY'S REPORT
CASE NO. BZA 55-75

APPLICANT: The Salvation Army, 126 N. Emporia, Wichita, Kansas.

AGENT: Major J. Arnold Miller, 126 N. Emporia, Wichita, Kansas.

REQUEST: Variance pursuant to Section 2.12.590.B, Code of the City of Wichita, to reduce the required rear yard setback from 20 feet to 10 feet; and to reduce the required side yard setback adjacent to a portion of the north property line from 25 feet to 8 feet.

GENERAL LOCATION: Southeast corner of Second and Anna Streets.

ZONING Subject property is zoned the "AA" Single Family Dwelling District, as are those properties to the north, east, and south. West is the "B" Multiple Family Dwelling District.

LAND USE: Subject property is occupied by a church operated by the Salvation Army. West is a public elementary school; north is a retail sales establishment; east is single family residential development; south appears to be a private garage.

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 of the following conditions are found to exist:

1. That the variance requested 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.
2. That the granting of the permit for the variance will not adversely affect the rights of adjacent property owners or residents.
3. That the strict application of the provisions of Title 28 of which variance is requested will constitute unnecessary hardship upon the property owner represented in the application.
4. That the variance desired will not adversely affect the public health, safety, morals, order, convenience, prosperity, or general welfare; and
5. That granting the variance desired will not be opposed to the general spirit and intent of Title 28 (zoning ordinance).

COMMENTS BY THE SECRETARY

The Salvation Army is requesting a variance of the required rear yard setback from 20 feet to 10 feet, and a reduction of the required side yard setback adjacent to a portion of the north property line from 25 feet to 8 feet for the purpose of constructing an addition to an existing church. The proposed expansion would include office space, dining room and kitchen facilities and a gymnasium.

The existing church is situated on the southeast corner of Second and Anna streets. The proposed expansion would take place south of the church. The property is irregular in shape in that it includes five lots platted with frontage to Anna, with the exception of the east 40 feet of the two northernmost lots, which is in separate ownership and contains a single family residence fronting on Second Street. The rear property line of this adjoining property, therefore, borders a portion of the north side yard line of subject property, which is the location of the requested side yard setback variance from 25 feet to 8 feet. The rear yard variance request involves the east property line of the remaining three lots to the south, lying adjacent to the rear yards of single family development to the east.

This is an older part of town, developed prior to the establishment of zoning in that area. Consequently, many conditions exist that are non-conforming to the zoning ordinance. Although properties to the north and south are "AA" Single Family zoning, they contain commercial establishments. West, across Anna Street, is Dodge Elementary School. East, as previously mentioned, is single family residential development. Second Street in this area is a sand street, as are most other streets in the immediate neighborhood. Anna Street, however, is a paved street.

The site plan submitted by the applicants shows the location of off-street parking spaces in the south 60 feet of subject property. The plan also indicates that the required front yard setback of 25 feet on Anna Street will be maintained for the proposed addition. It should be noted that the existing church building comes to within 5 feet of the property line along Anna and actually encroaches slightly onto public property on the Second Street side.

In their statement of justification, the applicants point out the zoning non-conformance of many structures in the neighborhood. They state that the church has been providing a place for neighborhood children to go after school, and with the proposed expansion will be able to attract and handle more children, thereby keeping them off the streets. They believe this to be a much needed service to the community.

UNIQUENESS:

It is the opinion of the Secretary that this request may arise from a condition unique to this property inasmuch as the applicants are proposing to construct this addition on a limited site, desiring to maintain the required front yard setback and to provide the required number of off-street parking spaces, all in an area where non-conformance to the zoning regulations is not uncommon.

ADJACENT PROPERTY:

It is the opinion of the Secretary that, although difficult to determine, the granting of these variance requests would not adversely affect the rights of adjacent property owners or residents inasmuch as both requests lie adjacent to rear yards of residential developments that maintain more than the minimum 20 foot rear yard setback. Therefore, adequate space between structures would be maintained.

HARDSHIP:

It is the opinion of the Secretary that the strict application of the provisions of the zoning ordinance may constitute an unnecessary hardship upon the applicants in this case inasmuch as the Salvation Army is in need of expanding its facility to meet the needs of this particular area of the City and has a limited site on which to do so.

PUBLIC INTEREST:

It is the opinion of the Secretary that the granting of the desired variances would not adversely affect the public interest inasmuch as the requests are interiorly located.

SPIRIT AND INTENT:

It is the opinion of the Secretary that the granting of the requested variances would not be opposed to the general spirit and intent of the zoning ordinance inasmuch as the applicants are proposing to maintain adequate setbacks to provide for servicing of utilities and police and fire protection.

RECOMMENDATION:

It is the opinion of the Secretary that the five conditions necessary to the granting of a variance can be found to exist, and therefore, recommends that the requested variances be approved subject to the following conditions:

SECRETARY'S REPORT
Page 4, BZA 55-75

1. The setback required on the north side yard shall be reduced from 25 feet to 8 feet for only the approximate 30 foot portion shown on the applicants' submitted site plan.
2. The required rear yard setback shall be reduced from 20 feet to 10 feet only on lots 21 and 22, Orchard Park, Sedgwick County, Kansas.
3. These variances shall be granted only to the Salvation Army, for the expressed purpose of constructing an addition to the existing Salvation Army Church.

20 notices mailed to adjoining property owners on BZA Case No. 55-75
January 6, 1976, for meeting on January 27, 1976, plus

9 notices mailed to MAPC Members.

1 notice mailed to Rodney R. Moore on Jan. 12, 1976

map 5147

BOARD OF ZONING APPEALS

CASE NO. _____

CITY OF WICHITA, KANSAS

FILED _____

Also send info to notice

APPLICATION FOR VARIANCE

*Amended
WANE
MERRY
4711 Arbor
67218*

I. Name of Applicant D The Salvation Army

Mailing Address 126 North Emporia Phone 265-7823

Name of Authorized Agent Major J. Arnold Miller

Mailing Address 126 North Emporia Phone 265-7823

Relationship of applicant to property is that of Owner
(Owner, Tenant, Lessee, Other)

II. The variance requested is to reduce the rear yard set back from 20' to 16', and to reduce the required side yard set back adjacent to the north property line from 25' to 8' (see site plan)

for property located at the corner of Second and Anna streets

and legally described as: Lots 20, 21, 22, 23, & 24, except the east 40' of lots 23 & 24, Block 9, Orchard Park Addition, Sedgwick County, Kansas.

in the City of Wichita; and which is presently zoned A-A.

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

- a. That he has received an instruction sheet concerning the filing and hearing of this matter;
- b. That he has been advised of the fee requirements established by Section 2.12.580 of the Code of the City of Wichita (Ordinance No. 24-606); and that the appropriate fee is herewith tendered;
- c. That he has been advised of his right to bring action in the District Court of Sedgwick 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.

The Salvation Army

Applicant

J. Arnold Miller

Authorized Agent

OFFICE USE ONLY: Received in office of Secretary, Board of Zoning Appeals 10:00 (a.m.) - p.m.), 12/30 19 75 together with appropriate fee of \$50.00.

Larry Dobson
Signed

SALVATION ARMY
SECOND & ANNA STREET

It is necessary to have these variances in order to build the desired building on the amount of property owned by the Salvation Army.

The zoning ordinance requires that we have a 20' rear yard, and a 25' side yard set back. We are asking for a variance of the rear yard set back, and one side yard set back as shown on the attached site plan at locations "A" and "B". If it is necessary to stay within the existing set back lines, we will be unable to provide the required off street parking.

In visiting the site, we find very few buildings in the area meet all the requirements of the zoning code. It is a neighborhood of very poor residences, built long before there was a zoning code. The streets are unpaved, and it is very difficult to determine the property lines. Although this area is zoned A-A, there is a garage next door.

This building would be the best in the area, a vast improvement. It would provide a great uplift to the moral and general welfare of the community.

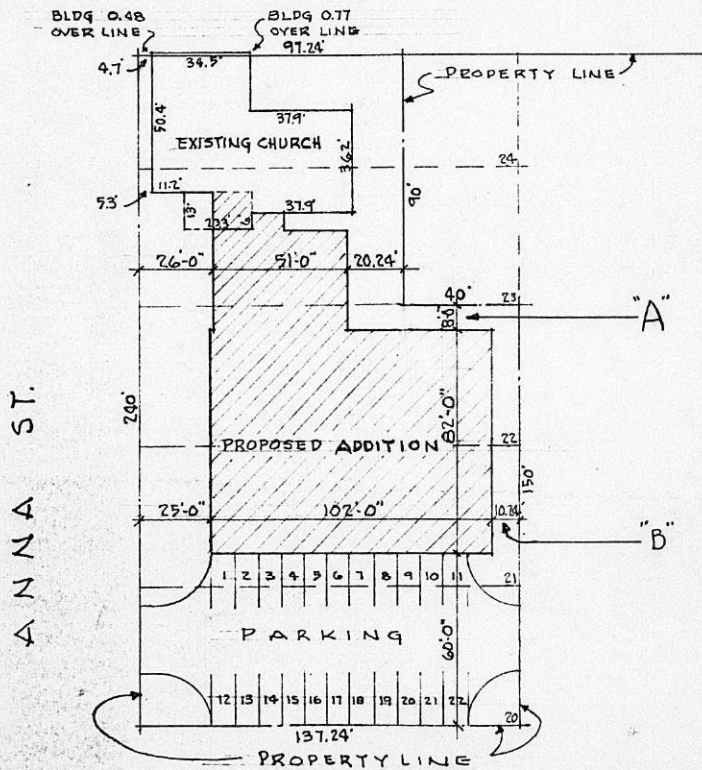
Many children spend from the time school is out until dinner time in the present facility. The need for more space is great, With the new building many more can be served. With the expanded

Facilities, additional games and crafts can be taught. This will keep many more children off the streets, which will help keep safety and order in the city.

With these requested variances, we feel that adequate access to the land is maintained for services of utilities, police and fire protection.

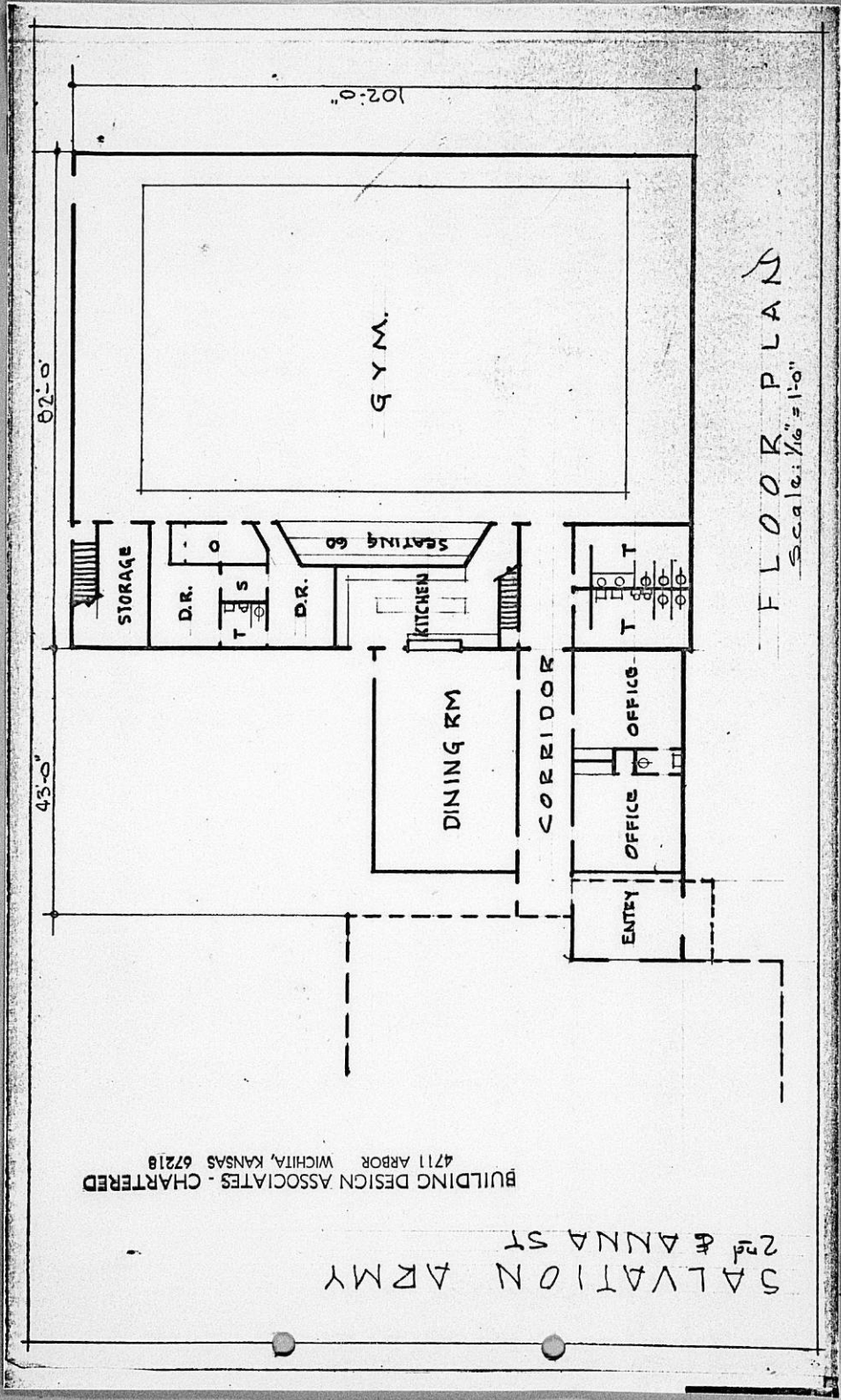
SALVATION ARMY
2ND & ANNA

FIRST NOW SECOND ST



S I T E P L A N
SCALE: 1"=40'-0"

BUILDING DESIGN ASSOCIATES - CHARTERED
4711 ARBOR WICHITA, KANSAS 67210



FLOOR PLAN
Scale: 1/8" = 1'-0"

BUILDING DESIGN ASSOCIATES - CHARTERED
4711 ARBOR WICHITA, KANSAS 67218

SALVATION ARMY
2nd & ANNA ST

STATEMENT OF OWNERSHIP

STATE OF KANSAS)
SEDGWICK COUNTY) SS:

The undersigned duly bonded and qualified abstractor within and for the County and State aforesaid, does hereby certify:

That we have examined the records in the office of the Register of Deeds of Sedgwick County, Kansas, with reference to the ownership of the following property in Sedgwick County, Kansas,

All the owners within 200 feet of:
Lots 20, 21 and 22, in Block 9, and
Lot 23 and 24, except the East 40 feet
thereof, all in ORCHARD PARK, Sedgwick
County, Kansas.



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

| <u>LOT</u> | <u>BLOCK</u> | <u>ADDITION</u> | <u>OWNER & ADDRESS</u> |
|---|--------------|-----------------|---|
| 20, 21 & 22, & 23 & 24 except E40' | 9 | ORCHARD PARK | Salvation Army 126 North Emporia Wichita, Kansas 67202 |
| 15 | 9 | ORCHARD PARK | M. G. Trabue 16345 East Pawnee Wichita, Kansas 67230 |
| 16 | 9 | ORCHARD PARK | Jack L. & Joyce M. Mathews 3414 Coolidge Avenue Wichita, Kansas 67204 |
| 17 | 9 | ORCHARD PARK | B. L. & Velda Louise Matthews 218 North Anna Wichita, Kansas 67212 |
| 18 & 19 | 9 | ORCHARD PARK | Bruce E. & Viola LaVerne Dopps 225 North Baehr Wichita Kansas 67212 |



TRY TO FIND THIS ADDRESS E. 2ND?

| LOT | BLOCK | ADDITION | OWNER & ADDRESS |
|--------------------------|-------|--|--|
| East 40' of Lots 23 & 24 | 9 | ORCHARD PARK RODNEY R. MOORE ✓ 4703 W. 2ND | Melvin John & Mary Brace Address Unknown <i>not in City, Wis. Sub. Div. please check 8/4</i> |
| 1 | 9 | ORCHARD PARK | Walter O. & Margaret I. Colburn 257 North Baehr Avenue Wichita, Kansas 67212 <i>not listed</i> |
| 2 & 3 | 9 | ORCHARD PARK | Larry J. & Susan C. Gorges 4128 West Elm Street Wichita, Kansas 67212 & James S. & Claudia Meyer 4109 Edminster Street Wichita, Kansas 67212 |
| 4 & 5 | 9 | ORCHARD PARK | J. C. & Marinda Barnes 241 North Baehr Street Wichita, Kansas 67212 |
| 6 | 9 | ORCHARD PARK | Bruce E. & Viola LaVerne Dopps 225 North Baehr Street Wichita, Kansas 67212 |
| 7 | 9 | ORCHARD PARK | Hazel D. Martin 223 North Baehr Street Wichita, Kansas 67212 |
| 8 | 9 | ORCHARD PARK | Eida J. Yount 221 1/2 North Baehr Street Wichita, Kansas 67212 |
| 9 | 9 | ORCHARD PARK | Walter J. Butz 219 North Baehr Wichita, Kansas 67212 |
| 10 | 7 | ORCHARD PARK | Earl F. Sanderson 305 North Baehr Wichita, Kansas 67212 |
| 11 & 12 | 7 | ORCHARD PARK | Laurence H. & Patsy Ruth Hess 301 North Baehr Wichita, Kansas 67212 |
| 13 & 14 | 7 | ORCHARD PARK | C. D. & Grace Pippin 1043 Jefferson Avenue Wichita, Kansas 67203 |
| 15 & 16 | 7 | ORCHARD PARK | Martha Ann Pearsall taxes sent to: 306 North Anna Wichita, Kansas 67212 |
| 9 & 10 | 2 | FRUITVALE PARK | Cleo O. Brightwell 303 North Anna Wichita, Kansas 67212 |



| <u>LOT</u> | <u>BLOCK</u> | <u>ADDITION</u> | <u>OWNER & ADDRESS</u> |
|------------|--------------|---|---|
| | | Beginning at the Northeast corner of the Southwest Quarter of Section 23, West 499 feet, South 375 feet, East 127 feet, South 55 feet, East 372 feet, North to beginning, Section 23, Township 27, Range 1 West of the 6th P.M., Sedgwick County, Kansas. | School Dist. #124 [?] 259 428 South Broadway Wichita, Kansas 67202 |

Dated at Wichita, Kansas, this 23rd day of December,
1975, at 7:00 A.M.

FIDELITY TITLE COMPANY, INC.

By *Anita Gray*
Ast. Sec. ag



Tracer No. 31476



WICHITA - SEDGWICK COUNTY

W S C

METROPOLITAN AREA PLANNING

COMMISSION

282511 - AREA CODE 316
CIVIL BUILDING ANNEX
WICHITA, KANSAS 67202

455 N. Main
622

FIRST CLASS



**NOT DELIVERABLE AS ADDRESSED
NO FORWARDING ORDER ON FILE
DELANO**

Fire Retardant
MADE IN U.S.A.
NEVER PUT TO BURN



Betty

M.N.F.

Important!
Notice of Hearing
Enclosed

Walter O. and Margaret I. Colburn
257 N. Baehr Avenue - *check phone*
Wichita, Kansas 67212

book Directory
not in phone book

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

January 6, 1976

NOTICE TO ADJOINING PROPERTY OWNERS:

Case No. BZA 55-75

An application has been filed by The Salvation Army, 126 North Emporia, Wichita, Kansas, pursuant to Section 2.12.590.B, Code of the City of Wichita, requesting a variance to reduce the required rear yard setback from 20 feet to 10 feet and to reduce the required side yard setback adjacent to a portion of the north property line from 25 feet to 8 feet on property zoned the "AA" Single Family Dwelling District, and legally described as follows:

Lots 20, 21, and 22, in Block 9, and Lots 23
and 24, except the east 40 feet thereof, all
in Orchard Park, Sedgwick County, Kansas.
Generally located at the southeast corner of
Anna and Second Street.

This application has been assigned Case No. BZA 55-75, and will be considered by the Board of Zoning Appeals at its meeting on Tuesday, January 27, 1976, at 1:30 p.m., in the Public Meeting Room, First Floor, 455 North 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

FORM NO. 100-1

CITY OF WICHITA
City of Wichita

PAY AT TREASURER'S OFFICE - FIRST FLOOR

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

DESCRIPTION AMOUNT

Name

Address

Type

Due Date

Comments:

Date

By