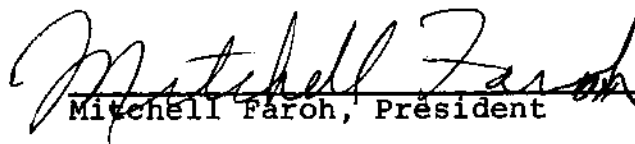


Lot 1, Block A, Girl Scout Addition to Wichita, Kansas.
Generally located north of the corner of Lexington Road and
Ridgecrest.

subject to the following conditions:

1. The development of this property shall be in general compliance with the site plan submitted with this application.
2. Any service areas or any mechanical units located west, northwest, or northeast of the building and/or parking lot shall be screened from ground level view.

ADOPTED AT WICHITA, KANSAS, this 28th day of July, 1992.


Mitchell Faroh, President

ATTEST:


Louise Olivarez, Secretary

BZA RESOLUTION NO. 16-92

WHEREAS, Wichita Area Girl Scouts, pursuant to Section 2.12.590.B, Code of the City of Wichita, requests a variance to waive the screening requirement along the west and northwest property lines on property zoned the "BB" Office District and legally described as follows:

Lot 1, Block A, Girl Scout Addition to Wichita, Kansas.
Generally located north of the corner of Lexington Road and Ridgecrest.

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 July 28, 1992, 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 it abuts a public park and a police/fire station which, although located in a residential district, are not residential uses needing visual and physical separation from the office use on the application lot; 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 adjacent properties are not developed with residential uses, but with public uses (a park and a police/fire station) which are compatible with the office use on the application lot; 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 580 linear feet of fence would not only be expensive to install and maintain, but would serve to isolate this facility from the adjacent park and police/fire station which are compatible uses and real assets for this Girl Scouts facility; 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 better public access to the adjacent public park can be maintained without the screening fences than with the screening fences; 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 intent of the screening provision of the Zoning Ordinance is to provide visual and physical separation between noncompatible uses, but the office use on this application lot is compatible with the adjacent public uses and does not need to be screened; 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 be approved for a variance to waive the screening requirement along the west and northwest property lines on property zoned the "BB" Office District and legally described as follows:

WICHITA — SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

CITY HALL — TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202-1688
(316) 268-4421

July 29, 1992

Joann Kamas, Executive Director
Wichita Area Girl Scouts
2009 N. Woodlawn
Wichita, KS 67208


Re: BZA 16-92 - Variance of screening requirements on west and
northwest property lines of Lot 1, Block A, Girl Scout
Addition.

Dear Ms. Kamas:

Enclosed is a signed copy of the above-referenced BZA resolution adopted by the Board of Zoning Appeals on July 28, 1992. 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.

This is a reminder that the zoning adjustment signs should now be removed from the property. If you have any questions concerning this matter, please contact our office.

Sincerely,


Louise Olivarez, Secretary
Board of Zoning Appeals

LO:jcm
Enclosure

cc: Paul Hays, OCI
J.R. Cox, OCI
Ray Sledge, OCI
Pat Burnett, Deputy City Clerk

PUBLIC INTEREST: It is the opinion of staff that the requested variance would not adversely affect the public interest inasmuch as better public access to the adjacent public park can be maintained without the screening fences than with the screening fences.

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 intent of the screening provision of the zoning ordinance is to provide visual and physical separation between noncompatible uses, but the office use on this application lot is compatible with the adjacent public uses and does not need to be screened.

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 conditions:

1. The development of this property shall be in general compliance with the site plan submitted with this application.
2. Any service areas or any mechanical units located west, northwest, or northeast of the building and/or parking lot shall be screened from ground level view.

July 28, 1992

SECRETARY'S REPORT

CASE NUMBER: BZA 16-92

OWNER/APPLICANT/AGENT: Wichita Area Girl Scouts (owner/applicant)
Joann Kamas (agent)

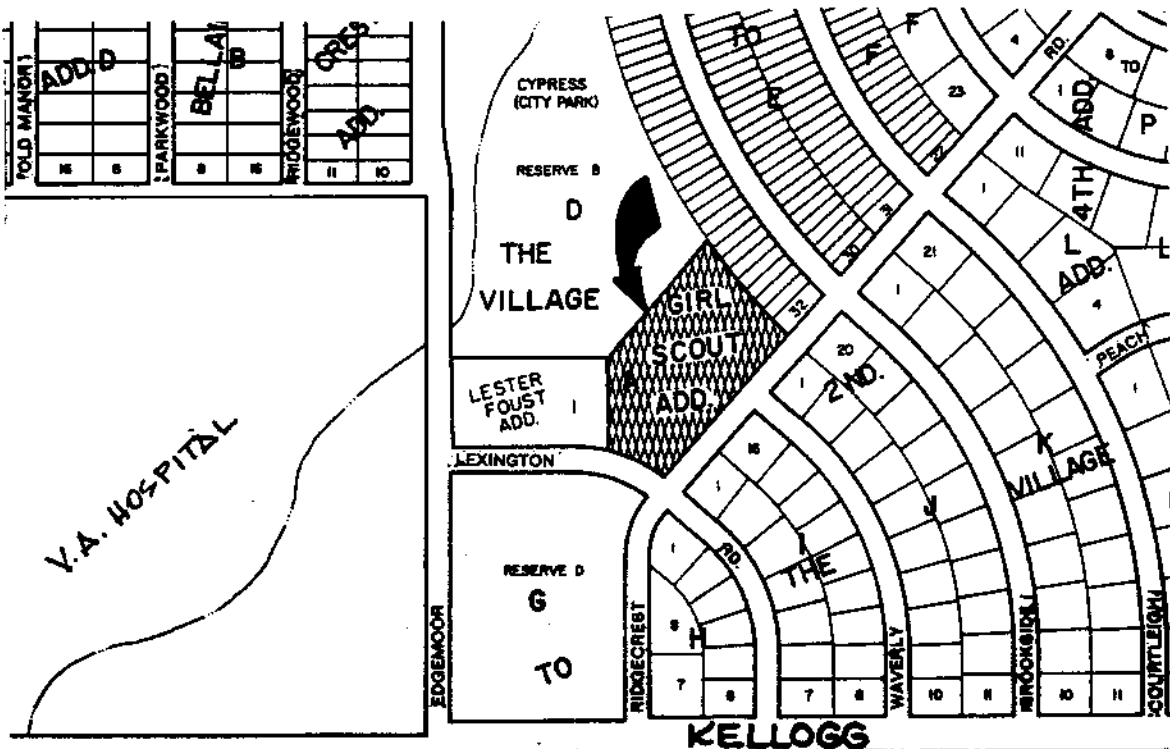
REQUEST: Variance to waive the screening requirement
along the west and northwest property lines

CURRENT ZONING: "BB" Office District

SITE SIZE: 3.14 acres

LOCATION: North of the corner of Lexington and
Ridgecrest

PROPOSED USE: Girl Scout headquarters



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 application area was rezoned from "AA" to "BB" and replatted in 1991. It is the former site of the Fabrique Elementary School, which was recently demolished to make way for the new Girl Scout headquarters now under construction. Cypress Park, a City-owned park, exists to the northwest. A new City police/fire station exists to the west. Both the park and the station are in the "AA" zoning district. The screening provisions of the zoning ordinance (28.04.160.K) require that the Girl Scout office use be screened from the residential districts located adjacent to the side and rear lot lines (west, northwest and northeast). The applicant's site plan indicates that a solid fence will be provided along the northeast lot line which abuts the rear of single-family dwellings. This variance application affects only the northwest and west lot lines. Because of the non-residential uses adjacent to those property lines, the applicant requests a waiver of the screening requirements on these two sides of the office development. An access easement exists over the west ten feet of the lot which provides pedestrian access between Lexington and the park. An existing row of pine trees located on the police/fire station property already provides some visual separation between the developments. Any additional screening on the west or northwest would be unnecessary and even undesirable because it would make the public park less accessible, visually, for residents to the south and east and would deny the applicant a beautiful, open setting for the Girl Scout headquarters.

ADJACENT ZONING AND LAND USE:

NORTH	"AA"	City park and one-family dwellings
SOUTH	"B" & "AA"	One-family dwellings and church school
EAST	"AA"	One-family dwellings
WEST	"AA"	Police/fire station and City park

UNIQUENESS: It is the opinion of staff that this property is unique inasmuch as it abuts a public park and a police/fire station which, although located in a residential district, are not residential uses needing visual and physical separation from the office use on the application lot.

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 adjacent properties are not developed with residential uses, but with public uses (a park and a police/fire station) which are compatible with the office use on the application lot.

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 580 linear feet of fence would not only be expensive to install and maintain, but would serve to isolate this facility from the adjacent park and police/fire station which are compatible uses and real assets for this Girl Scouts facility.