

CASE NO. 5-48

STATUS SHEET

Board of Appeals Case No. 5-48

<u>738 North Waco</u>	<u>Premises in Question</u>
<u>L. J. Pracht</u>	<u>Appellant's Name</u>
<u>323 W. Murdock</u>	<u>Appellant's Address</u>
<u>same</u>	<u>Owner's Name</u>
	<u>Owner's Address</u>

Building or Zoning Application Received by Building Inspector
April 13, 1948

Decision of Building Inspector
denied

Appeal filed with Bond of Zoning Appeals
May 5, 1948

Hearing notice and receipt
May 5, 1948

The variance or exception desired arises from some condition
which is not uniform in similiar districts.

The granting of the permit for the variance will not prejudice
the rights of adjacent property owners or residents

Adjoining Property Owners Notified
Mailed May 6, 1948

Protests Received

Consents Received

Prior Cases on These Premises

Case Hearings May 12, 1948

Case Decided May 12, 1948 Action of Board Granted

Notice of Decision Sent

Court Cases

RESOLUTION 5-48

WHEREAS, Mr. L. J. Pracht, owner of the premises known as 738 North Waco, has applied for a permit to construct an addition to a commercial building at that location; and

WHEREAS, the City Building Inspector has issued a formal refusal because the proposed building plans did not provide a front yard of sufficient depth as required in Section 19, paragraph 5 of Ordinance Number 15-092; and

WHEREAS, the variance desired arises from a condition which is not uniform over the "LC" Zoning District, since it adjoins a building which is built out to the property line, which was constructed in conformance with the Zoning Ordinance in effect at that time, and since the property on either side of the premises in question is in the "LC" Zoning District, and

WHEREAS, the strict application of the terms of this ordinance will constitute unnecessary hardship upon this property owner for the reason that he will be deprived of the use of the front 20 feet of his property; and

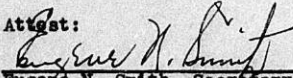
WHEREAS, the exception or variance desired is not against the public interest; and

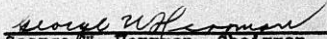
WHEREAS, the owners of property within 200 feet have been notified and have indicated that they have no objection to the proposed addition;

NOW, THEREFORE, BE IT RESOLVED by the Board of Zoning Appeals that the Building Inspector of the City of Wichita is authorized and hereby directed to issue a permit for the construction of an addition to the premises known as 738 North Waco without requiring the building to observe any front yard setback.

ADOPTED at Wichita, Kansas, this twelfth day of May, 1948.

Attest:


Eugene N. Smith, Secretary


George W. Herrman, Chairman

CERTIFICATE OF OWNERSHIP

Certificate of Ownership within a 200 ft radius of ~~the intersection of Waco Ave and Murdock Ave in the City of Wichita Kansas~~ *Lots 82-84 and the North 27 1/2 ft 80 waco ave and, Munger's Original com. (corrected 56-48)*
 DESCRIPTION ----- OWNERS ----- *Guaranteed Title Co. Insurance*

All the following property is in Munger's Original Town of Wichita, Kansas.

N 1/2 Lot 69 & all lot 71 Waco Ave	<input checked="" type="checkbox"/> L. M. Stewart <i>667 S. Keno</i> ?
S 15 ft Lot 69, Waco Ave	Home Owners Loan Corp.
Lots 73-75-77, Waco Ave	<input checked="" type="checkbox"/> Anna M. Weber <i>727 N. Waco</i>
Lots 79-81-83, Waco Ave	<input checked="" type="checkbox"/> Charlotte Celia Israel <i>1126 Coolidge</i>
Lots 85-87 & S 1/2 Lot 89, Waco Ave	<input checked="" type="checkbox"/> Continental Oil Co. <i>335 W. Lewis</i>
N 1/2 Lot 89 all lots 91-93 Waco Ave	<input checked="" type="checkbox"/> O. J. Watson <i>815 N. Waco</i>
Lots 95-97-99, Waco Ave,	L. J. Procht
Lots 70-72 & S 2 1/2 ft Lot 74, Waco Ave,	<input checked="" type="checkbox"/> Minerva Townsend <i>706 N. Waco</i>
N 27 1/2 ft Lot 74 & S 12 1/2 ft Lot 76, Waco Ave	Lucille W. Tatum ?
N 17 1/2 ft Lot 76 & all Lot 78 & S 2 1/2 ft Lot 80, Waco Ave	<input checked="" type="checkbox"/> Merle L. Young & Alice Irene <i>736 N. Waco</i>
N 27 1/2 ft Lot 80 all lots 82-84, Waco Ave	Louis J. Pracht
E 82 ft Lots 86-88, Waco	E. E. Bloss
W 90 ft Lots 86-88, Waco	<input checked="" type="checkbox"/> Phillips Petroleum Co. <i>221 S. Berry</i>
Lots 90-92, Waco Ave	<input checked="" type="checkbox"/> Maria C. Lightner <i>806 N. Waco</i>
Lots 94-96, Waco Ave	<input checked="" type="checkbox"/> Fred B. Beets <i>818 N. Waco</i>
Lots 98-100, Waco Ave	Wm. Lester A. Hedgcock <i>115 S. Kellan</i>
Lots 79-81-83, Wichita St	<input checked="" type="checkbox"/> Frank Jones & Josie <i>719 N. Wichita</i>
Lots 85-87, Wichita St.	Virginia Patton ?
Lots 89-91-93-95, Wichita	<input checked="" type="checkbox"/> Snyder Ice Cream Co. <i>307 W. Murdock</i>
Lots 97-99-101-103-105-107- 109-111, Wichita St.	<input checked="" type="checkbox"/> General Motors Corp. <i>216 N. Berry</i>
Lots 113	John M. Williams <i>821 N. Wichita</i>

OVER.



Lot 64, Waco Ave., Mungers O.T.
Lots 66-68 " " "
Lots 70-72 & 74 Exc S 2 1/2'
N 27 1/2' Lot 74 & S 12 1/2' 76

Ethel C McCandless
Eugene Anthony - 712 N. Waco
Minerva Townsend
Lucille W Tatum

Lots 61 & S 10' 63 Waco, Mungers O.T.
N 20' Lot 63 & all 65 "

Jesse Vowell 1705 N. Waco
Irma M Tack

Lots 75 & 77 Wichita St., Mungers O.T.

Frank Jones
Josie Jones

THE GUARANTEE ABSTRACT COMPANY, INC., hereby certifies that a search has been made of the records in the office of the Registrar of Deeds of Sedgwick County, Kansas relative to the ownership of property within a 200 ft radius of ^{Lts 12 & 84 & N 27 1/2' Lot 80, Waco Ave.} ~~the intersection of Waco Ave and~~ ^{Mungers Original Town} ~~Murdock Ave~~, in the City of Wichita, Kansas and that the foregoing is a true exhibit of the tracts with the name of the owner opposite each tract.

WITNESS our Hand and Seal this the 5th day of May,
A.D., 1948.

THE GUARANTEE ABSTRACT COMPANY, INC.

By

J. M. H. [Signature]
Vice President

Order No. 11795

RECEIPT FOR REGISTERED ARTICLE No. 397

..... fee paid. 10 class postage paid. 19

Declared value, \$..... Surcharge paid, \$..... (State)

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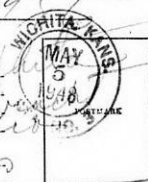
..... (Street and number) (Post office name)

..... (City and state) (Post office name)

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Return receipt fee (For return receipt) Special delivery fee
Delivery restricted to addressee (For order) Postmaster, per

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*** 10-12068

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

Roll # 1