

Case No. 6-48

STATUS SHEET

Board of Appeals Case No. 6-48

2201 South Emporia Premises in Question  
University Monthly Meeting of Friends Appellant's Name  
709 Schweiter Bldg., a/o Mr. Carl H. Davis Appellant's Address  
same Owner's Name  
Owner's Address

Building or Zoning Application Received by Building Inspector  
April 19, 1948

Decision of Building Inspector  
denied

Appeal filed with Bond of Zoning Appeals  
April 26, 1948

Hearing notice and receipt  
Mailed 5-5-48

The variance or exception desired arises from some condition  
which is not uniform in similar 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 5-5-48

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 6-48

WHEREAS, the University Monthly Meeting of Friends, owner of the premises known as 2201 South Emporia, has applied for a permit to remodel and construct an addition to a church at that location; and

WHEREAS, the City Building Inspector has issued a formal refusal because the proposed building plans did not provide a 25 foot side yard on the south side of the building as required in Section 16, 5 (b) of Ordinance Number 14-432; and

WHEREAS, the variance desired arises from a condition which is not uniform over the "A" Zoning District, since the foundation and basement were erected in 1943 and conformed with the Zoning Ordinance in effect at that time and the owner now desires to complete the building over this foundation; and

WHEREAS, the granting of the permit for this variance will not prejudice the rights of adjoining properties since it is merely the completion of a building started in 1943, and

WHEREAS, the strict application of the terms of this ordinance will constitute unnecessary hardship upon the property owner for the reason that he would not be permitted to complete a building begun and planned in conformance with the Zoning Ordinance in effect at that time; 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 remodeling and construction of an addition to the premises

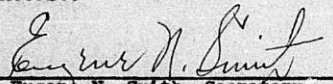
Resolution No. 6-48  
Page 2

known as 2201 South Emporia with a six foot side yard on  
the south side of the building.

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

  
George W. Herrman, Chairman

Attest:

  
Eugene N. Smith, Secretary

CERTIFICATE OF OWNERSHIP

Certificate of Ownership on real estate within a 200 ft radius of  
Lots 1 and 3, Emporia Ave, Eldridge's Add. to City of Wichita, Kansas.

DESCRIPTION ----- OWNERS -----

ALL the following lots are in  
Block 3, Eldridge's Add.



Lots 1-3	✓ University Monthly Meeting of Friends. c/o <i>Carl Davis</i> 109 <i>Schwartz</i> Bldg.
Lots 5-7	✓ W. R. Baldwin 2205 S. <i>Emporia</i>
Lots 9-11-13	✓ Roy E & Winifred A. Breaker ?
Lots 15-17	✓ Irving S. & Leah B. Anderson 2215 S. <i>Emporia</i>
Lot 19	✓ Kenneth R. & Laura Bell Wrightsman 2225 S. <i>Emporia</i>
Lots 2-4	✓ Irvin L. & Lola Grace Smith 2202 S. <i>Topeka</i>
Lots 6-8	✓ Beatrice C. & Adrian W. Gilchrist 2208 S. <i>Topeka</i>
Lots 10-12	✓ Lawrence E. Wehry & Zelma 2210 S. <i>Topeka</i>
Lots 14-16	✓ Marguerite Mae Phillippe 2216 S. <i>Topeka</i>
Lots 18-20	✓ Walter L. Groves 2222 S. <i>Topeka</i>
Block 2, Eldridge's Add	
Lots 2-4	✓ Mrs Ella M. Blaylock 433 S. <i>Topeka</i> ?
Lots 6-8	✓ Edwin & Bessie Buresh 1732 S. <i>Blivy</i>
Lots 10-12-14	✓ T. Franklin Marrs 1228 S. <i>Pershing</i>
Lots 16-18	✓ Woodrow W. Jones & Gracie Lee 2220 S. <i>Emporia</i>
Lot 20	✓ Joe Francio Von Achen & Betty 2224 S. <i>Emporia</i>
All the following lots are in Jacks Subdivision.	
Lots 37-39, Topeka Ave	✓ Phillips M. & Erma F. Hoffman 2164 S. <i>Topeka</i>
Lots 41-43 " "	✓ Mamie C. Dehner 237 D. <i>Mkt.</i>
Lots 45-47 " "	✓ Ralph G. Brady & Irene S. 2168 S. <i>Topeka</i>
Lots 38-40, Emporia Ave.	Phillip M. Hoffman & Erma F.
Lots 42-44 " "	✓ Wm A. Ficht & Clara M. 2166 S. <i>Topeka</i>
Lots 46-48 " "	✓ Stephen J. Smith 1954 S. <i>Main</i>

DESCRIPTION -----

OWNERS -----

Jack's Subdivision - continued

E 50 ft of Lots 61 & 63,  
Emporia Ave.

Ulysses A. Stites & Harriet M.  
?

W 102.5 ft Lots 61 & 63 &  
all lots 65-67-69-71,  
Emporia Ave.

✓ Harold F. Williams  
2146 S. Emporia



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 Lots 1 & 3 on Emporia Ave (Block 3) Eldridge's Addition to Wichita, Kansas and that the foregoing is a true exhibit of the tracts with the name of the owner set out opposite each description.

WITNESS our Hand and Seal this the 20th day of April,  
A.D. 1948.

THE GUARANTEE ABSTRACT COMPANY, INC.

By

*John V. Smith*  
Vice President

Order No. 11619

CITY OF WICHITA  
BUILDING INSPECTION DIVISION

To University Monthly Meeting Owner Address 1840 University  
of Friends

To Same Applicant Address \_\_\_\_\_

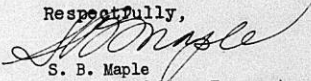
Dear Sir:

Your Application Dated April 19, 1948  
For a Permit for the Addition and remodeling of a church  
\_\_\_\_\_ at the premises designated as  
2201 South Emporia

Is hereby refused on this 19th day of April, 1948,  
Under Section 16 5 (b) of the Zoning Ordinance.

For the reason that a 25' side yard will not be provided on the south side  
of the building. This addition is to be built over an existing basement  
which was erected in conformance with the zoning ordinance in effect at that  
time.

Respectfully,

  
S. B. Maple  
Chief Building Inspector

NOTE: Any appeal from this refusal must be filed with the Board of  
Zoning Appeals (Room 304, City Hall) within ninety (90) days after  
the date of this refusal. For further information, take this notice  
to the Planning Department, Room 304, City Hall.

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