

CASE NO. 7-49

S T A T U S   S H E E T

Board of Appeals Case No. 7-49

4825 East Douglas Premises in Question

O. F. Sullivan Appellant's Name

725 West Douglas Appellant's Address

Same Owner's Name

Owner's Address

4/22/49 Building or Zoning Application Received by Building Inspector

4/22/49 Decision of Building Inspector Refused - would not maintain the front or back yard set back as require by Sec. 19, par. 5(a) and 5(c).

4/22/49 Appeal filed with Bond of Zoning Appeals

Hearing notice and receipt

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

Protests Received

Consents Received

Prior Cases on These Premises

Case Hearings

5/5/49 Case Decided Granted Action of Board

Notice of Decision Sent

Court Cases

CITY OF WICHITA  
BUILDING INSPECTION DIVISION

To O. F. Sullivan Owner Address 725 West Douglas  
To Same Applicant Address \_\_\_\_\_

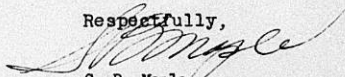
Dear Sir:

Your Application Dated April 22, 1949  
For a Permit for the erection of a theatre building  
\_\_\_\_\_ at the premises designated as  
4825 East Douglas

Is hereby refused on this 22nd day of April, 1949,  
Under Section 19, Sec. 5 (a) and 5 (c) of the Zoning Ordinance.

For the reason that as planned, there would not be provided the 10' front yard  
set-back and the 10' rear yard (from the center of the alley) as required by said  
ordinance.

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.



# WESTERN IRON & FOUNDRY CO.

MANUFACTURERS AND FABRICATORS  
IRON • STEEL • MACHINERY  
OFFICE AND PLANT 702 EAST SECOND STREET  
PHONE 4-2311  
**WICHITA • KANSAS**

April 26, 1949

TO WHOM IT MAY CONCERN:

This is to certify that we have received one car load of fabricated steel for the Crest Theatre which has been ordered from us some time ago.

This material is on hand, ready for delivery.

Yours truly

WESTERN IRON & FOUNDRY CO.

TO WHOM IT MAY CONCERN:

THIS IS TO CERTIFY, that as the owner of property near Glendale Avenue and East Douglas Avenue, in Wichita, Sedgwick County, Kansas, the undersigned has no objection to a waiver or variance of front yard or back yard set-back requirements under the City of Wichita Zoning Ordinance, for the erection of a theatre on the following described property:

Lots Twelve (12), Thirteen (13) and Fourteen (14) on Douglas Avenue, in East Douglas Avenue Addition to the City of Wichita, Sedgwick County, Kansas.

Signed:

Lots owned:  
Fifteen (15), Sixteen (16), Seventeen (17) and Eighteen (18) on Douglas Avenue

THE WHEELER KELLY HAGNY TRUST  
COMPANY, TRUSTEE  
BY *Walter R. Bulger, Pres.*  
Owner

*W. K. Kemple* 4-14  
Owner

\_\_\_\_\_  
Owner

ETLMER R. CORN  
OIL OPERATOR  
UNION NATIONAL BANK BLDG.  
WICHITA, KANSAS

April 28, 1949.

Board of Zoning Appeals,  
Room 304, City Hall,  
Wichita, Kansas.

Case 7-49

Attention: Mr. Eugne N. Smith, Sec.

Gentlemen:

I am in receipt of your notice to property owners dated April 25, 1949 advising me that an appeal has been filed in Case No. 7-49 to change the pattern set by the Zoning Ordinance for the 4800 block on East Douglas Ave. and that a hearing will be held by the Board of Zoning Appeals on Friday, April 29, 1949 at 1:30 P.M.

My family and myself, who are the owners of the property from Oliver to Glendale on the north side of Douglas Avenue in the 4800 block are aware of the regulations set at the time the buildings were erected on both sides of Douglas Avenue and it is our opinion that those regulations should stand and that whatever new projects, as may be contemplated, the owners should abide by the original ordinance.

Very truly yours,

*Etmer R. Corn*

ERC/E

| LOT | STREET              | ADDITION            | OWNER   |
|-----|---------------------|---------------------|---|
| 15  | Douglas             | East Douglas Ave.   | ✓ Wheeler Kelly Hagney Trust Co.<br>Trustee H. H. Heimple |
| 16  | "                   | "                   | " <i>Wheeler Kelly<br/>Hagney Bldg.</i>                   |
| 17  | "                   | "                   | "   |
| 18  | "                   | "                   | "   |
| 19  | "                   | "                   | Francis L. & Helen M. Jehle                               |
| 20  | "                   | "                   | " <i>Albion Oil &amp; Refining Co.<br/>301 S. Market</i>  |
| 21  | "                   | "                   | " <i>5 Junwood Blvd.</i>                                  |
| 22  | "                   | "                   | "   |
| 13  | Glendale            | "                   | ✓ Wheeler Kelly Hagney Trust<br>Co., Trustees             |
| 15  | "                   | "                   | "   |
| 17  | "                   | "                   | " <i>Wheeler Kelly Hagney Bldg.</i>                       |
| 10  | "                   | "                   | "   |
| 21  | "                   | "                   | "   |
| 23  | "                   | "                   | "   |
| 25  | "                   | "                   | Boyce Redfield 434 7/8 Hillside                           |
| 27  | "                   | "                   | " Home - 5109 E. 3rd                                      |
| 12  | Oliver              | "                   | Southwestern Bell Telephone Co.                           |
| 14  | "                   | "                   | "   |
| 16  | "                   | "                   | " <i>154 W. Broadway</i>                                  |
| 18  | "                   | "                   | "   |
| 20  | "                   | "                   | "   |
| 22  | "                   | "                   | "   |
| 24  | "                   | "                   | ✓ Gillie A. Marshall                                      |
| 26  | "                   | "                   | " <i>134 S. Oliver</i>                                    |
| 19  | Block               | "                   | "   |
|     | (& 10' adj<br>on E) | "                   | "   |
| 8   | Douglas             | East Boulevard      | ✓ Vesta T. Corn<br><i>19 Norfolk Drive</i>                |
| 20  | (S 30') 8           | Glendale            | — Ira R. Corn   |
| 21  | "                   | "                   | " <i>90 Elmer Corn<br/>19 Norfolk Drive</i>               |
| 22  | "                   | "                   | "   |
| 19  | 9                   | "                   | — John E. & Ethel M. Lenhart 524 N. Delaware              |
| 21  | "                   | "                   | — Vesta T. Corn 19 Norfolk Drive                          |
| 23  | "                   | "                   | — Nellie L. & Fern Dorsey<br>404 9/10 Market              |
| 22  | (S 1/2)             | " Bleckley<br>Drive | — P. H. Stephens  |
| 24  | "                   | "                   | " <i>4918 E. Douglas</i>                                  |

| LOT | STREET         | ADDITION         | OWNER   |
|-----|----------------|------------------|---|
| 1   | Glendale       | Bleckley Terrace | Myrtle Conger<br><i>104 S. Glendale</i>   |
| 2   | "              | "                | Harry M. & Bessie S. Diffenbacher<br><i>105 S. Glendale</i>   |
| 3   | "              | "                | Ralph W. & Dora F. Strohmaier 117 <i>3013 E. First</i>  |
| 4   | "              | "                | Mary Elizabeth Carrahan<br><i>359 W. Yale</i>   |
| 5   | "              | "                | T. P. & Lorene Hendrick<br><i>122 S. Glendale</i>   |
| 6   | "              | "                | Mary S. & H. J. Leverance<br><i>125 S. Glendale</i>   |
| 7   | "              | "                | Stanley G. & Nina L. Davis<br><i>132 S. Glendale</i>  |
| 18  | Bleckley Drive | "                | Frank & Evelyn Epp<br><i>131 S. Bleckley</i>  |
| 19  | "              | "                | Russell R. & Ehirley K. McLaughlin<br><i>1544 Matlock</i>   |
| 20  | "              | "                | J. Alden Truvillo & Thelma C. Truvillo<br><i>Chandler &amp; Commerce</i>                            |
| 21  | "              | "                | H. A. & Virginia A. Hempel, R. E. & Grace M. Newton<br><i>Newton-117 S. Bleckley Dr. Hengel - ?</i> |
| 22  | "              | "                | John W. & Muriel W. Dawson<br><i>111 S. Bleckley Dr.</i>  |
| 23  | "              | "                | Ben A. & Blanche F. Wimberly<br><i>3225 Vista Place</i>   |
| 24  | "              | "                | Mrs. Lillian Finkstein<br><i>101 W. Cincinnati</i>  |

THE MIDLAND ABSTRACT COMPANY hereby certified, that the foregoing is a true and correct list of the owners of the various lots and/or tracts lying within a radius of 200 feet from

Lots 12, 13 and 14, on Douglas Avenue, East Douglas Avenue Addition,

as shown by the deed records in the office of the Register of Deeds in the office of the Register of Deeds of Sedgwick County, Kansas, on this date.

Witness our hand and seal this 25th day of April, 1949 at 7:00 o'clock A. M.

THE MIDLAND ABSTRACT COMPANY

By E. L. Mason (signed)  
President.

(Seal)

Order No. 66881.

BOARD OF ZONING APPEALS  
Room 304, City Hall  
Wichita, Kansas

NOTICE TO PROPERTY OWNERS

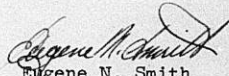
April 25, 1949

An appeal has been filed by O. F. Sullivan  
(Address) 427 West Douglas on behalf of \_\_\_\_\_  
\_\_\_\_\_(Address)\_\_\_\_\_

as provided by Section 33 of the Zoning Ordinance. The appellant  
desires to erect a theatre building without maintain the required  
front yard and rear yard set-back of 10 feet on the premises  
located at 4825 East Douglas

This appeal has been given Case No. 7-49  
and a hearing will be held by the Board of Zoning Appeals on \_\_\_\_\_  
Friday, April 29, 1949 at 1:30 p.m.  
at which time you may appear, if you so desire, either in person or  
by agent or attorney. The hearing will be held in room 201 of the  
City Building.

By order of the Board of Zoning Appeals.

  
\_\_\_\_\_  
Eugene N. Smith  
Secretary.

BOARD OF ZONING APPEALS  
CITY OF WICHITA, KANSAS

NOTICE OF HEARING OF APPEAL

April 26, 19 49

O. F. Sullivan  
725 West Douglas  
Wichita, Kansas

Dear Mr. Sullivan:

Your appeal, under the Zoning Ordinance, relative to premises at  
4825 East Douglas

has been given Board of Zoning Appeals Case No. 7-49.

All inquiries and references should always be made to that Case  
Number when you seek information from the Secretary.

Further, you are notified to appear before the Board of Zoning  
Appeals either in person, or by agent or attorney, for a hearing of  
your case on Friday, April 29, 19 49, at 1:30 p.m.  
The hearing will be held in room 201 of the City Building

Respectfully,

Eugene N. Smith  
Secretary, Board of Zoning Appeals