

Case No. 8-49

STATUS SHEET

Board of Appeals Case No. 8-49

429 South Oliver Premises in Question

V. L. Thomas Appellant's Name

519 South Main Appellant's Address

V. L. Thomas Owner's Name

Owner's Address

5/20/49 Building or Zoning Application Received by Building Inspector
erection of a dwelling and attached garage

5/20/49 Decision of Building Inspector The required set-back as shown on
the recorded plat would not be maintained. Sec. 16, par. 5(b) of
the Zoning Ordinance.

5/20/49 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 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

Protests Received

Consents Received

Prior Cases on These Premises

Case Hearings

7/12/49 Case Decided Action of Board DID NOT
HAVE JURISDICTION, AS THIS WAS DEED RESTRICTIONS

Notice of Decision Sent

Court Cases

Case No. 8-49

Wichita, Kansas
June 29, 1949

Board of Zoning Appeals
Room 304 City Hall
Wichita, Kansas

Gentlemen:-

The Principal point is, I have 50 ft. of ground and the restrictions of 6 ft. on North side and a 30 ft. set back from Arbor Street on the South side, leaving only 14 ft. to build on.

I am asking for 14 additional ft., extending over the set back which will be 16 ft. North of my South line.

Arbor Street is 70 ft. wide and 20 ft. of parking on each side, therefore my building would be 36 ft. North of the North side of Arbor Street.

I plan to build a five room Brick residence on this corner 28 ft. wide facing Oliver and 46 ft. deep.

There has been many changes made in Lincoln Heights Plat, one of which was the straightening of a curved corner in order to have building space. I am only asking for 14 ft. of my own ground for which to have room to build upon.

It will in no way interfere with the City or any of the property owners, as Arbor Street is only 1 block. There will be no other buildings as the party on the West is facing Delrose Street.

Your earnest and sincere consideration on this matter will be greatly appreciated.

Yours truly,

V. L. Thomas

CITY OF WICHITA
BUILDING INSPECTION DIVISION

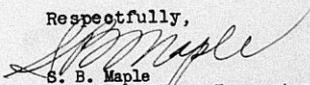
To V. L. Thomas Owner Address 519 South Main
To Same Applicant Address _____

Dear Sir:

Your Application Dated May 20, 1949
For a Permit for the erection of a dwelling and attached garage
_____ at the premises designated as
429 South Oliver

Is hereby refused on this 20th day of May, 19 49,
Under Section 16, Par. 5 (b) of the Zoning Ordinance.
For the reason that the required set-back as shown on the recorded plat
would not be maintained.

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.

BOARD OF ZONING APPEALS

Case No. 8-49

Filed 5/20, 1949

A P P E A L U N D E R T H E Z O N I N G O R D I N A N C E

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

The undersigned, V. L. Thomas, hereby appeals
from the decision of the Building Inspector wherein a Building Permit
Is Refused For the erection of a dwelling and attached garage on
the premises located at 429 South Oliver

OR

Order Or Decision Rendered Because the side yard set-back as shown on
the recorded plat would not be maintained as required by Sec. 16, Par. 5(b)
of the Zoning Ordinance.
The Plans, application, and all data heretofore filed with said Build-
ing Inspector are attached hereto and made a part of this appeal.

I have not made a previous application or appeal under the Zoning
Ordinance affecting these premises.

I hereby declare that all the statements contained in all of the
information transmitted herewith are true.

V. L. Thomas

V. L. Thomas

Appellant.

NAMES AND ADDRESSES

Appellant	<u>V. L. Thomas</u>	Address	<u>519 South Main</u>
Owner	<u>Same</u>	Address	<u>Same</u>
Lessee	<u></u>	Address	<u></u>

INSTRUCTIONS

1. This appeal must be typewritten and filed within ninety (90) days
after the date of the decision of the Building Inspector from
which this appeal is taken.
2. The appellant must file an explicit Typewritten statement setting
forth:
 - (a) The principal points on which this appeal is made. These
points shall be the same as those under which the Building
Inspector issued a refusal, order, or decision.
 - (b) A clear and accurate description of proposed work or use.
 - (c) Specific reference to that Section of the Zoning Ordinance
under which it is claimed permit should be issued.
 - (d) Names and addresses of all owners and residents within a
distance of 200 feet of the property concerned.

NAMES AND ADDRESSES OF
PROPERTY OWNERS WITHIN RADIUS OF 200 FT.
OF SOUTH $\frac{1}{2}$ OF LOT #9 BLK.13 LINCOLN HEIGHTS
ADDITION.

D. A. Swenson	412 S. Delrose
Kent Fielder.....	154 N. Main
Virgil L. Thomas.....	519 S. Main
G. Ray Brown.....	422 S. Delrose
Katherine Farris.....	434 S. Delrose
Rodney M. Beck.....	430 S. Delrose
Ralph A. Shen.....	415 S. Delrose
Dean A. Rice.....	419 S. Delrose
Harry W. Tobey.....	433 S. Delrose
Theodore P. Jochems.....	435 S. Delrose
True B. Fretzs.....	444 S. Oliver
L. N. Long.....	210 S. Delrose
Henry H. Stoll.....	159 S. Fountain
Adolph A. Stephens.....	426 S. Oliver
Norris L. Rainey.....	410 S. Oliver
Walter Hope.....	453 S. Glendale
W. E. Marshall.....	447 S. Glendale
E. G. McKay.....	441 S. Glendale
Richard H. Davis.....	437 S. Glendale
Delmer E. Backstrom.....	433 S. Glendale
Paul H. Watson.....	427 S. Glendale
Howard L. Stutler.....	419 S. Glendale

LIST OF PROPERTY OWNERS

WITHIN RADIUS OF

200 FEET OF THE SOUTH ONE-HALF OF LOT 9, BLOCK 13,
LINCOLN HEIGHTS ADDITION TO THE CITY OF WICHITA, KANSAS.

LOT	BLOCK	ADDITION	OWNER
6, 7 & 8	13	Lincoln Heights	D. A. Swenson <i>412 S. Deltrose</i>
N.½ of 9	13	"	Kent Willard & Grace Belle Fielder <i>154 N. Main</i>
S.½ of 9	13	"	Virgil L. & Neva R. Thomas <i>519 S. Main</i>
10 & S.10' of 11	13	"	G. Ray & Violet H. Brown <i>422 S. Deltrose</i>
11 exc. S.10'	13	"	Katherine Farris <i>434 S. Deltrose</i>
12	13	"	Rodney M. & Mary D. Beck <i>430 S. Deltrose</i>
3	12	"	Ralph A. & Ina M. Shank <i>415 S. Deltrose</i>
4	12	"	Dean A. & Marguerite Rice <i>419 S. Deltrose</i>
5	12	"	Harry W. Tobey <i>433 S. Deltrose</i>
6	12	"	Theodore P. Jochems <i>435 S. Deltrose</i>
18-20-22 & 24	Oliver St.	Highland View	True B. & Dorothy A. Fretzs <i>444 S. Oliver</i>
26-28-30 & 32	"	"	L. N. Long <i>210 S. Deltrose</i>
34-36-38 & 40	"	"	Henry H. & Lucelle H. Stoll <i>159 S. Fountain</i>
42-44 & S.10' of 46	"	"	Adolph A. & Frances E. Stephens <i>426 S. Oliver</i>
N.15' of 46, all of 48 & Vacated Lewis St. Adj.	"	"	Norris L. Rainey <i>410 S. Oliver</i>
N.10' of 15, all 17-19 Glendale Ave.	"	"	Walter Hope <i>453 S. Glendale</i>
21-23 & S.7½' of 25	"	"	W. E. & Myrtle Marshall <i>447 S. Glendale</i>
N.17½' of 25, all 27 & S.15' of 29	"	"	E. G. & Violet Leola McKey <i>441 S. Glendale</i>
N.10' of 29, all 31-33	"	"	Richard H. & Mildred E. Davis <i>439 S. Glendale</i>
35-37 & S.10' of 39	"	"	Delmer E. & Doris V. Backstrom <i>433 S. Glendale</i>
N.15' of 39, all 41-43	"	"	Paul H. Watson <i>429 S. Glendale</i>
45 & 47	"	"	Howard L. & Minnie B. Stutler <i>419 S. Glendale</i>

We hereby certify the foregoing to be a correct
List of Owners of the above described property, as shown
by the records in the office of the Register of Deeds of
Sedgwick County, Kansas, this 27th day of May, 1949, at
7 o'clock A.M.

THE SECURITY ABSTRACT & TITLE COMPANY, INC.,

By:



✓President.

Order No. 45762

(LK)

BOARD OF ZONING APPEALS
CITY OF WICHITA, KANSAS

NOTICE OF HEARING OF APPEAL

July 8, 1949

V. L. Thomas
519 South Main
Wichita, Kansas

Dear Mr. Thomas _____:

Your appeal, under the Zoning Ordinance, relative to premises at
429 South Oliver

_____ has been given Board of Zoning Appeals Case No. 8-49.

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 Tuesday, July 12, 1949, 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