

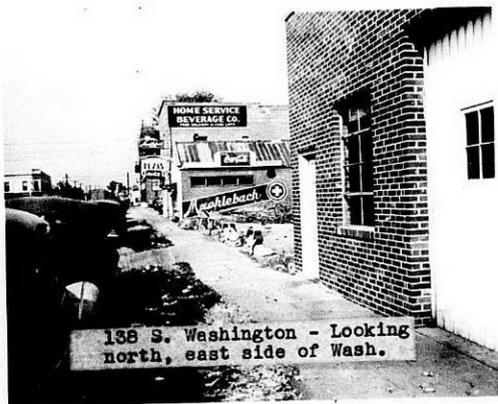
CASE NO. 11-48



138 S. Washington
Looking east



138 S. Washington
Looking east



138 S. Washington - Looking
north, east side of Wash.



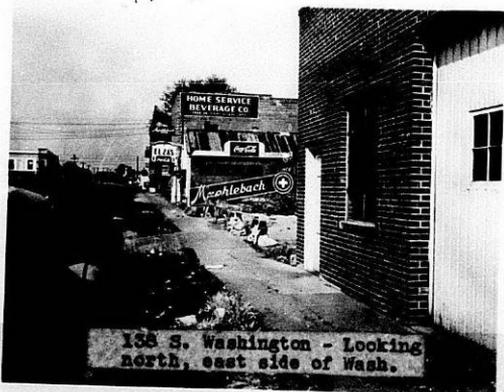
138 S. Washington
Looking east



601 S. Washington - Looking
north-east to N.E. corner



601 S. Washington - Looking
north-east to N.E. corner



138 S. Washington - Looking
north, east side of Wash.

The City of Wichita

City Planning Commission
205 CITY BUILDING
WICHITA 2, KANSAS

November 22, 1948

Mr. Beach Maple
Building Inspection Superintendent
City Building
Wichita, Kansas

Dear Mr. Maple:

In regard to Mr. Ned Steck's appeal from your refusal to grant him a building permit for the purpose of erecting a commercial building on the property line at the premises designated as 138 South Washington, it was the opinion of the Assistant City Attorney, Lawrence Curfman, that in accordance with Ordinance 13-1113, the major street setback map in the Zoning Ordinance must be in agreement with the Major Street Plan.

Since Washington is not included in the Major Street Plan, it was the decision of the Board of Zoning Appeals that you be directed to issue a building permit to Mr. Steck for the above described purpose without the necessity of observing any front yard setback.

Very truly yours,


George W. Herrman
Chairman


David D. Rowlands
Acting Secretary

DDR:br

November 22, 1948

Mr. Beach Maple
Building Inspection Superintendent
City Building
Wichita, Kansas

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STATUS SHEET

Board of Appeals Case No. 11-48

138 South Washington Premises in Question

Red stick Appellant's Name

144 South Washington Appellant's Address

Same Owner's Name

Same Owner's Address

10/14/48 Building or Zoning Application Received by Building Inspector

Creation of commercial building

10/14/48 Decision of Building Inspector Denial

10/15/48 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

10/21/48 Adjoining Property Owners Notified October 21, 1948

Protests Received

Consents Received

Prior Cases on These Premises

Case Hearings

Case Decided Action of Board

Notice of Decision Sent

Court Cases

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

NOTICE TO PROPERTY OWNERS

October 21, 1948

An appeal has been filed by Ned Steck
(Address) 144 S. Washington ~~XXXXXXXXXXXX~~ on behalf of _____
~~XXXXXXXXXXXX~~ (Address) _____

as provided by Section 33 of the Zoning Ordinance. The appellant
desires to erect a commercial building without any setback

_____ on the premises
located at 138 South Washington

This appeal has been given Case No. 11-48

and a hearing will be held by the Board of Zoning Appeals on _____
November 1, 1948 at 4:30 P.M.

at which time you may appear, if you so desire, either in person or
by agent or attorney. Hearing will be held in room 201, City Building.

By order of the Board of Zoning Appeals.

Eugene N. Smith
Secretary.

CITY OF WICHITA
BUILDING INSPECTION DIVISION

11-48

To Ned Steck Owner Address 144 S. Washington
To Same Applicant Address _____

Dear Sir:

Permit No. B 4460
Your ~~application~~ Dated Oct. 11, 1948

~~is hereby refused~~ for the erection of a commercial building
_____ at the premises designated as
138 South Washington

Is hereby ^{rescinded} ~~refused~~ on this 15th day of October, 1948,
Under Section 28 of the Zoning Ordinance.

For the reason that a distance of 38 feet from the center of the street
right-of-way is not to be maintained. It is desired to build to the property line
which will only be 30 feet from the center of said street.

Respectfully


S. E. 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. 11-48

Filed Oct. 15, 19 48

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, Ned Steck, hereby appeals from the decision of the Building Inspector wherein a Building Permit Is Refused For the reason that the distance of 38 feet from the center of the street right-of-way is not to be maintained. It is desired to build to the property line which ~~will~~ will only be 30 feet from the center of said street.
Order Or Decision Rendered Because _____

The Plans, application, and all data heretofore filed with said Building 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.


Appellant.

NAMES AND ADDRESSES

| | |
|----------------------------|-------------------------------------|
| Appellant <u>Ned Steck</u> | Address <u>144 South Washington</u> |
| | <u>Wichita, Kansas</u> |
| Owner <u>Ned Steck</u> | Address <u>" "</u> |
| Lessee _____ | Address _____ |

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.

VISITING TOWN
CITY SUPERVISOR

13-1113. Same; building or setback lines for major streets or highways; hearing; publication notice. Whenever the plan for a major street system has been adopted and properly filed, the governing body of the city, upon recommendation of the planning commission, is hereby authorized and empowered to establish, regulate and limit, by ordinance, building or setback lines on such existing and proposed major streets or highways, and to prohibit any new building being located within such building or setback lines, in the corporate limits of the city. The governing body of the city shall provide for the method by which this section of the act shall be enforced.

STECK AUTO TOP COMPANY

**SEAT COVERS & UPHOLSTERING
144 SOUTH WASHINGTON
WICHITA 2, KANSAS**

This property is located, 1st block on South Washington St. East side of street, Lot no. 18 and 20 Hyde Addition.

Oct., 13, 1948

The principal points on which I wish to make an appeal are as follows:

First, By setting back eight feet from my property line, my business will be hurt, since it will be hard for customers to see or locate, as all other buildings in the same block set out to their property lines. And for this reason, I don't believe setting building on my property line will bother or interfere with other property in the same block.

Second, By setting back eight feet from my property line it will hurt the value of my building from a rental or resale standpoint, if I should so desire in the future, to rent or sell.

The specifications of this building are : Dimensions 50w by 100' l of brick construction with two plate glass windows in front 12' l by 7 $\frac{1}{2}$ ' h and center door entrance 3'w by 7' h for customer use.

This building will house the Wichita Glass & Trim Supply Co. doing a retail andwholesale business, of which I am owner.

Ned Steck

CERTIFICATE OF OWNERS

Property lying within a radius of 200 feet of Lots 18-20,
Washington Ave, Hydes Addition

HYDES ADDITION

Ida Ave.
 Lots 1-3-5 Mosbacher Motor Co. 218 N. Broadway
 Lots 7-9 & N 22½' 11 Clara Lint 1155 River Blvd
 S½ 11, all 13 & N½ 15 Joe Avery Jewell 131 S. 2nd
 Jane Lippert Jewell 131 S. 2nd
 S½ 15, all 17 & N½ 19 Helen Miller 135 S. 2nd
 S½ 19 & N 20½' 21 Walter Berry 219 N. York
 S 4½' 21 & all 23 x Eloise Morris McMurtry
 R J Cummings 138 N. Washington
 Lots 25-27 R.L. Townsend 266 S. Minneapolis
 Lots 29-31 E Mildred Townsend 266 S. Minneapolis

Washington Ave

Lots 2-4-6-8-10 Mosbacher Motor Co. 218 N. Broadway
 Lot 12 Louis Ebert 3001 W. Central
 Lot 14 George C Christopher 402 N. Clifton
 Lots 16-18-20 Ned B Steck 144 S. Washington
 Lots 22-24 F J Walker 1305 N. River Blvd
 Viola Walker
 Lots 26-28 Ned Steck 2801 E. Kelllogg
 Lots 30-32 Arthur M Jessup 721 Ellis - 100 4 E English

Abbotts Addition

Lots 8-10-12-14 Nellie Christopher Grabendike 402 N. Clifton
 Lots 16-18 Exc Ry Richard H Price 145 S. Belmont
 20-22 Exc Ry Will G Price, Jr. 4416 E. Lewis
 Leonard A Levand 1902 E. Thome
 Celia Levand 1902 E. Thome
 Lots 24-26 Sam E Rudd 445 S. Yale
 Elenore Rudd 445 S. Yale

Beg. 16' E of NE Cor
 Lot 1, Abbotts Add.,
 E 142', N 50', W 142',
 S 50' to Beg, being
 a part of Pearson's
 Reserve

William Luttgen 1312 S. Hydraulic

Hermes Addition
 Lots 2-4-6-8

Fred J Pierpoint 325½ S. Broadway

The Guarantee Abstract Certifies that the
 foregoing is a true list of property owners of the
 above described tracts as they appear of record in the
 office of the Registrar of Deeds of Sedgwick County,
 Kansas.

Witness our hand and seal this the 18th
 day of October, 1948.

THE GUARANTEE ABSTRACT COMPANY, INC.

By

Fred J Pierpoint
 Vice Pres.

Order No 13524

RECEIPT FOR REGISTERED ARTICLE No. 3863

Fee paid. 1.05 class postage paid. 10 (Units), 1948

Declared value, \$ 2.00 Surchargo paid, \$ 0.00

From Wichita Falls, Texas (City)

Addressed to Wichita Falls, Texas (Post office and State)

(Street and number) 144 S. 1st St. Wichita, Tex. (Post office and State)

Accepting employee will place initials in space below, indicating restricted delivery

Return receipt fee in person Special delivery fee

Delivery restricted to addressee or order Fee paid Postmaster, per

••• 16-12662

