

CASE NO. 15-49

STATUS SHEET

Board of Appeals Case No. 15-49

216 Patton Drive Premises in Question
Bontz Construction Company Appellant's Name
2610 East Douglas Appellant's Address
None Owner's Name
Owner's Address

9/16/49 Building or Zoning Application Received by Building Inspector

Refused Decision of Building Inspector insufficient rear yard
set back

9/16/49 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

9/16/49 Adjoining Property Owners Notified

Protests Received None

Consents Received

Prior Cases on These Premises

Case Hearings

9/23/49 Case Decided Granted Action of Board

Notice of Decision Sent

Court Cases



DOUGLAS AT BROADWAY
WICHITA 2, KANSAS

EXECUTIVE OFFICE

September 22, 1949

Board of Zoning Appeals
304 City Hall
Wichita, Kansas

Gentlemen:

In regards to the refusal of our building permit dated September 16, 1949, for the reason, "that our rear yard of 20 feet required by said ordinance would not be provided under the plans and application submitted." This 20 feet is complied with, except at the corner of the garage where it lacks about 12 feet at that point.

We wish to appeal this decision because the following conditions are present:

- (1) The exception desired arises from the unusual shape and depth of the lot which resulted from the platting of this subdivision along with the minimum floor area clause in the restriction applied to this area.
- (2) The granting of this variance will not adversely affect the right of adjacent property or be against public interest as indicated, due to the lack of protest from the adjoining property which would be adversely affected by the granting of this variance.
- (3) The strict application of the zoning ordinance would constitute unnecessary hardship upon the property owners as it has been impossible for the appellant to obtain additional property so as to comply with the strict application of the zoning ordinance.

Awaiting your final decision.

Yours very truly,

Mrs. W. Phil Buck, Jr.
Mrs. W. Phil Buck, Jr.

Form 3806-S (Rev. 11-46)

Receipt for Registered Article No. **4232** Postmaster per *JF*

Fee paid 25 cents. Class postage 1st

Declared value mw Surcharge paid, \$.....

Return Receipt fee..... Spl. Del'y fee.....

Delivery restricted to addressee:

in person..... or order..... Fee paid.....
 Accepting employee will place his initials in space
 indicating restricted delivery.

NOTICE TO SENDER—Enter true class and address of addressee in identification. Preserve and submit
 this receipt for use in applying for insurance.

752 S. Hydraulic City
 (Name of addressee) (F. O. and State of address)



Form 3806-S (Rev. 11-46)

Receipt for Registered Article No. **4233** Postmaster per *JF*

Fee paid 25 cents. Class postage 1st

Declared value mw Surcharge paid, \$.....

Return Receipt fee..... Spl. Del'y fee.....

Delivery restricted to addressee:

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 Accepting employee will place his initials in space
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NOTICE TO SENDER—Enter true class and address of addressee in identification. Preserve and submit
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537 Beverly Dr. City
 (Name of addressee) (F. O. and State of address)



Form 3806-S (Rev. 11-46)

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2610 E. Douglas
 (Name of addressee) (F. O. and State of address)



ESTABLISHED 1888

WALTER MORRIS & SON -- Realtors

Home Builders and Sub-Dividers

121 NORTH MARKET

WICHITA, KANSAS

TELEPHONE 3-8221

Shirkey

September 21, 1949.

Mr. Eugene Smith,
Board of Zoning Appeals,
Wichita, Kansas.

Dear Sir:

Re: 216 Patton Drive
Case No 15-49

We have no objection to this whatsoever.

Yours truly,

W. Morris
WALTER MORRIS & SON

WLM-vw

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

NOTICE TO PROPERTY OWNERS

September 20th, 1949

An appeal has been filed by Bontz Construction Company
(Address) 2610 East Douglas on behalf of W. Phil Back, Jr.
(Address) 537 Beverly Drive
as provided by Section 33 of the Zoning Ordinance. The appellant
desires to erect a one family dwelling without maintaining the required
20 foot rear yard set back on the premises
located at 216 Patton Drive

This appeal has been given Case No. 15-49
and a hearing will be held by the Board of Zoning Appeals on Friday
September 23, 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.

Ernest M. Smith
Secretary.

CITY OF WICHITA
BUILDING INSPECTION DIVISION

To Bontz Construction Co. Owner Address 2610 East Douglas
To Same Applicant Address _____

Dear Sir:

Your Application Dated September 16, 1949
For a Permit for the erection of a one-family dwelling and attached garage
_____ at the premises designated as
216 Patton Drive

Is hereby refused on this 16th day of September, 1949,
Under Section 16, par. 5 (c) of the Zoning Ordinance.

For the reason that the rear yard of 20 feet required by said ordinance would
not be provided under the plans and application submitted.

Respectfully,

S. B. Maple ③
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
Room 304, City Hall
Wichita, Kansas

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537 Beverly Drive
(Address)

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City Building.

By order of the Board of Zoning Appeals.

Eugene N. Smith
Secretary.

Morris Building Co. 121 N. Market
Robert L. & Faith D. Williams 110 N. Patton Drive
J. A. & Louise E. Bogue 324 N. Holyoke
John D. & Cecilia C. Eekles 4910 E. Kellogg
Walter Philip Buck, Jr. 537 Beverly Drive
Dean & Kathryn Lynch 608 N. Volutsia
Martha E. Stewart 416 S. Crestway Ave.
Garel W. & Violet C. Hammons 257 S. Battin
Juanita T. Foulston 8 Norfolk Drive

BOARD OF ZONING APPEALS
CITY OF WICHITA, KANSAS

NOTICE OF HEARING OF APPEAL

September 20, 1949

Bontz Construction Co.
2610 East Douglas
Wichita, Kansas :

Your appeal, under the Zoning Ordinance, relative to premises at
216 Patton Drive

has been given Board of Zoning Appeals Case No. 15-49.

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, September 23, 1949, at 1:30 p.m.
in room 201 of the City Building.

Respectfully,

Eugene N. Smith
Secretary, Board of Zoning Appeals

cc - Mr. & Mrs. Walter Phillip Buok, Jr.
537 Beverly Drive
Wichita, Kansas