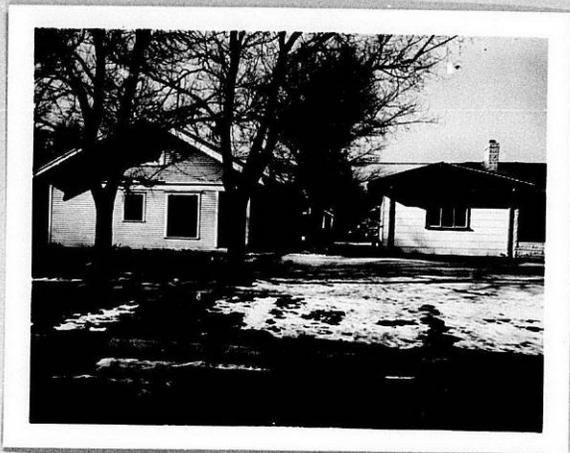


Case No. 21-49



Demuel

Mr. Ralph D. Gunter
2045 South Topeka
Wichita, Kansas
November 22, 1949

Board of Zoning Appeals
Wichita, Kansas

Gentlemen:

On July 15, 1949, I (the appellant) bought a duplex at 2045 South Topeka. This duplex was a part of a big housing unit built by Mr. Mendenhall. The unit was purchased a short time ago by Mr. Weisner who divided it into separate homesites. Back of the duplex on our lot is a building constructed of cement blocks and built in 1941 to be used for a wash house for the whole unit which comprised of about 35 families. Knowing that it would be impossible to commercialize on a business in a zone A district, I remodeled this building into a small but efficient living quarter. I knew that a building could not be built or added onto without an approval from the building inspection department but did not know about approvals on inside remodeling.

This building had such good possibilities, we were anxious to make something out of it. The mortgage company that gave us the loan on the property advanced us an additional \$500 to do the remodeling. Actually the total cost amounted to approximately \$800 all of which remains to be paid.

The building sets just across the alley from a multi-family zoning district which may soon become light commercial. Directly south of us in the same zoning district as ours are seven families who have far less square feet of ground privileges as the family who would live in our building. Furthermore, the lot would be less congested with one family living in the building than 35 families using it day and night as a wash house. Also since the remodeling is already done I feel that this might warrant an exception to the rule.

This surely could not adversely affect the rights of the adjacent property owners since the building has been there since 1941.

A definite hardship would be placed on my wife and me if we could not use this building for living purposes because of the expense we have already incurred. The building as it is now remodeled would be too valuable to stand idle and would cost us even more to make something else out of it. We could not sell the building and have it moved because of its construction.

As for the public interest it is a lot nicer appearing building now than it has ever been.

Therefore, gentlemen, I ask that after due consideration and analysis of this case you act within your powers and grant a variance of the revised zoning ordinance of 1948 so that I may be permitted to use this building as living quarters.

Respectively yours,

Ralph D. Gunter
Ralph D. Gunter

We, the undersigned, adjacent property owners have no objection to the cement block building in the rear of 2045 So. Topeka being used as living quarters.

1. M.E. Seipel Address: 2039 S Topeka
2. Eric M. Seipel Address: 2039 S Topeka
3. C.P. Weisner Address: 2047 S Topeka
4. Kathryn Van Orden Address: 2051 S Topeka
5. Willy S. Dibble Address: 2036 So. Topeka
6. W.M. Weisser Address: 2044 So. Topeka
7. Mrs. S.M. Weisser Address: 2044 So. Topeka
8. Mrs Myrtle J. Treese Address: 2050 - So Broadway
9. Fred G. Treese Address: 2050 - So Broadway
10. Roy Kelly Address: 1961 So Broadway
11. Mrs Roy Kelly Address: 1961 So Broadway
12. C.J. Mendenhall Address: 2040 So. Broadway
13. Virth Brewer Address: 2047 So Topeka
14. Jessie Brewer Address: 2047 So Topeka
15. E. K. Sherrill Address: 328 East Clark
16. Elaine Sherrill Address: 328 East Clark
17. Ma Elton Jones Address: 322 E. Clark
18. Lily Jones Address: 322 E. Clark
19. Irene Bullock Address: 318 E Clark
20. Gal Schreiner Address: 2102 S Broadway
21. Hara Schreiner Address: 2102 S Broadway
22. Wm. K. June Address: 2101 So. Topeka
Ethel L. June 2101 S Topeka
Bruce E. Lucas 2046 So. Topeka
Madeline S. Lucas 2046 So Topeka
T. Campbell 2023 " "
Mrs. L. Campbell 2023 So. Topeka

(over)

I received a verbal OK from Edgar and Francis
Dunling before they left town because of a death
in the family.

POSTAGE PAID FOR REGISTERED ARTICLE No. 3521

paid 25 pt 12 25, 1949

Class postage paid pt Return receipt fee _____
 Declared value, \$ _____ Special delivery fee _____
 Surcharge paid, \$ _____

Restricted delivery _____ in person _____
 (Accepting employees will place or order _____
 initials in proper space) Fee paid _____

From City of Wichita _____
(Street and number) 103 City Bldg _____
(City and State)

Addressed to Charles J. Spitzer _____
(Street and number) 2014 _____
(City and State) Postmaster, per 14

POSTMARK

U.S. POSTAGE

WICHITA, KANSAS

U.S. POSTAGE PAID PERMIT NO. 103 WICHITA, KANSAS

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

NOTICE TO PROPERTY OWNERS

December 27, 19 49

An appeal has been filed by Ralph D. Gunter
(Address) 2045 South Topeka on behalf of same

(Address) _____

as provided by Section 33 of the Zoning Ordinance. The appellant
desires to remodel present wash room into one family residence
_____ on the premises
located at 2045 1/2 South Topeka

This appeal has been given Case No. 21-49
and a hearing will be held by the Board of Zoning Appeals on _____
Friday, December 30, 1949 at 1:30 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.

Notices mailed December 27, 1949

Edgar and Frances Durling
2010 South Broadway

C. J. Mendenhall
2050 S. Broadway, Apt #21

Thomas F. Dunn & Mollie
5421 North West

Fred G. Fieser & Myrtle P.
905 North Emporia

M. E. Seipel & Enid M.
2125 South Santa Fe

Wm. Elton Jones & Sibyl
1102 North Topeka

Kathryn Van Orden
1806 E Kellogg, Apt 5

Edw. M. Smith Pearl L.
2930 Lawrence Road

Tilbert C. & Phyllis Campbell
2023 South Topeka

Ralph D. Gunter & Ruby M.
1658 South Grove

Joe H. Schreiner & Dorothy M.
2102 South Broadway

Earl K. June & Ethel L.
2101 South Topeka

Bruce E. Lucas & Nadine G.
1938 Laura

Ralph E. Jambrosie & Dora
2040 South Topeka

David M. Weisser & Lucille
2044 South Topeka

Wiley S. Dibble
2036 South Topeka

BOARD OF ZONING APPEALS
CITY OF WICHITA, KANSAS

NOTICE OF HEARING OF APPEAL

December 27, 19 49

Mr. Ralph D. Gunter
2045 South Topeka
Wichita, Kansas

Dear Mr. Gunter:

Your appeal, under the Zoning Ordinance, relative to premises at
2045½ South Topeka

has been given Board of Zoning Appeals Case No. 21-49.

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, December 30, 19 49, at 1:30 p.m.
Hearing will be in room 201, City Building.

Respectfully,

Secretary, Board of Zoning Appeals

CITY OF WICHITA
BUILDING INSPECTION DIVISION

To Ralph D. Gunter Owner Address 2045 South Topeka

To Same Applicant Address _____

Dear Sir:

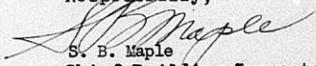
Your Application Dated Nov. 16, 1949

For a Permit for the remodeling of present wash room into one-fam residence
_____ at the premises designated as
2045½ South Topeka

Is hereby refused on this 16th day of November, 1949,
Under Section 16, Par. 5 (b) and (d) of the Zoning Ordinance.

For the reason that there would be only a 4' side yard maintained on the
north and the lot being only 40' in width makes an insufficient amount of
lot area. There is a duplex on the front of the lot at the present time,
thus necessitating a total lot area of 9500 square feet. The lot area is
only 6200 square feet.

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.

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, Ralph D. Gunter, hereby appeals
from the decision of the Building Inspector wherein a Building Permit
Is Refused For purpose of remodeling wash room building into a one-
family residence.

OR

Order Or Decision Rendered Because there would be only a 4' side yard
maintained on the north & the lot being only 40' in width makes an
insufficient amount of lot area. There is a duplex on the front of the
lot thus necessitating 9500 sq. ft. The lot area is only 6200 sq. ft.
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.

Ralph D. Gunter
Appellant.

NAMES AND ADDRESSES

Appellant Ralph D. Gunter Address 204 5 South Topeka
Owner Same. Address _____
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.

CERTIFICATE OF OWNERSHIP

Certificate of ownership on the property within a 200 ft Radius of
2045 South Topeka, Wichita, Kansas.

LEGAL DESCRIPTION

OWNER



The following lots in Turley's Add.

- Lot 1
- Lot 2
- Lot 3
- Lots 4-5-6
- Lot 7 & the N $\frac{1}{2}$ Lot 8
- S $\frac{1}{2}$ Lot 8 & Lot 9
- The West 46' of the E 108' of the S 12.84' of Lot 10 & the W 46' of the E 108' of North 24.48' of Lot 11
- The W 47' of the S 12.84' of Lot 10 and the W 47' of N 24.48' of Lot 11
- E $\frac{1}{2}$ of the S 44.3' Lot 12
- E $\frac{1}{2}$ of S 25.52' Lot 11 & the E $\frac{1}{2}$ of N 10.7' Lot 12
- W $\frac{1}{2}$ of S 44.3' of Lot 12
- W $\frac{1}{2}$ of S 25.52' of Lot 11 & the W $\frac{1}{2}$ of N 10.7' Lot 12
- N 37.6 ft Lot 10
- The following lots in Snively Miller and Work's Subdivision
- Lot 25 on Broadway
- Lot 26 Topeka
- Lot 51 Topeka
- The following lots in Farnums Sub
- Lots 1 & 3 Broadway
- Lots 2 & 4 on Topeka
- The following in Kinkaid's Outlots

- Edgar & Frances Durling
2010 South Broadway
- Marietta Leigh
Can't find
- C.J. Mendenhall
2050 South Broadway Apt. 21
- Fred G. Pieser & Myrtle P.
905 North Emporia
- Thomas F. Dunn & Mollie
5421 North West
- M.E. Seipel & Enid M.
2125 South Santa Fe
- Wm Elton Jones & Sibyl
1102 North Topeka
- Zelma I. Nuckolls
Can't find
- Earl R. Sherrell & Mary E.
Can't find
- Kathryn Van Orden
1206 East Kellogg - Apt. 5
- Irene Bullock
Can't find
- Edw. M. Smith Pearl L.
2930 Lawrence Road
- Ralph D. Gunter & Ruby M.
1658 South Grove
- duplicate*
- Edgar & Frances Durling
- Tilbert C & Phyllis Campbell
2023 South Topeka
- Helen Lanford
Can't find
- Joe H. Schreiner & Dorothy M.
2102 South Broadway
- Earl K. June & Ethel L.
2101 South Topeka

LEGAL DESCRIPTION

S 100 ft of W $\frac{1}{2}$ Lot 6
N 50' of S 120' of N 230' of W $\frac{1}{2}$ Lot 6
S 70' of N 230' of W $\frac{1}{2}$ of Lot 6
S 60' of N 110' of W $\frac{1}{2}$ Lot 6
N 50' of W $\frac{1}{2}$ Lot 6

OWNER

Bruce E. Lucas & Nadine G.
1938 Leung
Ralph E. Jambrosie & Dora
2040 South Topeka
David M. Weissner & Lucille
2044 South Topeka
Wiley S. Dibble
2036 South Topeka
DeWard Earle
can't find



THE GUARANTEE ABSTRACT COMPANY INC., hereby certifies that that a search has been made of the records in the office of the Register of Deeds in and for Sedgwick County, Kansas relative to the property owners within a 200 ft radius of 2045 South Topeka and that the above and foregoing is a true exhibit of such owners.

WITNESS Our Hand and Seal this the 18th day of November 1949.

THE GUARANTEE ABSTRACT COMPANY INC.

By

John W. Fin
Vice-President

Order No. 17295-R