

Case No. 17-49

STATUS SHEET

Board of Appeals Case No. 17-49

245 Brookside Premises in Question
William M. Reddy Appellant's Name
230 N. Edgemoer Appellant's Address
Same Owner's Name
Owner's Address

9/28/49 Building or Zoning Application Received by Building Inspector *set back*
Build single family residence not maintaining 20 foot rear yard
9/28/49 Decision of Building Inspector *Refused - section 16, paragraph*
5-(c) of the Zoning Ordinance.
9/28/49 Appeal filed with Board of Zoning Appeals *Case no. and*
instructions given to the appellant.
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

Case Decided Action of Board

Notice of Decision Sent

Court Cases

CITY OF WICHITA
BUILDING INSPECTION DIVISION

17-49

To William M. Reddy Owner Address 230 N. Edgemoor

To Same Applicant Address Same

Dear Sir:

Your ~~Application~~ ^{Permit} Dated 9-2-49

~~For a Permit~~ for the ~~erection~~ ^{erection} of a one-family residence with an attached garage at the premises designated as 245 Brookside

Is hereby ~~refused~~ ^{rescinded} on this 28th day of September, 19 49,

Under Section 16-5 (c) of the Zoning Ordinance.

For the reason that

a rear yard of 20 feet as required by this section of the ordinance will not be maintained. The house as planned will only permit a 12-foot rear yard on the west.

Respectfully,
S. B. Maple

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

NOTICE TO PROPERTY OWNERS

_____, 19____

An appeal has been filed by William M. Reddy
(Address) 230 N. Edgemoor on behalf of _____

(Address) _____

as provided by Section 33 of the Zoning Ordinance. The appellant
desires to erect a one family residence without maintaining
the required rear yard set-back on the premises
located at 245 Brookside

This appeal has been given Case No. 17-49
and a hearing will be held by the Board of Zoning Appeals on Sunday
October 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.

Secretary.

L. S. & Alice Dack
214 South Pinecrest

M. D. & Fay Dack
170 South Bleckley

Harold M. & Ruth D. Scheer
524 South Oliver

William H. Reddy
230 North Edgemoor

Morris Building Co. Inc.
121 N. Market

Theodore R. & Charlotte G. Underwood
508 South Bluff

Geo. W. & Grace E. Scheer
137 North Battin

P. A. & Grace I. Zillgitt
5630 Park Hollow

Fidelity Building Co.
139 North Main

George J. Hondros, Tr.
WHK Bldg.

Don G. Purcell
339 Oakwood

BOARD OF ZONING APPEALS
CITY OF WICHITA, KANSAS

NOTICE OF HEARING OF APPEAL

October 20, 19 49

William M. Reddy
230 North Edgemoor
Wichita, Kansas

Dear Mr. Reddy :

Your appeal, under the Zoning Ordinance, relative to premises at
245 Brookside

has been given Board of Zoning Appeals Case No. 17-49.

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 Thursday, October 27, 19 49, at 1:30 p.m.
in room 201 of the City Building.

Respectfully,

Eugene N. Smith
Secretary, Board of Zoning Appeals

WM. M. REDDY, JR. & Co.
REALTORS208 PALACE THEATRE BLDG.
WICHITA, KANSAS

September 28, 1949.

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

Gentlemen:

I hereby make appeal for modification of the Zoning ordinance (under Section 16-5 "C" which requires a 20 foot minimum rear yard set-back) effecting the use of 245 Brookside Parkway (Lot 6, Block 2, Park Hollow Addition to the City of Wichit).

The perticular reasons for said appeal are as follows;

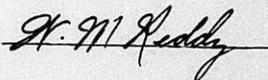
1. The size and shape of the lot is such that the proposed single family residence cannot be placed on the Lot without violating set-back restrictions on Second Street, Brookside Parkway, or the rear yard set-back.
2. The undersigned is also the owner of Lot 5, block 2 adjoining Lot 6 on the west and most effected by said change, and in his opinion such a change would have no ill effect on the value or desirability of Lot 5.
3. The granting of this variance would be less of an imposition on adjoining property than a detached garage with the setback permitted by such a detached garage.

The requested variance is in accord with the general prerequisites for such an appeal in that the following conditions are present.

1. That the exception or variance desired arises from some condition which is not ordinarily found in the same Zoning District.
2. That the granting of the permit for such variance will not adversely effect the rights of adjacent property owners or residents.
3. That the strict application of the terms of the ordinance will constitute unnecessary hardship upon the property owner represented in the appeal.
4. That the exception or variance desired is not against the public interests.

INCLS: 1. Set Plans
2. List of Property Owners.

Respectfully Submitted;



WM. M. REDDY, JR. & Co.
REALTORS

208 PALACE THEATRE BLDG.
WICHITA, KANSAS

September 28, 1949.

The Board of Zoning Appeals
Room, 304 City Hall,
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I hereby make appeal for modification of the Zoning ordinance (under Section 16-5"C" which requires a 20 foot minimum rear yard set-back) effecting the use of 245 Brookside Parkway (Lot 6, Block 2, Park Hollow Addition to the City of Wichita).

The particular reasons for said appeal are as follows;

1. The size and shape of the lot is such that the proposed single family residence cannot be placed on the lot without violating set-back restrictions on Second Street, Brookside Parkway, or the rear yard set-back.
2. The undersigned is also the owner of Lot 5, block 2 adjoining Lot 6 on the west and most effected by said change, and in his opinion such a change would have no ill effect on the value or desirability of Lot 5.
3. The granting of this variance would be less of an imposition on adjoining property than a detached garage with the setback permitted by such a detached garage.

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4. That the exception or variance desired is not against the public interests.

Respectfully Submitted;



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

NOTICE TO PROPERTY OWNERS

October 20, 1949

An appeal has been filed by William M. Reddy
(Address) 230 N. Edgemoor on behalf of _____

(Address) _____

as provided by Section 33 of the Zoning Ordinance. The appellant
desires to erect a one family residence without maintaining the re-
quired rear yard setback on the premises
located at 245 Brookside

This appeal has been given Case No. 17-49
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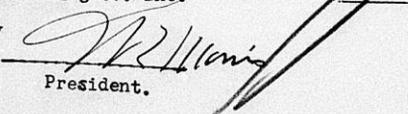
By order of the Board of Zoning Appeals.

Oct 21, 1949.

We have no objection to this change.

Morris Building Co. Inc.

by


President.

Secretary.

LIST OF PROPERTY OWNERS

<u>LOT</u>	<u>BLK</u>	<u>ADDITION</u>	<u>OWNER</u>
2	6	Park Hollow	L. S. & Alice Lack <i>214 d. Pine crest</i>
3	6	"	M. D. & Fay Dack <i>170 d. Bleckley</i>
4	6	"	Harold M. & Ruth D. Scheer <i>524 d. Olive</i>
5	6	"	William H. Reddy <i>230 N. Edgemoor</i>
6	6	"	William H. Reddy
7	6	"	Morris Building Co. Inc. <i>121 N. Market</i>
8	6	"	Theodore R. & Charlotte G. Underwood <i>508 d. Bluff</i>
9 & strip 5' wide on E. side & 8 ft. wide on W. side off N. side of Lot 10, Blk 6,			"
	6	"	Geo. W. & Grace E. Scheer <i>137 N. Batten</i>
14	6	"	P. A. & Grace I. Zillgitt <i>5630 Park d. Hollow</i>
15	6	"	William H. & Peggy R. Browning
16	6	"	Fidelity Building Co. <i>139 N. Main</i>
10	2	Oakwood Estates	George J. Hondros, Tr. <i>WKH Bldg.</i>
11-12-13 & E. 50' of 14	2	"	Lon G. Purcell <i>339 oakwood</i>

We hereby certify the foregoing to be a correct list of property owners as above described, as shown by the records in the office of the Register of Deeds of Sedgwick County, Kansas, this 29th day of September A. D. 1949 at 7 o'clock A. M.

THE SECURITY ABSTRACT AND TITLE COMPANY, INC.

By

[Signature]

Order No. 49155.

Vice-President.

---KB---