

CASE NO. 2-47

S T A T U S S H E E T

Board of Appeals Case No. 2-47

5502 East Pine Premises in Question

B. D. Hoffman Appellant's Name

1616 S. St. Francis Appellant's Address

same Owner's Name

" Owner's Address

Building or Zoning Application Received by Building Inspector
December 19, 1946

Decision of Building Inspector refused under Section 16
of the Zoning Ordinance

Appeal filed with Bond of Zoning Appeals January 21, 1947

Hearing notice and receipt mailed January 21, 1947

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

Adjoining Property Owners Notified mailed Jan. 21, 1947

Protests Received one (A. L. Fisher)

Consents Received none

Prior Cases on These Premises none

Case Hearings January 27, 1947

Case Decided Jan. 27, 1947 Action of Board Appeal granted

Notice of Decision Sent

Court Cases



5502 E. Pine - Looking SW.



5502 E. Pine - Looking NW.



5502 E. Pine - Looking N.E.



5502 E. Pine - Looking NE.

RESOLUTION 2-47

WHEREAS, Mr. B. D. Hoffman, owner of the property at 5502 East Pine Street, has constructed a dwelling with an attached garage at 5502 East Pine Street without observing the minimum front yard of twenty-five (25) feet between the front of the house and the front lot line; and

WHEREAS, the City Building Inspector has issued a formal notice to cease further construction on the building located at the premises mentioned above; and

WHEREAS, the variance arises from a condition which is not uniform over the "A" Zoning District in that the lot is peculiarly shaped; and the corner of the house already constructed Southwest of these premises extends beyond the front of the appellant's house; and

WHEREAS, the lot to the Northeast is so formed that a builder will probably have to front any structure built on that site to the North on Murdock Avenue; and

WHEREAS, this structure as now erected will not prejudice the rights of adjoining properties in any respect; and

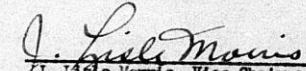
WHEREAS, a strict application of the terms of the ordinance will cause the owner to suffer unnecessary hardship if he has to reduce the size of his garage by two and one-half ($2\frac{1}{2}$) feet since the rear of the structure is already within eight (8) inches of the utility easement and since a large automobile could not be stored in a smaller garage; and

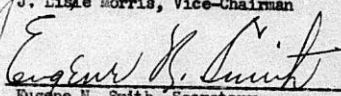
WHEREAS, the owners of the property in the neighborhood have been notified and, with one exception, have indicated that they have no objection to the structure as it now stands;

NOW, THEREFORE, BE IT RESOLVED by the Board of Zoning Appeals that the Building Inspector of the City of Wichita is authorized and hereby directed to permit Mr. B. D. Hoffman to complete his house on the premises known as 5502 East Pine Street.

ADOPTED at Wichita, Kansas, this 27th day of January, 1947.

ATTEST:



J. Lisle Morris, Vice-Chairman


Eugene N. Smith, Secretary

5502 E. Pine

BOARD OF ZONING APPEALS

Case No. 47-2

Filed Jan. 21, 1947

APPEAL UNDER THE ZONING ORDINANCE

TO THE BOARD OF ZONING APPEALS
Room 203, City Hall
Wichita, Kansas

The undersigned, B. D. Hoffman, hereby appeals
from the decision of the Building Inspector wherein a Building Permit
Is Refused For the completion of a residence

OR

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.

(p) _____

Appellant.

NAMES AND ADDRESSES

Appellant	<u>B. D. Hoffman</u>	Address	<u>1616 S. St. Francis</u>
Owner	<u>B. D. Hoffman</u>	Address	<u>1616 S. St. Francis</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.

(over)

THE PRINCIPAL POINTS ON WHICH THIS APPEAL IS MADE

(a) Specific reference to that Section of the zoning ordinance

1. If the garage is cut off to give 25' minimum front yard, it will be impossible to get a car into the garage.

2. The whole plan of the house can not be moved back as it is already within 8" of the easment.

3. This structure does not obstruct the view of the house on either side.

4. This structure does not make a blind corner of the street as the street is on an angle.

5. It is to no ones advantage to cut off the garage in order to have a minimum of 25' of front yardage.

(b) This is a house for sale.

(c) Section 55

ORDER OF DESIGNATION

OR

IN REFERENCE TO

FROM THE DESIGNATION OF THE

THE APPLICANT

ROOM 503, CITY HALL
10 THE BOARD ON ZONING APPEALS

V BELLEVILLE ILLINOIS

DATE

BOARD ON ZONING APPEALS

CITY OF WICHITA
BUILDING INSPECTION DIVISION

To B. D. Hoffman Owner Address 1616 S. St. Francis
To B. D. Hoffman Applicant Address "

Dear Sir:

Your Application Dated December 19, 1946

For a Permit for the erection of a residence

at the premises designated as


5502 E. Pine

Is hereby refused on this 19th day of December, 1946,

Under Section 16 of the Zoning Ordinance.

For the reason that there is not the minimum front yard of 25' being
observed between the front of the house and the front lot line.

Respectfully,


Chief Building Inspector

NOTE: Any appeal from this refusal must be filed with the Board of Zoning Appeals (Room 203, City Hall) within ninety (90) days after the date of this refusal. For further information, take this notice to the Planning Department, Room 203, City Hall.

IN CASE No. 2-47 Notices sent to following property owners:

1. Adolph Bircher	603 N. Edgemoor
2. Dwight Wilson	Bitting Bldg.
3. R. A. Galloway	611 Marcilene Terrace (letter returned)
4. Jas. Page	5503 E. Murdock
5. Wayne Bean	5433 E. Murdock
6. Chas. Basse	404 Schweiter Bldg.
7. J. E. Matzen	5423 E. Murdock
8. A. L. Fisher	5320 E. Pine
9. Ed. Courter	673 Edgemoor
10. F. L. Gunter	669 Edgemoor
11. D. C. Winningham	650 N. Ridgewood
12. R. L. Boynton	656 N. Ridgewood
13. Wm. Atkinson	440 W. 14th

Following owners couldn't be reached:

1. E. Stennett
2. Ana Jennings
3. H. E. Turner