

CASE NO. 5-47

STATUS SHEET

Board of Appeals Case No. 5-47

202 South Edwards Premises in Question

Mr. D. D. Koop Appellant's Name

902 South Topeka Appellant's Address

same Owner's Name

same Owner's Address

Jan. 17, 1947 Building or Zoning Application Received by Building Inspector  
January 17, 1947

Decision of Building Inspector

Denied

Appeal filed with Bond of Zoning Appeals

February 19, 1947. No action taken because appeal  
was withdrawn

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

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

BOARD OF ZONING APPEALS Case No. 5-47

Filed February 19, 1947

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 203, City Hall  
Wichita, Kansas

The undersigned, D. D. Koop, hereby appeals  
from the decision of the Building Inspector wherein a Building Permit  
Is Refused For the completion of a residence because only a 19'  
instead of a 25' front yard set back is provided.

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.

✓ D. D. Koop  
Appellant.

NAMES AND ADDRESSES

Appellant D. D. Koop Address 902 South Topeka  
Owner D. D. Koop Address 902 South Topeka  
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.

AN APPEAL UNDER THE ZONING ORDINANCE

of the City of Wichita, Kansas

The undersigned, D. D. Koop, hereby appeals from the decision of the Building Inspector wherein a Building Permit is refused for the completion of a residence known as 202 South Edwards Avenue, Wichita, Kansas, "because only a 19 foot instead of a 25 foot front yard set back is provided".

The appellant points out

- (a)
  - (1) That the exception or variance desired does not arise from a condition which is uniform in similar situations in that a request by the owner for an on-site inspection by the Building Inspector was made before construction was commenced but that such inspection by the Building Inspector was not made until 4 weeks later during which time construction had commenced and progressed considerably.
  
- (a)
  - (2) That the granting of the permit for the exception or variance will not prejudice the rights of other property owners or residents because the subject property is on a corner with no properties adjoining on the north and because the 19 feet set back is the same as observed by the porches on properties in the remainder of the block to the south.

- (a) (3) That the strict application of the terms of this ordinance will constitute an unnecessary hardship upon the appellant-owner in that construction on the subject property has progressed to the extent of roofing.
- (a) (4) That the only portion of the residence in violation of the required set back is a 6 foot ell or extension of the main structure.
- (b) That the proposed use of the subject property is a modest dwelling for the occupancy of the appellant-owner.
- (c) That this appeal is made under Section 33 of the Revised Zoning Ordinance of the City of Wichita, Kansas, which Section is titled "Board of Zoning Appeals".
- (d) That the names and addresses of all owners and residents within a distance of 200 feet of the subject property is herewith provided.

D. D. Koop  
D. D. Koop - Appellant

Mrs. Sylvia Williams  
208 South Edwards Avenue

Pestinger Typewriter Company  
Central Building

George H. Dickinson  
216 South Edwards Avenue

Mrs. Sylvia Arnold  
210 South Edwards Avenue

S. E. Dailey  
219 South Edwards Avenue

Ralph P. Clark  
201 South Edwards Avenue

R. W. West  
135 South Edwards Avenue

C. E. Ash  
132 South Edwards Avenue

V. L. Stephens  
140 South Edwards Avenue

P. S. Bailey  
144 South Edwards Avenue

J. P. Chandler  
148 South Edwards Avenue

Charles J. Diehl  
149 South Edwards Avenue

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- (a) (3) That the strict application of the terms of this ordinance will constitute an unnecessary hardship upon the appellant-owner in that construction on the subject property has progressed to the extent of roofing.
- (a) (4) That the only portion of the residence in violation of the required set back is a 6 foot all or extension of the main structure.
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\_\_\_\_\_  
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Appellant.

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Owner D. D. Koop Address 902 South Topeka  
Lessee \_\_\_\_\_ Address \_\_\_\_\_

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CITY OF WICHITA  
BUILDING INSPECTION DIVISION

To D. D. Koop Owner Address 902 South Topeka

To Same Applicant Address \_\_\_\_\_

Dear Sir:

Your Application Dated January 17, 1947

For a Permit for the erection of a one-family residence

\_\_\_\_\_ at the premises designated as  
202 S. Edwards

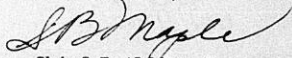
Is hereby refused on this 19th day of February, 19 47,

Under Section 16 of the Zoning Ordinance.

For the reason that

there will not be the necessary front yard as required. It is required that the set-back be twenty-five feet and only nineteen feet is provided.

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.