

CASE No. 11-51

CASE NO. 11-51

Secretary Smith reviewed Case No. 11-51, an appeal from St. Joseph's Parish to make a one-story addition to the north side of St. Joseph's School to be used for a dining room and assembly hall, maintaining only a 7-foot side yard at 135 S. Millwood. The appeal stated that the school is being operated in shifts because of the over-crowded conditions; that a one-story building will not inhibit light and air to the building to the north; that all adjacent property owners have signed a waiver of notice and agree to the construction;

Father Sattler stated that they will convert the old dining room into three classrooms; that Mr. Rousseau, the affected property owner to the north is a member of the parish and has signed a waiver of notice; that there would actually be about 25 feet between the two buildings, as the Rousseau house is set back about 15 feet from the side lot line.

In executive session, after considerable discussion, Smith moved and Keeler seconded that the Board take jurisdiction and grant the variance as the four conditions of the Ordinance have been met, subject to the appellant constructing only a one-story building and not asking for permission for a two-story building at a later date. The motion carried unanimously.

RESOLUTION 11-51

WHEREAS, St. Joseph Parish, owner of the property known as 138 S. Millwood, has applied for a permit to make a one-story addition to the north of the school building at that location; and

WHEREAS, the City Building Inspector has formally refused said permit because the building will not provide the 25-foot setback on the north as required under Section 16, paragraph 5 (b) of the Zoning Ordinance; and

WHEREAS, the variance desired arises from a condition which is not uniform over the "RB" zoning district inasmuch as there will be approximately 25 feet between the two buildings; and

WHEREAS, the granting of the variance will not adversely affect the rights of adjacent property owners inasmuch as all the adjacent owners have signed waivers of notice and agree to the building; and

WHEREAS, the variance desired is not against the public interest as it will provide additional school space; and

WHEREAS, the strict application of the terms of this ordinance will constitute unnecessary hardship on the property owner as he is unable to build the addition in any other location in order to provide additional classroom space; and

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 issue a permit for the construction of a one-story addition to the north of St. Joseph School, maintaining only a seven-foot side yard on the north.

ADOPTED at Wichita, Kansas, this seventh day of May, 1951.

G. W. Herrman, Chairman

Eugene N. Smith, Secretary

As there was no further business to come before the Board at this time, the meeting was adjourned.

Eugene N. Smith
Secretary

Wichita, Kansas
28 April 1951

Board of Zoning Appeals
City Building
Wichita, Kansas

Gentlemen:

The undersigned, Noah E. Rosseau, being the owner of

Lots 12, 13 and 14, Block 11, Junction
Town Company Addition to the City of
Wichita, Sedgwick County, Kansas,

hereby waives any notice from the Board of Zoning Appeals of the appeal of St. Joseph Parish for a permit for the addition of a school assembly and dining hall to the north side of the present parish school building; and the undersigned hereby consents that the appeal be allowed, and that St. Joseph Parish be authorized to construct the addition to the school building as planned and as set out in its appeal.

Very truly yours,

Noah E. Rosseau

Noah E. Rosseau

Wichita, Kansas
28 April 1951

Board of Zoning Appeals
City Building
Wichita, Kansas

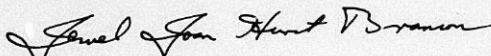
Gentlemen:

The undersigned, Jewel Joan Hurst Branson, being the
owner of

Lots 8 and 9, Block 10, Junction
Town Company Addition to the City
of Wichita, Sedgwick County, Kansas,

hereby waives any notice from the Board of Zoning Appeals
of the appeal of St. Joseph Parish for a permit for the
addition of a school assembly and dining hall to the north
side of the present parish school building; and the under-
signed makes no recommendation either for or against the
issuance of said permit and states that she desires to
take a neutral position on the matter.

Very truly yours,



Jewel Joan Hurst Branson

Form 3806-S (Rev. 3-49)

Receipt for Registered Article No. 7274

Postmaster per: CVE

Fee paid 25 cents. Class postage

Declared value 10.05 Surecharge paid, \$.....

Return Receipt for Receipt Spl. Daily fee

Delivery restricted to addressee:

In person or order Fee paid

Accepting employee will place his initials in space

indicated, restricted delivery

NOTICE TO SENDERS—List below name and address of addressee as an identification. Preserve and submit

this receipt in case of delay or application for indemnity.

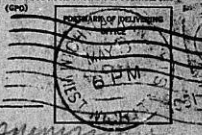
St. Joseph Parish 145 Millwood

(Name of addressee) (P. O. and State of address)



Post Office Department OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, \$300 (GPO)



Return to City Planning Commission

Street and Number, or Post Office Box, 304 City Bldg

REGISTERED ARTICLE 7274

No.

INSURED PARCEL

WICHITA, KANSAS.

Form 8806-S (Rev. 2-40)

Receipt for Registered Article No. 442077

Postmaster per: CWC

Fee paid 5 cents. Class postage _____

Declared value 1.00 SurchARGE paid, \$ _____

Return Receipt fee 0.05 Spl. Del'y fee _____

Delivery restricted to addressee: _____

In person _____ or order _____ fee paid _____

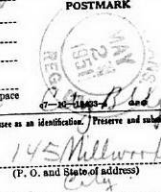
Accepting employee will place his initials in space

indicating restricted delivery. PC

NOTICE TO SENDER—Enter below name and address of addressee as an identification. Preserve and submit

this receipt in case of inquiry or application for indemnity.

Joseph Parish (Name of addressee)



145 Millwood
City (P. O. and State of address)

Form 8811
Rev. 1-4-40

RETURN RECEIPT

Received from the Postmaster the Registered or Insured Article, the original number of which appears on the face of this Card.

1 St. Joseph Parish
(Signature or name of addressee)

2 R. O. Glatzer
(Signature of addressee's agent—Agent should enter addressee's name on line ONE above)

Date of delivery 5-3-57, 1957

Board of Zoning Appeals
Wichita, Kansas

Gentlemen:

The undersigned, owners of the property set opposite their names, which property is within a 200-foot radius of 135 South Millwood, Wichita, Kansas, hereby waive any notice from the Board of Zoning Appeals of the appeal of St. Joseph's Parrish for a permit for the addition of school assembly and dining hall to the north side of the present Parrish school building, and consent that a permit may be issued, notwithstanding that under Section 18, paragraph 5(b) of the Zoning Ordinance a side-yard of 7 feet on the north would be provided in lieu of a 25-foot sideyard as required by such ordinance.

The undersigned consent to said construction of the addition to the school building as planned and request that the appeal of St. Joseph's Parrish be allowed.

Description of Property (All in Junction Town Company's Addition)	Owner
Lots 5-6-7, in Block 10	<u>Mabel Dadisman</u> Mabel Dadisman
Lots 8-9, Block 10	<u>Jewel Joan Hurst</u> Jewel Joan Hurst
Lots 10-11-12, Block 10	<u>John Brand</u> John Brand, Sr.
Lots 29-30-31, Block 10	<u>Rev. Peter G. Sattler</u> for Society of Redemptorist Fathers of Wichita
Lots 32-33-34-35-36-37-38 39-40-41-42, Block 10	<u>J. O'Sullivan T. G.</u> for Catholic Diocese of Wichita
Lots 43-44	<u>Rev. Peter G. Sattler</u> for Society of Redemptorist Fathers of Wichita
Lots 1-2-3-6-7, Block 11	<u>Josephine Webb</u> Josephine Webb
	<u>Bessie Webb</u> Bessie Webb
Lots 4-5, Block 11	<u>Robert T. Webb</u> Robert T. Webb
	<u>Josephine Webb</u> Josephine Webb
	<u>Bessie Webb</u> Bessie Webb

Lots 8-9, Block 11

Blanche Walker
Blanche Walker

Lots 10-11, Block 11

John Lloyd Brown
John Lloyd
Frances Marie Brown
Frances Marie Brown

Lots 12-13-14, Block 11

Noah E. Rosseau
Noah E. Rosseau

Lots 15-16-17-18-19-20-
21-22-23-24-25-26-27,
Block 11

J. O. Sullivan, J. G.
for Catholic Diocese of Wichita

Lots 28-29-Block 11

Riney W. Hay
Riney W. Hay

Mary B. Hay
Mary B. Hay

Lots 30-31, Block 11

Joseph J. Kerschen
Joseph J. Kerschen

Frances Kerschen
Frances Kerschen

Lots 32-33, Block 11

Rex E. Anderson
Rex E. Anderson

Lucille Anderson
Lucille Anderson

Lots 34-35-36-37 (Except
the N. 23' of Lot 37), Block 11

J. O. Sullivan, J. G.
for Catholic Diocese of Wichita

North 23' of Lot 37, All of
Lots 38, Block 11

William J. Bugner
William J. Bugner

Frances G. Bugner
Frances G. Bugner

Lot 39, Block 11

Martin Pinaire
Martin Pinaire

CITY OF WICHITA
BUILDING INSPECTION DIVISION

To St. Joseph Parish Owner Address 145 South Millwood
To Same Applicant Address _____

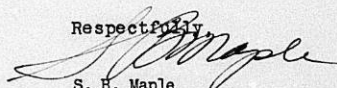
Dear Sir:

Your Application Dated April 19, 1951,
For a Permit for the addition of School Assembly and Dining Hall to the North
side of the building at the premises designated as
135 South Millwood

Is hereby refused on this 19th day of April, 19 ,
Under Section 18, Par. 5 (b) of the Zoning Ordinance.

For the reason that as planned, an insufficient side yard would be provided on
the north. The ordinance requires that a 25' side yard be held adjacent to a
residential property, and this addition would provide only 7' on the north side.

Respectfully,


S. E. 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

May 2, 1951

An appeal has been filed by St. Joseph Parish
(Address) 145 W. Millwood on behalf of same
(Address)

as provided by Section 33 of the Zoning Ordinance. The appellant
desires to make addition to north side of school building without
maintaining 250foot side yard on the premises
located at 155 S. Millwood

This appeal has been given Case No. 11-51
and a hearing will be held by the Board of Zoning Appeals on Monday, May 7, 1951
at 1:30 P.M.
at which time you may appear, if you so desire, either in person or
by agent or attorney. Room 201, City Building

By order of the Board of Zoning Appeals.

Eugene H. Smith
Secretary.

BOARD OF ZONING APPEALS
CITY OF WICHITA, KANSAS

NOTICE OF HEARING OF APPEAL

May 2, 1951

**St. Joseph Parish
145 S. Millwood
Wichita, Kansas**

Gentlemen _____:

Your appeal, under the Zoning Ordinance, relative to premises at
135 South Millwood

has been given Board of Zoning Appeals Case No. 11-51.

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 Monday, May 7, 1951, 19____, at _____
1:30 p.m. Room 201, City Building

Respectfully,

Eugene N. Smith
Secretary, Board of Zoning Appeals

STATUS SHEET

Board of Appeals Case No. 11-51
135 South Millwood Premises in Question
St. Joseph Paris Appellant's Name
135 South Millwood Appellant's Address
Name Owner's Name
Name Owner's Address

4-19-51 Building or Zoning Application Received by Building Inspector
4-19-51 Decision of Building Inspector refused
4-19-51 Appeal filed with Bond of Zoning Appeals

5-2-51 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

5-2-51 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

