

BZA 32-63 - Philip P. Harris requests
variance from front & side yard re-
quirements re: parking on E side of
Market bet. 9th and 10th Streets

ACTION

DATE 11/26/63

Bza COMMITTEE _____

M.A.P.C. _____

B.C.C./B. CO. C. _____

R E S O L U T I O N N O . B Z A 3 2 - 6 3

WHEREAS, Philip F. Farha, P. O. Box 2546, Wichita, Kansas, has filed an application for a variance, as provided in Section 2.12.590.2, Code of the City of Wichita, to allow off-street parking to occupy all of the required side yard setback area and one-half of the required front yard setback area, on property legally described as follows:

The North 6.25 feet of Lot 158, all of Lots 160, 162, 164, 166, 168, 170, 172, 174, 176 and 178 on Market Street in Hyde & Ferrels Addition, in the City of Wichita, Sedgwick County, Kansas. Generally located on the east side of Market between 9th and 10th Streets; and

WHEREAS, proper notice as required by ordinance and by the rules of the Board of Zoning Appeals has been given; and

WHEREAS, the Board of Zoning Appeals did, in regular meeting, consider said application on November 26, 1963; and

WHEREAS, the Board of Zoning Appeals has determined it has jurisdiction to consider said request for a variance under the provisions of Section 2.12.590.2, Code of the City of Wichita; and

WHEREAS, the property is zoned "B" Multiple Family, which requires a front yard setback of 20 feet in which off-street parking is prohibited, and a side yard setback of 5 feet in which off-street parking is prohibited in one-half of such side yard setback area, without the variance requested; and

WHEREAS, the Board of Zoning Appeals has found that the request for variance arises from a condition which is unique and not ordinarily found in the same zoning district inasmuch as attempts were made to acquire additional property, but to no avail and further, if additional property could be acquired, it would increase the cost of the development to such an extent that it would be very doubtful if a loan could be obtained to finance the project; and further provided that the applicant is offering to provide more parking spaces than is required by the Ordinance; and further, the applicant is proposing to fulfill a need for this type of use without harm to others and it was further determined by the Board that the proposed use is close in proximity to the Central Business District, thus making the cost of land high enough to demand a maximum use of the property for the type of development; and

WHEREAS, the Board of Zoning Appeals has found that the granting of the variance as approved, would not adversely affect the rights of adjacent property owners inasmuch as a 6 foot high masonry fence will be built along the side property lines and returned along the front to help protect adjacent property owners from encroachment from automobiles and glare from headlights; and

WHEREAS, the Board of Zoning Appeals has found that the strict application of the enforcement provisions of the Zoning Ordinance will constitute unnecessary hardship upon the applicant in that this project was initiated in the early part of 1962 when the ordinance allowed off-street parking in all of the side yard setback and in one-half of the front yard setback, and that plans were prepared under these terms of the ordinance, and further, the ordinance was amended in October, 1962, to allow parking to utilize only one-half of the required side yard setback and none of the required front yard setback; and further, when a preliminary check of

the plans was requested by the Central Inspection Division in October of 1963, it was determined that the applicant was proposing to utilize parking space which was prohibited by the ordinance and consequently, it was the determination of the Board that a reasonable attempt had been made by the applicant to abide by the terms of the ordinance as he thought they existed, and therefore, it was determined that the applicant would be burdened with an undue hardship if he was required to abide by the strict enforcement provisions of the ordinance, in view of the fact that \$15,000 had already been spent on architecture fees; and

WHEREAS, the Board of Zoning Appeals has found that the variance, as approved, will not adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare; and

WHEREAS, as shown above, each of the four conditions required by Section 2.12.590.2, Code of the City of Wichita, to be present before a variance can be granted, has been found to exist.

NOW, THEREFORE, BE IT RESOLVED by the Board of Zoning Appeals of the City of Wichita, Kansas, that the request for a variance be approved to allow off-street parking to occupy all of the required side yard setback area and one-half of the required front yard setback area, on property legally described as:

The North 6.25 feet of Lot 158, all of Lots 160, 162, 164, 166, 168, 170, 172, 174, 176 and 178 on Market Street in Hyde & Ferrels Addition, in the City of Wichita, Sedgwick County, Kansas. Generally located on the east side of Market between 9th and 10th Streets,

subject to the following conditions and requirements:

1. Off-street parking in the front yard setback area shall be restricted to two spaces 10'x17' in the east 10 feet of the required front yard setback which abuts the side property line.
2. A 6 foot high solid wall masonry fence shall be constructed along the north and south property lines to within a distance of 10 feet of the west property line, where the fence shall be returned along the front for a distance of 12 feet.
3. Off-street parking shall be provided in accordance with Section 28.04.140 of the Zoning Ordinance.
4. Construction of the parking and associated parking shall be completed within 36 months of the effective date of this approval.
5. These conditions shall be applicable only to the use proposed by the applicant in this case.

ADOPTED at Wichita, Kansas, this 26th day of November, 1963.

Harold Bauer
Harold Bauer, Vice-Chairman

ATTEST:

Robert A. Lakin
Robert A. Lakin, Secretary

December 9, 1963

Mr. Philip F. Farha
P. O. Box 2546
Wichita, Kansas

Dear Mr. Farha:

Re: BZA 32-63 - Request for Variance

On December 2, 1963, we advised you that the Board of Zoning Appeals had approved your request for a variance to allow off-street parking to occupy all of the required side yard setback area and one-half of the required front yard setback area, on property generally located on the east side of Market between 9th and 10th Streets, subject to certain conditions.

We also advised that the Board's decision might be appealed to the City Commission provided that such appeal was filed on or before December 6, 1963. The City Clerk has advised that no appeal was filed on or before the date indicated, and the decision of the Board of Zoning Appeals is, therefore, final.

A copy of the resolution setting forth the action of the Board is attached for your information and files.

Very truly yours,

Robert A. Lakin
Secretary

RAL:ber
Attachment

cc: Ray Frisby, Architect
416 South Market

Glen Lytle, Superintendent
of Central Inspection

Board of Zoning Appeals

December 3, 1963

Robert G. Finch, City Clerk

Robert A. Lakin, Secretary

BZA No. 32-63

Attached is a copy of BZA Resolution No. 32-63, covering action taken by the Board of Zoning Appeals on the above case.

This case was heard on November 26, 1963, and an appeal may be filed in your office on or before December 6, 1963. If an appeal is filed, please advise.

Robert A. Lakin
Secretary

RAL:ber

Attachment

December 2, 1963

Mr. Philip F. Farha
P. O. Box 2546
Wichita, Kansas

Dear Mr. Farha:

Re: BZA 32-63 - Request for Variance

This is to advise you that at its regular meeting of November 26, 1963, the Board of Zoning Appeals of the City of Wichita considered your request for a variance to allow off-street parking to occupy all of the required side yard setback area and one-half of the required front yard setback area, on property legally described as:

The North 6.25 feet of Lot 158, all of Lots 160, 162, 164, 166, 168, 170, 172, 174, 176 and 178 on Market Street in Hyde & Ferrels Addition. Generally located on the east side of Market between 9th and 10th Streets.

It was the decision of the Board of Zoning Appeals to approve this application, subject to the following conditions and requirements:

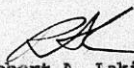
1. Off-street parking in the front yard setback area shall be restricted to two spaces 10'x17' in the east 10 feet of the required front yard setback which abuts the side property line.
2. A 6 foot high solid wall masonry fence shall be constructed along the north and south property lines to within a distance of 10 feet of the west property line, where the fence shall be returned along the front for a distance of 12 feet.
3. Off-street parking shall be provided in accordance with Section 28.04.140 of the Zoning Ordinance.
4. Construction of the parking and associated parking shall be completed within 36 months of the effective date of this approval.
5. These conditions shall be applicable only to the use proposed by the applicant in this case.

Page 2 - Philip F. Farha
December 2, 1963

Section 2.12.610 of the Code of the City of Wichita provides that the decision of the Board of Zoning Appeals shall be final unless it is appealed to the Board of City Commissioners within ten days of the date of the Board's action. Accordingly, an appeal could be filed in this case on or before December 6, 1963.

Subsequent to the expiration of the appeal period, you will be advised whether or not an appeal has been filed. If no appeal has been filed on or before December 6, 1963, the decision of the Board will be final and the Superintendent of Central Inspection will be in a position to issue the appropriate permit.

Very truly yours,



Robert A. Lakin
Secretary

RAL:JWF:ber

cc: Robert G. Finch
City Clerk

Glen Lytle, Superintendent
of Central Inspection

Ray Frisby, Architect
416 South Market

SECRETARY'S REPORT

CASE NO. BZA 32-63

GENERAL LOCATION

Generally located on the east side of Market between 9th and 10th Streets.

LAND USE

The property in question is currently occupied by five single family homes. The existing land use to the north is single family and a boarding house; east is a boarding house, duplex, six-plex, and plumbing shop; south is single family and boarding house; and west is single family, boarding house and a duplex.

EXISTING ZONING

The property in question is currently zoned "B" Multiple Family. The existing zoning to the north is "B" Multiple Family; east is "LC" Light Commercial; south and west is "B" Multiple Family.

REQUEST

The request is for a variance to allow off-street parking to occupy all of the required side yard setback area and one-half of the required front yard setback area.

The variance is within the jurisdiction of the Board of Zoning Appeals to grant provided all four of the following conditions are found to exist:

- A. The variance desired arises from such condition which is unique and not ordinarily found in the same zoning district;

- B. The granting of the permit for the variance will not adversely affect the rights of adjacent property owners;
- C. The strict application of the enforcement provisions of the zoning ordinance would constitute an unnecessary hardship upon the applicant represented in the appeal;
- D. The variance desired is not against the public interest.

The applicant has submitted a plot plan and statement of justification, which are included as Attachments #1 and #2 to this report.

COMMENTS BY THE SECRETARY

The applicant has requested that he be allowed to utilize all of the required side yard setback and 1/2 of the required front yard setback for off-street parking for a proposed garden type apartment project. The present ordinance allows off-street parking to occupy one-half of the required side yard setback but does not allow parking to utilize any part of any required front yard setback in a dwelling district. The required front yard setback in the "B" district is 20 feet and the required side yard setback is 5 feet.

The applicant states informally that he will utilize the rear 10 feet of the required front yard setback to such extent as to provide two parking spaces (one on the south and one on the north).

UNIQUENESS

The applicant suggests that the property in question is close to the Central Business District and although many of the homes in the adjoining area are quite old and in bad repair, the cost of the land is high enough to demand a maximum use of the land for the particular type of development.

The Secretary in the past has advised the Board that in his opinion uniqueness should be so construed as to mean that there is something unusual or unique about the property that sets it apart from other properties in the same neighborhood or zone, e.g., unusual platting, unusual ground characteristics, irregular and unusual ownership pattern, etc. The applicant has offered no evidence as to how the property in question can be considered unique other than the fact that the cost of the land is high.

The applicant has stated that the high cost of land near the core area is unique because it necessitates maximum utilization of the property available to the developer in order to make the venture profitable. The Secretary is of the opinion that this type of criteria may be acceptable for the justification of uniqueness when there is sufficient evidence offered in support of the statement. However, in this particular case the applicant has offered no evidence that the cost of the property is high enough to justify maximum utilization of the land.

Types of evidence which might be acceptable to the Board is cost of the property in relation to cost of other property in close proximity to the core area, evidence that the acquisition of additional property for parking would make the venture unprofitable and any other information which might justify the contention of uniqueness on the basis of high land cost and proximity to the core area.

ADJACENT PROPERTY

The Secretary concurs with the applicant in that the granting of the permit for the variance will not adversely affect adjacent property owners in view of the fact that a masonry fence approximately 6 feet high will be built along the side property lines and returned along the front to protect adjacent property owners from encroachment from automobiles and glare from headlights, etc.

HARDSHIP

The applicant is of the opinion that hardship exists in view of the fact that the owner has been studying this project for a year and a half and when he selected this property the Code allowed one-half of the required front yard setback and all of the required side yard setback in the "B" district to be utilized for parking. He also suggests that the plans were made on this assumption, unaware of the new amendment to the Zoning Ordinance (prohibiting parking in front yard setbacks and one-half of the side yard setback) which was adopted on October 5, 1962, until a preliminary check of the plans was requested by the Central Inspection Division.

The applicant also states that a commitment for a loan has been made for the project, complete working drawings and specifications have been prepared and the owner has invested a considerable amount of money for property, plans, development and promotion. Consequently, it is the applicant's opinion that the strict

application of the enforcement provisions of the Zoning Ordinance would constitute an unnecessary hardship and possibly force abandonment of the project.

The Secretary is of the opinion that again the statements made by the applicant may in fact be true; however, he has not furnished any evidence for justification of the statements made above.

The Secretary is of the opinion that types of evidence which should be presented to the Board are as follows:

- Did the applicant or his agent make a reasonable attempt to check whether or not the ordinance had been amended?
- How much money and time have been spent on plans, promotion, development, property, etc.? What will be the cost of revising the plans?

Further, the Board should consider whether one year from the time the ordinance has been amended is a reasonable or unreasonable time for general cognizance of the fact that the ordinance has been changed.

PUBLIC INTEREST

The Secretary agrees with the applicant in that a variance of 2½ feet for the side yard and the variance to allow two spaces in the rear 10 feet of the front yard setback abutting should not adversely affect the public interest in view of the fact that a masonry fence will be erected along side lot lines. The applicant

has also pointed out that if a variance of $2\frac{1}{2}$ feet is granted for the side yard setback that they will be able to utilize only one foot of the $2\frac{1}{2}$ feet since the masonry wall will occupy the other $1\frac{1}{2}$ feet.

ADDITIONAL COMMENTS BY THE SECRETARY

As suggested above, it is the opinion of the Secretary that there is not enough available evidence to justify the requirements of uniqueness and hardship; therefore, it is recommended that this application be denied.

If, however, the applicant, in his presentation before the Board, can submit additional evidence for the justification of uniqueness and hardship which is acceptable to the Board, it is recommended the application be approved, subject to the following conditions and requirements:

1. Off-street parking in the front yard setback area shall be restricted to two spaces $10' \times 17'$ in the rear 10 feet of the required front yard setback (20') which abuts the side property line.
2. A 6 foot high solid wall masonry fence shall be constructed along the north and south property lines to within a distance of 10 feet of the west property line where the fence shall be returned along the front for a distance of 17 feet.

Page 7 - Secretary's Report
Case No. BZA 32-63

3. Off-street parking shall be provided in accordance with Section 28.04.140 of the Zoning Ordinance. *before occupancy*
4. Construction of the parking and associated parking shall be completed within 36 months of the effective date of this approval.

5. *Permit by, re: co. N. spec. or.*

Attachments

- #1 - Plot Plan
- #2 - Statement of justification
- #3 - Variance vote sheet

November 5, 1963

Board of Zoning Appeals
City of Wichita, Kansas

Gentlemen:

We respectfully request a variance under Section 2.12.590.2 of the Code of the City of Wichita to allow use of the entire side yard and one-half of the front yard setbacks for parking for a proposed garden type apartment project at 1030 N. Market as shown on the accompanying plot plan. The specific section of the zoning ordinance from which variance is requested is Section 28.04.140.1.1 of Ordinance 26-765 published October 5, 1962, which prohibits use of any portion of the required front yard setback and one-half of the required side yard setbacks for off-street parking.

- A. The property in question is close to the central business district and although many of the neighboring homes are quite old and some in bad repair the cost of the land is high enough to demand maximum use of the land in a development of this nature.
- B. The granting of the permit for the variance will not affect the rights of adjacent property owners in any way as a masonry fence approximately 6' 0" high will be built at the side property lines and returned along the front to protect adjacent property owners from encroachment by automobiles and screen any glare from headlights, etc.
- C. The owner has been studying this project for a year and a half and when he selected this property the Code allowed one-half the required front yard and all of the required side yard setback in B zones to be used for parking, and the plans were made on this assumption, unaware of the change adopted October 5th of last year until a preliminary check of the plans was requested of the Central Inspection Department.

A commitment for a loan has been approved for the project, complete working drawings and specifications have been prepared and the owner has invested a considerable amount of money for property, plans, development and promotion. Strict application of the enforcement provisions of this zoning ordinance would obviously constitute a real hardship upon the owner and quite possibly force abandonment of this project which if completed would be a great improvement to the neighborhood and a real asset to the whole community.

Attachment #2
Page 1

D. The variance desired is not against the public interest. The owner is really asking permission to use the 1' 0" of his property between the required setback and his reinforced masonry fence plus 10' x 17' at each front corner. This land would be useless for any other use. Concerning the front yard usage, this street now has an exceptionally wide parking (29' 6") and the property is situated in the center of the block, 240' from 9th Street and 250' from 10th Street so sight line of traffic in or entering the street would not be affected.

Respectfully submitted,

S/ Philip F. Farha

FFF/pg

VZA ACTION

Motion made by	Seconded by	Action
		Jurisdiction
		FINDINGS OF FACT
		1. Variance desired arises from such condition which is unique and which is not ordinarily found in the same zoning district.
		2. Granting of the permit for the variance will not adversely affect the rights of adjacent property owners or residents.
		3. Strict application of the enforcement provisions of the zoning ordinance will constitute unnecessary hardship upon the property owner represented in the appeal.
		4. Variance desired will not adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare.
		Determination (Approve or Deny)

BZA 32-63 - NOTICES MAILED NOVEMBER 7, 1963 for meeting on November 26

Philip F. Farha
P. O. Box 2546

Fred R. Michael
1061 North Market

Miles Richardson
Leona B. Richardson
1010 North Market

Nellie May Reece
Virgil A. Reece
1063 North Market

Willis L. Laxley
Katheryn Laxley
1018 North Market

Paula Mike Farha, Toni Kay Farha,
B. D. Eddie Farha, Marti Lou Farha,
Clayton Farha
557 North Armour

Phillip F. Farha
Gloria E. Farha
4601 East Douglas

Leslie Leonard DeHaven
Lois Lorene Houston
428 Porter

*notice returned
"no such street number"
Resent to 303 W. 87 N.*

Lewis M. Reagan
Gabriella O. Reagan
1056 North Market

Floyd G. McClurg
Mary Louise McClurg
1653 Jeanette

Dollie Loeb sack
1062 North Market

Floyd E. Houston
Lois Houston
428 Porter

*notice returned
"no such street number"
Re-sent to 928 Porter*

John Katras
1064 North Market

G. Fred Williams
745 Porter

Cecelia Conner
1025 North Market

Helen Loewen
1325 McLean Boulevard NW

J. A. Hendrickson
204 North Market

Joe Welch
Sarah H. Welch
232 Morningside

Charles Richard White
1037 North Market

Lillie Archer
1068 North Market

*Alfred L. Woodhill
1600 Manning Avenue
Los Angeles 24, Calif*

Lola Jean Belisle
1057 North Market

W. O. Jackson
Anna C. Jackson
1059 North Market

BOARD OF ZONING APPEALS
Room 402 City Building Annex
104 South Main
Wichita, Kansas

November 7, 1963

NOTICE TO ADJOINING PROPERTY OWNERS

Case No. BZA 32-63

An application has been filed by Philip F. Farha, P. O. Box 2546, Wichita, Kansas (4601 East Douglas, Wichita, Kansas), requesting a variance, as provided in Section 2.12.590.2, Code of the City of Wichita, to allow use of the entire side yard and one-half of the front yard setbacks for parking for a proposed garden type apartment project, on property zoned "B" Multiple Family, and legally described as:

North 6.25 feet of Lot 158, all of Lots 160, 162, 164, 166, 168, 170, 172, 174, 176 and 178 on Market Street in Hyde & Ferrels Addition to the City of Wichita, Sedgwick County, Kansas. Generally located on the east side of Market between 9th and 10th Streets.

This application has been assigned Case No. BZA 32-63, and will be considered by the Board of Zoning Appeals on Tuesday, November 26, 1963, at 2 p.m. in Room 401 City Building Annex, 104 South Main, Wichita, Kansas, at which time you may appear, if you so desire, either in person or by agent or attorney.

Robert A. Lakin
Secretary

November 5, 1963

Board of Zoning Appeals
City of Wichita, Kansas

Gentlemen:

We respectfully request a variance under Section 2.12.590.2 of the Code of the City of Wichita to allow use of the entire side yard and one-half of the front yard set backs for parking for a proposed garden-type apartment project at 1030 N. Market as shown on the accompanying plot plan. The specific section of the zoning ordinance from which variance is requested is Section 2804.140-1.1 of ordinance 26765 published October 5, 1962 which prohibits use of any portion of the required front yard set back and one-half of the required side yard set backs for off-street parking.

Point
A. The property in question is close to the central business district and although many of the neighboring homes are quite old and some in bad repair the cost of the land is high enough to demand maximum use of the land in a development of this nature.

B. The granting of the permit for the variance will not affect the rights of adjacent property owners in any way as a masonry fence approximately 6'-0" high will be built at the side property lines and returned along the front to protect adjacent property owners from encroachment by automobiles and screen any glare from headlights etc.

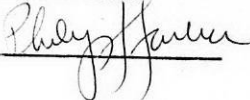
Make
10/5/63
C. The owner has been studying this project for a year and a half and when he selected this property the Code allowed one-half the required front yard and all of the required side yard set back in B zones to be used for parking, and the plans were made on this assumption, unaware of the change adopted October 5th. of last year until a preliminary check of the plans was requested of the Central Inspection Department.

Under way
10/5/63
A commitment for a loan has been approved for the project, complete working drawings and specifications have been prepared and the owner has invested a considerable amount of money for property, plans, development and promotion. Strict application of the enforcement provisions of this zoning ordinance would obviously constitute a real hardship upon the owner and quite possibly force abandonment of this project which if completed would be a great improvement to the neighborhood and a real asset to the whole community.

D. The variance desired is not against the public interest. The owner is really asking permission to use the 1'-0" of his property between the required set back and his reinforced masonry fence plus 10' x 17' at each front corner. This land would be useless for any other use. Concerning the front yard usage, this street now has an exceptionally wide parking (29'-6") and the property is situated in the center of the block, 240' from 9th. street and 250' from 10th. street so sight line of traffic in or entering the street would not be affected.

Respectfully Submitted,

PHILIP F. FARHA



PFF/pg

BOARD OF ZONING APPEALS
CITY OF WICHITA, KANSAS

CASE NO. _____
FILED _____

APPLICATION FOR VARIANCE

I. NAME OF APPLICANT PHILIP F. FARHA
MAILING ADDRESS P.O. Box 2546; 4601 E. DOUGLAS PHONE MU 2562
NAME OF AUTHORIZED AGENT N.A.
MAILING ADDRESS N.A. PHONE N.A.
RELATIONSHIP OF APPLICANT TO PROPERTY IS THAT OF OWNER
(OWNER, TENANT, LESSEE, OTHER)

II. THE VARIANCE REQUESTED IS 2.12.590.2

FOR PROPERTY LOCATED AT 1030 N. MARKET

AND LEGALLY DESCRIBED AS: the north 6.25' of lot 158 and all of lots 160, 162, 164, 166, 168, 170, 172, 174, 176 and 178 on Market, Hyde and Ferrell's Addition to Wichita, Kansas

IN THE CITY OF WICHITA; AND WHICH IS PRESENTLY ZONED R.

(GIVE METES AND BOUNDS DESCRIPTION BELOW IF APPROPRIATE):

III. THE APPLICANT HEREIN, OR HIS AUTHORIZED AGENT, ACKNOWLEDGES:

- A. THAT HE HAS RECEIVED AN INSTRUCTION SHEET CONCERNING THE FILING AND HEARING OF THIS MATTER;
- B. THAT HE HAS BEEN ADVISED OF THE FEE REQUIREMENTS ESTABLISHED BY SECTION 2.12.580 OF THE CODE OF THE CITY OF WICHITA (ORDINANCE No. 24-606); AND THAT THE APPROPRIATE FEE IS HEREWITH TENDERED;
- C. THAT HE HAS BEEN ADVISED OF HIS RIGHT TO APPEAL OF THE DECISION OF THE BOARD TO THE CITY COMMISSION WITHIN TEN (10) DAYS OF THAT DECISION;
- D. THAT ALL DOCUMENTS ARE ATTACHED HERETO AS NOTED IN PARAGRAPHS 3 AND 4 OF THE INSTRUCTIONS.

Philip Farha
APPLICANT

AUTHORIZED AGENT

OFFICE USE ONLY: RECEIVED IN OFFICE OF SECRETARY, BOARD OF ZONING APPEALS, 11:30 (A.M. - ~~P.M.~~), Nov. 5, 19 68, TOGETHER WITH APPROPRIATE FEE OF \$50.00.

Ann Howe
SIGNED


STATEMENT OF RECORD OWNERSHIP

STATE OF KANSAS)
)
 SEDGWICK COUNTY)

The undersigned duly bonded and qualified abstractor within and for the County and State aforesaid, does hereby certify:

That we have examined the records in the office of the Register of Deeds of Sedgwick County, Kansas, with reference to the ownership of the following property in Sedgwick County, Kansas, viz:

All property within 200 feet of the North 6.25 feet of Lot 158, All of Lots 160, 162 164, 166, 168, 170, 172, 174 and 176 and 178 on Market Street in Hyde & Ferrells Add to the City of Wichita.


 Fidelity
 Title
 Company.
 inc.

And from such examination find that the record owners thereof are as set opposite the description of the property below, viz:

LOTS	STREET	ADDI TION	OWNER
150 & S 3' 152	Market	Hyde & Ferrell's Add.	Miles Richardson Leona B. Richardson <i>101 N. MARKET</i>
N 22' 152 All 154, 156 & S 3/4 158	"	" "	<i>1018 N. 7th St.</i> Willis L. Laxley Katheryn Laxley
N 6 1/4' 158 All 160, 162 164, 166, 168 170, 172, 174, 176, & 178	"	" "	Phillp F. Farha Gloria E. Farha <i>4601 E. PENNINGTON</i>
180 & 182	"	" "	Gladys M. Thayer <i>no address</i>
184 & 186	"	" "	Lewis M. Reagan Gabriella O. Reagan <i>1036 N. MARKET</i>
188 & 190	"	" "	Dollie Loeb sack <i>1042 N. MARKET</i>
192 & 194	"	" "	John Katras <i>1044 N. MARKET</i>
149, 151, 153 & S 14' 155	"	" "	Alfred L. Woodill <i>1600 Manning Ave Los Angeles 24, Calif</i>
N 11' 155 & 157, 159, 161 & 163	"	" "	Cecelia Conner <i>1025 N. MARKET</i>



**Fidelity
Title
Company,
inc.**



LOTS	STREET	ADDITION	OWNER
165, 167 & 169	Market	Hyde & Ferrell's Add.	J.A. Hendrickson 202 N. MARKET
171, 173, 175	"	"	Charles Richard White 1037 N. MARKET
177 & 179	"	"	Lillie Archer 1042 N. MARKET
181 & 183	"	"	Lola Jean Belisle
185 " 187	"	"	W.O. Jackson Anna C. Jackson 1057 N. MARKET
189 & 191	"	"	Fred R. Michael 1061 N. MARKET
193	"	"	Nellie May Reece Virgil A. Reece 1063 N. MARKET
149 & 151	BROADWAY	"	Phillip F. Farha 461 E. COLIAS
153, 155, 157, 159, 161	"	"	Paula Mike Farha Toni Kay Farha B.D. Eddie Farha Marti Lou Farha Clayton Farha 557 N. ARMOUR
163, 165, 167	"	"	Leslie Leonard DeHaven Lois Lorene Houston 428 PORTER
169, 171, 173	"	"	Floyd G. McClurg Mary Louise McClurg
175 & 177	"	"	Floyd E. Houston Lois Houston 428 PORTER
179 & 181	"	"	G. Fred Williams 725 PORTER
183 & S 18', 185	"	"	Carl H. Kunsemuller Zella C. Kunsemuller
N 7' 185 all 187 & 189	"	"	Teachers Ins. & Annuity Association.
144 & S 1/2 146	Market	Mungers O.T.	Helen Loewen
146 & Fractional Lot Adj.	"	"	Miles Richardson Leona B. Richardson 1010 N. MARKET
143, 145 & Frac. Lot adj.	"	"	Lyda E. Barnes Bessie Lou Duggan
143, 145 & S 10' of Frac.	Broadway	"	Joe Welch Sarah H. Welch
N 22' of Fract.	"	"	Phillip Farha 461 E. COLIAS

1057 N. Market

1653 Jeanette

132 1/2 Mc Ryan Blvd NW

no address
no address

no address
no address
232 morning side

Dated at Wichita, Kansas this 4th day of Nov. 1963 at 7:00 A.M.

FIDELITY TITLE COMPANY INC.
By C.E. Beld V.P.

No. 57095

PAYMENT NOTICE
City of Wichita

PAY AT TREASURER'S OFFICE - FIRST FLOOR

Bld'g & Elev. _____ Elec. _____ Elev. Insp. _____
 Exam Fees _____ Hse. Mvr. _____ Hse. Moving _____
 Licse. _____ Mech. _____ Oil Well _____ Pav. Cuts _____
 Plnn. Pib'g. _____ Pib'g. Cert. _____
 Sanitation _____ Sewer _____ Signs _____ Sidewalk _____
 Street _____ Trailers _____

DESCRIPTION	AMOUNT
Landscaping 1000 11-112	50.00

Name Phillips 50112

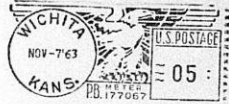
Address 11 21 45 41

Type _____ Due Date 11-5-13

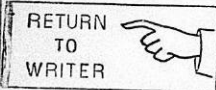
Comments _____

Date 11-3-13 By DJ [Signature]

THE CITY OF WICHITA, KANSAS
BOARD OF ZONING APPEALS
104 SOUTH MAIN
WICHITA 2, KANSAS
ZIP CODE 67202



303W87 *north* 11-18-63
NO SUCH STREET NUMBER



Leslie Leonard DeHaven
Lois Lorene Houston
428 Porter
Wichita, Kansas

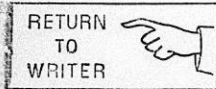


THE CITY OF WICHITA, KANSAS
BOARD OF ZONING APPEALS
104 SOUTH MAIN
WICHITA 2, KANSAS
ZIP CODE 67202



11-18-63
928 Porter

NO SUCH STREET NUMBER



Floyd E. Houston
Lois Houston
428 Porter
Wichita, Kansas

