

BZA 35 -66 - Curtis Dunn requests Variance of setback on S side of Kellogg in area bet. Deavola Avenue and Beverley Drive

ACTION

Bza COMMITTEE *denied* DATE *2-2-66*

M.A.P.C. _____

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

January 25, 1967

Everett C. Fettis
120 South Market
Suite 504
Wichita, Kansas

Dear Mr. Fettis:

Re: Case No. BZA 35-66 - Request
for a Variance

Enclosed is a signed copy of the Resolution adopted by the Board of Zoning Appeals on December 29, 1966, in connection with your application for Variance of the front yard setback from the required 20 feet to 10 feet on property zoned "LC" Light Commercial and generally located on the south side of Kellogg in an area between Deavola Avenue and Beverley Drive.

As indicated in our letter of January 3, 1967, we are now enclosing a copy of this Resolution for your information. It was the action of the Board to deny this request as the five conditions necessary to granting a variance were not found to exist.

If you have any questions concerning this matter, please call.

Very truly yours,

Ronald A. Williamson
Assistant Secretary

RAW:kkq

cc: Glen Lytle, Superintendent of Central Inspection
Ralph Eberly, City Clerk
Curtis Dunn, Belle Plaine, Kansas

R E S O L U T I O N N O . B Z A 35-66

WHEREAS, Curtis Dunn, Belle Plaine, Kansas, by Everett C. Fettis, Suite 504, 120 South Market, Wichita, Kansas, requests a variance as provided in Section 2.12.590.2, Code of the City of Wichita, to reduce the required 20 foot front setback to 10 feet on property legally described as follows:

Lot 8, in Cain & Smith's Replat of a part of Block 3 in Beverley Manor, except the west 2.47 feet of the south 125.06 feet thereof and all that part of vacated Sylvan Lane described as Beginning at the intersection of the Southeast corner of Lot 8, and the North line of vacated Sylvan Lane thence South 74.5 feet, thence West 65 feet, thence North to a point in the North line of vacated Sylvan Ln., thence Northeasterly along the North line of vacated Sylvan Lane to the point of beginning and a tract described as beginning 200 feet East of the Northwest corner of Block 3, in Beverley Manor, Sedgwick County, Kansas, thence East 67 feet, thence South 103 feet to a point of curve having a radius of 463.1 feet, thence in a southwesterly direction following said curve 251.6 feet more or less to a point 200 feet East of West line of said Block 3, thence North 342.4 feet to beginning, and all that part of Reserve A, as platted in Cain & Smith's Replat of part of Block 3, Beverley Manor lying immediately West and adjacent to the above described tract and also all that part of the East half of Sylvan Lane as platted in Cain & Smith's Replat of part of Block 3, in Beverley Manor, now vacated, lying immediately West and Adjacent to the West line of that part of Reserve A above described. Generally located on the south side of Kelloqq in an area between Deavola Avenue and Beverley Drive.

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 deferred said application until December 29, 1966; and

WHEREAS, the Board of Zoning Appeals did consider said application on December 29, 1966; and

WHEREAS, the Board of Zoning Appeals determined that it had 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 "LC" Light Commercial;
and

WHEREAS, the Board of Zoning Appeals has found that the variance requested arises from such a condition which is unique and not ordinarily found in the same zoning district, and is not created by an action or actions of the property owner or the applicant inasmuch as it is the opinion of the Board that the intent of Section 28.04.090.C.1.1, Code of the City of Wichita, which states as follows:

"1.1 In those portion of the "LC" district which occupy part of the frontage on one side of the street between two intersecting streets and the remainder of the distance is in a dwelling district, the front yard regulations shall be the same as that of the dwelling district in the remainder of the block";

is that, when referring to the remainder of the block being in a dwelling district, the dwelling district is residential in fact and not utilized for an off-street parking lot as the adjacent property is in this situation; and

WHEREAS, the Board of Zoning Appeals has found that the granting of the variance would not adversely affect adjacent property owners or residents inasmuch as several of the businesses in the area either are right adjacent to the sidewalk line or set back only through their own choice; and

WHEREAS, the Board of Zoning Appeals has found that the strict application of the provisions of Title 28 of which variance is requested will constitute unnecessary hardship upon the property owner represented in the application inasmuch as the adjacent property is zoned "B" but developed as an off-street parking lot for a commercial use and if the parking lot were "LC" the applicant would not need to request a variance, therefore, under the ordinance a hardship is created; and

WHEREAS, the Board of Zoning Appeals found the variance desired will not adversely affect the public health, safety, morals, order, convenience, prosperity, or general welfare.

WHEREAS, the Board of Zoning Appeals found that the granting the variance desired will be opposed to the general spirit and intent of Title 28 (Zoning Ordinance).

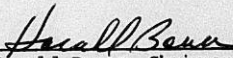
WHEREAS, each of the five conditions required by Section 2.12.590.2, Code of the City of Wichita, necessary to be present before a variance can be granted, have not been found to exist; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Zoning Appeals that this request for a variance of the front yard setback from 20 feet to 10 feet on property zoned "LC" Light Commercial and legally described as:

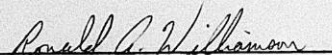
Lot 8, in Cain & Smith's Replat of a part of Block 3 in Beverley Manor, except the West 2.47 feet of the South 125.06 feet thereof and all that part of vacated Sylvan Lane described as Beginning at the intersection of the Southeast corner of Lot 8, and the North line of vacated Sylvan Lane thence South 74.5 feet, thence West 65 feet, thence North to a point in the North line of vacated Sylvan Ln., thence Northeasterly along the North line of vacated Sylvan Lane to the point of beginning and a tract described as beginning 200 feet East of the Northwest corner of Block 3, in Beverley Manor, Sedgwick County, Kansas, thence East 67 feet, thence South 103 feet to a point of curve having a radius of 463.1 feet, thence in a southwesterly direction following said curve 251.6 feet more or less to a point 200 feet East of West line of said Block 3, thence North 342.4 feet to beginning, and all that part of Reserve A, as platted in Cain & Smith's Replat of part of Block 3, Beverley Manor lying immediately West and adjacent to the above described tract and also all that part of the East half of Sylvan Lane as platted in Cain & Smith's Replat of part of Block 3, in Beverley Manor, now vacated, lying immediately West and Adjacent to the West line of that part of Reserve A above described. Generally located on the south side of Kellogg in an area between Deavola Avenue and Beverley Drive.

not be approved.

ADOPTED AT WICHITA, KANSAS, this 29th day of December, 1966.


Harold Bauer, Chairman

ATTEST:


Ronald A. Williamson
Assistant Secretary

January 3, 1967

Everett C. Fettis
120 South Market
Suite 504
Wichita, Kansas

Dear Mr. Fettis:

Re: Case No. BZA 35-66 - Request for a
Variance of the front yard setback
from 20 feet to 10 feet.

This is to advise you that at its meeting of December 29, 1966, the Board of Zoning Appeals of the City of Wichita considered your request for a Variance of the front setback from 20 feet to 10 feet on property zoned "LC" Light Commercial and located generally on the south side of Kellogg in an area between Deavola Avenue and Beverley Drive.

It was the action of the Board to deny this request inasmuch as it did not find that all five of the conditions necessary to granting of the variance exist. Specifically, the Board found that subject request was opposed to the general spirit and intent of Title 28.

A Resolution setting forth the official action of the Board is being prepared for the signatures of the Chairman and Secretary and a copy thereof will be mailed to you soon.

If you have any questions concerning this matter, please call.

Very truly yours,

RAW:klg

cc: Glen Lytle, Superintendent of Central Inspection
L. L. Binkley, Maintenance Inspection Supervisor
Ralph Eberly, City Clerk

Ronald A. Williamson
Assistant Secretary

SECRETARY'S REPORT

CASE NO. BZA 35-66

APPLICANT: Curtis Dunn, Belle Plaine, Kansas

AGENT: Everett C. Fettis, Suite 504, 120 South Market, Wichita

REQUEST: Variance pursuant to Section 2.12.590.2, Code of the City of Wichita, to reduce the required 20 foot front setback to 10 feet.

GENERAL LOCATION: South side of Kellogg in an area between Deavola Avenue and Beverley Drive

ZONING: Subject property and that to the west is "LC", to the east is "B", to the south is "RB" and to the north is "BB"

LAND USE: Subject property is a fourplex, to the south is vacant, to the west is a Drive-in restaurant, to the east is parking and to the north is the Veterans Hospital

JURISDICTION

The Board has jurisdiction to consider the variance request under the provisions outlined in Section 2.12.590.2, Code of the City of Wichita. The Board may grant the request when all five of the following conditions are found to exist:

1. That the variance requested arises from such condition which is unique to the property in question and which is not ordinarily found in the same zone or district; and is not created by an action or actions of the property owner or the applicant.
2. That the granting of the permit for the variance will not adversely affect the rights of adjacent property owners or residents.
3. That the strict application of the provisions of Title 28 of which variance is requested will constitute unnecessary hardship upon the property owner represented in the application.
4. That the variance desired will not adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare.

Secretary's Report
Case No. BZA 35-66
Page 2

5. That granting the variance desired will not be opposed to the general spirit and intent of Title 28 (zoning ordinance.)

COMMENTS BY THE SECRETARY

The applicant is requesting a variance of the front yard setback from the required 20 feet to 10 feet. The required 20 foot front yard setback is established by Section 28.04.090.C.1.1.1 of the zoning ordinance which states the following:

1.1 In those portion of the "LC" district which occupy part of the frontage on one side of the street between two intersecting streets and the remainder of the distance is in a dwelling district, the front yard regulations shall be the same as that of the dwelling district in the remainder of the block.

The property adjacent to the east is zoned "B" Multiple family which required a 20 foot front yard setback and therefore subject property must maintain the same setback.

There is a considerable amount of history concerning subject property relative to the setbacks. The applicant owns additional property adjacent to the south for which he requested "LC" zoning in July of 1964. The Planning Commission recommended approval of the request subject to the applicant replatting all his property and designating a 35 foot front yard setback adjacent to Kellogg on the plat. The applicant submitted a preliminary plat which was approved by the Subdivision Committee on 12-30-64 with the 35 foot front yard setback.

It should be pointed out that the existing fourplex is being converted to a restaurant and the applicant intends to add on to the front for a Liquor Store.

The existing structure is 25 feet from the front property line according to the preliminary plat. It should also be noted that there is only 40 feet of half-street right-of-way for Kellogg whereas a minimum of 50 feet is required. Therefore, if this variance were approved, the applicant would be permitted to build up to the future right-of-way line of Kellogg.

Adjacent to the west is a Sandy's Drive-in which maintains a setback of approximately 72 feet which is much greater than the normal setback required by the Planning Commission.

Uniqueness

It is the opinion of the Secretary that there is nothing unique concerning this request inasmuch as the applicant could design his floor plan so as to include the liquor store in the front of the existing structure or could add it to the east side. There is sufficient land area available to allow adequate flexibility of design without encroaching on the setback area and it should be emphasized that the applicant submitted a plat indicating a 35 foot front yard setback which was approved by the Subdivision Committee.

Adjacent Property

It is the opinion of the Secretary that the granting of the variance would adversely affect the adjacent properties inasmuch as it would permit a structure to obscure the view of the business adjacent to the west and further could obstruct the view of traffic entering and leaving the adjacent property as well as subject property creating a traffic hazard.

Hardship

If a hardship exists, it is financial only and financial hardship has not generally been accepted by the courts as sufficient justification to demonstrate a hardship. Therefore, it is the opinion of the Secretary that a hardship does not, in fact, exist.

Public Interest

It is the opinion of the Secretary that the granting of the variance would not be in the public interest inasmuch as the Planning Commission has a policy of requiring 35 foot front yard setbacks on commercial property along arterials and the Commission previously required a 35 foot setback on this property in a previous zoning application Case Z-0561. It should also be emphasized that at least an additional 10 feet of right-of-way is needed for Kellogg, possibly more in the future, and the applicant's structure would then be on the street right-of-way line.

Spirit and Intent

It is the opinion of the Secretary that the applicants

Secretary's Report
Case No. BZA 35-66
Page 4

request is opposed to the purpose and intent of Title 28 inasmuch as the applicant has sufficient area to design a structure to meet the setback requirements of the ordinance.

Recommendation

It is the opinion of the Secretary that all five conditions necessary to the granting of the variance from 20 feet to ten feet cannot be found to exist and, therefore, it is recommended that the variance not be granted.

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

December 16, 1966

NOTICE TO ADJOINING PROPERTY OWNERS

Case No. BZA 35-66

As application has been filed by Curtis Dunn, Belle Plaine, Kansas, by Everett C. Fettis, Suite 504, 120 South Market, Wichita, Kansas, pursuant to Section 2.12.590, Code of the City of Wichita, requesting a variance from the required 20 foot front setback to 10 feet on property zoned "LC" Light Commercial and legally described as follows:

Lot 8, in Cain & Smith's Replat of a part of Block 3 in Beverley Manor, except the west 2.47 feet of the South 125.06 feet thereof and all that part of vacated Sylvan Lane described as Beginning at the intersection of the Southeast corner of Lot 8, and the North line of vacated Sylvan Lane thence South 74.5 feet, thence West 65 feet, thence North to a point in the North line of vacated Sylvan Ln., thence Northeasterly along the North line of vacated Sylvan Lane to the point of beginning and a tract described as beginning 200 feet East of the Northwest corner of Block 3, in Beverley Manor, Sedgwick County, Kansas, thence East 67 feet, thence South 103 feet to a point of curve having a radius of 463.1 feet, thence in a southwesterly direction following said curve 251.6 feet more or less to a point 200 feet East of West line of said Block 3, thence North 342.4 feet to beginning, and all that part of Reserve A, as platted in Cain & Smith's Replat of part of Block 3, Beverley Manor lying immediately West and adjacent to the above described tract and also all that part of the East half of Sylvan Lane as platted in Cain & Smith's Replat of part of Block 3, in Beverley Manor, now vacated, lying immediately West and Adjacent to the West line of that part of Reserve A above described. Generally located on the south side of Kellogg in an area between Deavola Avenue and Beverley Drive.

Sent 12-16-66

Property Owner Notice
BZA 35-66, Page 2
December 16, 1966

This application has been assigned Case No. BZA 35-66, and will be considered by the Board of Zoning Appeals at its meeting on Tuesday, December 27, 1966, 2:00 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.

Jack H. Galbraith
Secretary

STATEMENT

Applicant understands that because of the fact the light commercial frontage is only 850 feet rather than 900 feet he is required to adhere to a 20 foot set back rather than 10 feet.

It is his desire to construct a liquor store on the 10 foot set back. The present apartment building on the property is being converted to a restaurant. Adjacent to this property and adjacent to the light commercial zoning is the parking lot operated by El Charro Restaurant, which he believes is zoned "B" but is not occupied as residential property. Although the zoning is not LC the use is consistent with other LC zoning on the parking lot and as we understand the reasoning for the required 20 foot set back in residential areas it would appear that this variance would not do harm to the area nor would it adversely effect the rights of adjacent property owners or residents.

We also submit that the strict application of the provisions of Title 28 , which variance is requested, would constitute unnecessary hardship on the owner representing this application in best utilizing aspects of this property. We further feel this variance will not adversely effect the public health, safety, morals, order, convenience, prosperity, or general welfare, nor will it be opposed to the general spirit and intent of Title 28.

STATEMENT

Applicant understands that because of the fact the light commercial frontage is only 850 feet rather than 900 feet he is required to adhere to a 20 foot set back rather than 10 feet.

It is his desire to construct a liquor store on the 10 foot set back. The present apartment building on the property is being converted to a restaurant. Adjacent to this property and adjacent to the light commercial zoning is the parking lot operated by El Charro Restaurant, which he believes is zoned "B" but is not occupied as residential property. Although the zoning is not LC the use is consistent with other LC zoning on the parking lot and as we understand the reasoning for the required 20 foot set back in residential areas it would appear that this variance would not do harm to the area nor would it adversely effect the rights of adjacent property owners or residents.

We also submit that the strict application of the provisions of Title 28 , which variance is requested, would constitute unnecessary hardship on the owner representing this application in best utilizing aspects of this property. We further feel this variance will not adversely effect the public health, safety, morals, order, convenience, prosperity, or general welfare, nor will it be opposed to the general spirit and intent of Title 28.

Lot 8, in CAIN and SMITH'S REPLAT of a part of Block 3, in BEVERLEY MANOR, Sedgwick County, Kansas, except the West 2.47 feet of the South 125.06 feet thereof, and all that part of vacated Sylvan Lane described as: Beginning at the intersection of the southeast corner of Lot 8, and the North line of vacated Sylvan Lane, thence South 74.5 feet, thence West 65 feet, thence North to a point in the North line of vacated Sylvan Lane, thence NEly along the North line of vacated Sylvan Lane to the point of beginning and a tract described as beginning 200 feet East of the Northwest corner of Block 3, in BEVERLEY MANOR, Sedgwick County, Kansas, thence East 67 feet, thence South 103 feet to a point of curve, having a radius of 463.1 feet, thence in a SWly direction following said curve 251.6 feet more or less to a point 200 feet east of the West line of said Block 3, thence North 342.4 feet to the place of beginning, and all that part of Reserve "A" as platted in Cain and Smith's Replat of part of Block 3, in Beverley Manor, Sedgwick County, Kansas, lying immediately West and adjacent to the above described tract, and also all that part of the East half of Sylvan Lane as platted in Cain and Smith's Replat of part of Block 3, in Beverley Manor, Sedgwick County, Kansas, now vacated, lying immediately West and adjacent to the West line of that part of Reserve "A" above described.

Lot 8, in CAIN and SMITH'S REPLAT of a part of Block 3, in BEVERLEY MANOR, Sedgwick County, Kansas, except the West 2.47 feet of the South 125.06 feet thereof, and all that part of vacated Sylvan Lane described as: Beginning at the intersection of the southeast corner of Lot 8, and the North line of vacated Sylvan Lane, thence South 74.5 feet, thence West 65 feet, thence North to a point in the North line of vacated Sylvan Lane, thence NEly along the North line of vacated Sylvan Lane to the point of beginning and a tract described as beginning 200 feet East of the Northwest corner of Block 3, in BEVERLEY MANOR, Sedgwick County, Kansas, thence East 67 feet, thence South 103 feet to a point of curve, having a radius of 463.1 feet, thence in a SWly direction following said curve 251.6 feet more or less to a point 200 feet east of the West line of said Block 3, thence North 342.4 feet to the place of beginning, and all that part of Reserve "A" as platted in Cain and Smith's Replat of part of Block 3, in Beverley Manor, Sedgwick County, Kansas, lying immediately West and adjacent to the above described tract, and also all that part of the East half of Sylvan Lane as platted in Cain and Smith's Replat of part of Block 3, in Beverley Manor, Sedgwick County, Kansas, now vacated, lying immediately West and adjacent to the West line of that part of Reserve "A" above described.

BOARD OF ZONING APPEALS
CITY OF WICHITA, KANSAS

CASE NO. 35-66
FILED 11-29-66

APPLICATION FOR VARIANCE

I. Name of Applicant Curtis Dunn
Mailing Address Belle Plaine, Kansas Phone 488-3421
Name of Authorized Agent Everett C. Fettis
Mailing Address Suite 504 - 120 S. Market, Wichita Phone AM 7-7251
Relationship of applicant to property is that of Owner
(owner, tenant, lessee, other)

II. The variance requested is allowance for use of ten foot set-back
for building a liquor store

for property located 5217 E. Kellogg, Wichita, Kansas
on S side of Kellogg in area bet Nevada ^{ave} & Beverly
and legally described as: See attached
Driv

in the City of Wichita; and which is presently zoned LC.
(Give metes and bounds description below if appropriate):

- III. The applicant herein, or his authorized agent, acknowledges:
- That he has received an instruction sheet concerning the filing and hearing of this matter;
 - 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;
 - 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;
 - That all documents are attached hereto as noted in paragraphs 3 and 4 of the instructions.

Applicant

Everett C. Fettis
Authorized Agent

OFFICE USE ONLY: Received in office of Secretary, Board of Zoning Appeal
7:30 (a.m. - (p.m)), Nov 29, 1966, together with
appropriate fee of \$50.00.

Ronald A. Williamson
Signed

BOARD OF ZONING APPEALS

CASE NO. _____

CITY OF WICHITA, KANSAS

FILED _____

APPLICATION FOR VARIANCE

I. Name of Applicant Curtis Dunn
Mailing Address Belle Plaine, Kansas Phone 488-3421
Name of Authorized Agent Everett C. Feltis
Mailing Address Suite 504 - 120 S. Market, Wichita Phone AM 7-7251
Relationship of applicant to property is that of Owner
(owner, tenant, lessee, other)

II. The variance requested is allowance for use of ten foot set-back
for building a liquor store

for property located 5217 E. Kellogg, Wichita, Kansas

and legally described as: See attached

in the City of Wichita; and which is presently zoned LC

(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.

Applicant

Everett C. Feltis

Authorized Agent

OFFICE USE ONLY: Received in office of Secretary, Board of Zoning Appeals
_____ (a.m. - p.m.), _____, 19____, together with
appropriate fee of \$50.00.

OWNERSHIP LIST

LOT	ADDITION	PROPERTY OWNER
1	Cain & Smith's Replat of a part of Block 3, in Beverley Manor	E. W. Flaming Gertrude Hett No Address Available
2	"	"
8 W 2.47' S 65' of N 137.5'	"	"
3	"	John R. Driscoll N. Helen Driscoll 518 S. Pinecrest
4	"	Otha W. Boyer Flossy I. Boyer 144 Wood Lane
5	"	Euna C. Lawson 3212 E. English
6	"	"
7 S 100' ex E 15' & that part of vacated Sylvan Lane adj. on the West of Lot 7	"	Lawrence A. Tholen Sandra S. Tholen 5222 E. Orme
7 ex S 100' & that part of Sylvan Lane & that part of Block 3, Beverley Manor Addition lying between drainage ditch on the N & W of Lot 7 and a line 100' N of S ln of Lot 7	"	David L. Brown Ilene Marie Brown 545 Sylvan Lane
E 15' S 50' of Lot 7	"	Hazel M. Osborn 555 Sylvan Lane
E 15' N 50' S 100' of Lot 7	"	W. F. Miller Dora Miller 551 Sylvan Lane
8 ex the W 2.47' of the S 125.06' & all that part of vac. Sylvan Ln des as Beg at inters of SE/c Lot 8 & the N ln of vac Sylvan Ln, th S 74.5' th W 65' th N to a pt in N ln of vac Sylvan Ln th NErly al N ln of Vac. Sylvan Ln to the pob & a tr des as Beg 200' E of NW/c of Blk 3, in Beverley Manor th E 67' th S 103' to a pt of cur hav a radius of 463.1' th in a SWrly dir fol sd curve 251.6' m/l to a pt 200' E of W ln sd Blk 3, th N 342.4' to beg & all that part of ResA as platted in Cain & Smith's Replat ly immed. W & adj to the above des tract & also all that part of	"	Curtis Dunn

none found

Continued -2-

LOT	ADDITION	PROPERTY OWNER
(continued)	Cain & Smith's Replat of a part of Block 3 in Beverley Manor	✓ D Curtis Dunn
the E½ of Sylvan Ln as platted in Cain & Smith's Replat of part of Block 3, in Beverley Manor now vac. lying immed. W & adj to the W ln of that part of Res A above desc.		
8 W 2.47' S 60.06' & W½ vac Sylvan Lane adj to Lot 4 & 5	"	✓ Dale Frey Betty Frey Parklane Towers
Block 3 N 50' S 100' W 70.32' E 403'	Beverley Manor	D W. F. Miller Dora Miller 551 Sylvan Lane
Block 3 S 50' W 70.32' E 403'	"	D Hazel M. Osborn 555 Sylvan Lane
Block 3 E 110' N 165'	"	Luis Alvarado Maria C. Alvarado No Address Available
Beg 307' E NW/c Block 3 S at rt angle for a dist of 103' to pt of curve having a radius of 503.1' th in SWrly dir along sd curve for dist 62.02' to pt 165' S of N ln Blk 3, E 193.03' to pt 110' W of E ln Blk 3; th N 165' th W 186.2' to pob.	"	"
9 N 40'	Replat of a Portion of Block 3 of Beverley Manor	✓ Henry P. Denny Irene Denny 4400 Janesville
10 S 10'	"	"
9 S 30'	"	✓ Ruth L. Rogers 540 Sylvan Lane
10 ex S 10' & ex N 6'	"	✓ Mabel W. Nester 532 Sylvan Lane
10 N 6'	"	✓ Frank A. Ratcliff Madge M. Ratcliff 143 S. Glendale
11 S 44'	"	"
11 N 25'	"	✓ Clyde E. Boston Bertha L. Boston 522 Sylvan Lane

none found

Continued -3-

12		Replat of a Portion of Blk 3 of Beverley Manor	D Clyde E. Boston Bertha L. Boston 522 Sylvan Lane
1 N 50'	Block A	Nashville Park	✓ Leta M. Weidner 515 S. Pinecrest
1 S 6.5'	"	"	✓ Paul E. Vertreese Monika Vertreese 521 S. Pinecrest
2	"	"	"
3	"	"	Loyal J. C. Emmons Letha Mae Emmons No Address Available <i>none found</i>
Beg 30' W & 150' S of NE/c E $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ 25-27-1E th S 25' th W 150' th N 25' th E 150' to pob.			D Leta M. Weidner 515 S. Pinecrest
Beg 30' W of NE/c NW $\frac{1}{4}$ NW $\frac{1}{4}$ 25-27- 1E; th S 150' th W 150' th N 150' th E 150' to beg.			✓ J. Melvin Allen Mary B. Allen 5119 E. Kellogg
SE $\frac{1}{4}$ SW $\frac{1}{4}$ 24-27-1E			United States of America
That part of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ 24-27-1E lying E of Bleckley Drive			"

The Security Abstract and Title Co., Inc., does hereby certify the foregoing to be a true and correct List of Property Owners within a two hundred foot radius of Lot 8, in Cain & Smith's Replat of a part of Block 3 in Beverley Manor, except the West 2.47 feet of the South 125.06 feet thereof and all that part of vacated Sylvan Lane described as Beginning at the intersection of the Southeast corner of Lot 8, and the North line of vacated Sylvan Lane thence South 74.5 feet, thence West 65 feet, thence North to a point in the North line of vacated Sylvan Ln., thence Northeasterly along the North line of vacated Sylvan Lane to the point of beginning and a tract described as Beg. 200 feet East of the Northwest corner of Block 3, in Beverley Manor, Sedgwick County, Kansas, thence East 67 feet, thence South 103 feet to a point of curve having a radius of 463.1 feet, thence in a southwesterly direction following said curve 251.6 feet more or less to a point 200 feet East of West line of said Block 3, thence North 342.4 feet to beginning, and all that part of Reserve A, as platted in Cain & Smith's Replat of part of Block 3, Beverley Manor lying immediately West and adjacent to the above described tract, and also all that part of the East half of Sylvan Lane as platted in Cain & Smith's Replat of part of Block 3, in Beverley Manor, now vacated, lying immediately West and Adjacent to the West line of that part of Reserve A above described, as shown by the records in the Office of The Register of Deeds of Sedgwick County, Kansas on this the 28th day of November, A. D., 1966 at 7:00 A. M.

THE SECURITY ABSTRACT AND TITLE CO., INC.

By

Logan N. Bell

Vice President

Order No. 139805
(rnb)

Form 223-021

PAYMENT NOTICE

City of Wichita

PAY AT TREASURER'S OFFICE - FIRST FLOOR

Bldg & Elev.	Elec.	Elev. Insp.	Exam. Fees
Hse. Mvr.	Hse. Moving	Licse.	Mech.
Oil Well	Pav. Cuts	Plan.	Plbg. Cert.
Sanitation	Sewer	Signs	Sidewalk
Street	Trailer		

\$ 50.00

DESCRIPTION	AMOUNT
<i>BZA Applications</i>	

Name *Everett C. Fries*

Address *130 N. Market*

Type *R-712* Due Date *11-29-66*

Comments:

Date *11-29-66* By *Pittergott*



*

This BZA. Case
Has a Large Drawing
On 35mm Microfilm
Roll # 1