

BZA 36-66 - Medical Arts Building Inc  
requests Variance of 20-foot setback  
on the west side of Hillside between  
2nd and 3rd Streets

5647

Postcard  
1-2-67  
P.C.

ACTION

DATE

1-24-67

By a COMMITTEE

M.A.P.C.

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

# THE CITY OF WICHITA



## DEPARTMENT OF LAW

OFFICE OF CITY ATTORNEY  
AMHERST 2-8211 — AREA CODE 316  
SUITE 900 — BROWN BUILDING  
WICHITA, KANSAS 67202

JOHN DEKKER, DIRECTOR OF LAW AND CITY ATTORNEY

ASSISTANT CITY ATTORNEYS

EUGENE L. PIRTLE

ARTHUR G. JOHNSON

ROBERT A. THIESSEN

H. JAY SETTER

H. E. JONES

March 24, 1967

Board of Zoning Appeals  
401 City Building Annex  
Main at Douglas  
Wichita, Kansas

Case No. BZA 36-66

Gentlemen:

In reviewing the minutes of the meeting of the Board of Zoning Appeals of January 24, 1967, which considered the above case, I note the attorney for the applicant incorrectly quoted me to the Board.

At page 8 of the minutes it is reported as follows:

"He also said he has talked to Art Johnson, Legal Council for the Board, and Mr. Johnson indicated that he thought the five conditions for approval could be found to exist."

My recollection of my conversation with Mr. Higgins differs considerably from that quoted above. I recall discussing this application with Mr. Higgins on the telephone and explaining the procedure generally to him. I am certain that I did not advise him that the requisite conditions for the granting of a variance were present on the part of his applicant as our conversation was only of a general nature.

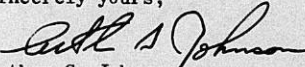
It is not my intention to preempt or in



Board of Zoning Appeals  
Page 2  
March 24, 1967

any way interfere with the proper function of  
the Board in their consideration of matters before  
them.

Sincerely yours,

  
Arthur G. Johnson,  
Assistant City Attorney

AGJ:nrh

cc: William P. Higgins  
Attorney at Law  
817 First National Bank Building  
Wichita, Kansas

John Dekker  
City Attorney  
800 Brown Building  
Wichita, Kansas

February 15, 1967

Mr. William P. Higgins  
817 First National Bank Bldg.  
Wichita, Kansas 67202

Dear Mr. Higgins:

Re: Case No. BZA 36-66 - Request for  
a Variance

Enclosed is a signed copy of the Resolution adopted by the Board of Zoning Appeals on January 24, 1967, in connection with your application for Variance of the setback requirements on property approved for "BB" Office zoning and generally located on the west side of Hillside in an area north of 2nd Street. This Resolution reflects the official action of the Board and sets out the reasons of approval.

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

Very truly yours,

Ronald A. Williamson  
Assistant Secretary

RAW:kkq

cc: Ralph Eberly, City Clerk  
Glen Lytle, Superintendent of Central Inspection  
Medical Arts Bldg., 132 North Minnesota, Wichita  
Burke & Kingdon Architects, 2608 E. Central, Wichita

RESOLUTION NO. BZA 36-66

WHEREAS, Medical Arts Building Inc., 132 North Minnesota, Wichita, by William P. Higgins, 817 First National Bank Bldg., Wichita, requests a variance as provided in Section 2.12.590.2, Code of the City of Wichita, to reduce the front yard setback on Hillside, which will be established after the dedication of an additional 20 feet of right-of-way, from the required 20 feet to 0 feet on property approved for "BB" Office zoning and legally described as follows:

All of Lots 114 and 116, and North 100 ft. of Lots 118, 120, 122, 124, 126 on 2nd St., and the South 10 feet of Lot 61, and all of Lots 63, 65, 67, on Hillside, in Maple Grove Addition to Wichita, Sedgwick County, Kansas. Generally located on the west side of Hillside in an area north of 2nd Street.

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 consider said application on January 24, 1967; 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 has been approved for "BB" Office zoning; and

WHEREAS, the Board of Zoning Appeals has found 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 it is not created by an action or actions of the property owner or applicant inasmuch as Hillside has just been reconstructed and the new fire station on the southwest corner of 2nd Street and Hillside will be on the right-of-way line of Hillside when an additional 20 feet of right-of-way is dedicated; and

WHEREAS, the Board of Zoning Appeals has found that the granting of the permit for the variance will not adversely affect the rights of adjacent property owners or residents inasmuch as if the variance were granted, structures on subject property would still be in line with the existing residential structures on the adjacent properties, 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 this is the only design solution available to accommodate all the Doctors in the clinic; and

WHEREAS, the Board of Zoning Appeals has found that the variance desired will not adversely affect the public health, safety, morals, order, convenience, prosperity, or general welfare inasmuch as this will be the same setback as that of the adjacent residences and neighborhood fire station; and

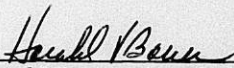
WHEREAS, the Board of Zoning Appeals has found that the granting of the variance desired will not be opposed to the general spirit and intent of Title 28 (zoning ordinance) inasmuch as the off-street parking spaces and other requirements of the ordinance are being provided; and

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 been found to exist; and

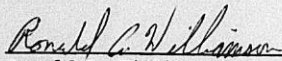
NOW, THEREFORE, BE IT RESOLVED by the Board of Zoning Appeals of the City of Wichita, that the request be approved granting a variance to reduce the front yard setback adjacent to Hillside, which will be established after the dedication of an additional 20 feet of right-of-way, from the required 20 feet to 0 feet on property approved for "BB" Office zoning and legally described as follows:

All of Lots 114 and 116, and North 100 ft. of Lots 118, 120, 122, 124, 126 on 2nd St., and the South 10 feet of Lot 61, and all of Lots 63, 65, 67, on Hillside, in Maple Grove Addition to Wichita, Sedgwick County, Kansas. Generally located on the west side of Hillside in an area north of 2nd Street.

ADOPTED AT WICHITA, KANSAS, this 28th day of February, 1967.

  
\_\_\_\_\_  
Harold Bauer, Vice-Chairman

ATTEST:

  
\_\_\_\_\_  
Ronald A. Williamson  
Assistant Secretary

January 30, 1967

Mr. William P. Higgins  
817 First National Bank Bldg.  
Wichita, Kansas 67202

Dear Mr. Higgins:

Re: Case No. BZA 36-66 - Request for  
a Variance to reduce the 20 foot  
setback to 0 feet on property  
approved for "BB" zoning.

At the regular meeting of the Board of Zoning Appeals on  
January 24, 1967, your request for a Variance of the front yard  
setback on property approved for "BB" Office zoning and located  
on the west side of Hillside in an area north of 2nd Street,  
was considered.

It was the action of the Board to approve a variance of  
the front yard setback from the required 20 feet to 0 feet  
adjacent to Hillside.

A Resolution setting forth the official action of the Board  
is being prepared and you will be mailed a copy as soon as the  
Chairman and Secretary of the Board have signed it. If you  
have any questions, please call.

Very truly yours,

Ronald A. Williamson  
Assistant Secretary

RAW:kkq

cc: Ralph Eberly, City Clerk  
Glen Lytle, Superintendent of Central Inspection  
Medical Arts Bldg., 132 North Minnesota, Wichita  
Burke & Kingdon Architects, 2608 E. Central, Wichita

SECRETARY'S REPORT

CASE NO. BZA 36-66

APPLICANT: Medical Arts Building Inc., 132 N. Minnesota, Wichita

AGENT: William P. Higgins, 817 First National Bank Bldg, Wichita

REQUEST: Variance pursuant to Section 2.12.590.2, Code of the City of Wichita, to reduce the front yard setback on Hillside from the required 20 feet to 0 feet for property approved for "BB" zoning

GENERAL LOCATION: West side of Hillside in an area north of 2nd St.

ZONING: Subject property is zoned "RB" as is that to the north and east; south is "A" and "RB" and to the west is "A"

LAND USE: Subject property is occupied by several residential structures; to the north and east is single family; to the west is a duplex and single family and to the south is single family and a fire station

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 effect the public health, safety, morals, order, convenience, prosperity or general welfare; and
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 0 feet on property approved for "BB" Office Zoning though not officially zoned "BB" at this time. The applicant requested "BB" Office Zoning for subject property and after considerable discussion at several meetings the Planning Commission recommended approval subject to platting. The Board of City Commissioners concurred with the Planning Commission recommendation and instructed the City Clerk to withhold publication of the ordinance effectuating the change until such time as the plat has been recorded. The plat has not been recorded as of this date, therefore, the "BB" zoning is not official, but it is the desire of the applicant to have a determination of the setback prior to the completion of the platting.

Basically the situation is that Hillside is a major street and presently has only 60 feet of right-of-way whereas the standard for major streets is 100 feet of right-of-way. Consequently, when "BB" zoning was requested it was approved subject to platting and dedicating an additional 20 feet of right-of-way for Hillside and an additional 10 feet of right-of-way for Second Street. By dedicating the additional right-of-way, the required setback is adjusted accordingly and the applicant states that he can not utilize the site properly with both the dedications and setbacks being required.

The applicant's statement of justification is attached as Schedule "A".

The applicant points out in his statement of justification that he was completely unaware that additional right-of-way would be required for Hillside. The Subdivision Rules and Regulations specify that 100 feet of right-of-way is required for major streets and the adopted Transportation Plan Element of the Comprehensive Plan also required 100 feet of right-of-way for major streets. This fact is well known and whenever an application occurs the necessary right-of-way is obtained, therefore, the applicant should have considered this when planning his development. The applicant and his architect were advised of this requirement at the time the proposal was discussed with the Planning Department.

UNIQUENESS

Uniqueness is a condition which is unusual to the property in question as to limitations caused by odd shaped lots, severe topo-

graphy, drainage easements, etc., and which is not ordinarily found in the same zone or district; and is not created by an action or actions of the property owners or the applicant. The applicant had a structure designed for the site without first finding out what the limitations would be and the proposed structure does not meet the setback requirements of the ordinance. The applicant has only one design solution for the proposed medical center, and as everyone is aware there are numerous solutions that could be designed to accomplish the desired end result.

The applicant also indicates in his statement of justification that the situation is unique since Hillside has been improved and that all other structures will be permitted to be closer to the street right-of-way line. It should be emphasized at this point that this area is in close proximity to Wesley Hospital and other zoning changes will be requested in the area which will result in replats and additional dedications; and eventually, when the rest of the area redevelops, all structures will setback equally from Hillside right-of-way.

Therefore, it is the opinion of the Secretary that there is nothing unique concerning subject property inasmuch as the applicant created this situation by not obtaining all the necessary information prior to preparing his architectural plans.

#### ADJACENT PROPERTY

It is the opinion of the Secretary that the granting of the variance would not adversely affect the adjacent properties at this time inasmuch as if the variance were granted, structures on subject property would be in line with the existing residential structures on the adjacent properties.

#### 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. A structure was designed for the site without first finding out what the limitations of the site were and the proposed structure cannot meet the requirements of the zoning ordinance. The applicant states that the site is unusable without the granting of the variance of the setback, however, this statement should be qualified to include unusability only for the structure designed. There certainly are numerous design solutions which could be worked out for the site and the plan submitted is not the only one available.

Therefore, it is the opinion of the Secretary that a hardship in fact does not exist to justify the granting of the variance inasmuch as it is based only on the financial aspect of redesigning a new building.

PUBLIC INTEREST

It is the opinion of the Secretary that the granting of the variance would not be in the public interest inasmuch as one of the basic concepts of zoning is to provide adequate setbacks so that light, air and open space are provided for the general health, safety and welfare of the public.

SPIRIT AND INTENT

It is the opinion of the Secretary that the request is opposed to the spirit and intent of Title 28 inasmuch as there is adequate space available on the site to design a structure which would meet the setback requirements of the ordinance and that one of the basic concepts of zoning is to provide adequate setbacks for air, light and view and this request proposes to completely eliminate the front yard setback.

RECOMMENDATION

It is the opinion of the Secretary that all five conditions necessary to the granting of the variance of 20 feet to 0 feet cannot be found to exist, and, therefore, it is recommended that the variance not be approved.

Attachment

SCHEDULE "A"

STATEMENT OF HARDSHIP

The Applicants purchased the property in question after checking to see that they were in an area which was acceptable for doctors' offices, and could be recommended for such zoning as would grant the offices the use that was necessary for the property.

The property was purchased as the result of the offices owned by the stockholders of the Applicant-Corporation on Minnesota Street being condemned for highway purposes and based further on the necessity of these stockholders having to move their operation shortly after the first of the Year. Immediately prior to the purchase of the property in question, Hillside had been widened and completely redone and new sidewalks built in front of the property.

This was the condition of the property at the time of the purchase. The Applicants are paying special taxes assessed for the widening of Hillside, and the new sidewalks, as are property owners up and down Hillside are doing.

Upon filing the Application and subsequent thereto, it was brought to their attention the Planning Staff would request 20-foot dedication of the right-of-way off the property for future expansion of Hillside. It should be kept in mind the present Street is brand new and has just been widened. The plans and specifications laying out the proposed Building as it relates to the land area of the property owned by the Applicant, should be beyond a shadow of a doubt that with the 20-foot dedication required by the City before we could obtain our zoning or our plat, an additional 20-foot building setback required in the "BB" Zoning Classification makes the property absolutely unusable. If the requirement for dedication of 20 feet from the Hillside frontage of Applicants' property had been brought to their attention prior to purchase, they would not have purchased the

same because the property would not stand the 20-foot setback and the additional 20-foot dedication necessary for their particular use. However, since the use of the property cannot be completed until the setback variance is granted, the Applicants proceeded to obtain the "BB" Zoning necessary and are now appealing to the Board of Zoning Appeals for a variance of the setback requirement in the "BB" Zoning Application, requesting the entire 20 feet be waived, as in Applicants' opinion, it meets the five conditions necessary for the granting of such variance:

1. Applicants' condition is unique in that we are in the middle of the block between Second and Third Streets, and all other property lines in the area would be 20 feet closer to the street than ours. It is further unique that the street and sidewalks are built new in that they have been completed for not more than 90 days.
2. The granting of the variance will not adversely affect the rights of the adjacent property owners or residents, because with our setback on the property line, we will still be set back deeper than the existing property owners, including the Fire Station, which is a relatively recent structure on the southwest corner of Second and Hillside, and owned by the City.
3. The strict application of the provisions of Title 28, of which variance is requested, will constitute an unnecessary hardship on the Applicant, because it will make the property unusable in light of the required dedication of the 20-foot right-of-way dedication to the City, since with the dedication of the 20 feet and the 20-foot building setback, we would eliminate 40 feet of usable frontage from the property, and would in effect make the entire tract unusable. This Application for Variance would not have been necessary had the City not requested the 20 feet setback along the Hillside frontage of Applicants' property, which dedication will be the only dedication at present along the entire

block containing Applicants' property, and as far as the Applicants know, will be the only 20 feet dedication for several blocks along Hillside in this area.

4. The variance desired will not adversely affect the health, safety and morals et cetera, as is obvious in view of the facts presented herein.

5. The granting of the variance will not be opposed to the general spirit and intent of the Zoning Ordinance; it has a projected usefulness to the public far beyond the period of depreciation of an office building; and further, because the variance will not affect the general appearance of the property or the relationship of the property to other related uses in the immediate area, including property owned by the City, specifically the Fire Station at Second and Hillside, as well as other recent additions between Douglas and Second Streets, and setbacks in relation thereto.

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

January 13, 1967

NOTICE TO ADJOINING PROPERTY OWNERS

Case No. BZA 36-66

An application has been filed by Medical Arts Building, Inc., 132 North Minnesota, Wichita, Kansas, by William P. Higgins, 817 First National Bank Building, Wichita, Kansas, pursuant to Section 2.12.590.2, Code of the City of Wichita, requesting a variance to reduce the 20 foot setback to 0 (zero) feet on property approved for "EE" Office District and legally described as follows:

All of Lots 114 and 116, and the North 100 ft. of Lots 118, 120, 122, 124, 126, on 2nd St., and the South 10 feet of Lot 61, and all of Lots 63, 65, 67, on Hillside, in Maple Grove Addition to Wichita, Sedgwick County, Kansas. Generally located on the west side of Hillside in an area north of 2nd Street.

This application has been assigned Case No. BZA 36-66, and will be considered by the Board of Zoning Appeals at its meeting on Tuesday, January 24, 1967, 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

*Mailed 37 1-13-67*

BOARD OF ZONING APPEALS

CITY OF WICHITA, KANSAS

map 5647

CASE NO. \_\_\_\_\_

FILED 12-20-66

APPLICATION FOR VARIANCE

I. Name of Applicant Medical Arts Building, Inc.  
 Mailing Address 132 North Minnesota Phone AM-5-7523  
 Name of Authorized Agent William P. Higgins  
 Mailing Address 817 First National Bank Building Phone FO-3-6148  
 Relationship of applicant to property is that of Owner  
 (owner, tenant, lessee, other)

II. The variance requested is release of the 20 feet zoning setback  
See attached Schedule (for "BB" Classification)

~~for property located between Second and Third Streets on the West Side of Hillside~~  
for property located ~~between Second and Third Streets on the West Side of Hillside~~ <sup>on the west side of Hillside in an area north of 2nd st.</sup>

All of Lots 114 and 116, and the North 100 ft. and legally described as: of Lots 118, 120, 122, 124, 126, on Second Street and the South 10 ft. of Lot 61, and all of Lots 63, 65, 67 on Hillside, in Maple Grove Addition to Wichita, Sedgwick County, Kansas

in the City of Wichita; and which is presently zoned BB.

(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.

MEDICAL ARTS BUILDING, INC.

Applicant

William P. Higgins  
 Authorized Agent

-----  
**OFFICE USE ONLY:** Received in office of Secretary, Board of Zoning Appeal  
4:20 (a.m. - p.m.), Dec. 20, 1966, together with  
 appropriate fee of \$50.00.

Ronald C. Williamson  
 Signed

SCHEDULE "A"

STATEMENT OF HARDSHIP

The Applicants purchased the property in question after checking to see that they were in an area which was acceptable for doctors' offices, and could be recommended for such zoning as would grant the offices the use that was necessary for the property.

The property was purchased as the result of the offices owned by the stockholders of the Applicant-Corporation on Minnesota Street being condemned for highway purposes and based further on the necessity of these stockholders having to move their operation shortly after the first of the Year. Immediately prior to the purchase of the property in question, Hillside had been widened and completely redone and new sidewalks built in front of the property.

This was the condition of the property at the time of the purchase. The Applicants are paying special taxes assessed for the widening of Hillside, and the new sidewalks, as are property owners up and down Hillside are doing.

Upon filing the Application and subsequent thereto, it was brought to their attention the Planning Staff would request 20-foot dedication of the right-of-way off the property for future expansion of Hillside. It should be kept in mind the present Street is brand new and has just been widened. The plans and specifications laying out the proposed Building as it relates to the land area of the property owned by the Applicant, should be beyond a shadow of a doubt that with the 20-foot dedication required by the City before we could obtain our zoning or our plat, an additional 20-foot building setback required in the "BB" Zoning Classification makes the property absolutely unusable. If the requirement for dedication of 20 feet from the Hillside frontage of Applicants' property had been brought to their attention prior to purchase, they would not have purchased the

same because the property would not stand the 20-foot setback and the additional 20-foot dedication necessary for their particular use. However, since the use of the property cannot be completed until the setback variance is granted, the Applicants proceeded to obtain the "BB" Zoning necessary and are now appealing to the Board of Zoning Appeals for a variance of the setback requirement in the "BB" Zoning Application, requesting the entire 20 feet be waived, as in Applicants' opinion, it meets the five conditions necessary for the granting of such variance:

1. Applicants' condition is unique in that we are in the middle of the block between Second and Third Streets, and all other property lines in the area would be 20 feet closer to the street than ours. It is further unique that the street and sidewalks are built new in that they have been completed for not more than 90 days.

2. The granting of the variance will not adversely affect the rights of the adjacent property owners or residents, because with our setback on the property line, we will still be set back deeper than the existing property owners, including the Fire Station, which is a relatively recent structure on the southwest corner of Second and Hillside, and owned by the City.

3. The strict application of the provisions of Title 28, of which variance is requested, will constitute an unnecessary hardship on the Applicant, because it will make the property unusable in light of the required dedication of the 20-foot right-of-way dedication to the City, since with the dedication of the 20 feet and the 20-foot building setback, we would eliminate 40 feet of usable frontage from the property, and would in effect make the entire tract unusable. This Application for Variance would not have been necessary had the City not requested the 20 feet setback along the Hillside frontage of Applicants' property, which dedication will be the only dedication at present along the entire

block containing Applicants' property, and as far as the Applicants know, will be the only 20 feet dedication for several blocks along Hillside in this area.

4. The variance desired will not adversely affect the health, safety and morals et cetera, as is obvious in view of the facts presented herein.

5. The granting of the variance will not be opposed to the general spirit and intent of the Zoning Ordinance; it has a projected usefulness to the public far beyond the period of depreciation of an office building; and further, because the variance will not affect the general appearance of the property or the relationship of the property to other related uses in the immediate area, including property owned by the City, specifically the Fire Station at Second and Hillside, as well as other recent additions between Douglas and Second Streets, and setbacks in relation thereto.

OWNERSHIP LIST

<u>Lot</u>	<u>Street</u>	<u>Addition</u>	<u>B2A</u>	<u>Property Owner</u>
102	2nd St.	Maple Grove Add.	✓	✓ Bess Cavanaugh 3102 E. 2nd 67214
104	" "	" " "		" " "
106	" "	" " "	✓	✓ Charles K. Massie Geraldine G. Massie 3110 E. 2nd 67214
108	" "	" " "		" " "
110	" "	" " "	✓	✓ <i>90 Dayton Young</i> Belle Young <i>deceased</i> 3116 E. 2nd 67214
112	" "	" " "		" " "
114	" "	" " "	XX	Medical Arts Building, Inc. 132 N. Minnesota
116	" "	" " "		" " " "
N 100 ft of Lot 118	" "	" " "		" " " "
N 100 ft. of Lot 120	" "	" " "		" " " "
N 100 ft of Lot 122	" "	" " "		" " " "
N 100 ft. of Lot 124	" "	" " "		" " " "
N 100 ft. of Lot 126	" "	" " "		" " " "
S 50 ft.of Lot 118	" "	" " "	✓	✓ Frank Slay Rose W. Slay 303 N. Hillside 67214
S 50 ft.of Lot 120	" "	" " "		" " "
S 50 ft.of Lot 122	" "	" " "		" " "
S 50 ft.of Lot 124	" "	" " "		" " "
S 50 ft.of Lot 126	" "	" " "		" " "
45	Hillside	" " "	✓	✓ Mellie O. Michael 341 N. Hillside 67214
47	" "	" " "	✓	✓ Carl L. Irick Hazel T. Irick 337 N. Hillside 67214
49	" "	" " "		" " "

<u>Lot</u>	<u>Street</u>	<u>Addition</u>	<u>Property Owner</u>
51	Hillside	Maple Grove Add.	✓ ✓ Katherine L. Van Keuren 333 N. Hillside 67214
53	"	" " "	" " "
55	"	" " "	Medical Arts Building, Inc. 132 N. Minnesota X X
57	"	" " "	" " " "
59	"	" " "	✓ ✓ Ray E. Watts Thadene R. Watts 321 N. Hillside 67214
N 15 ft of Lot 61	"	" " "	" " "
S 10 ft of Lot 61	"	" " "	X X Medical Arts Building, Inc 132 N. Minnesota
63	"	" " "	" " " "
65	"	" " "	" " " "
67	"	" " "	" " " "
46	Lorraine	" " "	ret. & resent ✓ 9-6-66 ✓ Crayton Cummings P.O. Box 2861 1738 Lulu Wichita, Kansas 67211
48	"	" " "	✓ William F. Keller Regina F. Keller 332 N. Lorraine 67214
50	"	" " "	" " "
52	"	" " "	ret. 9-8-66 ✓ no address found X V. K. Zumbrunn Virginia Zumbrunn 330 N. Lorraine 67214
54	"	" " "	" " "
56	"	" " "	✓ Mrs. John Watson 321 No. Lorraine ✓ Forrest C. Kirkpatrick Pearl A. Kirkpatrick (address unknown) no address found
58	"	" " "	" " "
60	"	" " "	✓ James R. Strange Della M. Strange 1227 University 67213
62	"	" " "	" " "
64	"	" " "	✓ Clarence D. Crumrine Dorothy E. Crumrine 316 N. Lorraine 67214
N 13½ ft Lot 66	"	" " "	" " " "
S 11½ ft Lot 66	"	" " "	ret. & resent 9-8 ✓ 132 N. Minnesota not last Douglas (Address unknown) C. W. Miller Apt. # 9
Lot 68	"	" " "	67214

<u>Lot</u>	<u>Street</u>	<u>Addition</u>	<u>Property Owner</u>
21 19	2nd St.	Waddell's Sub. of Lot 2, Blk 1, in Chautauqua Add.	✓ Kansas Masonic Home 401 So. Seneca 67213
2	Lorraine	Hopkins & Elwoods Sub. of Lot 1, Block 1, in Chautauqua Add.	✓ John A. Porter 256 N. Lorraine 67214
4	"	" " "	" "
6 8	"	" " "	✓ Ollis E. Brown Clyda B. Brown 252 N. Lorraine 67214
10 + 12 9	"	" " "	→ O.C. McNeese + Bessie 244 N. Lorraine 67214
1	Hillside	" " "	XX City of Wichita
3	"	" " "	" "
5	"	" " "	" "
7 7 + 11	"	" " "	" "
1	Chatfield Place	Chatfield Addition	XX Clifton C. Wilson Lena T. Wilson (address unknown) <i>no address found</i>
2	" "	" "	✓ Kenneth E. Weilert Guyanne Weilert 3207 Chatfield Place 67208
3	" "	" "	XX Robert E. Watterscheid Mary K. Watterscheid (address unknown) <i>no address found</i>
20	2nd St.	" "	✓ Alexandria Abla Jennis M. Abla 3210 E. 2nd St. 67208
21	" "	" "	✓ Laura Baker 3206 E. 2nd St. 67208
22	" "	" "	✓ Carl R. Morrell Sylvia E. Morrell 3202 E. 2nd St. 67208
E $\frac{1}{2}$ of W 2/3 of Lot 2.	Hillside Ave.	Hewey's Addition	✓ Grace Bosse Evelyn Bosse 3205 E. 2nd St. 67208
E $\frac{1}{2}$ of W 2/3 of Lot 4.	"	" " "	" " "
E $\frac{1}{2}$ of W 2/3 of Lot 6.	"	" " "	" " "
E $\frac{1}{2}$ of W 2/3 of Lot 8.	"	" " "	" " "

<u>Lot</u>	<u>Street</u>	<u>Addition</u>	<u>Property Owner</u>
E $\frac{1}{2}$ of E 2/3 of Lot 2.	Hillside	Hewey's Addition	✓ Roy R. Nail Frieda L. Nail (address unknown) 3207 East 2nd 67208
E $\frac{1}{2}$ of E 2/3 of Lot 4.	"	" "	" " " "
E $\frac{1}{2}$ of E 2/3 of Lot 6	"	" "	" " "
E $\frac{1}{2}$ of E 2/3 of Lot 8.	"	" "	" " "
W 1/3 of Lot 2.	"	" "	X Wall Building, Inc. (address unknown) no address found
W 1/3 of Lot 4.	"	" "	" " "
W 1/3 of Lot 6	"	" "	" " "
W 1/3 of Lot 8	"	" "	" " "
13	Blk.2	Floral Addition	✓ Harold J. Coate Esther M. Coate 338 N. Hillside 67214
15	"	" "	✓ L. A. Lallement Alma Pray Lallement 336 N. Hillside 67214
E 40 ft. of Lot 17	"	" "	✓ Ethel Margery Koch Mary Leigh Koch 3204 Chatfield Place 67208
E40 ft of Lot 19.	"	" "	" " "
W 50 1/4 ft. of Lot 17.	"	" "	✓ Albert L. Nielsen Lydia M. Nielsen 715 S. Roosevelt 67218
W 50 1/4 ft. of Lot 19.	"	" "	" " "
W 40 ft of E 80 ft of Lot 17.	"	" "	✓ Roy C. Barnes 1504 Ellis 67211
W 40 ft of E 80 ft. of Lot 19.	"	" "	" " "

We, The Security Abstract and Title Company, Inc., hereby certify the foregoing to be a true and correct list of property owners within a 200 ft. radius of:

All of Lots 114 and 116, and the North 100 ft. of Lots 118, 120, 122, 124, 126, on 2nd St., and the South 10 feet of Lot 61, and all of Lots 63, 65, 67, on Hillside, in Maple Grove Addition to Wichita, Sedgwick County, Kansas.

as shown by the deeds on file in the Office of the Register of Deeds of Sedgwick County, Kansas, on this 17th day of August, 1966 at 7:00 O'clock A.M.,

THE SECURITY ABSTRACT AND TITLE COMPANY, INC.

BY: *Lucille Schroeder*  
Vice-President

Order No.137835

(rb)

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. Cut	Plan	Plbg. Cert.
Sanitation	Sewer	Signs	Sidewalk
Street	Trailer	950.00	

DESCRIPTION	AMOUNT
BZA Application	

Name *William C. Liggins*  
 Address *817 1/2 National Bldg.*  
 Dpt *R-712* Due Date *12-20-66*

Comments:

Date *12-20-66* by *[Signature]*





\*

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