

CASE No. 10-51

BOARD OF ZONING APPEALS
CITY OF WICHITA, KANSAS

NOTICE OF HEARING OF APPEAL

May 2, 19 51

A. L. Riffel
407 Clayton
Wichita, Kansas

Dear Mr. Riffel :

Your appeal, under the Zoning Ordinance, relative to premises at
407 Clayton

has been given Board of Zoning Appeals Case No. 10-51.

All inquiries and references should always be made to that Case
Number when you seek information from the Secretary.

Further, you are notified to appear before the Board of Zoning
Appeals either in person, or by agent or attorney, for a hearing of
your case on Monday, May 7, 1951, 1951, at
1:30 p.m., Room 201, City Building

Respectfully,

Eugene N. Smith
Secretary, Board of Zoning Appeals

BOARD OF ZONING APPEALS
Room 304, City Hall
Wichita, Kansas

NOTICE TO PROPERTY OWNERS

May 2, 1951

An appeal has been filed by Al Riffel
(Address) 407 Clayton on behalf of same
(Address) _____

as provided by Section 33 of the Zoning Ordinance. The appellant
desires to remodel a candy factory into a 2-family dwelling without
maintaining the 20-foot rear yard on the premises
located at 407 Clayton

This appeal has been given Case No. 10-51
and a hearing will be held by the Board of Zoning Appeals on _____
Monday, May 7, 1951 at 1:30 p.m.

at which time you may appear, if you so desire, either in person or
by agent or attorney. Room 201, City Building.

By order of the Board of Zoning Appeals.

Eugene N. Smith
Secretary.

Notices Mailed May 2, 1951

Harold W. Chapman	3021 W 3rd
Irene Donham	3024 W 3rd
Joe M. Newton	442 Custer
Salome Jacobi	2900 W 2nd
David T. Downey	427 Clayton
Don L Young	416 Custer
Glenn V. Roux	420 "
Bert Reed	422 "
James A. Bird	359 Clayton
B. A. Wilson	423 Clayton
Daryl E. Bastion	433 "
Glenn W. Ryder	1250 S. Market
Sarah E. Rose	418 Clayton
J. L. Hauser	422 "
Farrell P. Hauser	428 "
George J. Gimple	432 "

An appeal has been filed by _____
to _____ on behalf of _____
(Address) _____
(Address) _____

as provided by Section 33 of the zoning Ordinance. The applicant
desires to _____
located at _____

This appeal has been given Case No. _____
and a hearing will be held by the Board of Zoning Appeals on _____
at _____

at which time you may appear, if you so desire, either in person or
by agent or attorney. _____

By order of the Board of Zoning Appeals,

Secretary

CASE NO. 10-51

Secretary Smith reviewed Case No. 10-51, an appeal by A. L. Riffel to remodel a structure used formerly as a candy factory into a two-family dwelling without maintaining the required 20-foot rear yard at 407 Clayton. The appeal stated that the building was built prior to annexation to the city and is only 9 feet from the center of the alley; that due to illness the owners can no longer operate the candy store and wish to convert it to apartments as a means of livelihood.

Mr. Riffel stated that this is a cement block building, 26 feet by 45 feet, in good condition and will require no work on the outside of the building; that there are no objections from adjacent property owners.

In executive session, after discussion, Smith moved and Keeler seconded that the Board take jurisdiction and grant this variance as the four conditions of the Ordinance have been met. The motion carried unanimously.

RESOLUTION 10-51

WHEREAS, A. L. Riffel, owner of the property known ^{as} 407 Clayton, has applied for a permit to remodel a structure into a two-family

dwelling at that location; and

WHEREAS, the City Building Inspector has formally refused said permit because the building will not provide the 20-foot rear yard as required under Section 16, paragraph 5 (c) of the Zoning Ordinance; and

WHEREAS, the variance desired arises from a condition which is not uniform over the "A" zoning district inasmuch as this building was constructed before being annexed to the city; and

WHEREAS, the granting of the variance will not adversely affect the rights of adjacent property owners inasmuch as no structural changes will be made to the outside of the building; and

WHEREAS, the variance desired is not against the public interest as it will provide additional needed housing for the City; and

WHEREAS, the strict application of the terms of this ordinance will constitute unnecessary hardship on the property owner as he is unable to maintain the business because of ill health and the dwellings will serve as a means of livelihood; and

NOW, THEREFORE BE IT RESOLVED by the Board of Zoning Appeals that the Buildings Inspector of the City of Wichita is authorized and hereby directed to issue a permit for the remodeling of a structure at 407 Clayton into a two-family dwelling maintaining only a nine foot setback from the center of the alley.

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

G. W. Herrman, Chairman

Eugene N. Smith, Secretary

Form 3806-S (Rev. 3-40)

Receipt for Registered Article No. 407 Postmaster ref. 100

Fee paid 25 cents. Class postage 10

Declared value 25 Surchage paid, \$.....


Return Receipt fee 5 Spl. Del'y fee.....

Delivery restricted to addressee:

In person..... or order Accepted Fee paid.....
 Accepting employees will initial in space
 indicating restricted delivery

NOTICE TO SENDER—Enter below name and address of addressee as an identification. Preserve and submit
 this receipt in case of injury or loss for indemnity.

A. J. Koffel 407 Center City
 (Name of addressee) (P. O. and State of address)

POSTMARK


Post Office **Wichita**
 OFFICIAL BUSINESS

2 638 PM
 1951
 KANSAS

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE IS \$300 (50c)

REGISTERED ARTICLE
 No. 7213

INSURED PARCEL

WICHITA,
 KANSAS.

Return to City Planning Bldg
 (NAME OF SENDER)
 Street and Number, or Post Office Box, 304 City Bldg



Form 3500-S (Rev. 3-40)

Receipt for Registered Article No. 100-1017

Postmaster per PAID

POSTMARK

Fee paid 25 cents. Class postage 1.00

Declared value 100 Surcharged paid, \$.....

Return Receipt fee 10 Spl. Del'y fee.....

Delivery restricted to addressee.
in person..... or order..... Fee paid.....
Accepting employees will do this, initials in space
indicating restricted delivery.

NOTICE TO SENDER—Enter below name and address as an identification. Preserve and submit
this receipt in case of injury or application for indemnity.

A. J. Riffel 407 Austin City
(Name of addressee) (P. O. and State of address)

Form 3511
Rev. 1-4-40

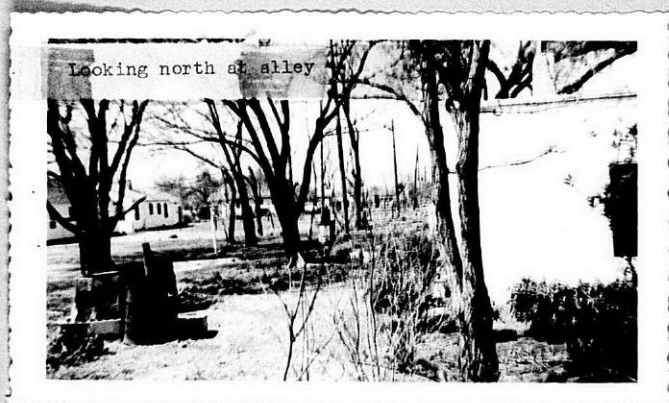
RETURN RECEIPT

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

1 X A. J. Riffel
(Signature of name of addressee)

2 Mrs A. J. Riffel
(Signature of addressee's agent—Agent should enter addressee's name on line ONE above)

Date of delivery 5-3, 19 1941



CITY OF WICHITA
BUILDING INSPECTION DIVISION

To A. L. Riffel Owner Address 407 Clayton
To Same Applicant Address _____

Dear Sir:

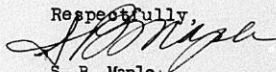
Your Application Dated April 12, 1951

For a Permit for the remodeling of a structure that was used as a Candy Factory
into a 2-family dwelling at the premises designated as
rear of 407 Clayton

Is hereby refused on this 12th day of April, 1951,
Under Section 16, Par. 5 (c) of the Zoning Ordinance.

For the reason that an insufficient rear yard will be provided. The ordinance
requires 20 feet and this structure is placed approximately 9 feet from the
center of the alley. There ^{are} ~~is~~ sufficient side and ^{front} rear yards, as well as
lot area.

Respectfully,


S. B. Maple
Chief Building Inspector

NOTE: Any appeal from this refusal must be filed with the Board of
Zoning Appeals (Room 304, City Hall) within ninety (90) days after
the date of this refusal. For further information, take this notice
to the Planning Department, Room 304, City Hall.

