

Case No. BZA 21-84 - Roger D. Evers,  
753 Litchfield, Wichita, Kansas,  
requests a variance to reduce the  
required side yard setback from 6' to  
not less than 8" for a detached garage  
(accessory structure) on property zoned

POSTED  
3-23-84  
S.E.C.

ACTION

B.Z.A. ~~21-84~~ DENIED ~~4-24-84~~  
DATE  
4-0

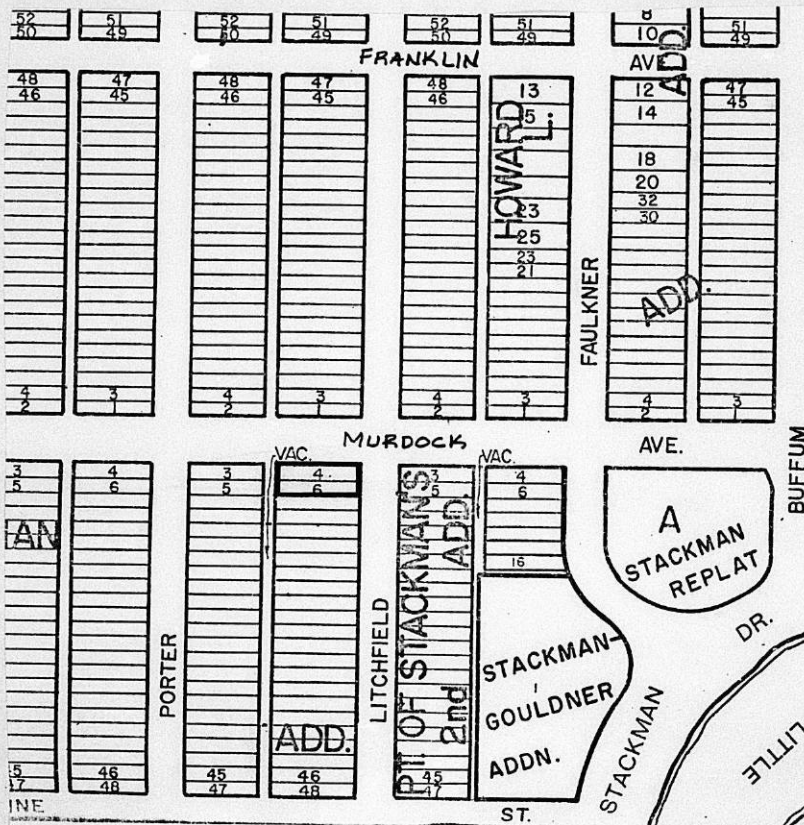
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Map No. 5348

BZA 21-84  
Filed \_\_\_\_\_

AREA DATA:

1. Acres: \_\_\_\_\_ ( \_\_\_\_\_ ft. by \_\_\_\_\_ ft.)
2. Adjoining Zoning: E A S A W A N A
3. Land Use: East Res South Res  
West Res North Res
4. Area (is) (~~is~~) platted.



REGISTERED PROFESSIONAL LAND SURVEYOR  
LOS ANGELES, CALIFORNIA  
MEMBER OF THE NATIONAL SOCIETY OF PROFESSIONAL LAND SURVEYORS  
U.S.A.

**S**  
No. 2-1531C

WICHITA-SEDGWICK COUNTY

DATE

METROPOLITAN AREA PLANNING DEPARTMENT May 1, 1984

**TO** The Files  
**FROM** Jack H. Galbraith, Chief Planner, Current Plans Division  
**SUBJECT** Vacation of Alley, South of Murdock Between Porter and Litchfield

Following the denial of a request for a variance of a side yard setback next to Murdock (BZA 21-84), the applicant, Mr. Roger Evers, contacted me about the vacation of the adjacent alley and perhaps even some street right-of-way for Murdock. The north 125' of the original platted 25' alley has not been vacated. Adjacent to lots 4, 6, 8, 10, the rear fence appears to be to the center of the alley. There is an existing alley drive approach. Lots 4 and 6 has an accessory building and a travel trailer placed in the 10 half alley. The duplex to the west has a small trailer and trash barrels in the alley. That property owner uses the west 10' alley for access to the rear of his property.

Although Mr. Evers has obtained the signature of the owner of lots 8 and 10, he is unable to obtain the signature of the property owner to the west. That owner, Mr. Dick Turnbull, objects to the vacation of the alley, wants the fence and other violations removed. He may pursue that request through Operations and Maintenance and Central Inspection.

The garage that Mr. Evers wants to build could be placed on his west property line, 10' from the center of the alley with no roof overhang into the alley. A 6' side yard setback must be observed from the north side (Murdock ROW).

As to the possibility of vacating part of Murdock, that street ROW is unusual. The plat of Riverside Addition indicates 35' of street ROW plus a 5' reserve from the Stackman property to the south. The Stackman Addition plat dedicated 20 feet of street right-of-way. Sometime during the early 1900's, Lot 2 and other corner lots were acquired in fee for street purposes. There is an ordinance that gave the responsibility of the maintenance of these 25' lots to the Park Department. Evers has been dealing

with Tom Allen for permission to construct the driveway and park in front of his proposed garage on Lot 2. Evers now has an ordinance that relieved the Park Department from their maintenance responsibility. The existing sidewalk is approximately 17 feet north of Lot 4. It appears that the City possibly would support the vacation of 17' of platted Lot 2. Lakin agrees that such vacation should be subject to establishing a 22' setback for all structures so that no new structure can encroach further north than the present required 6' sideyard.

I have questioned who the 17' reverts to or does that property fall into the class of a building site. Isaac believes that the intent was not to have to sell narrow strips but believes that if the vacation is for the full 25' lot, that may be considered a building site and has to be purchased from the City. I also questioned Tom Powell about the same issue and he agrees that there is a problem. He is concerned about who were the owners of the adjacent lots when the corner lots were purchased. Evers says that a man named "Gish" was the owner of Lots 4 and 6 when Lot 2 was purchased for \$350. I am of the opinion that if a vacation case is filed south of the existing sidewalk, that it reverts to the owner of Lots 4 and 6. Powell suggests that Evers go to a Title Company and see if they will insure title if he proceeds to vacate.

Have discussed these findings with Mr. Evers on April 30, 1984. It would appear that he will be unable to vacate the alley unless Turnbull signs the application. To obtain his signature, Evers may have to enter into a private covenant that he will not store certain items or use the 10' vacated alley in a certain way. Turnbull should provide the same assurances.

As to the vacation of any street ROW, that is an issue that we will have to review with the Law Department. The CPO for that area may be concerned with the vacation of any RCW for Murdock that provides a view to the park to the west.

Jack H. Galbraith  
Chief Planner

JHG:jps

April 25, 1984

Robert B. Feldner, Superintendent of Central Inspection  
Glen E. Lytle, Special Assistant for Zoning

BZA 21-84 - Request for Variance - 753 Litchfield

Attached hereto is a copy of the Resolution denying the request for a variance of the side yard setback for a detached garage on the southwest corner of Murdock and Litchfield. This does not prevent the construction of a detached garage in conformance with the required setbacks.

For your information, there were several mitigating circumstances that might have resulted in the Board's decision to deny the request that were stated at the meeting by the neighbors. These were as follows:

1. This applicant sells new golf balls and other items from his property which is not a permitted home occupation.
2. It was stated that the small shed (construction shack) to the south of the existing garage is used for storage of plumbing supplies for his son's plumbing business.
3. There was a statement made that the applicant has fenced in a portion of the alley to store his camper in. In this case, the alley in the middle of the block has been vacated but each end at Murdock and Pine for 150 to 125 feet is still alley. Galbraith pointed out at the meeting that maybe a vacation case would be appropriate.
4. There were also complaints in the manner in which the applicant has maintained the premises in relation to vehicles, etc.

This information is furnished for your review and action for compliance with any regulation that might be corrected to the satisfaction of the code requirements.

Glen E. Lytle

GEL:sad

cc: David Stowe, Director of Operations & Maintenance  
\*(see item number 3 above)

cc: *Don Anderson, Div. of Hrg. & Econ. Dev*

\* on Stowe's copy only

April 25, 1984

Roger D. Evers  
753 Litchfield  
Wichita, Ks.

Re: BZA 21-84 - Request for Variance

Dear Mr. Evers:

Enclosed is a signed copy of the Resolution adopted by the Board of Zoning Appeals on April 24, 1984.

This Resolution reflects the official action of the Board to deny your request. It is forwarded to you for your information and files.

If you have questions concerning this matter, please call our office.

Sincerely,

Glen E. Lytle  
Assistant Secretary

GEL:sad

Encl.

cc: Robert Feldner, Superintendent of Central Inspection (2)  
Don Gisick, City Clerk

RESOLUTION NO. BZA 21-84

WHEREAS, Roger D. Evers, 753 Litchfield, Wichita, Kansas, requests a variance as provided in Section 2.12.590.B, Code of the City of Wichita, to reduce the required side yard setback adjacent to a street for a garage from 6 feet to 8 inches on property zoned the "A" Two-family Dwelling District and legally described as follows:

Lots 4 and 6, on Litchfield in Stackman's Addition to Wichita, Sedgwick County, Kansas. Generally located on the southwest corner of Litchfield and Murdock (753 Litchfield).

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, at the meeting of April 24, 1984, consider said application; and

WHEREAS, the Board of Zoning Appeals has proper jurisdiction to consider said request for a variance under the provisions of Section 2.12.590.B, Code of the City of Wichita; and

WHEREAS, the Board of Zoning Appeals has found that the variance arises from such condition which is not unique to the property in question and inasmuch as the lot is of sufficient size to accommodate the proposed structure in conformance with the required setback, and furthermore most corner lots in the "A" Two-family Dwelling District are required to comply with a 6 foot or more side yard adjacent to a street; and

WHEREAS, the Board of Zoning Appeals has found that the granting of the permit for the variance will adversely affect the rights of adjacent property owners or residents inasmuch as the proposed structure will be moved closer to the north and blocking the view of the duplex to the west; and

WHEREAS, the Board of Zoning Appeals has found that the strict application of the provisions of Title 28 (Zoning Ordinance) of which variance is requested will not constitute unnecessary hardship upon the property owners represented in the application inasmuch as the lot is of sufficient size to build a garage as an accessory structure to a one-family dwelling with all regulations; and

WHEREAS, the Board of Zoning Appeals has found that the variance desired will adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare due to the fact that the proposed location of the garage would be facing on to park property and could possibly be a detriment to the appearance of the wide street if vehicles were parked thereon.

WHEREAS, the Board of Zoning Appeals has found that the granting of the variance desired will be opposed to the general spirit and intent of Title 28 (Zoning Ordinance) inasmuch as the ordinance is specific in the location of accessory structures adjacent to a side yard when adjacent to a street; and


WHEREAS, each of the five conditions required by Section 2.12.590.B, Code of the City of Wichita, to be present before a variance can be granted have not been found to exist.

NOW, THEREFORE, BE IT RESOLVED by the Board of Zoning Appeals of the City of Wichita that this request for a variance to reduce the required side yard setback adjacent to a street for a garage from 6 feet to 8 inches on property zoned the "A" Two-family Dwelling District and legally described as follows:

Lots 4 and 6, on Litchfield in Stackman's Addition  
to Wichita, Sedgwick County, Kansas. Generally  
located on the southwest corner of Litchfield and  
Murdock (753 Litchfield).

be denied.

ADOPTED AT WICHITA, KANSAS, this 24th day of April, 1984.

  
John Slaymaker, Chairman

ATTEST:

  
Glen E. Lytle, Assistant Secretary

THE CITY OF WICHITA

OFFICE OF CITIZEN PARTICIPATION

DATE April 24, 1984

TO Glen Lytle, Special Assistant for Zoning

FROM Cindy Entriiken, Administrative Aide III

SUBJECT BZA 21-84 Generally  
located on the  
southwest corner of  
Litchfield and Murdock  
(753 Litchfield)

On Monday, April 23, CPO Neighborhood Council "N" considered the above captioned case requesting a variance to reduce the required side yard setback from 6 feet to not less than 8 inches for a detached garage on property zoned "A" Two-Family Dwelling District.

Roger D. Evers, the applicant, was present to explain his request to the Council. No other area residents were present to discuss this request.

The Council voted 5-0 to recommend approval of this request.

Please provide the Council's recommendation to the Board of Zoning Appeals when the Board considers this case.

*Cindy Entriiken*  
Cindy Entriiken  
Administrative Aide III

CE:sm

Noted:

*Annie K. Montgomery*  
Annie K. Montgomery  
CRS Director

SECRETARY'S REPORT  
CASE NO. BZA 21-84

APPLICANT: Roger D. Evers, 753 Litchfield, Wichita, Kansas.

AGENT: None

REQUEST: Variance pursuant to Section 2.12.590.B, Code of the City of Wichita, to reduce the side yard setback for a detached garage (accessory structure) from 6 feet to 8 inches.

GENERAL LOCATION: On the southwest corner of Murdock and Litchfield (753 Litchfield).

ZONING: Subject property is zoned the "A" Two-family Dwelling District as are all adjacent properties.

LAND USE: Subject property is occupied by a one-family dwelling. Adjacent properties are also one-family with some two-family dwellings in the general area.

JURISDICTION:

The Board has jurisdiction to consider the variance request under the provisions outlined in Section 2.12.590.B, Code of the City of Wichita. The Board may grant the request when all five conditions as required by the State Statutes are found to exist.

COMMENTS BY THE SECRETARY:

The applicant is requesting a variance of the required side yard setback for a detached garage to be constructed within 8" of the north property line. The property consists of two 25 foot lots located on the southwest corner of Litchfield and Murdock. The Park Department is the owner of Lot 2 which is immediately adjacent to the applicant's property on the north. This apparently was acquired prior to development in the area but has not been used for the park purposes. Over the years it has been mowed by the Park Department on an intermittent basis, but lately maintained by the property owner.

The applicant indicates that he has been working with the Park Department to secure legal access to Murdock across its property. Although the applicant's property abuts public property, the site plan indicates that there is 17½' from the property line to the sidewalk along Murdock, and a total of 40' from the curb. This creates a certain uniqueness that is not common to most properties in the city.

Although it is difficult to justify a variance on most residential properties, to reduce the setback adjacent to a street right-of-way, in this case the street far exceeds the normal width and will probably not be developed as originally planned as a parkway.

UNIQUENESS:

It is the opinion of the Secretary that this property is unique inasmuch as the right-of-way for Murdock far exceeds that required by the subdivision regulations and the reduction of the sideyard to 8" will still maintain a distance of 40' from the curb to the garage.

ADJACENT PROPERTY:

It is the opinion of the Secretary that the granting of the variance requested will not adversely affect the rights of adjacent property owners inasmuch as the distance from the proposed structure to the properties across the street will still maintain a greater distance than normally required on other residential streets.

HARDSHIP:

It is the opinion of the Secretary that the strict application of the provisions of the zoning ordinance may constitute an unnecessary hardship upon the applicant inasmuch as the applicant is in need of a garage to accommodate several motor vehicles to replace what was a one car detached garage of inadequate size for most of today's vehicles. Also, the applicant wants to locate the new garage at approximately the same location of the one being replaced and maintain as much rear yard as possible.

PUBLIC INTEREST:

It is the opinion of the Secretary that the requested variance would not adversely affect the public interest inasmuch as the reduction of the required side yard will not interfere with any needed street right-of-way or utility easements.

SPIRIT AND INTENT:

It is the opinion of the Secretary that the granting of the variance requested would not be opposed to the general spirit and intent of the zoning ordinance inasmuch as adequate separation will be maintained to provide light, air and access to all properties that might be affected.

RECOMMENDATION:

Should the Board determine that all five conditions necessary to the granting of a variance can be found to exist, then it is the recommendation of the Secretary that the variance be granted subject to the following conditions:

1. The reduction of the side yard shall not apply to any structure except for a detached accessory structure permitted in the "A" Two-family Dwelling District.
2. The applicant shall be required to secure approval from the Park Department the right of access to the garage before the permit is issued by Central Inspection for the structure.

BZA CASE NO. 21-84

<u>1</u>	NOTICES SENT TO APPLICANT/AGENT
<u>10</u>	LEGAL ADVERTISEMENT SENT TO MAPC
<u>1</u>	NOTICES SENT TO CPO
<u>19</u>	NOTICES SENT TO ADJOINING PROPERTY OWNERS
<u>21</u>	TOTAL NOTICES SENT <u>4-4-84</u>

BOARD OF ZONING APPEALS  
Tenth Floor - City Hall  
455 North Main, Wichita, Kansas 67202

April 4, 1984

NOTICE TO ADJOINING PROPERTY OWNERS:

CASE NO. BZA 21-84

As required by law, all property owners of record, within 200 feet of a property to be considered for an exception or variance by the Board of Zoning Appeals, are to be notified of the public hearing. An application has been filed by Roger D. Evers, 753 Litchfield, Wichita, Kansas, requesting a variance.

Pursuant to Section 2.12.590.B, of the Code of the City of Wichita, the applicant is requesting a variance to reduce the required side yard set-back from 6 feet to not less than 8 inches for a detached garage (accessory structure) on property zoned the "A" Two-family Dwelling District. A legal description of the applicant's property is as follows:

Lots 4 and 6, on Litchfield in Stackman's Addition to Wichita, Sedgwick County, Kansas. Generally located on the southwest corner of Litchfield and Murdock (753 Litchfield).

This application has been assigned Case BZA 21-84. It will be considered by the Board of Zoning Appeals on April 24, 1984 at 1:30 p.m. in the Board Room, First Floor of City Hall, 455 North Main Street, Wichita, Kansas. If you have no interest or objections regarding the requested variance, you have no obligation to appear or comment. If you desire to appear at the Board meeting, you are invited to do so, either in person or by agent or attorney.

It should be noted that the Citizen Participation Organization Area Council may consider this case at its next meeting. Additional information about such a meeting may be obtained by calling the CPO Office, 268-4516.

If you have any questions about the application, please feel free to call the Wichita-Sedgwick County Metropolitan Area Planning Department at 268-4421.

Jack H. Galbraith  
Secretary

BOARD OF ZONING APPEALS

CASE NO. 21-84

CITY OF WICHITA, KANSAS

FILED 3-24-84

APPLICATION FOR VARIANCE

I. Name of Applicant ROGER D. EVERS  
 Mailing Address 753 LITCHFIELD Phone 265-6061  
 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 SETBACK ALLOWANCE OF NOT MORE THAN 8" FROM ~~SOUTH~~ BOUNDARY OF LOT # 9 - FOR NEW GARAGE AND SIDEWALK ALONG 3' IN FRONT OF GARAGE.  
 for property located 753 LITCHFIELD

SEE ATTACHED SHEET FOR DETAILS  
*see above for details*

and legally described as: LTS 416 ON LITCHFIELD IN STACKMANS ADDN. TO WICHITA, SEDGWICK COUNTY, KANSAS

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

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. 36-596); and that the appropriate fee is herewith tendered;
- c. That he has been advised of his right to bring action in the District Court of Sedgwick County to appeal the decision of the Board.
- d. That all documents are attached hereto as noted in paragraphs 2, 3, 4, and 5 of the instructions.

Applicant *[Signature]*

Authorized Agent N/A

OFFICE USE ONLY: Received in Office of Secretary, Board of Zoning Appeals, 2:30 (p.m.), MARCH 23, 1984, together with appropriate fee of 7500.

Signed *[Signature]*

JOHN T. (JACK) REEVES

OFFICE OF  
**BAUGHMAN CO.**  
Surveyors

FRED J. DOANE

2522 EAST KELLOGG  
WICHITA, KANSAS 67211  
MURRAY 3-7431

State of Kansas )  
County of Sedgwick ) SS

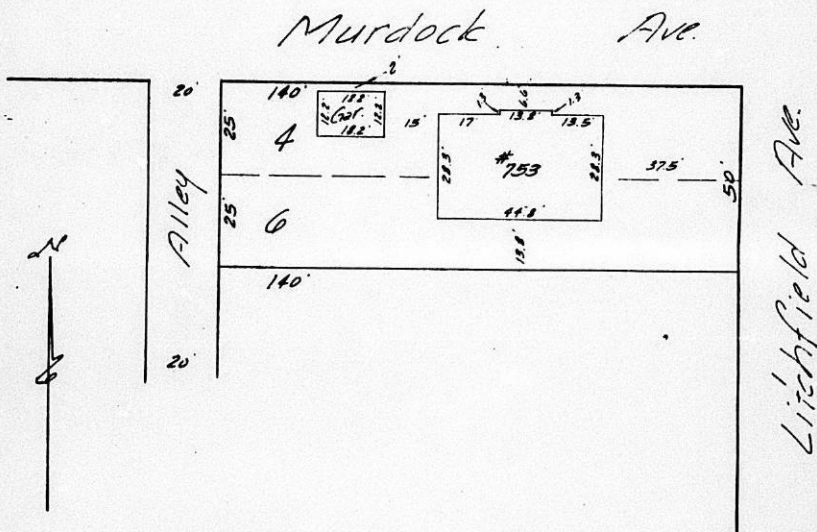
December 30, 1965

I, John T. Reeves, Surveyor in aforesaid county and state do hereby certify that I did on this 30th day of December, 1965, survey Lots 4 and 6, on Litchfield, Stackmans Addition to Wichita, Kansas.

On said lot is house No. 753 with a detached garage which is in the clear of all boundary lines. There are no encroachments on said lot by buildings on the adjacent lots.

The accompanying plat is a true and correct exhibit of said survey for mortgagee title insurance.

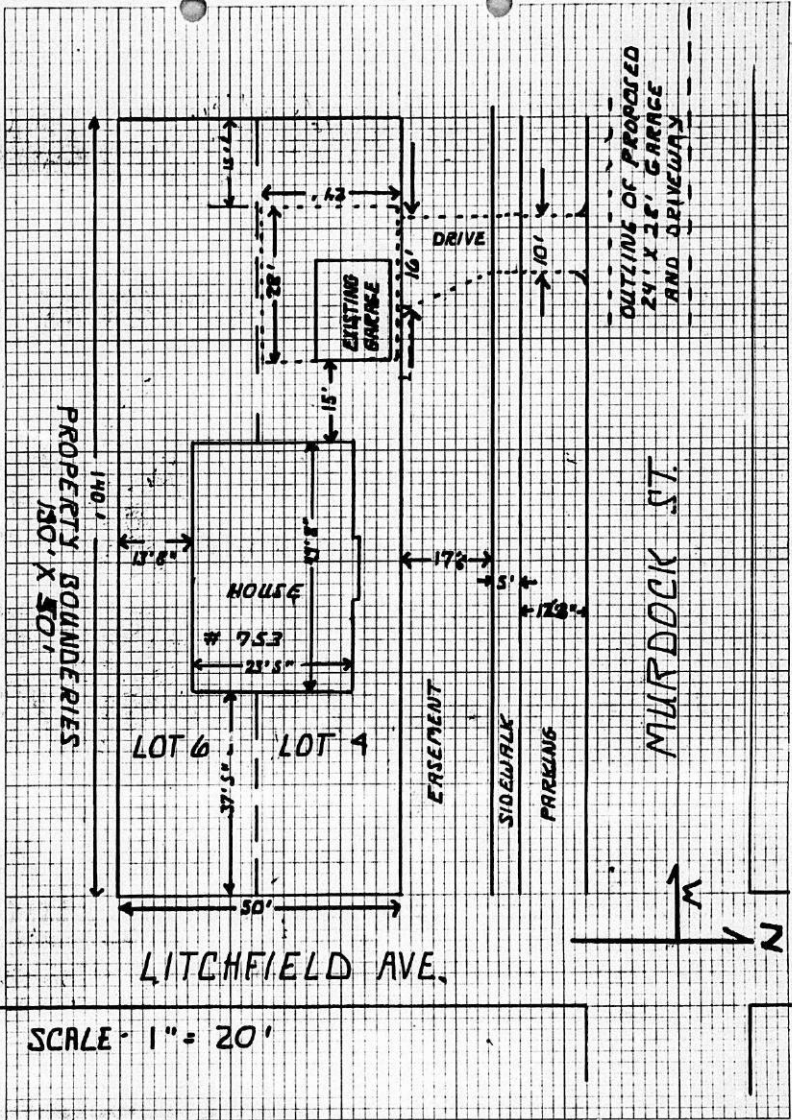
John T. Reeves  
Surveyor



46 0702

SCALE TO THE FOOT TO BE USED FOR ALL DIMENSIONS

3/4"



SCALE - 1" = 20'

REQUEST FOR VARIANCE

MAR 22  
WICHITA KS.

THIS REQUEST IS SUBMITTED BASED ON THE REALIZATION THAT THE ORIGINAL SINGLE CAR DETACHED GARAGE WHICH IS CURRENTLY ON THE PROPOSED AREA WAS CONSTRUCTED FOR A MODEL "A" SINGLE CAR FAMILY. IT IS IMPOSSIBLE TO GET A STANDARD SIZE AUTO INTO THE GARAGE AND WE HAVE A TOTAL OF 5 AUTOMOBILES AND 2 MOTORCYCLES TO PROTECT. THE NEW PROPOSED GARAGE WILL AT LEAST ACCOMMODATE 2 CARS AND TWO MOTORCYCLES AS WELL AS LAWN & GARDEN ITEMS AND MISC ITEMS NOW STORED IN THE GARAGE, NOT ABLE TO KEEP A CAR IN DUE TO THE DRIVE COMING FROM THE EAST INTO THE DOOR WHERE ONLY A VERY SMALL CAR COULD EVEN TURN INTO.

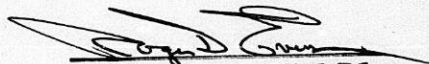
SUCH A VARIANCE, IF GRANTED WOULD IN NO WAY AFFECT THE RIGHTS OF ADJACENT PROPERTY OWNERS AS ONLY THE SPACE OF MY OWN BACK YARD BE REDUCED. THE VARIANCE IS TO ALLOW THE NEW GARAGE TO BE BUILT BASICALLY ALONG THE SAME LINE AS THE EXISTING GARAGE DRIVEWAY.

NOT GRANTING VARIANCE WOULD CREATE A HIND-SHIP INAS MUCH AS HAVING LESS BACK YARD AREA FOR OUR PERSONAL USE, DUE TO THE SETBACK REQUIREMENTS

PG 1 OF 2

THE VARIANCE WILL NOT ADVERSELY AFFECT PUBLIC  
HEALTH, SAFETY, MORALS, ORDER, CONVIENCE, PROSPERITY  
OR GENERAL WELFARE AND THE GRANTING OF THIS  
REQUESTED VARIANCE WILL NOT BE OPPOSED TO  
THE GENERAL SPIRIT AND INTENT OF TITLE 20  
(ZONING ORDINANCE)

YOUR ASSISTANCE IN EXPEDITING THIS REQUEST  
FOR VARIANCE IS APPRECIATED.

  
ROGER D. EVERS

CERTIFICATE OF OWNERSHIP

REALTY TITLE CO., INC., hereby certifies the following to be the true and correct property owners as shown by the last deed of record in the Office of the Register of Deeds, Sedgwick County, Kansas, OF:

A 200' radius of Lots 4 & 6, on Litchfield Avenue, in Stackmans Addition to Wichita, Sedgwick County, Kansas.

<u>DESCRIPTION</u>	<u>OWNERS AND ADDRESSES</u>
<u>STACKMANS ADDITION</u> <u>LITCHFIELD AVENUE</u> Lots 4 & 6	✓ D Roger Dean Evers & Ann Evers 753 Litchfield Wichita, Kansas 67203
Lots 8 & 10	✓ Bobby J. Haynes & Marcia L. Haynes 749 Litchfield Wichita, Kansas 67203
Lots 12 & 14	✓ Steven R. West & Ann M. West 745 Litchfield Wichita, Kansas 67203
Lots 16 & 18	Donna J. Cook <u>No Address Found</u>
Lots 20 & 22	✓ William Thomas Sudler & Loretta J. Sudler 735 Litchfield Wichita, Kansas 67203
<u>PORTER AVENUE</u>	
Lots 3, 5, 7, & 9	Send stuff report Richard A. Turnbull ✓ 515 N. Handley Wichita, Kansas 67203
Lots 11 & 13	✓ John P. Jones & Mary K. Jones 740 Porter Wichita, Kansas 67203
Lots 15 & 17	✓ Kenneth L. Davis & Linda Davis 1726 Webster Wichita, Kansas 67217
Lots 19 & 21	✓ Leo Bujarski & Elvira Bujarski 732 Porter Wichita, Kansas 67203
<u>STACKMANS 2ND ADDITION</u> <u>LITCHFIELD AVENUE</u>	
The East half of Lots 3, 5, 7, & 9	✓ Nelda Roth 1423 W. Murdock Wichita, Kansas 67203
The West half of Lots 3, 5, 7, & 9	✓ Nelsene Froman & Alice Froman 1427 W. Murdock Wichita, Kansas 67203
Lots 15 & 17	✓ Robert E. Thiele Box 2343 Wichita, Kansas 67201

DESCRIPTION	OWNERS AND ADDRESSES
<u>STACKMANS 2ND ADDITION</u>	
<u>LITCHFIELD AVENUE Cont'd</u>	
Lots 19 & 21	Lois M. Berthot 730 Litchfield Wichita, Kansas 67203
<u>RIVERSIDE ADDITION</u>	
<u>LITCHFIELD AVENUE</u>	
Lots 2 & 4	John V. Coe 548 N. Broadview Wichita, Kansas 67208
Lots 6 & 8	Joseph F. Friedheim 808 Litchfield Wichita, Kansas 67203
Lots 1 & 3	Katherine U. Haggard 801 Litchfield Wichita, Kansas 67203
Lots 5 & 7	Charles D. Roach & E. Anne Roach Neil E. Roach & Barbara L. Roach 805 or 807 Litchfield or #9 Cedar Dr. Halstead, Ks. 67056
Lot 9	Larry J. Cook 811 Litchfield Wichita, Kansas 67203
<u>RIVERSIDE ADDITION</u>	
<u>PORTER AVENUE</u>	
Lots 2 & 4	Ruby E. Fisher 802 Porter Wichita, Kansas 67203
Lots 6 & 8	Mark L. Funke & Susan K. Funke 806 Porter Wichita, Kansas 67203
Lot 10	Mahala McIntosh & Leroy V. McIntosh 808 Porter Wichita, Kansas 67203

Dated this 12th day of March, 1984, at 7:00 o'clock A.M.

REALTY TITLE CO., INC.

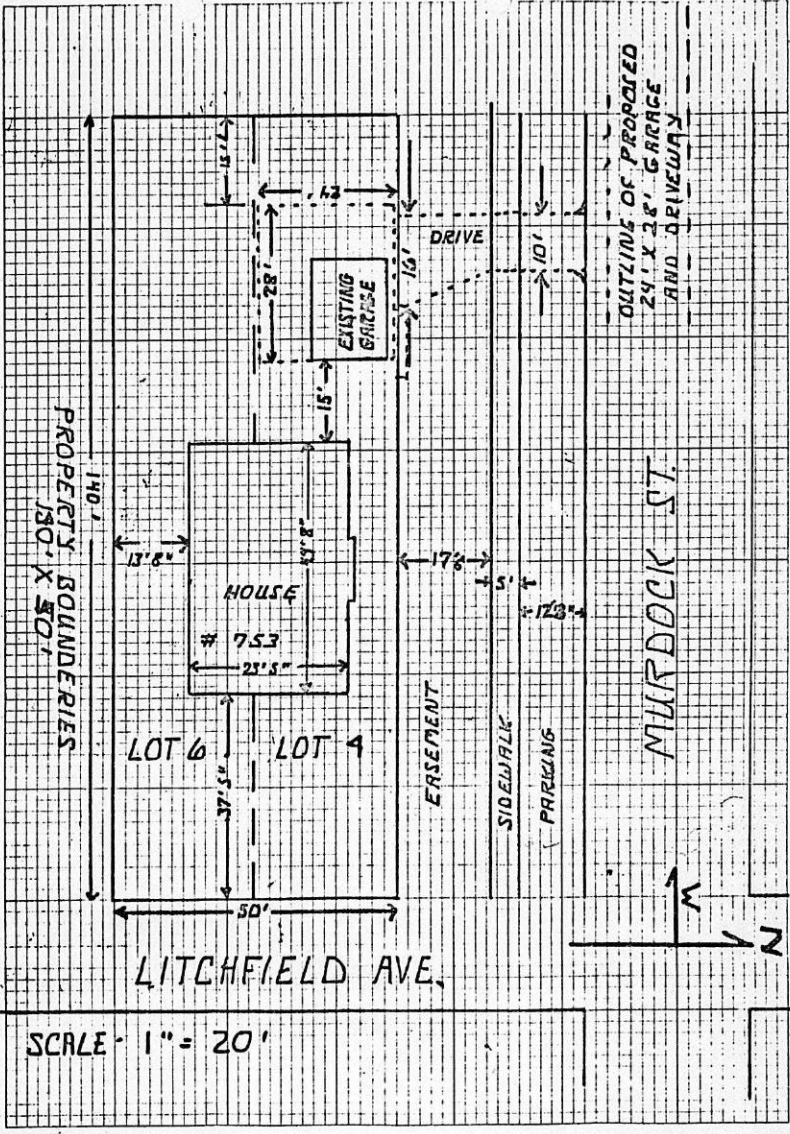
S 21384

By \_\_\_\_\_  
Judy Cachard



46 0702

K&E  
10 X 10 TO THE INCH - 7 & 10 INCHES  
RUPPEL & ESSER CO. MADE IN U.S.A.



SCALE 1" = 20'

PROPERTY BOUNDARIES  
140'  
130' X 50'

LOT 6 LOT 4

LITCHFIELD AVE.

EASEMENT  
SIDEWALK  
PARKING

EXISTING GARAGE

DRIVE

MURDOCK ST.

OUTLINE OF PROPOSED  
24' X 28' GARAGE  
AND DRIVEWAY



*Glen Lytle*

EXTRACTS FROM MINUTES OF THE MEETING OF THE BOARD OF  
PARK COMMISSIONERS-FEBRUARY 27, 1984

tr frm R D  
vers dtd  
/14/84--  
egst permissn  
our 20' wide  
concrete strip  
-Murdock to  
roposed detachd  
arage on his  
roperty

R D Evers  
lives SW cornr  
Litchfld/  
Murdock--  
5' strip  
ownd by Pk  
d acquird  
urpos prkway  
leading to  
Sim Pk

A letter from Roger D. Evers of 753 Litchfield, dated February 14, 1984, requesting permission to pour a 20-foot wide concrete strip from Murdock Street onto his property to access a proposed detached garage which will be constructed once the precise location is determined, was presented.

Director Allen advised that Mr. Evers lives on the southwest corner of Litchfield and Murdock; that there is a strip of land approximately 25' wide running along the south side of Murdock for several blocks which was originally acquired with the intention of it becoming a parkway leading into Sim Park; and that most of the property owners along this strip have maintained the land along with their own property.

Mr. Evers has previously approached the Board of Park Commissioners to request that this strip

Dir recomnd  
Mr Evers be  
requird to  
maintain  
abutting proprty  
remaing--drive-  
way to be used  
for access to  
garage and not  
prkng and  
storing vehicles

Legal counsel  
to determne  
type instrumnt  
needed

--MOTION  
concept proposl  
apprvd; documnt  
to be prepard--  
stipulatng abutting  
proprty remaing to  
be maintaind by  
R D Evers--use  
driveway for  
access garage  
only--authrize  
Presidnt to  
sign

of land (which lies immediately north of his property) be maintained by Park Board staff, the Director advised. If the Board concurs with the request to allow Mr. Evers to pour a 20' wide concrete strip to gain access to the proposed garage, Director Allen stated he would recommend that a stipulation be made that Mr. Evers will be responsible for the maintenance and general upkeep of the remaining land abutting his property and that the proposed driveway would be used for access to the garage only and not for parking and storing vehicles.

Replying to a question from Commissioner Angulo regarding the type of instrument to be prepared to cover this type of transaction, Director Allen advised that the Board's legal counsel will advise the type of instrument needed.

Discussion.

Gragert moved that the concept of the proposal be approved; that the staff be authorized to prepare an appropriate document to formalize the arrangement, including the stipulation that the remaining abutting property will be maintained by Mr. Evers and the proposed driveway will be used only to gain access to the garage; and that the President be authorized to sign the document. Motion carried.

**MICROFILMED  
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FORM -021      PAYMENT NOTICE  
City of Wichita

Bldg.	Use of Str.	Code Bks	Copies
Elec	Elev. Insp.	Hse Moving	Lic.
Mech	Boiler Insp.	Pav. Cuts	Cert.
Pibg	Exam Fees	Sewer	Elev.
Signs	Plan Rev. (P.W.)	Cement	M.S.P.

Planning

DESCRIPTION	AMOUNT
<i>City of Wichita</i>	<i>11/22/42</i>

NAME *City of Wichita*

ADDRESS *City of Wichita*

FUND *4-101*      DUE DATE

COMMENTS

DATE *11/22/42*      BY *[Signature]*