

Case No. BZA 60-81 - Olivia P.W. Smith requests a variance to reduce the required side yard for a detached accessory structure from 6' to .33' on property zoned the "A" Two-family Dwelling District and generally located on the northwest corner of Green and Green (555 South Green)

POSTED
12-7-81
SL.

ACTION

DATE

12-22-81

DENIED

3-0

BZA 60-81

COMMITTEE

M.A.P.C.

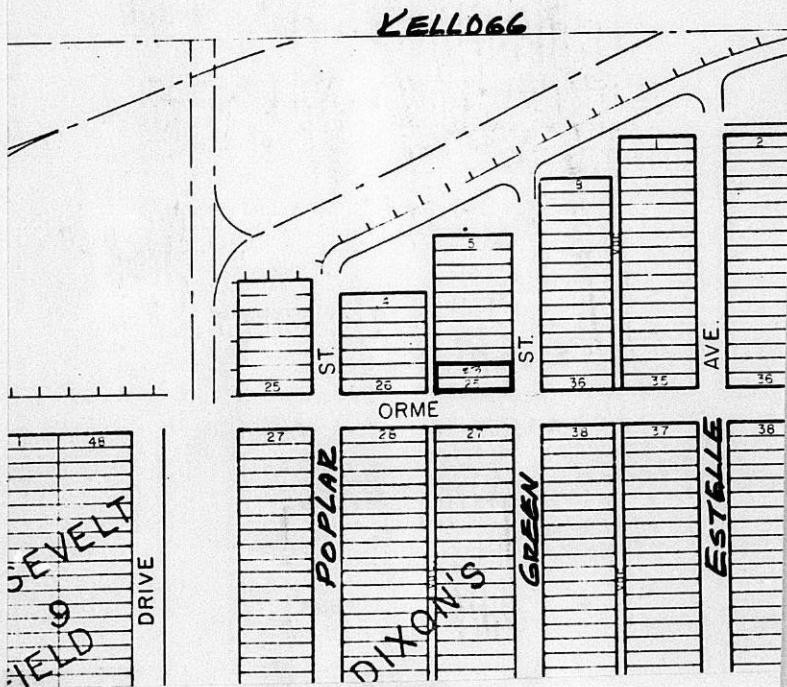
B.C.C./B. CO. C.

Map No. 5646
 Sec. _____
 Twp. _____
 Range _____

BZA- 60-81
 SCZ- _____
 CU- _____
 Filed _____

- AREA DATA:
1. Acres: 0.17 (50 ft. by 150 ft.)
 2. Adjoining Zoning: E _____ S _____ W _____ N _____
 3. Land Use: East _____ South _____
 West _____ North _____
 4. Sketch Plan Land Use is for: _____
 5. Present Land Use if for: _____
 6. Area (is) (is not) platted.

PHOTO DATA:
 Taken by _____ Date _____ Time _____



1011 AVENUE, SUITE 100
 HOUSTON, TEXAS 77057
 U.S.A.

Smith
 No. 2153C

City Sues to Force Man to Move Garage

By Beth Rosenberg
Staff Writer

By most standards, Norman Huffstedtler built his redwood garage with careful craftsmanship and attention to detail.

That is, except for one detail: His garage is too close to the property line, and the city says he must move it. In fact, the city has been telling him that almost since he began building the garage nearly three years ago.

Last week, the city filed suit against Huffstedtler's wife, Olovina Smith, who owns the property, asking the Sedgwick County District Court to make them move the garage to comply with the 6-foot setback requirement.

Huffstedtler refused to say Tuesday whether he would move the garage at his southeast Wichita home. Of their plans, Smith said, "We don't know ourselves yet."

THE PROBLEM started in July 1980 when Huffstedtler applied for a building permit for the \$4,000 garage — three months after he began construction. In an interview in January 1982, Huffstedtler said he felt he wasn't obligated to get a permit because others in the neighborhood hadn't done so when they were building.

The city's Board of Zoning Appeals twice rejected the family's request for a zoning change in 1980. And earlier this year, Smith was fined \$100 in Municipal Court for failing to comply with the city code.

The issue, city officials have said all along, is not whether the garage bothers anyone, but what the law is.

"**OBVIOUSLY THE** city has codes, and if people violate them and the city doesn't do anything about them, then it's hard to have codes," said Assistant City Attorney Douglas Moshier.

● GARAGE, 11C, Col. 1

City Files Suit Over Garage Controversy

● GARAGE, From 1C

The city's Citizen Rights and Services Division has received one complaint about Huffstedtler's garage from a person who wants the city to let him do something similar to what Huffstedtler has done.

VIOLATIONS IN other cases have prompted one of the city's 15 neighborhood councils, in what it calls a response to "seemingly flagrant violations of the regulations," to propose changing the method of assessment against those who violate zoning regulations. The council wants the assessment to be based on a percentage of the total cost of the building, rather than a set fee, as it is now.

In the 1982 interview, Huffstedtler said he built the structure to protect his mother-in-law, Roselle Adams, who felt more secure with a garage connected to a 6-foot tall fence in the backyard to keep out intruders.



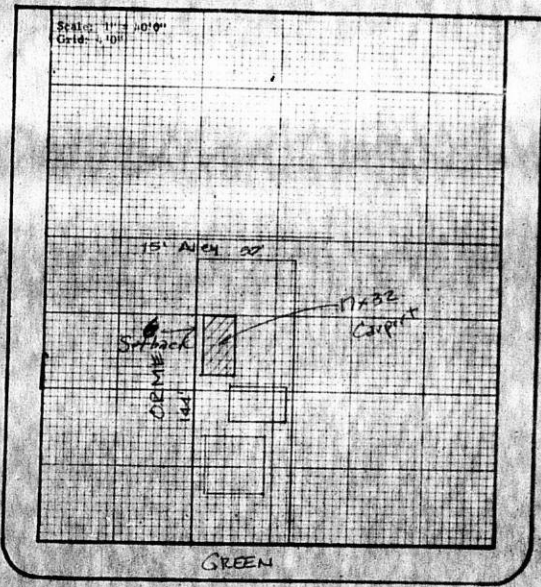
Norman Huffstedtler and his garage, which is too close to the property line, according to city codes.

File Photo Charles Rollins

MICROFILMED
FROM THE BEST
AVAILABLE COPY

RESIDENTIAL PLOT PLAN

ADDRESS: 555 S Green PERMIT NO. D44269
LOT(S): 23x25 BLK. OF 14x25 ZONING A



I certify that the above plat complies with applicable zoning setbacks and subdivision covenants and restrictions.

Signed: Oliver P. W. Smith
(Applicant)

White Copy - File Yellow Copy - Applicant Pink Copy - Hold
Form No. KA-345 (2/76)

MICROFILMED
FROM THE BEST
AVAILABLE COPY



Application for Building Permit

PERMIT NO. **244769**

DEPARTMENT OF BUILDING AND ECONOMIC DEVELOPMENT

I. IMPORTANT: Complete ALL items. Mark Boxes Where Applicable

LOCATION OF BUILDING (CARD 1)

STREET NUMBER OR LOT(S): **2318 25** STREET NAME: **DIXON'S** TYPE: **DR** UNIT: **ADDITION** SECONDARY ADDRESS: **119**

CARD (2)

LOT(S): **25** BLOCK: **DIXON'S** ADDITION: **ADDITION** FOOT OR TENTH: **119**

CARD (3)

LOT(S): **25** BLOCK: **DIXON'S** ADDITION: **ADDITION** FOOT OR TENTH: **119**

IF Notes and Standards Attach Additional Information:

II. TYPE AND COST OF BUILDING - All Applicants Complete A - E

A. TYPE OF IMPROVEMENT

New Building or Structure

Addition (If Residential, enter number of new sleeping units added) (See Part C)

Alteration (See 2 above)

Repair, Replacement

Bracketing of multi-family residential, enter number of units in Building in Part C, 3)

Move-in (relocation)

B. Ownership

PUBLIC

PRIVATE

C. FLOOD PLAIN AREA

FLOOR ELEVATION (FT. CITY DATA):

D. VALUATION

2287 VALUATION TO NEAREST DOLLAR

E. PROPOSED USE (For "Bracketing," Most Recent Use)

Residential	Commercial
<input type="checkbox"/> One-Family	<input type="checkbox"/> Attachment, Residential Building
<input type="checkbox"/> Two-Family	<input type="checkbox"/> Church, Religious Building
<input type="checkbox"/> Multi-Family (1)	<input type="checkbox"/> Industrial Building
<input type="checkbox"/> Garage-Detached	<input type="checkbox"/> Banking Garage
<input type="checkbox"/> Carport-Detached	<input type="checkbox"/> Service Station
<input type="checkbox"/> Storage Shed	<input type="checkbox"/> Hospital, Institutional Building
<input type="checkbox"/> Other - Specify	<input type="checkbox"/> Office, Store, Professional Building
	<input type="checkbox"/> Public Works, Utilities
	<input type="checkbox"/> School, Educational Building
	<input type="checkbox"/> Store, Mercantile Building
	<input type="checkbox"/> Passenger Hotel, Motel, Dormitory, etc.
	<input type="checkbox"/> Other Buildings
	<input type="checkbox"/> Structures Other Than Buildings

F. DESCRIPTION OF WORK

ADD 17X32 GARPORT

Case: Final Outgoing (Draw)

III. SELECTED CHARACTERISTICS OF BUILDING - For new buildings and additions, complete parts H through R. For bracketing complete only part R. For all others, skip to IV.

H. FOUNDATION	J. COVERING	K. DIMENSIONS	L. NUMBER OF OFF-STREET PARKING SPACES
<input checked="" type="checkbox"/> Concrete	<input type="checkbox"/> Wood	1. Number of Stories: <input type="checkbox"/>	1. Enclosed: <input type="checkbox"/>
<input type="checkbox"/> Concrete Block	<input checked="" type="checkbox"/> Asphalt	2. Basement: <input type="checkbox"/>	2. Open: <input type="checkbox"/>
<input type="checkbox"/> Brick	<input type="checkbox"/> Metal	3. Total Sq. Ft.: <input type="checkbox"/>	
<input type="checkbox"/> Other	<input type="checkbox"/> Concrete	4. Building Height: <input type="checkbox"/>	
I. STRUCTURE	M. TYPE OF WATER SUPPLY	N. TYPE OF WASTE DISPOSAL	O. RESIDENTIAL
<input type="checkbox"/> Attached Type of Frame	<input type="checkbox"/> Public	<input type="checkbox"/> Public	1. No. Bedrooms: <input type="checkbox"/>
<input type="checkbox"/> Shed	<input type="checkbox"/> Private	<input type="checkbox"/> Private	2. No. Bathrooms: <input type="checkbox"/>
<input type="checkbox"/> Carport	<input type="checkbox"/> Approved by Health	<input type="checkbox"/> Approved by Health	
<input type="checkbox"/> Metal			
<input type="checkbox"/> Wood	P. NUMBER OF STAIRWAYS		
<input type="checkbox"/> Concrete	1. Basement to Full: <input type="checkbox"/>		
<input type="checkbox"/> Other	2. Full to Second: <input type="checkbox"/>		
	3. Full to Roof: <input type="checkbox"/>		
R. REQUIREMENTS			
<input type="checkbox"/> Slopeway			
<input type="checkbox"/> Historical Structure			
<input type="checkbox"/> Partial Permit			

IV. IDENTIFICATION - To be completed on all applications

OWNER: **OLIVIA PW SMITH** CITY: **WICHITA** STATE: **KS**

STREET NUMBER OR LOT(S): **2318 25** STREET NAME: **DIXON'S** TYPE: **DR** UNIT: **ADDITION** ZIP CODE: **67211** TELEPHONE: **622-2755**

CONTRACTOR: **DAVID J. SMITH** LICENSE NO.: **10910501**

V. ARCHITECT AND/OR ENGINEER

Name: **Olivia P.W. Smith** Address: **2318 25 Dixon's** Telephone: **622-2755** Date: **7/10/60**

FORM: **375-9** C-10910501

VOID UNLESS WORK STARTED WITHIN 180 DAYS

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

December 2, 1981

NOTICE TO ADJOINING PROPERTY OWNERS:

CASE NO. EZA 60-81

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 Olivia P. W. Smith, 555 South Green Avenue, 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 side yard setback for a detached accessory structure from six feet to .33 feet on property zoned "A" Two-family Dwelling District. A legal description of the applicant's property is as follows:

Lots 23 and 25, Green Avenue, DIXON'S Addition to Wichita, Sedgwick County, Kansas. Generally located on the northwest corner of Green and Orme (555 South Green Avenue).

This application has been assigned Case No. EZA 60-81. It will be considered by the Board of Zoning Appeals on December 22, 1981 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
Tenth Floor - City Hall
455 North Main, Wichita, Kansas 67202

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Jack H. Galbraith
Secretary

May 28, 1982

File #A-5640

Mrs. Rosalee Adams
555 S. Green
Wichita, Kansas 67211

Dear Mrs. Adams:

As you know, your request for help was relayed to our office by former city commissioner Tony Casado. I visited your house on Thursday, but no one was home. I am very sorry I missed you, but I was able to look over the property. Earlier, I had gotten a set of the information sent to you by the Board of Zoning Appeals. This was done last year on their resolution No. BZA 41-81.

The whole problem is that you converted the fence along Orme into the wall of a shed. The fence itself was not a violation. It became a violation when the roof was extended over on top of the fence. This is what the resolution speaks of when it says "eave".

Our office has no way to overturn the order of the Board of Zoning Appeals. The only avenue open to you at this time is to file suit in District Court contesting the Board of Zoning Appeals order and asking for an injunction to prevent the City from enforcing it. I know you do not want to go to court and I know you cannot afford a lawyer, but I assure you you have no other choice.

RECEIVED

JUN 1 1982

MEMORANDUM
RECEIVED

You face some time limits unless you voluntarily cut the shed to the distance required and ordered. The City will find a contractor to come in and do it and you will then be sent the bill for the work.

*Not
True*

I am sorry I must tell you these things but I repeat I cannot in any way interfere with the order issued last year. Neither can the City Commission. Your only way to oppose the order is to go to court.

I hope you will call if you have questions.

Sincerely,

F.A.L.

Fredrick A. Linde
Grievance Officer

FAL:lmn

cc: Mr. Jack Galbraith, Planning Dept.

December 24, 1981

Olivia P.W. Smith
555 South Green
Wichita, KS

Dear Mrs. Smith:

Re: 555 South Green:

As per our conversation in the hall after the meeting of the Board of Zoning Appeals, this letter shall serve as official notice to correct the existing side yard violation in conformance with the code.

It is the policy of this department to grant whatever reasonable time is necessary to do the work; thus, as agreed, you may have until July 30, 1982 to complete same.

If I can be of any further assistance in this matter, please call me at 268-4461.

Sincerely,

Sam L. Mobley
Building Code Administrator

SLM:mm1

RECEIVED

JUN 2 1982

METROPOLITAN PLANNING

ROUTE Lytle

Norman Huffstедtler, right, built this garage and fence to help protect his mother-in-law, Roselie Adams, below



Staff Photo by Charles Rollins

City Says It's a Nice Garage, but Move It

By BETH ROSENBERG
Staff Writer

Everyone agrees that Norman Huffstедtler built a handsome redwood garage. Unfortunately for Huffstедtler, he built the garage too close to the property line and the city says he must move it.

On several occasions, city building inspectors visited the home at 555 S. Green and told the family the garage, built 1 foot from the property line, did not meet the city code, which requires a 6-foot setback.

So Huffstедtler put in a new wall 6 feet from the property line. But he constructed the wall in the middle of the garage and left the outer wall in the same location.

Now Huffstедtler can't park his pickup truck or car in the garage. And the city's verdict was still the same — he must move the garage.

That, says Huffstедtler, will cost \$1,500. Already, he says, he's spent almost \$1,000 appealing the decision to the city's zoning appeals board and hiring a legal adviser.

He's done it all, he says, for his mother-in-law, Roselie Adams. Moving the garage will threaten her safety, she says.

She is alone much of the time and an intruder could scale the 6-foot tall fence and lurk in the open space between the fence and the garage, she says.

Suffering from Parkinson's Disease and blind in one eye, Adams has been afraid to venture alone outside her home since she shot an intruder in the face when he broke into her home in 1979.

"I'm not asking for any sympathy," said 86-year-old Adams. "But the Lord only knows it will ruin it (if we moved the garage). Then they'll have that vacant space — anybody can hide there — and I won't be safe anymore."

The city's Board of Zoning Appeals twice has rejected the family's request for a zoning variance. Huffstедtler's only option now is to appeal the decision in court.

Huffstедtler, 47, is quick to admit that he and his wife, Olovla Smith, 47, who owns the property, waited three months after beginning construction in July 1980 to apply for a building permit for the \$4,000 garage.

"I know from past experience and building in the neighborhood that others don't get permits, so I felt I wasn't obligated either," he said. "We had intended to get one before we were done."

"I'm really a little at fault for starting without a permit. But they (the city) should have stopped me (if something was wrong)," said the Boeing maintenance worker. "I was at fault, but when they charge me \$37.50 (for a building permit) to tell me what I have to comply with, then that takes me off the limb."

A handful of neighbors wrote to the zoning board on behalf of Adams, saying they had no objection to the garage.

But the issue, according to Glen Lytle of the zoning appeals section of the city's planning department, is not whether the garage bothers anyone, but what the law is.

"Even the staff agrees it doesn't adversely effect the adjacent owners," said Lytle. "The board is pretty considerate of a situation where a person really needs to vary his side yard.

In this case, they have more than enough room (and don't need the variance)."

Citizen Participation Organization Council F, which acts as an advisory council to the zoning board for that area of Wichita, unanimously voted to advise against the variance because the structure violates city ordinance.

Adams has lived in the white house with the scalloped white awning on the corner of Green and Orme in southeast Wichita since 1943. The front yard is neat and well-kept, surrounded by a 3-foot chain link fence with padlocked gates. An empty silver flagpole and a bird bath stand in the yard.

Claude Gahman, 78, has lived in the house directly behind Adams at 556 S. Poplar since 1937. He has no objection to the garage.

"He (Huffstедtler) did a swell job — but it's a shame he ignored the rules and laws knowing there was a chance he'd have to tear it down," Gahman said. "It isn't hurting me, but I'm for people abiding by the law. He's breaking the rules and the law and he shouldn't be allowed to get by."

In the meantime, Huffstедtler says he's going to wait until the city's July 30 deadline and see what happens. He said it would take him one year to move the building.

"I ain't going to move it anywhere in the back yard," he said. "When you're forcing a person to do it, he don't want to."

As for the future, Huffstедtler says he will never get a building permit again as long as he lives in Wichita.

"And I plan to stay here," he said. "But I never plan to build again."

About Neighbors:

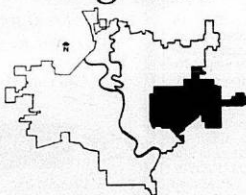
We want to keep you informed about the people and events that affect your life and your neighborhood. Call 268-6444 or write: Neighbors, The Wichita Eagle-Beacon, Box 820, Wichita, Kan. 67201.

On the Inside:

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In the News/16
Religion/12-15
Sports/6-7

Cover illustration by Judy Stanley

Neighbors



Published Tuesdays and Saturdays

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Neighbors Advertising Manager
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Lisa Austin

Fred Mann
Beth Rosenberg
Janet Hoffmann
Nunzio Lupo

December 23, 1981

Olivia P. W. Smith
555 South Green
Wichita, Kansas

Re: Case No. EIA 60-81
Request for Variance

Dear Ms. Smith:

Enclosed is a signed copy of the Resolution adopted by the Board of Zoning Appeals on December 22, 1981.

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
Enclosure

cc: C. Bickley Foster, 2618 North Edwards, Wichita, Kansas
Robert Feldner, Superintendent of Central Inspection (2)
Don Giesek, City Clerk

RESOLUTION NO. BZA 60-81

WHEREAS, Olivia P. W. Smith, 555 South Green, Wichita, Kansas, requests a variance as provided in Section 2.12.590.B, Code of the City of Wichita, to reduce the side yard setback for a detached accessory structure from 6 feet to .33 feet on property zoned the "A" Two-family Dwelling District and legally described as follows:

Lots 23 & 25 Dixon's Addition to Wichita, Sedgwick County, Kansas. Generally located on the northwest corner of Orme & Green South Green).

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 December 22, 1981, 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 does not arise from such condition which is unique to the property in question and which is not ordinarily found in the same zone or district; but was created by an action or actions of the property owner or the applicant inasmuch as the applicant failed to comply with the requirements of the permit; and

WHEREAS, the Board of Zoning Appeals has found that the granting of the permit for the proposed structure on the adjacent property to the south is a church.

WHEREAS, the application of the variance is requested by the property owners and no hardship is created by the variance on the building proposed.

WHEREAS, the granting of the variance desired will adversely affect the order, convenience, and safety of the neighborhood to grant such a variance and the applicant wants the same privilege.

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 intent of the regulation is to provide setbacks adjacent to the street right-of-way in residential areas; 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 has 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 side yard setback for a detached accessory structure from 6 feet to .33 feet on property zoned the "A" Two-family Dwelling District and legally described as:

! that the granting of the variance will affect the rights of the property to the

that the strict application of the ordinance (enforcement) of which would create a hardship upon the applicant as the applicant has failed to meet the conditions set out

that the variance is not in the public interest, morals, or safety of the neighborhood; and the fact that the granting of the variance to anyone could

*all of this
(Both pages)*

RESOLUTION NO. BZA 60-81

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WHEREAS, the Board of Zoning Appeals has found that the variance does not arise from such condition which is unique to the property in question and which is not ordinarily found in the same zone or district; but was created by an action or actions of the property owner or the applicant inasmuch as the applicant failed to comply with the requirements of the permit; 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 the property to the south is a church parking lot; 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 applicant created any hardship by deliberately violating the conditions set out on the building permit; 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 to grant such a variance could set a precedent that everyone could want the same privilege; and

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 intent of the regulation is to provide setbacks adjacent to the street right-of-way in residential areas; and

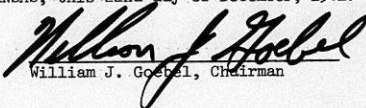
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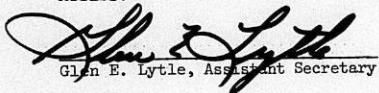
Lots 23 & 25 Dixon's Addition to Wichita,
Sedgwick County, Kansas. Generally located
on the northwest corner of Orme & Green (555
South Green).

be denied.

ADOPTED AT WICHITA, KANSAS, this 22nd day of December, 1981.

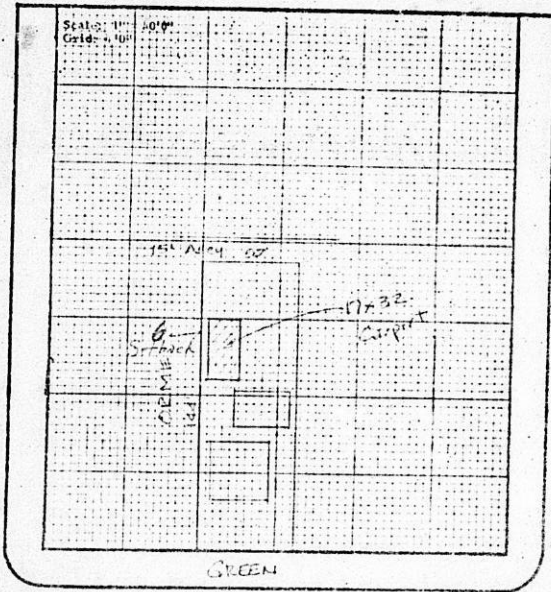

William J. Goebel, Chairman

ATTEST:


Glen E. Lytle, Assistant Secretary

RESIDENTIAL PLOT PLAN

ADDRESS: 555 E. Green PERMIT NO. 244769
LOT(S): 75 & 25 BLK. OF 1 ZONING A



I certify that the above plat complies with applicable zoning setbacks and subdivision covenants and restrictions.

Signed: Alvin P. Smith
(Applicant)

White Copy - File Yellow Copy - Applicant Pink Copy - Hold

Form No. KA-345 (2/76)

*Copies passed out
to Board members.*

THE CITY OF WICHITA

OFFICE OF CITIZEN PARTICIPATION

DATE December 22, 1981



TO Glen Lytle, Special Assistant for Zoning

FROM Dean Kruihof, Administrative Aide III

SUBJECT BZA 60-81, 555 South Green

At its December 21st meeting, CPD Neighborhood Council Area "F" considered the captioned variance request to reduce the side yard setback for a detached accessory structure from six feet to .33 feet on property zoned "A", Two Family Dwelling District. Olivia P.W. Smith and C. Bickley Foster were present representing the applicant. One area resident was present concerning this case.

The Council voted unanimously, 8-0, to recommend that the requested variance be denied and suggest that the applicant move the accessory structure north to comply with the required six foot side yard setback.

Please inform the Board of Zoning Appeals of the Council's recommendation when this case is considered by them on December 22nd. If you have any questions, please call me at 4516. Thank you.

Dean Kruihof
Dean Kruihof
Administrative Aide III

DK:dm

Noted:

Sarah Gilbert
Sarah Gilbert
CP Coordinator

THE CITY OF WICHITA

OFFICE OF CITIZEN PARTICIPATION

DATE December 22, 1981



TO Glen Lyle, Special Assistant for Zoning

FROM Dean Kruithof, Administrative Aide III

SUBJECT BZA 60-81, 555 South Green

At its December 21st meeting, CPD Neighborhood Council Area "F" considered the captioned variance request to reduce the side yard setback for a detached accessory structure from six feet to .33 feet on property zoned "A1", Two Family Dwelling District. Olivia P.W. Smith and C. Bickley Foster were present representing the applicant. One area resident was present concerning this case.

The Council voted unanimously, 8-0, to recommend that the requested variance be denied and suggest that the applicant move the accessory structure north to comply with the required six foot side yard setback.

Please inform the Board of Zoning Appeals of the Council's recommendation when this case is considered by them on December 22nd. If you have any questions, please call me at 4516. Thank you.

Dean Kruithof
Dean Kruithof
Administrative Aide III

DK:dm

Noted:

Sarah Gilbert
Sarah Gilbert
CP Coordinator

NOTICE OF VIOLATION

1st Warning or Notice

Department of Housing and Economic Development
Central Inspection Division - City of Wichita, Kansas
455 North Main, Wichita, Kansas 67202 (316) 268-4461

No: A21717

To: *Cloria W. Smith*

7-7-81

Address: *555 S. Arden
Wichita, Kansas*

Zip Code *67211*

You are hereby notified that the following item(s) are in violation of Section(s): *28.04.030-(2.2)*

Ord. No. 27-66081
of the Uniform Building Code as adopted by reference at Sections 18.04.010 and/or other referenced Sections of the Code of the

City of Wichita, Kansas: *The Building in Rear yard must have a 6' side yard set back. You were notified to have the Building set back on 11-25-80 by Mr. White.*

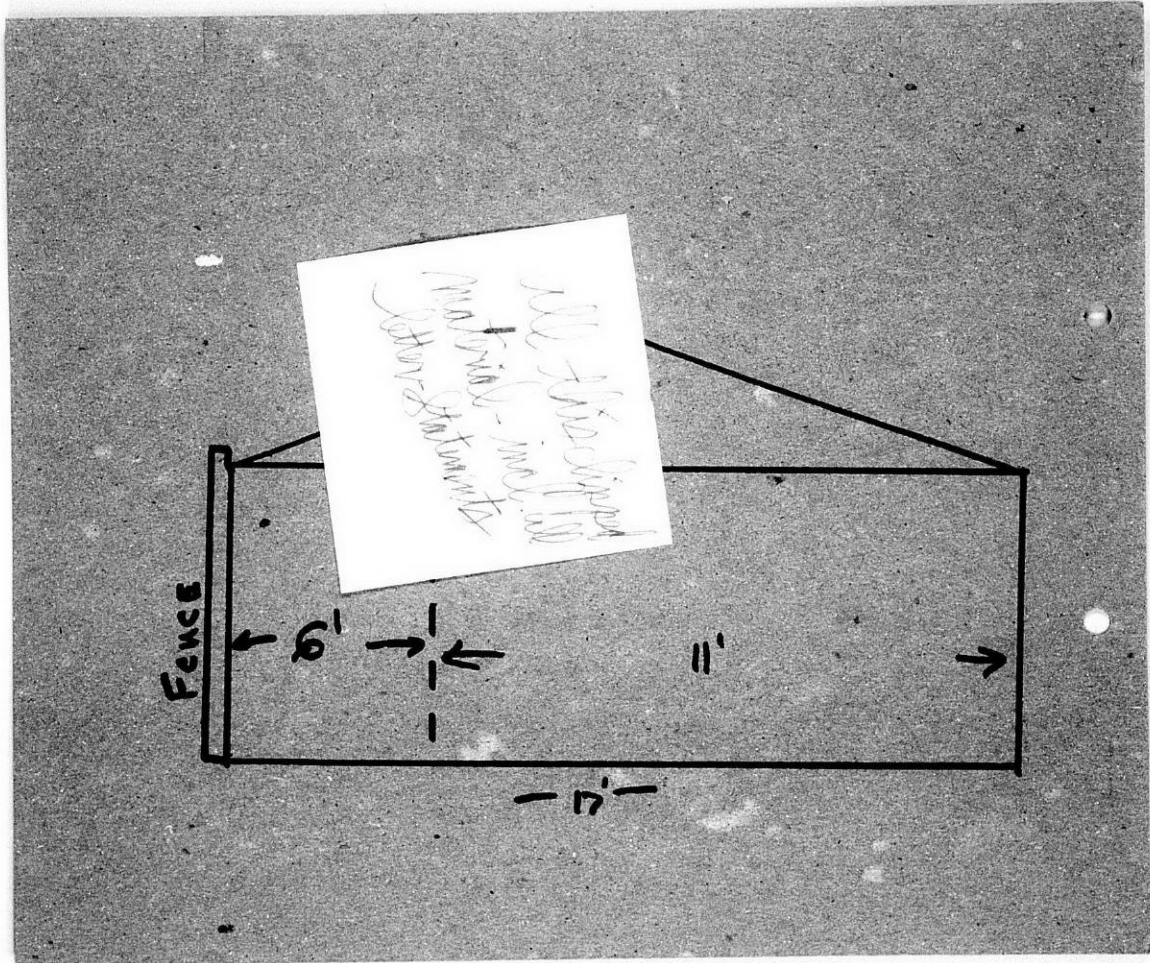
Location of violation(s): *555 S. Arden*

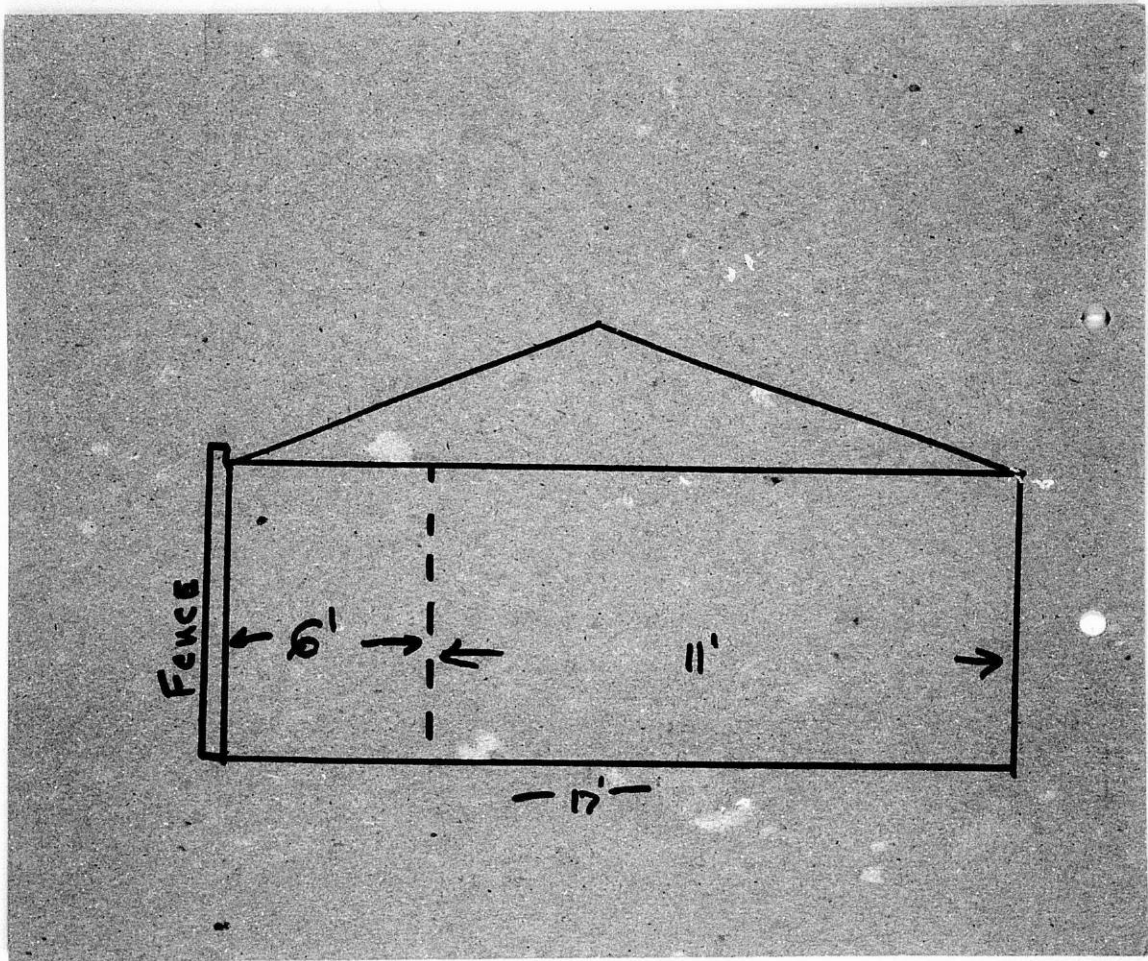
You are hereby ordered to correct the violation(s) listed above on or before *July 21*, 19*81*

Refusing or neglecting to comply with this notice will be followed by prosecution

Signed: SUPERINTENDENT OF CENTRAL INSPECTION

By: *Clarence R. Tippin*
Authorized Representative





December 1981

I have been Mrs
Rosalie S. Adams over 27 years
Who has with her family been
more helpful, even twice per
year thru that time.

And I have no objection to
Garage building on property.

Mrs Mabel W. Simmon
536 South Green St
Wichita Kansas 67212

Wichita Kansas
Dec. 1981

Wichita

City zoning.

In regard to the fence and
building on south side of lot
555 S. Green, we see no reason
for it to be changed.

It is well built and looks nice
and offers protection for Mrs
Adams.

Sincerely

Mr George F. Meyer
542 S. Estelle
Wichita, Kansas
67211

Regarding Case no B30. 60-81
as one who has no objections
regarding this request of Variance by
Olivia P. W. Smith I need not
say anything but would like to say
this.

Can't understand any objections
now since this no doubt was
built at considerable expense and
now what's the alternative?

Have lived close by this family
for a number of years and found
them to be folks who surely have tried
to be good neighbors and have kept
their property up and have taken pride
in it.

On behalf of these folks I've
should like to see the request
for this variance granted by the
Board of zoning appeals.

Mr & Mrs. Roy Stamer

Dec. 21, 81

To whom it may concern
Since my daughter fears for
my well being, may I ask
via a short note - why after 15
or 6 inspectors and over a year -
does Glen Lytel come out and
demand that our fence and building
be torn down (that fence and building
was put up for protection and so I
can be out side some of the time).
That thing who broke into our home
Nobody made a big deal of it -
I fought for myself alone, I
went to court when it was very
rough - yes, I realize it was my
problem - when was all this great
amount of concern for my rights?
J. Crawford, said he saw me out
in the back yard stumbling and
thought how easy I could be
handled. After hearing that my
daughter made me promise I
would stay indoors when I'm alone
moving the building will serve
only to give another place of
safety for an individual to
hide there by taking away some
of my safety. Rosalie Adams

Attn: WICHITA CITY ZONING

To whom it may concern,

It has come to my attention that there is some question regarding the fence and building at 555 So. Green. Evidently this structure is not quite within zoning regulations. Considering the length of time the structure has been erected and the good taste used, I see no reason to make any changes. When a neighborhood reaches the age of this one, I find it refreshing for established residents to invest in and upgrade their property.

Thank you,

Gary B. Hess

Gary B. Hess
554 So. Estelle

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

December 2, 1981

NOTICE TO ADJOINING PROPERTY OWNERS:

CASE NO. BZA 60-81

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 Olivia P. W. Smith, 555 South Green Avenue, 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 side yard setback for a detached accessory structure from six feet to .33 feet on property zoned "A" Two-family Dwelling District. A legal description of the applicant's property is as follows:

Lots 23 and 25, Green Avenue, DIXON'S Addition to Wichita, Sedgwick County, Kansas. Generally located on the northwest corner of Green and Orme (555 South Green Avenue).

This application has been assigned Case No. BZA 60-81. It will be considered by the Board of Zoning Appeals on December 22, 1981 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.

(over)

Jack H. Galbraith
Secretary

Dec 7, 1981

We have ~~no~~ interest or objection regarding the requested variance.

Earl E. Shippe
1126 Charlotte
Wichita Kansas 67208

City Zoning or Town, it may concern-

This is an old neighborhood, there are many irregularities. Our's is the nearest to the Smiths. 551 So Green. Our Aunt & the Smiths; neighbor since early 40's.

Clonia works second shift. Her mother left alone at night. In 1972 the home had a break in. The sick mother defended herself.

Clonia had the fence & building put up for the safety of her mother. We feel pleased with structure as it is. Adds to the neatness of the area & has enclosed the back yard 100%. Also adds safety to all of us.

Norman has worked very hard building up that back yard, cleaning out hedge on ~~both~~ both sides. Putting back a fence of red wood & building. No body offered to helping hand.

We, my husband W.K. & my Aunt Gerdie Rodcliff approve of the structure & fence, to expect Clonia to have the building changed is unreasonable and to expensive.

It wouldn't look as neat as it does now. This is an old neighborhood, a fact that should be taken into consideration

Gerdie Rodcliff
Mary Baker
W.K. Baker

December 13, 1981

Attn: Wichita City Zoning

To Whom it may Concern:

The garage at 555 South Green does not obstruct my vision when I'm driving or annoy me in any way. In fact, I find myself looking over that way frequently because the garage and fence are so beautiful and well constructed.

Linda Cypit
540 S. Green

SECRETARY'S REPORT
CASE NO. EZA 60-81

APPLICANT: Olivia P. W. Smith, 555 South Green, Wichita,
Kansas

AGENT: C. Bickley Foster, 2818 North Edwards, Wichita,
Kansas

REQUEST: Variance pursuant to Section 2.12.590.B, Code of
the City of Wichita, to reduce the side yard set-
back for a detached accessory structure from 6' to
.33'.

GENERAL LOCATION: On the northwest corner of Green and Orme.

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

LAND USE: Subject property is occupied by a residence.
Adjacent properties to the north, east and west
are also residential. Property to the south across
Orme Street is a church and associated parking lot.

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 and 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 side yard setback adjacent to Orme Street for a detached accessory structure that is located on the rear half of the lot. The requested variance is to reduce this required side yard from 6' down to .33' to which location the building is apparently constructed.

It should be noted that the applicant had previously requested a variance for the same building that was considered by the Board at their regular meeting on September 22, 1981. That application was for a variance to permit the roof overhang of the structure to project 5-6" in lieu of the permitted 2'-6" into the required side yard. That request was denied by the Board.

After that action on September 22, 1981, the applicant contacted the Planning Department about the decision of the Board. They were advised of the options they had to further pursue the matter. The applicant chose to file a new variance request to permit the building to be located within .33' of the south property line adjacent to Orme Street, which is a more accurate description of the building in violation.

It should be noted that a permit was secured for a detached accessory structure on September 10, 1980. It was clearly noted on the permit application that a six foot side yard is required for a detached accessory structure when located adjacent to the street. It was pointed out at the September 22, 1981 meeting that the permit was for a carport, and the applicant claims it was for a garage. Whether it be a carport or a garage, the side yard setback is the same and the applicant should have complied with the 6' side yard requirement.

It was pointed out by a representative of Central Inspection at the meeting of September 22, 1981, that a notice was issued on 11-25-80 that the building was in violation of the six foot side yard and was ordered corrected. It should be noted that personnel from Central Inspection tried for several months to secure compliance with the regulations. On July 7, 1981, a written notice was issued by Mr. Tippen of Central Inspection.

As was pointed out at the meeting on September 22, 1981, the applicant did not call for the required inspections. Apparently the building was up and enclosed before the applicant was first cited in November 1980 for the violation of the side yard setback.

It should be noted that most properties in the area are developed on 50 foot lots so it is extremely difficult to find that the property is unique in characteristics and not usually found in the same zone or district. The applicant continues to use security as justification for uniqueness and the staff is of the opinion that is not applicable for justifying uniqueness.

The Statute authorizing the powers and duties of the Board of Zoning Appeals sets forth five conditions that must be found to exist before the Board may grant a variance, the first is uniqueness and is stated as follows: "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." It is the opinion of the Secretary that a structure located in conformance with the required setback could provide the same security as the building erected in violation of the permit.

UNIQUENESS:

It is the opinion of the Secretary that this property is not unique inasmuch as the general area and other similar areas of the city are developed on similarly size lots and the condition has been created by the action of the applicant by failing to comply with the conditions clearly established on the permit application.

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 property to the south is a church parking lot that is used for the parking of church busses.

HARDSHIP:

It is the opinion of the Secretary that the strict application of the provisions of the zoning ordinance will not constitute an unnecessary hardship upon the applicant inasmuch as the applicant created any hardship by deliberately violating the conditions of the building permit.

PUBLIC INTEREST:

It is the opinion of the Secretary that the requested variance would adversely affect the public interest inasmuch as to grant this variance would create a precedent that everyone could want the same privilege when the side yard is adjacent to a street.

SPIRIT AND INTENT:

It is the opinion of the Secretary that the granting of the variance requested would be opposed to the general spirit and intent of the zoning ordinance inasmuch as the intent of the regulation is to provide setbacks adjacent to the street right-of-way in residential areas.

RECOMMENDATION:

It is the opinion of the Secretary that all five conditions necessary to the granting of a variance can not be found to exist and the variance should be denied.

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

December 2, 1981

NOTICE TO ADJOINING PROPERTY OWNERS:

CASE NO. BZA 60-81

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 Olivia P. W. Smith, 555 South Green Avenue, 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 side yard setback for a detached accessory structure from six feet to .33 feet on property zoned "A" Two-family Dwelling District. A legal description of the applicant's property is as follows:

Lots 23 and 25, Green Avenue, DIXON'S Addition to Wichita, Sedgwick County, Kansas. Generally located on the northwest corner of Green and Orme (555 South Green Avenue).

This application has been assigned Case No. BZA 60-81. It will be considered by the Board of Zoning Appeals on December 22, 1981 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

BZA CASE NO. 60-81

2 NOTICES SENT TO APPLICANT/AGENT

10 NOTICES SENT TO MAPC

1 NOTICES SENT TO CPO

27 NOTICES SENT TO ADJOINING PROPERTY OWNERS

40 TOTAL NOTICES SENT 12-2-81

BOARD OF ZONING APPEALS
CITY OF WICHITA, KANSAS

CASE NO. 60-81
FILED 11-6-81

APPLICATION FOR VARIANCE

I. Name of Applicant Olivia P.W. Smith
Mailing Address 555 South Green Ave., Wichita, Ks. 67211 Phone 316-682-8955
Name of Authorized Agent C. Bickley Foster, Planning Consultant
Mailing Address 2818 N. Edwards Ave. Wichita, Ks. 67204 Phone 316-838-7563

Relationship of applicant to property is that of Owner
(Owner, Tenant, Lessee, Other)

II. The variance requested is to reduce the sideyard setback to permit a detached garage to extend for a detached accessory structure from six feet to five feet eight inches into the required six foot side yard setback.
.33 feet.

for property located on the northwest corner of Greenwood Drive (555 South Green Ave.), Wichita, Ks. 67211

and legally described as: Lots 23 and 25, Green Avenue, DIXON'S Addition

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 Olivia P.W. Smith

Authorized Agent C. Bickley Foster

OFFICE USE ONLY: Received in Office of Secretary, Board of Zoning Appeals, 1:30 (a.m.-p.m.), Nov. 6, 1981, together with appropriate fee of 75.00

Signed H. Lytle

A STATEMENT submitted in support of a request for a variance provided for in Section 2.12.590.B of the Code of the City of Wichita to temporarily reduce the required side yard setback in a zoned "A" Two-Family Dwelling District from six feet to four inches for an accessory detached garage located at 555 South Green Street and owned by Olivia P. W. Smith of that address.

The applicant requests that a favorable finding be made to temporarily permit the accessory structure as exists to remain under the following conditions:

1. That the applicant complete the redwood siding on the south side of the interior wall which will meet the six foot setback requirement. (The side is presently covered by plywood.)
2. That Central Inspection be asked to approve the interior wall as meeting the Building Code for support. (The wall is made of 4" x 4" studs on two foot centers bolted to a 5" reinforced concrete slab supported under the fence and on the north side by four foot footings. Actually, if the garage was reduced in size to the main interior dimension (11' x 32' or 352 sq. feet) it will be less than 400 square feet and footings will not be required.)
3. That the 3½" portion of the roof attached to the fence be permitted to temporarily remain until such time as the fence would ever be removed. At such time the full intent of the zoning and building codes would have already been met by conditions #1, 2 and 3.

At the hearing, the applicant will show that:

1. There are three adults living at the house, one of which is elderly and disabled and is left alone at the place for long periods of time due to second-shift working hours of the other occupants.
2. Because of a criminal assault and attempted rape in 1979 during which the intruder was shot by the disabled party, this has created a sense of fear which resulted in the enclosed fence being built and the garage designed so as not to permit a hiding place for intruders in the setback area.
3. The person who built the garage for the owner is a private handyman who works regularly at Boeing and is not a contractor, nor conducts any home occupation. He does not have experience with the regulations involved and found difficulty in relating to the various codes and to the role of the inspectors. He had built the foundation when stopped by an inspector and directed to get a permit, which the applicant did. At various times he thought that he had satisfied the various inspectors, especially when the interior wall had been built. The result was that many misunderstandings occurred.
4. In applying for the permit, the unusual design of the structure may well have led to the application being made out for a carport. Garage doors on both ends open up so that a complete drive through arrangement occurs

such as a carport with sides might appear. The unusual design was to serve four purposes:

(a) to park a pickup truck and car in a tandem arrangement; (b) to allow an opening to the rear yard to permit the passage at some future date of two antique cars (Buick Riverias) which were being worked on (They were later removed through the garage opening); (c) to enclose the complete yard for security purposes; and (d) it is the only logical arrangement on the property that will accomplish these purposes. The application drawing made by a Central Inspection employee from their discussion and signed by Mrs. Smith would not have fitted on the foundation already poured and part of the structure would have been in back of the old garage. Obviously, this was not what the applicant desired to do, but was left as a record for future inspectors. From the ensuing discussion, the applicant was given a building permit for a "det. garage." This is not a "storage building" as such any more than any other homeowner stores items not easily stored in the house such as old kitchen appliances, wood and tools from the project, outdoor tools, etc.

5. The structure in no way endangers or inconveniences the public or adjacent neighbors. No sight distance is involved and there is no sidewalk along the fence. The structure along the 60' street right-of-way is no taller at this point than the fence itself. On the other hand, a large church parking lot across the street where homes formerly existed is a continuing nuisance to the occupants in this household. There are 17 buses stationed there with gas facilities. The church, which attracts 600 persons on Sundays and has an active Wednesday night program, buses in many young people. Some of the youth do not actually go inside the church after they arrive, but are left unsupervised in the parking lot and to roam the neighborhood. This situation has resulted in vandalism and a security problem for this household as it was on a Wednesday evening following such church activities that the criminal attack occurred. It should also be noted that the area built in the 1920's has many structures closer to the side yards than would be found in a newer area. In fact, the covered entrance porch of the house, built in 1924, extends to within three feet of the right-of-way line on the same side as the garage, thus, a six foot setback would place it in back of the sight line of the entrance to the house.

In view of the above circumstances, it should be noted that the five conditions of the B.Z.A. can be met as follows:

UNIQUENESS: An unusual combination of adjacent land use activities, a criminal attack and the working hours and disability conditions of the occupants have led to the unique design of a structure not likely to be repeated again in the City.

ADJACENT PROPERTY: The variance will not in any way affect adjacent property owners, in fact, the opposite is true in that the design results in part from the adjacent activities.

HARDSHIP: Even though the applicant feels that she has tried to remedy an unfortunate series of misunderstandings, a hardship would occur by added cost for modifications and what the applicant's mother perceives to be a loss of security to her unusual situation.

PUBLIC INTEREST: No particular precedent would be set because the combination of circumstances is so unique as not to be repeated. Furthermore, the structure is fully insured giving added protection to the public.

SPIRIT AND INTENT: While the intent of the regulations may be to provide side yard setbacks under normal conditions, the purpose of the regulations is also to provide a Board of Zoning Appeals which may grant variances to conditions not foreseen by the regulations and unique to the applicant's property.

In summary, the hardship imposed upon the applicant to modify the structure would far outweigh any gain to the public good by removing part of the roof structure.

STATEMENT OF OWNERSHIP

STATE OF KANSAS)
) SS
 SEDGWICK COUNTY)

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

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

Record Owners within 200 feet of:
 Lots 23 and 25, on Green, DIXON'S
 ADDITION to Wichita, Kansas.



And from such examination find that the owners thereof are as set opposite the description of the property below, viz: (Addresses as given are furnished as a service and not certified.)

<u>LOTS AND BLOCKS</u>	<u>ADDITION</u>	<u>RECORD OWNERS</u>
Lots 23 and 25, Green Avenue,	DIXON'S	<i>dup</i> Olivia P.W. Smith 555 South Green Wichita, Kansas 67211
Lot 7, Green Avenue	DIXON'S	✓ David L. & Carol J. Hitt 535 South Green Wichita, Kansas 67211
Lot 9 and the North Half of Lot 11, Green Avenue,	DIXON'S	✓ Michael & Julie Lovelace 543 South Green Wichita, Kansas 67211
South Half of Lot 11 and all of Lot 13, Green Avenue,	DIXON'S	✓ Stevan Kenneth & Mary E. Sailor 545 South Green Wichita, Kansas 67211
Lot 15 and 17, Green Avenue,	DIXON'S	✓ Michael J. & Donna J. Ostreng 547 South Green Wichita, Kansas 67211

Fidelity  Title
 COMPANY, INC.

LOTS AND BLOCKS

ADDITION

RECORD OWNERS

Lots 19 and 21,
Green Avenue,

DIXON'S

~~Mary E. & William K.
Baker~~
ADDRESS UNKNOWN

Lots 27, 29, 31,
33, 35 and 37,
Green Avenue,

DIXON'S

✓ Poplar Avenue Church of
Christ
600 South Poplar
Wichita, Kansas 67211

Lot 18, Green Avenue,

DIXON'S

✓ Mabel Walker
ADDRESS KNOWN *1623 May Ave.
Apr. 1*

Lots 20 and 22,
Green Avenue,

DIXON'S

✓ Linda K. Cupit
540 South Green
Wichita, Kansas 67211
and
✓ Daniel A. Shea
#2 Stage Coach Road
Wichita, Kansas 67230

Lots 24 and 26,
Green Avenue,

DIXON'S

✓ Earl E. Phipps
1126 Charlotte
Wichita, Kansas 67208

Lots 28, 30 and
the North 10 feet
of Lot 32, Green
Avenue,

DIXON'S

✓ Tzu C. & Lai Chun Mah
554 South Green
Wichita, Kansas 67211

South 15 feet of
Lot 32 and all of
Lots 34 and 36,
Green Avenue,

DIXON'S

✓ Marjorie Daniels
558 South Green
Wichita, Kansas 67211

Lots 38 and 40,
Green Avenue,

DIXON'S

✓ Archie B. & Lillian Y.
Thompson
602 South Green
Wichita, Kansas 67211

Lots 42 and 44,
Green Avenue,

DIXON'S

✓ Maude E. Peterson
606 South Green
Wichita, Kansas 67211
and
~~Virginia R. Kenna~~
ADDRESS UNKNOWN

Lots 46 and 48,
Green Avenue,

DIXON'S

✓ Victoria L. Mork
612 South Green
Wichita, Kansas 67211

Lots 6, 10 and 12,
Poplar Avenue,

DIXON'S

✓ Agnes E. Flowers
2836 Aloma
Wichita, Kansas 67211



LOTS AND BLOCKS

ADDITION

RECORD OWNERS

Lots 14, 16 and
18, Poplar Avenue,

DIXON'S

✓ Dwight O. Flowers
3332 South Washington
Wichita, Kansas 67216

✓ and

✓ Elven M. Flowers
✓ Charles M. Flowers

~~Mary Barker~~

✓ Virginia Loepp
✓ Larry D. & Judith A.
Flowers

✓ Mary E. Miller

2461 S. Jewell St.

3679 W. 13th St. 124

3007 Sunnybrook Lane

3112 Chase St.

3018 Dunham Dr.

Lot 20 and 22, Poplar
Avenue,

DIXON'S

Milton E. & Virginia
May Gould
✓ 133 South Charles
Wichita, Kansas 67213

Lots 24 and 26,
Poplar Avenue,

DIXON'S

✓ C.O. & Rozella H. Gahman
✓ 556 South Poplar
Wichita, Kansas 67211

Lots 28, 30, 32,
34, 36 and 38,
Poplar Avenue,

DIXON'S

Poplar Avenue Church of
Christ
600 South Poplar
Wichita, Kansas 67211

Lots 25 and 27,
Estelle Avenue,

DIXON'S

Mansel R. & Anna Belle
Jones
✓ 547 South Estelle
Wichita, Kansas 67211

Lots 29 and 31,
Estelle Avenue,

DIXON'S

Phillip Alan & Janice R.
Snow
✓ 553 South Estelle
Wichita, Kansas 67211

Lots 33 and 35,
Estelle Avenue,

DIXON'S

Marvin G. & Ruby J.
Mercer
✓ 557 South Estelle
Wichita, Kansas 67211

Lots 37 and 39,
Estelle Avenue,

DIXON'S

Roy W. Staner
✓ 601 South Estelle
Wichita, Kansas 67211



Dated at Wichita, Kansas, this 11th day of August, 1981 at 7:00AM

FIDELITY TITLE COMPANY, INC.

By *Dwayne A. Schultky*
Vice President

Tracer No. 54911



MICROFILMED
FROM THE BEST
AVAILABLE COPY

FORM 2-121

PAYMENT NOTICE
City of Wichita

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

DESCRIPTION	AMOUNT
	75

NAME WILLIAM P. SMITH

ADDRESS 53 GREENWAY 67211

FUND 4071-112 DUE DATE _____

COMMENTS _____

DATE 11-6-61 BY L. Jenkins

*

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

Roll # 2