

CASE NO. 3-47

S T A T U S S H E E T

Board of Appeals Case No. 3-47

<u>1815 East Central</u>	<u>Premises in Question</u>
<u>D. L. Zimmerman</u>	<u>Appellant's Name</u>
<u>1815 East Central</u>	<u>Appellant's Address</u>
<u>Zimmerman Electric Machine Co.</u>	<u>Owner's Name</u>
<u>same</u>	<u>Owner's Address</u>

Building or Zoning Application Received by Building Inspector
January 6, 1947

Decision of Building Inspector refused under Section 20 of
the Zoning Ordinance

Appeal filed with Bond of Zoning Appeals
January 25, 1947

Hearing notice and receipt mailed Jan. 21, 1947

The variance or exception desired arises from some condition
which is not uniform in similiar districts

The granting of the permit for the variance will not prejudice
the rights of adjacent property owners or residents

Adjoining Property Owners Notified mailed Jan. 21, 1947

Protests Received one (Mrs. Ida M. Brunner)

Consents Received none

Prior Cases on These Premises none

Case Hearings January 27, 1947

Case Decided Jan. 27, 1947 Action of Board appeal granted

Notice of Decision Sent

Court Cases

RESOLUTION 3-47

WHEREAS, Mr. D. L. Zimmerman, owner of the property at 1815 East Central Avenue, has applied for a permit to make structural alterations on the building at that location; and

WHEREAS, the City Building Inspector has issued a formal refusal because the building is a non-conforming use and since the above-described alteration will involve such repair that a change in the structural character of the building will be made; and

WHEREAS, the variance desired arises from a condition which is not uniform over the "C" Use District in that the property immediately to the west of these premises is the canal right-of-way owned by the City, and the property immediately to the north is already being used for Light Industrial purposes by the Kansas Gas and Electric Company; and

WHEREAS, the ten- (10) ton crane which will be installed on the west side of the building to replace the crane which now operates in that area, will not prejudice the rights of adjoining property; and

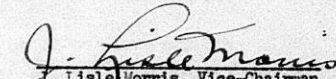
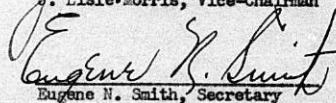
WHEREAS, strict application of the terms of this ordinance will cause the owner to suffer unnecessary hardship by making it impossible to carry out the normal business of his establishment, necessitated by the handling of large transformers and large machines, which is routine business; and

WHEREAS, the owners of the property in the neighborhood have been notified and have indicated, with one exception, that they have no objection to the proposed alteration;

NOW, THEREFORE, BE IT RESOLVED by the Board of Zoning Appeals that the Building Inspector of the City of Wichita is directed to issue a permit for structural alterations to the building located at 1815 East Central, as requested in the appellant's building application to the Building Inspector dated January 6, 1947.

ADOPTED at Wichita, Kansas, this 27th day of January, 1947.

ATTEST:


J. Lisle Morris, Vice-Chairman

Eugene N. Smith, Secretary

ZIMMERMAN ELECTRIC MACHINERY CO.

EXPERT MOTOR, TRANSFORMER AND GENERATOR REWINDING
RESALE OF NEW AND USED EQUIPMENT
POWER CONSTRUCTION
1815-17 EAST CENTRAL
WICHITA, KANSAS

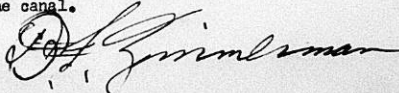
January 25, 1947

Board of Zoning Appeals
Room 203 City Hall
Wichita, Kansas

Gentlemen:

In regard to the appeal under the zoning ordinance as per instructions on the attached form:

- A. This proposed addition to the building will be on lot 3, Ben Bailey addition. The present building being on lots 3 and 4. This building permit was rejected by the chief building instructor for reasons given on the attached request form. We were allowed to build this building in 1932, 10 years after this zoning law was passed.
- B. Attached are prints of the proposed building which will be steel frame, metal roof and woven wire enclosure. This will greatly improve the present appearance of the building.
- C. Our business, being as a nature of public utility of which 90% of the source of our work comes from, must be so situated to render the quickest and the best service to the utilities. The granting of this permit to construct this addition will not prejudice the rights of adjacent property owners or residents because it is situated next to Central Avenue and bounded on the West by the canal which is city property. Should this permit not be granted it will work undue hardships upon the property owner because of the necessity of having this 10 ton crane which goes in this proposed addition, this being necessary to handle large transformers and large machines which is routine business.
- D. The 3 property owners within 200 feet of this proposed addition are as follows:
Kansas Gas and Electric Company on the Northeast,
Mr. H. H. Hurst, of the Western Outdoor and Advertising Company on the North, and on the West is city property along the canal.



BOARD OF ZONING APPEALS

Case No. 47-3

Filed January 25, 1947

APPEAL UNDER THE ZONING ORDINANCE

TO THE BOARD OF ZONING APPEALS
Room 203, City Hall
Wichita, Kansas

The undersigned, D. L. Zimmerman, hereby appeals
from the decision of the Building Inspector wherein a Building Permit
Is Refused For the reason that this shop is in a MC District, which
is considered non-conforming. The addition desired would be enlarging
a non-conformity. OR

Order Or Decision Rendered Because _____
_____.

The Plans, application, and all data heretofore filed with said Building
Inspector are attached hereto and made a part of this appeal.

I have not made a previous application or appeal under the Zoning
Ordinance affecting these premises.

I hereby declare that all the statements contained in all of the
information transmitted herewith are true.


Appellant.

NAMES AND ADDRESSES

Appellant D. L. Zimmerman Address 1815-17 East Central
Owner D. L. Zimmerman Address 1815-17 East Central
Lessee _____ Address _____

INSTRUCTIONS

1. This appeal must be typewritten and filed within ninety (90) days
after the date of the decision of the Building Inspector from
which this appeal is taken.
2. The appellant must file an explicit Typewritten statement setting
forth:
 - (a) The principal points on which this appeal is made. These
points shall be the same as those under which the Building
Inspector issued a refusal, order, or decision.
 - (b) A clear and accurate description of proposed work or use.
 - (c) Specific reference to that Section of the Zoning Ordinance
under which it is claimed permit should be issued.
 - (d) Names and addresses of all owners and residents within a
distance of 200 feet of the property concerned.

CITY OF WICHITA
BUILDING INSPECTION DIVISION

To Zimmerman Electric Mach Owner
Co.

Address 1815 East Central

To D. L. Zimmerman Applicant

Address 1815 East Central

Dear Sir:

Your Application Dated January 6, 1947

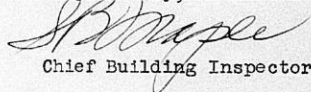
For a Permit for the erection of a steel craneway addition
at the premises designated as
1815 East Central

Is hereby refused on this 6th day of January, 1947,

Under Section 20 of the Zoning Ordinance.

For the reason that this shop is in a "C" District, which is considered as non-conforming. The addition desired would be enlarging this non-conformity which is not permitted under the zoning ordinance.

Respectfully,


Chief Building Inspector

NOTE: Any appeal from this refusal must be filed with the Board of Zoning Appeals (Room 203, City Hall) within ninety (90) days after the date of this refusal. For further information, take this notice to the Planning Department, Room 203, City Hall.

Case Number 3-47 Notices sent to following property owners:

- | | |
|------------------------------|----------------------------|
| 1. Ida M. Brunner | 439 N. Minnesota |
| 2. G. P. Salmon | 218 Ida |
| 3. K. G. E. (Mr. Waddington) | |
| 4. Mr. H. H. Hurst | Wester Outdoor Advertising |

Following property owners not reached (no addresses available)

1. Wallace Abbott

THE CITY OF WICHITA

OFFICE OF City Planning

DATE January 23, 1947

TO Zoning Board of Appeals

FROM David D. Rowlands, Planning and Research Assistant

SUBJECT Case Number 3-47

On January 23, 1947, I received a telephone call from Mrs. Ida M. Brunner, 439 North Minnesota, informing me that she was opposed to any additions being made to the factory located at 1315 East Central. She especially objects to the noise created and would like to see the factory removed.

Mrs. Brunner will be unable to appear at the public hearing because of illness.

David D. Rowlands

David D. Rowlands
Planning and Research
Assistant

City Planning

January 23, 1947

Zoning Board of Appeals

David D. Rowlands, Planning and Research Assistant

Case Number 3-47

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David D. Rowlands
Planning and Research
Assistant

City Planning

January 23, 1947

Zoning Board of Appeals

David D. Rowlands, Planning and Research Assistant

Case Number 3-47

On January 23, 1947, I received a telephone call from Mrs. Ida M. Brunner, 439 North Minnesota, informing me that she was opposed to any additions being made to the factory located at 1215 East Central. She especially objects to the noise created and would like to see the factory removed.

Mrs. Brunner will be unable to appear at the public hearing because of illness.

David D. Rowlands
Planning and Research
Assistant

City Planning

January 23, 1947

Zoning Board of Appeals

David D. Rowlands, Planning and Research Assistant

Case Number 3-47

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David D. Rowlands
Planning and Research
Assistant

C
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Y

Office: City Planning

January 23, 1947

To: Zoning Board of Appeals

From: David D. Rowlands, Planning and Research Assistant

Subject: Case Number 3-47

On January 23, 1947, I received a telephone call from Mrs. Ida M. Brunner, 459 North Minnesota, informing me that she was opposed to any additions being made to the factory located at 1315 East Central. She especially objects to the noise created and would like to see the factory removed.

Mrs. Brunner will be unable to appear at the public hearing because of illness.

David D. Rowlands
Planning and Research
Assistant

