

CASE NO. 3-53

P E T I T I O N

We the undersigned Property Owners are opposed to the rezoning of the Southeast corner of Harry and Oliver, and described as Beg. 528's of NW cor of NW/4 of Section 36; thence S 132', E330', N132', W330' to Beginning. Section 36-27-1E.

NAME

ADDRESS

Clarence C. Marshall	1654 So. Glendale
Mrs. Lela Lee Marshall	1654 So. Glendale
Ernest B. Root	1650 S. Glendale
Florence J. Root	1650 So. Glendale
David C. Gibson	1646 So. Glendale
Juanita M. Gibson	1646 So. Glendale
Harren H. Ballard	1662 S. Glendale
Mrs. Audria M. Ballard	1662 S. Glendale
Mrs. W. J. Kluth	1635 Elpyco
Mr. L. A. Bolene	1641 Elpyco.
Reva F. Bolene	1641 Elpyco
Myrtle O. Yeager	1621 Elpyco
Dean R. Jensen	1659 Elpyco
Clarence K. Broad	1665 Elpyco City, Washco

REASONS: Excessive amount of traffic on a residential street. The street is too narrow in the 1700 block on S. Glendale to allow heavy traffic. Property values in the area will be decreased. It will allow future development of other commercial areas in the neighborhood. Lack of paving facilities. The large number of small children in the neighborhood.

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<u>NAME</u>	<u>ADDRESS</u>
B. J. Bonebrake	1702 S. Glendale
V. C. Casper	1676 S. Glendale
A. E. Mowrer	1670 S. Glendale
Mrs. L. E. Mowrer	1670 S. Glendale
Mrs. B. J. Bonebrake	1702 S. Glendale
Karl H. Anderson	1708 S. Glendale.
Mr & Mrs E. A. Gambetini	1647 Elpico
Mr & Mrs M. W. Burbaker	1682 So. Glendale
Mrs V. C. Casper	1676 So. Glendale
William R. Kirk	1665 So. Glendale
Margie D. Kirk	1665 So. Glendale.
John Dunn	259 No. Bluff (1669 So. Glendale)
Delegation from the Neighborhood of 6 People to City Planning Commission	
18 Property Owners.	
26 Signatures	

REASONS: Excessive amount of traffic on a residential street. The street is too narrow in the 1700 block on S. Glendale to allow heavy traffic. Property values in the area will be decreased. It will allow future development of other commercial areas in the neighborhood. Lack of paving facilities. The large number of small children in the neighborhood

CITY PLANNING COMMISSION

City of Wichita, Kansas

NOTICE TO ADJOINING PROPERTY OWNERS

March 28, 1953

A petition has been filed by James M. Hickman
(Address) 1650 South Oliver, Wichita, Kansas
for a change in zoning on the property located at (Address) _____
Southeast corner of Harry Street and Oliver
and described as Beg. 528' S of NW cor of NW/4 of Section 36;
thence S 132', E 330', N 132', W 330' to Beginning. Section 36-
27-1E.

from the existing "A" District to the "G" District.

This petition will be considered by the City Planning Commission at a hearing to be held on April 7, 1953
at 3:00 p.m., Room 201, City Building, at which time you may appear, if you so desire, either in person or by agent or attorney.

J. Thomas Via
Secretary, City Planning Commission



WICHITA CITY PLANNING COMMISSION

CITY BUILDING -- TELEPHONE 2-6441 -- WICHITA, KANSAS

April 10, 1953

Board of Zoning Appeals
City Building
Wichita, Kansas

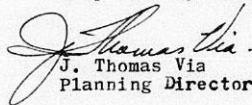
Re: Petition to change from
"A" to "C" a tract
beginning 528 feet south of
northwest corner of NW $\frac{1}{4}$ of
Section 36, Twp. 27, Range 1
East, thence south 132 feet,
thence east 330 feet, thence
north 132 feet, thence west
330 feet. (James M. Hickman,
petitioner)

Gentlemen:

At the regular meeting of the City Planning Commission
held on April 7, 1953, the above petition was considered.

After discussion, it was moved, seconded and carried
unanimously that this matter be referred to the Board of
Zoning Appeals for their consideration of possibly grant-
ing a variance, in view of the circumstances involved
herein.

Respectfully submitted,


J. Thomas Via
Planning Director

JTV:br

The City of Wichita

City Planning Commission

205 CITY BUILDING
WICHITA 2, KANSAS

April 10, 1958

Board of Zoning Appeals
City Building
Wichita, Kansas

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"A" to "C" a tract
beginning 528 feet south of
northwest corner of NW $\frac{1}{4}$ of
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East, thence south 132 feet,
thence east 330 feet, thence
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330 feet. (James M. Hickman,
petitioner)

Gentlemen:

At the regular meeting of the City Planning Commission held on April 7, 1958, the above petition was considered.

After discussion, it was moved, seconded and carried unanimously that this matter be referred to the Board of Zoning Appeals for their consideration of possibly granting a variance, in view of the circumstances involved herein.

Respectfully submitted,



J. Thomas Via
Planning Director

JTV:br

ZONING PETITION

ACCEPTED AS TO FORM

Date 3-11-53

WICHITA CITY PLANNING COMMISSION

By M. Younger

6093
D.M. Hickman

INSTRUCTIONS TO PETITIONERS

1. This petition must be completely filled in before it will be considered by the City Planning Commission.
2. The City Planning Commission considers zoning petitions on the first Tuesday of every month. This petition must be filed in the City Planning Office, 304 City Building by 12:00 p.m. of the Saturday, ten days preceeding the first Tuesday meeting of the City Planning Commission, so that the requested change can be studied and notices mailed to all interested persons.
3. A current certificate from an abstract company giving the names and mailing addresses of the owners of all property within a radius of 200 feet of the proposed change in zoning must be submitted with the petition.
4. A filing fee of ten dollars (\$10) and a publication fee of twenty dollars (\$20) to cover the cost of processing and publication must be submitted with the petition at the time of filing. Should the requested change be denied by the governing body prior to publication, the twenty dollars (\$20) publication fee will be refunded.

"AA" DISTRICT permits one family dwellings.

"A" DISTRICT permits one and two family dwellings.

"RB" DISTRICT permits one, two, three and four family dwellings.

"B" DISTRICT permits all types of dwellings, apartment houses, boarding houses, hotels, parking garages, club houses, doctors' offices and doctors' clinics.

"LC" DISTRICT permits all residential uses, retail businesses, offices, theatres or other places of entertainment, filling stations, motor courts and small shops such as printing shops, bakeries, and cleaning establishments employing not more than five persons. In brief, the "LC" District permits all usual neighborhood shopping businesses.

"C" DISTRICT permits all residential uses, all retail businesses, most wholesale businesses, larger shoe shops, cleaning establishments, bakeries, public garages where body and fender work is done, welding shops, tourist camps, used car lots, and mortuaries.

"D" DISTRICT (Central Business District) excludes only establishments which might be objectional because of the emission of smoke, odor or noise.

"E" DISTRICT permits any residential use, and light industrial use, salvage or auto wrecking establishments, flour mills, etc.

"F" DISTRICT permits anything which may lawfully be done anywhere.

*The Zoning Ordinance should be consulted for complete zoning district regulations. For any additional information inquire at the Planning Department, Room 303 City Building or call 2-6441 and ask for the Planning Department.

PETITION FOR A CHANGE IN ZONING

To the City Planning Commission and
The Board of City Commissioners,
City of Wichita, Kansas

Gentlemen:

We, the undersigned property owners owning property affected by the proposed zoning change, have read the preceding page and understand what such a change would mean. We do, therefore, hereby respectfully petition your Honorable Bodies to take such steps as are necessary to make the following changes in the present zoning ordinance to change the property described as follows: Beginning 528 FT S of NW Cor of NW 1/4 of

Sec. 36 Thence S 132 FT, E 330 FT, N 132, W 330 FT

to beginning Sec. 36 - Township 27 - Range 1 East

from the existing "A" Zoning District to the "C"

Zoning District. The circulator of this petition, JAMES

M. Nickman 1650 S. Olive 67377
(name) (address) (Telephone)

states that the reasons for this requested change are as

follows: Should a time come that it would be necessary to
remodel or replace, this could be done conforming to city
zoning ordinance. (This tract used commercially before annexed to city)

The following property is within 200 feet of the proposed change and all owners must be approached for an expression of opinion:

<u>ADDITION</u>	<u>LOT NO.</u>	<u>NAME</u>	<u>ADDRESS</u>	
<u>Block Hancock's</u>	<u>1</u>	<u>Ralph G. Eells</u>	<u>1642 So. Glendale</u>	<u>Wichita</u>
<u>" "</u>	<u>2</u>	<u>David E. Gibson</u>	<u>1646 " "</u>	<u>"</u>
<u>" "</u>	<u>3</u>	<u>Ernest B. Root</u>	<u>1650 " "</u>	<u>"</u>
<u>" "</u>	<u>4</u>	<u>Clarence C. Marshall</u>	<u>1654 " "</u>	<u>"</u>
<u>" "</u>	<u>5</u>	<u>Paul L. Clark</u>	<u>1658 " "</u>	<u>"</u>

Addition	Lot #	Name	Address
Glen Hancock's	5	Warren W. Ballard	1662 So. Glendale, Wichita
" "	7	Lawrence D. Smith	1664 " " "
" "	8	G. Eugene Mowrer	1670 " " "
" "	9	Victor C. Casper	1676 " " "
" "	27	Leslie Dickason	1671 Elpyco
" "	28	Clarence H. Brod	1665 "
" "	29	Dean R. Jensen	1659 " "
" "	30	Albert E. Dotterer	1653 " "
" "	31	E. A. Szambecki	1647 " "
" "	32	Leon Anthony Bolene	1641 " "
" "	33	W. J. Kluth	1635 " "
" "	34	Glen Matney	1629 " "
Magnusson's	5	James M. Hickman	1640 So. Glendale "
"	6	ancel E. Robertson	1634 " " "

TRACTS in Sec. 36-27-1 E

A tract beg. 300' S. of NW corner of NW $\frac{1}{4}$, thence S. on Sec. line 175', E. parallel with North line of above Sec. 90', thence N. 175', W. 90' to beg.)

Avery E. McElhiney
Rose Hill, Kansas

Beg. 40 rods S. of NW corner of above Sec., thence S. 8 rods, thence E. 20 rods thence N. 8 rods, thence W. 20 rods to beg.)

S. W. Conf. of Evangelical
Mission Covenant Church
1700 S. Oliver
Wichita, Kansas

Beg. 48 rods S. of NW corner of NW $\frac{1}{4}$ of above Sec., thence E. 20 rods, S. 8 rods W. 20 rods, N. 8 rods, to beg., EXC. the E. 135'.)

Mark I. Bixler and El Dora J.
1728 S. Oliver
Wichita, Kansas

The N. 78' of E. 135' of a tract Beg., 48 rods S. of NW cor of NW $\frac{1}{4}$ of above Sec., thence E. 20 rods, S. 8 rods, W. 20 rods, N. 8 rods to beg. EXC. E. 30' dedded to City of Wichita for street)

William R. Kirk and
Marjorie Dean
1665 S. Glendale
Wichita, Kansas

The S. 200' of a tract beg. at the NW cor. of NW $\frac{1}{4}$ of Sec. 36-27-1 E. thence S. 528', E. 330', N. 528' to beg., exc. tract beg. 300' S. of the NW cor. of NW $\frac{1}{4}$, thence S. 175', E. 90', N. 175' thence W. 90' to beg.)

Rebecca J. McGovney

The N. 65 acres of the E $\frac{1}{2}$ of NE $\frac{1}{4}$ of Sec. 35-27-1 E.)

Josephine McGivney
Fond Creek, Okla.

CERTIFICATE OF OWNERSHIP

THE GUARANTEE ABSTRACT COMPANY, INC., hereby certifies the following to be the owners of record as shown in the office of the Register of Deeds, Sedgwick County, Kansas, of the Lots and Tracts surrounding and within the radius of 200 feet of a Tract beginning 528 feet South of the Northwest corner of the Northwest Quarter of Section 36, Township 27 South, Range 1 East, thence South 132 feet, East 330 feet, North 132 feet, thence West 300 feet to beginning, in Sedgwick County, Kansas.

GENE HANCOCK'S ADDITION

Block A



Lot No.	Owner
1	Ralph G. Ellis and Lucy I. -1642 S. <i>Glendale</i>
2	David E. Gibson and Juanita M. 1646 S. <i>Ellen</i>
3	Ernest E. Root and Florence I. 1650 " "
4	Clarence C. Marshall and Lila Lee 1654 " "
5	Paul L. Clark (s) 1658 S. <i>Ellen</i>
6	Warren W. Ballard and Audria M. 1662 S. " "
7	Lawrence D. Smith and Norma A. 1664 " "
8	G. Eugene Mowrer and Betty 1670 S. <i>Ellen</i>
9	Victor C. Casper and Trula F. 1676 " "
27	Leslie Dickason and Hazel 1671 <i>Elroy</i>
28	Clarence H. Brod and Elfrieda M. 1665 <i>Elroy</i>
29	Dean R. Jensen (s) 1659 <i>Elroy</i>
30	Albert E. Dotterer and Jacqueline G. 1653 <i>Elroy</i>
31	E. A. Szambecki 1647 <i>Elroy</i>
32	Leon Anthony Bolene and Reva Frances 1641 " "
33	W. J. Kluth and Ada M. 1635 <i>Elroy</i>
34	Glen Matney and Vinta Belle 1629 <i>Elroy</i>

REPLAT OF MAGNUSSON'S

5	James M. Hickman 1640 S. <i>Glendale</i>
6	Ancel E. Robertson and Rena Jane 1634 S. <i>Glendale</i>

TRACTS in Sec. 36-27 S-R 1 E

A tract beg. 300' S. of NW corner of NW $\frac{1}{4}$, thence S. on Sec. line 175', E. parallel with North line of above Sec. 90', thence N. 175', W. 90' to beg.	Avery E. McElhiney - <i>Road Hill</i>
Beg. 40 rods S. of NW corner of above Sec., thence S. 8 rods, thence E. 20 rods thence N. 8 rods, thence W. 20 rods to beg.	S. W. Conf. of Evangelical Mission Covenant Church 1700 S. <i>Elmer</i>
Beg. 48 rods S. of NW corner of NW $\frac{1}{4}$ of above Sec., thence E. 20 rods, S. 8 rods, W. 20 rods, N. 8 rods, to beg., EXC. the E. 135'	Mark I. Bixler and El Dora J. 1729 S. <i>Elmer</i>
The N. 78' of E. 135' of a tract Beg., 48 rods S. of NW cor of NW $\frac{1}{4}$ of above Sec., thence E. 20 rods, S. 8 rods, W. 20 rods, N. 8 rods to beg. EXC. E. 30' dedeed to City of Wichita for street	William R. Kirk and Marjorie Dean 1665 S. <i>Glendale</i>

TRACTS in Sec. 36-27 S - R. 1 E. -continued --

The S. 200' of a tract beg. at the)
NW cor. of NW $\frac{1}{4}$ of Sec. 36-27-1 E.,)
thence S. 528', E. 330', N. 528' to) Rebecca J. McGovney
beg., EXC. tract Beg. 300' S. of NW)
corner of NW $\frac{1}{4}$, thence S. 175', E.)
90', N. 175' thence W. 90' to beg.)

The N. 65 acres of the E $\frac{1}{2}$ of NE $\frac{1}{4}$ of) Josephine McGivney and
Sec. 35-27-1 E.) Charles Leo Driscoll
Font Creek, Okla.

* * * * *

WITNESS our Hand and Seal this the 2nd day of March,
1953, at 7:00 o'clock A. M.

THE GUARANTEE ABSTRACT COMPANY, INC.

By

John A. Finn
President.

Order No. 31412-A

CITY PLANNING COMMISSION
City of Wichita, Kansas

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for a change in zoning on the property located at (Address) _____
Southeast corner of Harry Street and Oliver
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27-1E.

from the existing "A" District to the "O" District.

This petition will be considered by the City Planning Commission at a hearing to be held on April 7, 1955
at 5:00 P.M., Room 201, City Building, at which time you may appear, if you so desire, either in person or by agent or attorney.

J. Thomas Via
Secretary, City Planning Commission

Notices sent to property owners on March 28, 1953

WICHITA COUNTY RECORDS

Josephine McGivney & Charles Leo Driscoll, Pond Creek, Oklahoma
William R. & Marjorie Dean Kirk, 1665 S. Glendale, Wichita, Ks.
Mark I. & Eldora J. Bixler, 1728 S. Oliver, Wichita, Ks.
S. W. Conf. of Evangelical Mission Covenant Church, 1700 S. Oliver, City
Avery E. McElhiney, Rose Hill, Kansas
Ansel E. & Rena Jane Robertson, 1634 S. Glendale, Wichita, Ks.
James M. Hickman, 1640 S. Glendale, Wichita, Ks.
Glen & Vinta Belle Matney, 1629 S. Elpyco, Wichita, Ks.
W. J. Kluth & Ada M. Kluth, 1635 S. Elpyco, Wichita, Kansas
León Anthony & Revá Francés Boleña, 1641 Elpyco, Wichita, Ks.
E. A. Szambecki, 1647 Elpyco, Wichita, Kansas
Albert E. & Jacqueline G. Dotterer, 1653 Elpyco, Wichita, Kansas
Dean R. Jensen, 1659 Elpyco, Wichita, Kansas
Clarence H. & Elfrieda M. Brod, 1665 Elpyco, Wichita, Kansas
Leslie & Hazel Dickason, 1671 Elpyco, Wichita, Kansas
Victor C. & Trula F. Casper, 1676 S. Glendale, Wichita, Kansas
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Lawrence D. & Norma A. Smith, 1664 S. Glendale, Wichita, Kansas
Warren W. & Audria M. Ballard, 1662 S. Glendale, Wichita, Ks.
Paul L. Clark, 1658 S. Glendale, Wichita, Ks.
Clarence G. & Lila-Lee Marshall, 1654 S. Glendale, Wichita, Kansas
Ernest B. & Florence I. Root, 1650 S. Glendale, Wichita, Kansas
David E. & Jaunita M. Gibson, 1646 S. Glendale, Wichita, Kansas
Ralph G. Eels & Lucy I. 1642 S. Glendale, Wichita, Kansas

CITY PLANNING COMMISSION
City of Wichita, Kansas

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J. Thomas Via
Secretary, City Planning Commission

I am in favor of granting this change in

going to Mr. Hickman.



Mary E. McAlhiney
Augusta Kans. RR3

IN THE MATTER OF THE APPEAL)
FROM THE RULING OF THE)
CHIEF BUILDING INSPECTOR TO)
THE BOARD OF ZONING APPEALS)
OF THE CITY OF WICHITA)

BY:)

JAMES H. HICKMAN)
-----)

*Allowed
#9850 for
condemnation*

TO THE HONORABLE BOARD OF ZONING APPEALS:

The Appellate is the owner of a certain tract of land located 528 feet South of the Southeast corner of the intersection of Oliver and Harry Streets, in the City of Wichita, and at a time preceeding the extension of the boundary lines of the City, caused to be erected ~~upon~~ the certain building improvements known as Hickman Motor Company, wherein motor cars are serviced, and which includes the sale of gasoline and mineral products, and serviced from modern gasoline pumps, to all of which business and service has been in continuous operation since February 1, 1950.

The Board is advised that some time prior, the exact date is not known to the appellate, the City of Wichita extended it's boundaries, taking into the City an area of land included within was the tract owned by this Appellate, and that by virtue thereof and the Zoning Ordinance, this Appellate's property and business became located in an "A Zone".

The Board is further advised that thereafter and within recent date to permit the widening of Oliver Street, in the City, proceedings were had to condemn certain private lands for street purposes, all as more fully setforth in a certain publication of date, February 13, 1953, and being Case No. A-43699, in the District Court of Sedgewick County, Kansas, advising this Appellate that the City would acquire through such proceedings the East 20 feet of the West 50 feet of Appellate's property, and which is in fact 20 feet off the front thereof, which includes Appellate's service pumps and reduces his slab approach from 29 feet, as is now located, to 9 feet, which footage and area is impracticable for a continuation of the services heretofore established, and now being conducted.

Appellate further states that he owns sufficient adjacent property on the North to permit an addition to his present building, and which addition would permit the re-placement of Appellate's pumps and continued services to the public. The addition contemplated would be a building 38 x 30, and with sufficient cement driveway approach to accommodate the services afforded. In addition to the improvement desired there is an angle in the present building on the South, which would permit an office space 12 x 12 to be erected therein, and ~~is~~ attached hereto a penciled drawing of the improvements as now existing, designating the area to be condemned, and the added improvements sought to be accomplished. This is for the convenience of the Board and explanatory of this Appellate's letter.

Appellate further states that the improvements sought to be made could be generally stated, as cement block construction with brick veneer frontage, and which would be of modern appearance and design, and substantially improve and alter the present appearance of the building as constructed.

Appellate further states that there is no residential improvements to the North for some distance, approximately one-half mile, up to Lincoln Street, there is a Church to the South, with Meadow Lark to the West, and this Appellate's property which is to the East.

Appellate further states that the location of his business is such that there is no other service station in the vicinity closer than one-half mile, if and when this Appellate is permitted to remain in business after the improvements contemplated by the City are made.

Appellate further states that the Chief Building Inspector denied this Appellate's application for permit to re-model his improvements for the purposes stated on the 25th day of February, 1953, and states as his reasons therefore, sections 16 and 24 of the Zoning Ordinance, and further stated that such re-modeling "was made necessary because of the condemnation of a 20 foot strip of land along the front - - - in order to obtain land for the widening of Oliver Street". This presents to the Appeal Board a situation in which this Appellate having established his business lawfully, and in due course was taken into the City of Zone "A" residential district, and then because of improvement in the civic widening of the Street, not only loses the frontage and area so condemned, but unfortunately makes it impossible to continue in business and service the public unless the Appellate be permitted to re-model the improvements to afford accommodation, by virtue of the loss in property sustained in frontage. The Appellate is in no wise attempting to find fault generally with provisions of the Zoning Ordinance, but he is most emphatically stating that there are exceptions to all general rules of procedure, and that in this instance he should come within that exception, and be permitted to re-model, in that the City is in fact doing that which it could not regularly do otherwise, that is, forcing this Appellate out of business (having established the business before the creation of the Zoning Ordinance) by ~~not~~ forcing this Appellate out of business in an indirect manner, by acquiring enough of his property through condemnation to accomplish the same results. This is to say, that the City should not damage this Appellate any more than was absolutely necessary through the Zoning Ordinance, and thus cause greater damage to this Appellate by the City in its other departments for street purposes. Again the City of Wichita is one and the same municipal Corporation with its different departments in function, and the resultants herein sought to be obtained should be at the least damage possible to the citizens affected, and all the departments of the City should work in unison to reduce the damages incurred to the private citizen, and which could be accomplished by permitting this Appellate to remain in business under the peculiar circumstances in which he is now confronted. The Chief Building Inspector and this Appeal Board should not be parties in compelling this Appellate to obtain substantial damages through due process of condemnation for the entire loss of his business when he has the land and the ability to protect the same, and an exception should be made in this instance.

The Appellate further states out of these circumstances and premises considered that he should be granted exceptional relief by this Appeal Board in this instance, and that without further detail on his part he should be granted relief by the City of Wichita in amending the Zoning Ordinance to permit him to accomplish the purposes herein sought to be accomplished at a savings to the City Treasury, which of course is a tax payers responsibility financially. In other words, there should be cooperation in this instance among all departments of the City to accomplish the general purposes at minimum expense.

Appellate further states that the exception from the conditions herein stated is not ordinarily found in the same Zoning District and is peculiar and is exceptional application to this Appellate, and the granting of the permit for this exception will not adversely affect the rights of adjacent property owners or residence in the District as hereinabove set forth, and that the strict application of the terms of the Ordinance will constitute an unnecessary hardship upon this Appellate's property and going business, and that this exception and the desire of the Appellate is not against public interest.

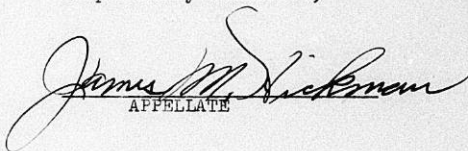
Appellate attaches a photograph of the premises and improvements taken approximately one year ago, and which is substantially the appearance of the property and improvements at this time.

Appellate further states that he has supplied all the necessary information in writing, requested by the Zoning Ordinance of the City.

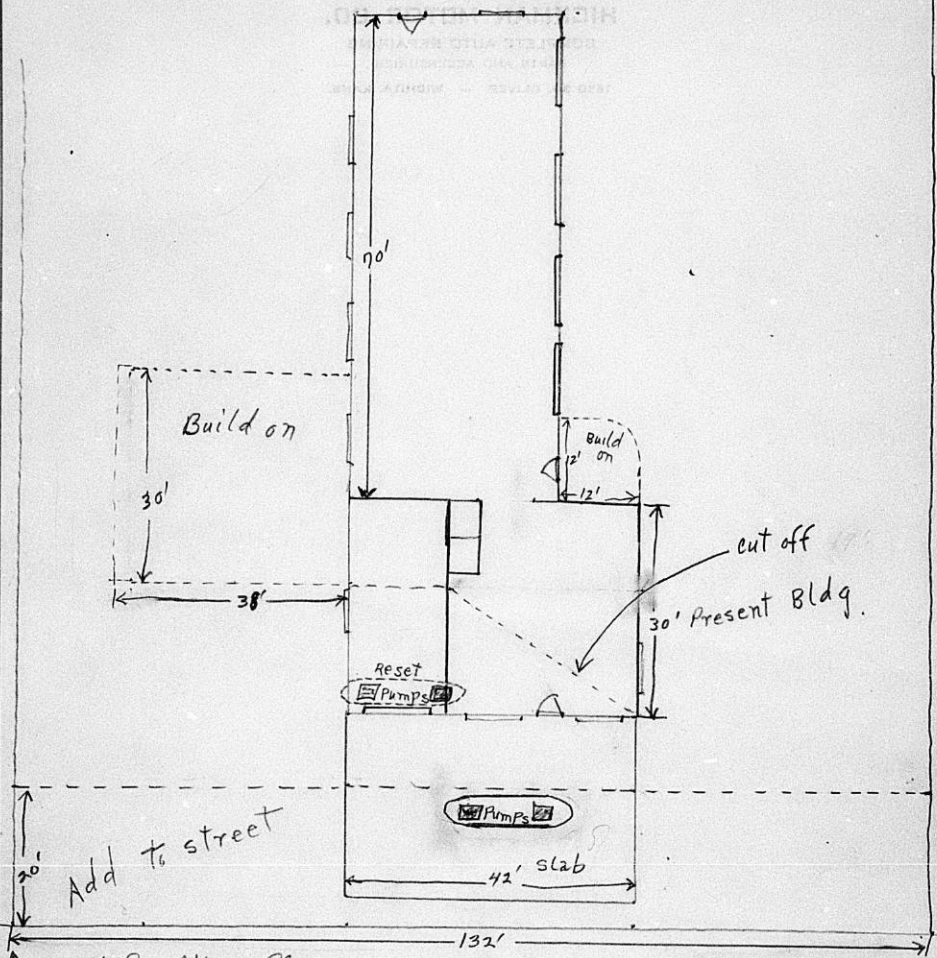
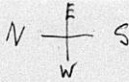
WHEREFORE: Appellate respectfully prays that his appeal be given consideration by this Appeal Board, and that he be granted the relief herein requested.

Dated this 13th day of March, 1953.

Respectfully submitted,


APPPELLATE





528' So. of Harg St.

So. Oliver

1650 So. Oliver
Phone 6-7377

James M. Nickman

Board of Zoning Appeals Petition

ZONING PETITION

ACCEPTED AS TO FORM

Date 3-10-53

WICHITA CITY PLANNING COMMISSION

6094
J. M. Hickman

By M. Younger

CITY OF WICHITA
BUILDING INSPECTION DIVISION

To James M. Hickman Owner Address 1650 S. Oliver
To Same Applicant Address _____

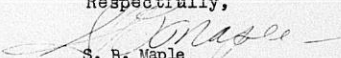
Dear Sir:

Your application Dated Feb. 25, 1953
For a Permit for the remodeling and addition to a service station
_____ at the premises designated as
1650 South Oliver

Is hereby refused on this 25th day of February, 1953,
Under Sections 16 and 24 of the Zoning Ordinance.

For the reason that this building is located in the "A" Residential District
having already been in existence at the time this territory was annexed to the
City. It is desired to remove a portion of the front and replace approximately
the same area on the North. This was made necessary because of the condemnation
of a 20' strip of land along the front, thus necessitating moving the pumps and
also the front of the building. This condemnation was necessary in order to obtain
land for the widening of Oliver Street.

Respectfully,


S. B. Maple
Chief Building Inspector

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

CITY OF WICHITA
BUILDING INSPECTION DIVISION

To James M. Nickman Owner Address 1650 S. Oliver
To Same Applicant Address _____

Dear Sir:

Your application Dated Feb. 25, 1951

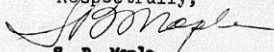
For a Permit for the remodeling and addition to a service station
_____ at the premises designated as
1650 South Oliver

Is hereby refused on this 25th day of February, 1951,

Under Section 16 and 21 of the Zoning Ordinance.

For the reason that **this building is located in the "A" Residential District having already been in existence at the time this territory was annexed to the City. It is desired to remove a portion of the front and replace approximately the same area on the North. This was made necessary because of the condemnation of a 20' strip of land along the front, thus necessitating moving the pumps and also the front of the building. This condemnation was necessary in order to obtain land for the widening of Oliver Street.**

Respectfully,



S. B. Maple
Chief Building Inspector

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

BOARD OF ZONING APPEALS

Case No. 3-53

Filed 3-16 19 53

APPEAL UNDER THE ZONING ORDINANCE

To: The Board of Zoning Appeals
Room 304, City Building
Wichita, Kansas

The undersigned, James M. Hickman hereby appeals
from the decision of the Building Inspector wherein a Building
Permit is Refused for Under Section 16 and 24 of the Zoning
Ordinance.

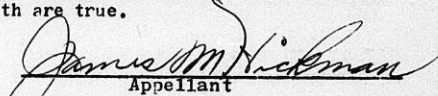
OR

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 James M. Hickman Address 1650 So. Oliver
Owner Same Address _____
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 Build-
ing 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.

BOARD OF ZONING APPEALS

Case No. 3-53

Filed 3-16 19 53

APPEAL UNDER THE ZONING ORDINANCE

To: The Board of Zoning Appeals
Room 304, City Building
Wichita, Kansas

The undersigned, James M. Hickman hereby appeals
from the decision of the Building Inspector wherein a Building
Permit is Refused for Under Section 16 and 24 of the Zoning
Ordinance.

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.

James M. Hickman
Appellant

NAMES AND ADDRESSES

Appellant James M. Hickman Address 1650 So. Oliver
Owner Same Address _____
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.

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

NOTICE TO PROPERTY OWNERS

April 6, 1953

An appeal has been filed by James M. Hickman
(Address) 1650 S. Oliver on behalf of _____

(Address) _____

as provided by Section 33 of the Zoning Ordinance. The appellant
desires to remodel and make an addition to a non-conforming service
station on the premises
located at 1650 S. Oliver

This appeal has been given Case No. 3-53
and a hearing will be held by the Board of Zoning Appeals on _____
April 13, 1953 at 1:30 p.m.
at which time you may appear, if you so desire, either in person or
by agent or attorney. Room 201, City Building

By order of the Board of Zoning Appeals.

George J. Fisher
Secretary.

Notices sent to property owners on April 6, 1953

Notices sent to property owners on April 6, 1953

Glen & Vinta Belle Matney, 1629 Elpyco, Wichita, Kansas
Josephine McGivney & Charles Leo Driscoll, Pond Creek, Oklahoma
William R. & Marjorie Dean Kirk, 1665 S. Glendale, Wichita, Ks.
Mark I. & Eldora J. Bixler, 1728 S. Oliver, Wichita, Ks.
S. W. Conf. of Evangelical Mission Covenant Church, 1700 S. Oliver, City
Avery E. McElhiney, Rose Hill, Kansas
Ancel E. & Rena Jane Robertson, 1634 S. Glendale, City
James M. Hickman, 1640 S. Glendale, Wichita, Kansas
W. J. Kluth & Ada M. Kluth, 1635 Elpyco, Wichita, Kansas
Leon Anthony & Reva Frances Bolene, 1641 Elpyco, Wichita, Kansas
E. A. Szambecki, 1647 Elpyco, Wichita, Kansas
Albert E. & Jacqueline G. Dottere, 1653 Elpyco, Wichita, Kansas
Mr. Dean R. Jensen, 1659 Elpyco, Wichita, Kansas
Clarence H. & Elfrieda M. Brod, 1665 Elpyco, Wichita, Kansas
Leslie & Hazel Dickason, 1671 Elpyco, Wichita, Kansas
Victor C. & Trula F. Casper, 1676 S. Glendale, City
G. Eugene Mowrer and Betty Mowrer, 1670 S. Glendale, Wichita, Kansas
Lawrence D. & Norma A. Smith, 1664 S. Glendale, Wichita, Kansas
Warren W. & Audria M. Ballard, 1662 S. Glendale, Wichita, Kansas
Paul L. Clark, 1658 S. Glendale, Wichita, Kansas
Clarence C. & Lila Lee Marshall, 1654 S. Glendale, Wichita, Kansas
Ernest B. & Florence I. Root, 1650 S. Glendale, Wichita, Kansas
David E. & Juanita M. Gibson, 1646 S. Glendale, Wichita, Kansas
Ralph G. Ells & Lucy I., 1642 S. Glendale, Wichita, Kansas

on the ground
located at
This appeal has been given due notice
and a hearing will be held by the Board of zoning appeals on
April 13, 1953
at which time you may appear, if you so desire, either in person or
by agent or attorney. Room 211, City Building
By order of the Board of Zoning Appeals:
Secretary

Notices sent to property owners on April 6, 1953

Geo. Fisher

BOARD OF ZONING APPEALS

AGENDA

April 13, 1953

There will be a meeting of the Board of Zoning Appeals on the above date at 1:30 p.m. in the City Commission Room of the City Building. There are two cases to be considered at that time.

- A. CASE NO. 3-53. James M. Hickman, petitioner, appeals from the decision of the Chief Building Inspector who has denied issuance of a building permit for the remodeling and addition to a service station at 1650 South Oliver for the reason that this building is located in the "A" Residential District having already been in existence at the time this territory was annexed to the City. It is desired to remove a portion of the front and replace approximately the same area on the north. This was made necessary because of the condemnation of a 20' strip of land along the front, thus necessitating moving the pumps and also the front of the building. This condemnation was necessary in order to obtain land for the widening of Oliver Street.
- B. CASE NO. 4-53. B. A. Ruedebusch, petitioner, appeals from the decision of the Chief Building Inspector who has denied issuance of a permit for the erection of a trailer court at the southeast corner of K-15 and Hamilton Road as this area is zoned for Light Commercial use, which zone does not permit a trailer court. Mr. Ruedebusch is appealing under Section 25 - Exceptions to Use Regulations - which was amended on March 19, 1953, (Ordinance 18-897) to read as follows: "The Board of Zoning Appeals may by special permit after a public hearing allow trailer camps, subject to conditions outlined below, in Light Commercial Districts adjacent to roads designated as Federal or State routes. Such location shall first be approved by the Planning Commission when such use is deemed essential or desirable to the public convenience or welfare, and is in harmony with the various elements or objectives of the Master or Comprehensive Plan."

George J. Fisher
Secretary