

BZA 4-60 M. J. SITES, ROUTE #1
MULVANE, KANSAS, APPEL FROM
ORDER OF BUILDING INSPECTION SUPT.

hearing 2-23-60



BZA 4-60

MARCH 7, 1960

MRS. M. J. SITES
ROUTE #1
MULVANE, KANSAS

DEAR MRS. SITES:

RE: BZA 4-60

THE DECISION OF THE BOARD OF ZONING APPEALS RELATIVE TO SUBJECT APPLICATION HAS BECOME FINAL, NO APPEAL HAVING BEEN TAKEN TO THE BOARD OF CITY COMMISSIONERS. THEREFORE, THE BUILDING INSPECTION SUPERINTENDENT HAS BEEN AUTHORIZED AND DIRECTED BY THE BOARD OF ZONING APPEALS TO ISSUE A PERMIT FOR THE CONSTRUCTION OF AN ADDITION TO HILLS GROCERY AT 5109 WEST 13TH STREET, IN ACCORDANCE WITH THE OFFICIAL RESOLUTION ADOPTED BY THE BOARD ON FEBRUARY 23, 1960.

IT IS ASSUMED THAT YOU WILL BE ABLE TO OBTAIN YOUR PERMIT FOR THE DESIRED CONSTRUCTION WITHOUT FURTHER PROCEEDINGS BEFORE THE BOARD OF ZONING APPEALS.

VERY TRULY YOURS,

LELAND R. EDMONDS
SECRETARY

LRE:EBR

CC: S. B. MAPLE
BUILDING INSPECTION SUPERINTENDENT

JAMES AIKEN
CITY-COUNTY HEALTH DEPARTMENT

FEBRUARY 26, 1960

MRS. M. J. SITES
RR #1
MULVANE, KANSAS

DEAR MRS. SITES:

RE: BZA - 4-60

THIS IS TO ADVISE YOU THAT AT ITS REGULAR MEETING ON FEBRUARY 23, 1960, THE BOARD OF ZONING APPEALS OF THE CITY OF WICHITA CONSIDERED AND GRANTED YOUR APPEAL FROM A DECISION OF THE BUILDING INSPECTION SUPERINTENDENT DENYING A BUILDING PERMIT FOR THE CONSTRUCTION OF AN ADDITION TO THE FRAME BUILDING KNOWN AS HILL'S GROCERY, TO HOUSE TOILET FACILITIES, SUBJECT TO THE SPECIFIC CONDITIONS AS FOLLOWS:

1. THAT SUCH ADDITION SHALL NOT BE LARGER THAN FIVE (5) FEET BY TWELVE (12) FEET IN SIZE;
2. THAT SUCH ADDITION TO THE BUILDING COMPLY IN EVERY RESPECT TO THE REQUIREMENTS AS SET OUT BY THE APPROPRIATE HEALTH AUTHORITIES FOR THE THEN INTENDED USE.

SECTION 21-27-F OF THE CODE OF THE CITY OF WICHITA PROVIDES THAT ALL DECISIONS OF THE BOARD OF ZONING APPEALS ARE SUBJECT TO APPEAL TO THE BOARD OF CITY COMMISSIONERS WITHIN A PERIOD OF TEN DAYS SUBSEQUENT TO THE DATE ON WHICH THE ACTION WAS TAKEN BY THE BOARD. ACCORDINGLY, THE DECISION OF THE BOARD IN THIS CASE WILL BECOME FINAL ON MARCH 4, 1960, PROVIDED THAT NO APPEAL OF THE DECISION HAS BEEN FILED AS PROVIDED BY ORDINANCE.

YOU WILL BE ADVISED BY THIS OFFICE SUBSEQUENT TO MARCH 4, 1960, WHETHER OR NOT AN APPEAL OF THE BOARD'S DECISION HAS BEEN FILED. YOU WILL ALSO BE PROVIDED, SUBSEQUENT TO MARCH 4, WITH A COPY OF THE OFFICIAL RESOLUTION ADOPTED BY THE BOARD OF ZONING APPEALS IN THIS CASE. AFTER THAT TIME I SUGGEST THAT YOU CONTACT MR. JAMES AIKEN, OF THE WICHITA-SEDGWICK COUNTY HEALTH DEPARTMENT, 1900 EAST NINTH STREET, TO DETERMINE THE CONDITIONS FOR THE PROPOSED ADDITION, BEFORE APPLYING FOR A BUILDING PERMIT FOR THE SUBJECT ADDITION.

VERY TRULY YOURS,

LELAND R. EDMONDS
SECRETARY

LRE:RAL:BER
cc: L. L. LITTLE
S. B. MAPLE
JAMES AIKEN

BOARD OF ZONING APPEALS

FEBRUARY 26, 1960

C. H. FUNK, CITY CLERK

LELAND R. EDMONDS, SECRETARY, BOARD OF ZONING APPEALS

BZA-4-60

ATTACHED IS A COPY OF THE RESOLUTION PASSED BY THE BOARD OF ZONING APPEALS OF THE CITY OF WICHITA ON FEBRUARY 23, 1960, IN THE ABOVE SUBJECT CASE.

AS YOU KNOW, SECTION 21-27-F OF THE CODE OF THE CITY OF WICHITA PROVIDES THAT ALL DECISIONS OF THE BOARD OF ZONING APPEALS ARE SUBJECT TO APPEAL TO THE BOARD OF CITY COMMISSIONERS WITHIN A PERIOD OF TEN DAYS SUBSEQUENT TO THE DATE ON WHICH THE ACTION WAS TAKEN BY THE BOARD. ACCORDINGLY, THE DECISION OF THE BOARD IN THIS CASE WILL BECOME FINAL ON MARCH 4, 1960, PROVIDED THAT NO APPEAL OF THE DECISION HAS BEEN FILED AS PROVIDED BY ORDINANCE.

WE WILL INQUIRE AT THE END OF THE TEN DAYS TO DETERMINE IF ANY APPEALS HAVE BEEN FILED.

LELAND R. EDMONDS
SECRETARY

LRE:RAL:BER
ATTACHMENT

BOARD OF ZONING APPEALS

FEBRUARY 9, 1960

MR. JAMES AIKEN, PUBLIC HEALTH ENGINEER II

MR. LELAND R. EDMONDS, SECRETARY

BZA 4-60

YOU ARE AWARE THAT MRS. M. J. SITES HAS APPEALED TO THE BOARD OF ZONING APPEALS FOR A PERMIT TO ADD TO A FRAME BUILDING NOW USED AS A GROCERY STORE AT 5109 WEST 13TH STREET. THE PERMIT REQUESTED IS TO PROVIDE SUFFICIENT SPACE FOR THE INSTALLATION OF "TOILET FACILITIES AS REQUIRED BY THE SEDGWICK COUNTY, WICHITA HEALTH DEPARTMENT ORDER".

THIS APPEAL WILL BE CONSIDERED BY THE BOARD OF ZONING APPEALS AT ITS MEETING FEBRUARY 23, 1960. PRIOR TO THAT TIME, WE WOULD APPRECIATE YOUR COMMENTS CONCERNING THE ORDER WHICH YOU HAVE ISSUED AND THE POSITION WHICH THE HEALTH DEPARTMENT TAKES IN THIS MATTER.


LELAND R. EDMONDS
SECRETARY

CITY OF WICHITA
BOARD OF ZONING APPEALS
ROOM 402, CITY BUILDING ANNEX
104 SOUTH MAIN
WICHITA, KANSAS

NOTICE TO ADJOINING PROPERTY OWNERS

AN APPLICATION FOR A (AN) APPEAL HAS BEEN FILED BY M. J.

SITE OF ROUTE #1, MULVANE, KANSAS
ADDRESS

AS PROVIDED BY SECTION 21-27 OF THE CODE OF THE CITY OF WICHITA. THE
APPLICANT DESIRES TO CONSTRUCT AN ADDITION TO A FRAME BUILDING TO HOUSE
TOILET FACILITIES

ON PROPERTY LOCATED AT 5109 WEST 13TH STREET.

WICHITA, KANSAS AND LEGALLY DESCRIBED AS LOT(S) 4 BLOCK (S)
R. A. MORRIS TRACTS ADDITION AND WHICH IS
LOCATED IN A _____ ZONING DISTRICT.

THIS APPLICATION HAS BEEN ASSIGNED CASE No. 4-60. A HEARING WILL
BE HELD BY THE BOARD OF ZONING APPEALS ON TUESDAY, FEBRUARY 23, 1960
AT 1:30 P.M., IN ROOM 401, CITY BUILDING ANNEX, 104 SOUTH MAIN, WICHITA,
KANSAS, AT WHICH TIME YOU MAY APPEAR, IF YOU SO DESIRE, EITHER IN PERSON
OR BY AGENT OR ATTORNEY.

Leland R. Edmonds
LELAND R. EDMONDS, SECRETARY
BOARD OF ZONING APPEALS

NOTICES MAILED 2-8-60

W. L. MORRIS
208 N. BROADWAY

PAUL T. BOYER
1241 N. SMITH

HARRY F. HOOPES
1251 N. SMITH

EVA M. WALTERS
5031 W. 13TH

RAY F. GRAHAM
1250 CURTIS

FRED F. LIEBOU
250 N. MARTINSON

JAMES E. BUSWELL
5201 W. 13TH

Mrs. Q. I. CRAMER
1331 N. SMITH

CLARENCE E. WALTERS
5031 W. 13TH

CLEO PAINTER
5021 W. 13TH STREET

ORLANDO J. BUCHANAN
5001 WEST 13TH STREET

1 - INSTRUCTIONS TO DELIVERING EMPLOYEE

Deliver **ONLY** to address Show address where delivered
(Additional charges required for these services)

RETURN RECEIPT
 Received the numbered article described on other side.

SIGNATURE OR NAME OF ADDRESSEE (must always be filled in)
Mrs. M. J. Sites

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

DATE DELIVERED ADDRESS WHERE DELIVERED (only if requested in item #1)

300
 FEB 8
 1-VH
 WOFAN

CBS-16-71848-4 GPO

RECEIPT FOR CERTIFIED MAIL—15¢

No. 1386384

SENT TO <i>Mrs. M. J. Sites</i>	POSTMARK OR DATE
STREET AND NO. <i>St. #1</i>	
CITY AND STATE <i>Mission Kansas</i>	

If you want a return receipt, check which:
 It shows to whom and when delivered It shows to whom, when, and address where delivered

If you want restricted delivery, check here
 20¢ fee

POD Form 3800 July 1955 Replaces previous editions of this form which MAY be used.

PLANNING
POST OFFICE DEPARTMENT
OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID
PAYMENT OF POSTAGE, \$380

RECEIVED
FEB 9
1960
KANSAS

POSTMARK OF
DELIVERY OFFICE

INSTRUCTIONS: Fill in items below and complete #1 on other side, when applicable. Moisture gummed ends and attach to back of article. Print on front of article RETURN RECEIPT REQUESTED.

RETURN
TO

REGISTERED NO. NAME OF SENDER *City of Wichita*

CERTIFIED NO. *6386384* STREET AND NO. OR P. O. BOX *Reading Building Appeals*

INSURED NO. CITY, ZONE AND STATE *104 S. Main
Wichita Kansas*

CBS-18-71847a

RECEIPT FOR CERTIFIED MAIL—15¢

POSTMARK
OR DATE

SENT TO *Mr. M. J. Sites*

STREET AND NO. *St. 71*

CITY AND STATE *Wichita Kansas*

If you want a return receipt, check which
7c shows to whom and when delivered

If it shows to whom, when, and address where delivered

If you want restricted delivery, check here

20c fee

PDD Form 3800 July 1955 Replaces previous editions of this form which MAY be used.

No. 386384

BOARD OF ZONING APPEALS
CITY OF WICHITA, KANSAS

NOTICE OF HEARING OF APPEAL

FEBRUARY 8, _____, 19 60

DEAR MR. SITES _____ :

YOUR APPLICATION FOR A (AN) APPEAL _____ (APPEAL, VARIANCE,
EXCEPTION) UNDER PROVISIONS OF PARAGRAPH _____, SECTION 21-27, CODE OF
THE CITY OF WICHITA, AND RELATING TO PREMISES LOCATED AT: _____

5109 WEST 13TH STREET

HAS BEEN GIVEN BOARD OF ZONING APPEALS CASE No. 4-60 _____ .

ALL INQUIRIES AND REFERENCES SHOULD ALWAYS BE MADE TO THAT CASE NUMBER
WHEN YOU SEEK INFORMATION FROM THE SECRETARY.

FURTHER, YOU ARE NOTIFIED THAT YOU MAY APPEAR BEFORE THE BOARD OF
ZONING APPEALS EITHER IN PERSON, OR BY AGENT OR ATTORNEY, FOR A HEARING
OF YOUR CASE ON FEBRUARY 23 _____, 19 60, AT 1:30 P.M. IN ROOM 401,
CITY BUILDING ANNEX, 104 SOUTH MAIN, WICHITA, KANSAS.

RESPECTFULLY,

SECRETARY, BOARD OF ZONING APPEALS

FEBRUARY 1, 1960

MRS. M. J. SITES
ROUTE #1
MULVANE, KANSAS

RE: BZA 4-60

DEAR MRS. SITES:

THIS WILL ACKNOWLEDGE RECEIPT OF YOUR APPEAL FROM AN ORDER OF THE BUILDING INSPECTION SUPERINTENDENT FILED IN DUPLICATE WITH THE OFFICE OF THE SECRETARY OF THE BOARD OF ZONING APPEALS ON JANUARY 29, 1960. THIS WILL FURTHER ACKNOWLEDGE RECEIPT OF THE ABTRACTOR'S CERTIFICATE AND OTHER DOCUMENTS AND FEES WHICH WERE REQUIRED TO ACCOMPANY THE APPEAL FORM.

IN THE APPEAL FORM WE NOTE THAT YOU REQUESTED PERMISSION TO CONSTRUCT AN ADDITION TO THE FRAME BUILDING HOUSING A GROCERY, VARIETY, AND SERVICE STATION AT 5109 WEST 13TH STREET. YOU DO NOT, HOWEVER, GIVE ANY INDICATION OF THE SIZE OF THE EXISTING STRUCTURE OR THE SIZE OF THE ADDITION WHICH YOU PROPOSE. WE WOULD SUGGEST FOR THE BENEFIT OF YOUR CASE THAT YOU SHOULD SUBMIT A DRAWING OR LETTER TO THIS OFFICE INDICATING THE SIZE OF THE PRESENT STRUCTURE, ITS LOCATION ON THE LOT, AND THE SIZE AND LOCATION OF THE ADDITION WHICH YOU PROPOSE TO THIS NON-CONFORMING STRUCTURE. WE WILL THEN BE ABLE TO PRESENT IT TO THE BOARD OF ZONING APPEALS FOR ITS CONSIDERATION.

THIS MATTER HAS BEEN SCHEDULED FOR CONSIDERATION BY THE BOARD OF ZONING APPEALS AT ITS MEETING OF FEBRUARY 23, 1960. THE MEETING WILL BE HELD AT 1:30 P.M. IN ROOM 401, CITY BUILDING ANNEX, 104 SOUTH MAIN, WICHITA, KANSAS.

VERY TRULY YOURS,

LELAND R. EDMONDS,
SECRETARY

LRE:SDH

CITY OF WICHITA
BUILDING INSPECTION DIVISION

To M. J. Sites Owner Address 5109 West 13th

To Same Applicant Address _____

Dear Sir:

Your application Dated January 29, 1960

For a Permit for the addition to frame building used as a grocery store
_____ at the premises designated as
5109 West 13th

Is hereby refused on this 29th day of January, 1960,
Under Section Sec. 21-22, par. C of the Zoning Ordinance.

For the reason that this is a legally non-conforming commercial building in a
"AA" residential district, and the desired addition is therefore not permitted by
the ordinance.

Respectfully,

S. B. Maple

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.

OWNERSHIP LIST

LOT	ADDITION	OWNER
Beg. at northeast corner Lot 3, west 107 ft. south 330 ft. , east 107 ft. north to beg.	R. A. Morris Tracts	Orlando J. Buchanan 5001-W-13th Margie E. Buchanan 5001-W-13th
Beg 107 ft, west of north- east corner Lot 3, south 630 ft., west 66 ft. , north 630 ft., east to beg.	"	Daisy Painter 5021-W-13th Cleo Painter 5021-W-13th
West 132 ft. , Lot 3,	"	Clarence E. Walters 3231-W-13th
East 107 ft, Lot 3 exc. the north 330 ft.	"	Mrs. Q. I. Cramer 1331-N-Smth
East 1/2 of Lot 5	"	James E. Buswell 5201-W-13th Cora E. Buswell 5201-W-13th
West 1/2 of Lot 5	"	Fred F. Liebou 250-N-Morritan
Lot 20	"	Ray F. Graham 1250 Curtis Clara E. Graham 1250 Curtis
North 66 ft. Lot 21	"	Eva M. Walters 5031-W-13th
South 132 ft, of north 198 ft, Lot 21	"	Harry F. Hoopes 1237-N-Smth
North 66 ft. of south 132 ft, Lot 21	"	Paul T. Boyer 1241-N-Smth Bertha Marie Boyer 1241-N-Smth

LOT	BLOCK	ADDITION	OWNER
1	1	Replat of Lot 22 and part of Lot 21, R. A. Morris Tracts	Paul T. Boyer Bertha Marie Boyer
14	"	"	"
1	2	"	"
14	"	"	"

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LEGAL


OWNER

That part of SW $\frac{1}{4}$ -11-27-1W, lying southeast of
floodway except that part northeast of railroad
Section 11-27-1W, Floodway Case # A-31849 and
except part taken for highway.

We hereby certify the foregoing to be a true and
correct List of Property Owners within a 200 foot
radius of: Lot 4, R. A. Morris Tracts, Sedgwick
County, Kansas, as shown by the records in the office
of the Register of Deeds of Sedgwick County, Kansas,
on this the 28th day of January A. D. 1960 at 7:00
A. M.

THE SECURITY ABSTRACT AND TITLE CO. INC.

BY


Vice President

Order No. 70292
NF