

Case No. BZA 4-85 - United American Bank and Trust Company - requests a variance to permit a side yard adjacent to the north property line to be approximatey 6 inches, on property zoned the "C" Commercial District and generally located on the

POSTED
1-28-85 GEL

ACTION

BZA. 4-85 Defer 1 mo. 2-26-85
DATE
BZA Defer 1 mo. 3-26-85
BZA Defer 1 mo. 4-23-85
BZA DENIED 5-0 5-28-85

Case No. BZA 4-85 - United American Bank and Trust Company - requests a variance to permit a side yard adjacent to the north property line to be approximately 6 inches, on property zoned the "C" Commercial District and generally located on the

WICHITA

RECEIVED

SEP 03 1986

METROPOLITAN PLANNING

ROUTE _____



August 29, 1986

DEPARTMENT OF HOUSING AND
ECONOMIC DEVELOPMENT
CENTRAL INSPECTION DIVISION
CITY HALL - SEVENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202

Mr. Wayne Winkelbauer
Simpson and Son Construction Co.
1831 South Anna
Wichita, Kansas 67209

Re: United American Bank North - Screen Wall

BZA 4-85

Dear Mr. Winkelbauer:

As you are aware the location of the masonry screen wall at the north side of the Bank's property has been the subject of much discussion, a BZA case (which was denied), etc.

I have discussed the location of the Bank's wall with Mr. Gary Norris, the owner of the property to the north. I attempted to secure his cooperation in allowing your company and the Bank to cross the property line and close the openings at the east and west between the wall and Mr. Norris' building, as well as his permission for you to attach flashing to the top of his building wall to close off the open gap to weather and moisture, however I was unable to do so.

Although the wall is not in strict compliance with the Zoning Ordinance requiring it to be on the property line or five feet away, our office is willing to accept the wall as presently located if the space between the Bank's wall and Mr. Norris' building is closed since the property owners have been unable to cooperate in this matter. We would have, of course, hoped that the space could be completely closed, but we were not successful in gaining the cooperation of Mr. Norris for the Bank to cross the property line, and I understand from what you have told me that the Bank has likewise been unsuccessful. Therefore, we will accept the Bank closing the east and west openings on their property to the property line, or to Mr. Norris' building where his building encroaches southward across the property line, and likewise closing the space between the walls at the top. Every attempt should be made to make the top flashing weather-

SUPERINTENDENT OF CENTRAL INSPECTION 268-4460
BUILDING CODE ENGINEER 268-4468
PLAN EXAMINATION 268-4477

HOUSING 268-4481
ZONING 268-4479
SIGNS 268-4475

BUILDING & CONSTRUCTION 268-4461
PLUMBING & MECHANICAL 268-4471
ELECTRICAL & ELEVATOR 268-4465

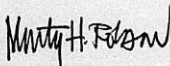
Mr. Wayne Winkelbauer
August 29, 1986
Page Two

tight to help prevent deterioration of both walls. However, you may want to devise a method for the top flashing that will not allow water from the top of the Bank's construction to deposit rain water or snow onto Mr. Norris' roof as he already feels his roof has been harmed. You would also then have to dispose of any water that is collected by a downspout which likewise shouldn't place water on Mr. Norris' property.

If the downspout is located at the east end you should contact Mike Hampel in the City's Operation and Maintenance Department, Street Services Division, at 268-4667 to determine requirements for running the water under the sidewalk to the face of the curb.

Please contact me if you have additional questions regarding this matter. Also please advise me when the work is completed.

Sincerely,



Monty H. Robson
Superintendent of Central Inspection

MHR:wgm

cc: Don Anderson, Director of Housing and Economic Development
Doug Mosier, Law Department
~~Glenn Lytle, Metropolitan Area Planning Department~~

THE CITY OF WICHITA



BOARD OF ZONING APPEALS
CITY HALL - TENTH FLOOR
432 NORTH MAIN STREET
WICHITA, KANSAS 67202
(316) 268-4421

June 4, 1985

Mr. David C. Adams, Attorney
200 West Douglas, 4th Floor
Wichita, Ks. 67202

Re: BZA 4-85 - Request for Variance

Dear Mr. Adams:

Enclosed is a signed copy of the Resolution adopted by the Board of Zoning Appeals on May 28, 1985.

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

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

Sincerely,

Glen E. Lytle
Assistant Secretary

GEL:sad
Encl.

cc: Ernie McRae, Attorney, Petroleum Building, Suite 210, 221 South Broadway, Wichita 67202
Garry Norris, 2023 North Broadway, Wichita 67214
Bob Shepherd, Simpson & Son Construction Company, 1831 S. Anna, Wichita 67209
United American Bank & Trust Company, 750 East 21st Street, Wichita
Monty Robson, Superintendent of Central Inspection (2)
Don Gisick, City Clerk

RESOLUTION NO. BZA 4-85

WHEREAS, The United American Bank and Trust Company, P. O. Box 970, Wichita, Kansas, requests a variance as provided in Section 2.12.590.B, Code of the City of Wichita, to permit the required side yard setback adjacent to the north property line to be approximately 6 inches in lieu of 0 feet on property zoned the "C" Commercial District and legally described as follows:

Lot 8, Frazier's Addition to Wichita, Sedgwick County, Kansas. Generally located on the west side of Broadway and north of 19th Street.

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 meetings of February 26, 1985 and May 28, 1985, 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; and the request has been created by an action or actions of the property owner or the applicant inasmuch as the wall was not constructed in conformance with the provisions of the ordinance and therefore created a void between the structures of the adjoining properties that is impossible to maintain; and

WHEREAS, the Board of Zoning Appeals has found that the granting of the permit for the variance will adversely affect the rights of adjacent property owner inasmuch as if the present condition is allowed to remain it does not permit the adjacent property owner to maintain his building; 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 does not constitute unnecessary hardship upon the property owners represented in the application inasmuch as the Superintendent of Central Inspection has agreed to accept a closure of this space at the front and rear with appropriate flashing at the top to be in general conformance with the intent of the regulations; and

WHEREAS, the Board of Zoning Appeals has found that the variance desired could adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare due to the fact that the void between the structures should be closed; and

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

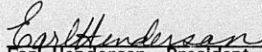
WHEREAS, each of the five conditions required by Section 2.12.590.B, Code of the City of Wichita, to be present before a variance can be granted have not been found to exist.

NOW, THEREFORE, BE IT RESOLVED by the Board of Zoning Appeals of the City of Wichita that this request for a variance to permit the required side yard setback adjacent to the north property line to be approximately 6 inches in lieu of 0 feet on property zoned the "C" Commercial District and legally described as follows:

Lot 8, Frazier's Addition to Wichita, Sedgwick County, Kansas. Generally located on the west side of Broadway and north of 19th Street.

be denied.

ADOPTED AT WICHITA, KANSAS, this 28th day of May, 1985.


Earl Henderson, President

ATTEST:


Glen E. Lytle, Assistant Secretary

February 28, 1985

Mr. David C. Adams, Attorney
200 West Douglas, 4th Floor
Wichita, Ks. 67202

Re: BZA 4-85 - Request for Variance

Dear Mr. Adams:

It was the decision of the Board of Zoning Appeals on February 26, 1985 to defer action on the requested variance. This was done to allow you, your clients and the adjoining property owners ample time to reach a reasonable solution to the problem of the space between the wall and the building.

Since you and your clients were the applicant for the variance, and the constructors of the wall, I hope you will take the initiative to set up any meetings necessary to resolve any differences between the two parties. Also, that you will notify this office of any conclusions that have been reached so that we may advise the Board at the March 26, 1985 meeting.

If we can be of any assistance in any way, please give us a call.

Sincerely,

Glen E. Lytle
Assistant Secretary

CEL:sad

cc: Jim Jorgensen, Acting Superintendent of Central Inspection
Ernie McRae, Attorney, Petroleum Building, Suite 210, 221 South
Broadway, Wichita 67202
Garry Norris, 2023 North Broadway, Wichita 67214
Bob Shepherd, Simpson & Son Construction Company, 1831 S. Anna,
Wichita 67209
United American Bank & Trust Company, 750 East 21st St., Wichita

THE CITY OF WICHITA

OFFICE OF Citizen Participation DATE February 25, 1985

TO Glen Lytle, Special Assistant for Zoning
FROM Barry I. Carroll, Administrative Aide III

SUBJECT BZA 4-85: West Broadway and
North 19th Street

On Wednesday, February 6, CPO Neighborhood Council "J" considered the captioned case, a request for a variance to permit a side yard adjacent to the north property line to be approximately six inches on property zoned the "C" Commercial District at the captioned location. After discussion the Council voted 6-0 to recommend approval of the requested variance.

Dave Adams, agent for the applicant, was present to describe the request and respond to questions.

There were no individuals present to speak either favorably or in opposition to the request.

Council members were provided the notice to adjoining property owners and a map of the area. MAPD staff comments were not available.

Please provide the Council's recommendation to the Board of Zoning Appeals when BZA 4-85 is considered on Tuesday, February 26.

Barry L. Carroll
Barry L. Carroll
Administrative Aide III

BLC:dm

Noted:

Annie K. Montgomery
Annie K. Montgomery
CRS Director

RECEIVED

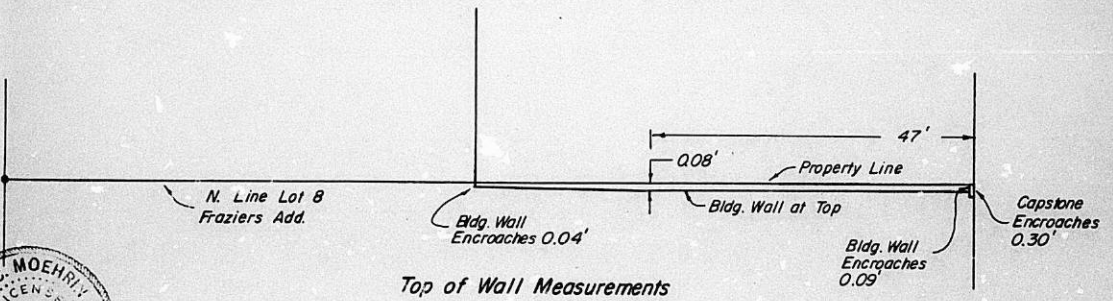
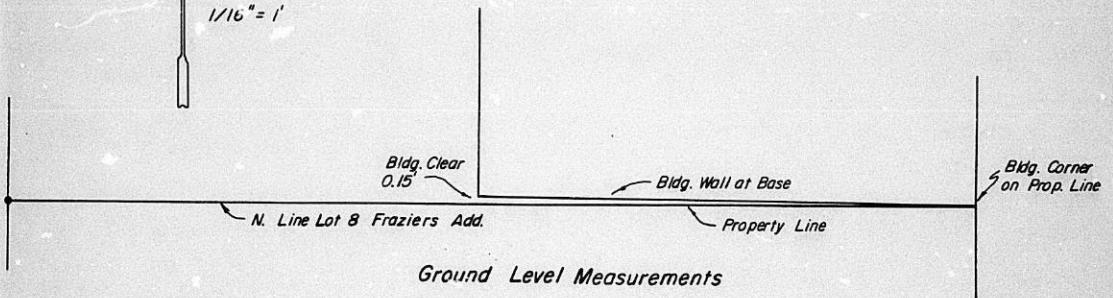
FEB 25 1985

METROPOLITAN PLANNING

ROUTE _____



1/16" = 1'



Law Offices

McRae & Early

Ernest McRae

Port Early (1917-1988)

Telephone 263-5861

Area Code 316

Suite 210-Petroleum Building

221 South Broadway

Wichita, Kansas 67202

January 28, 1985

Mr. Marvin Sikes
United American Bank
750 E. 21st North
Wichita, KS 67214

Dear Mr. Sikes:

The undersigned represents Mr. and Mrs. Gary Norris, doing business as, Waxene Products. Needless to say, they own the property at 2023 N. Broadway, north of your bank property.

It is their opinion that the 15 foot wall was a "spite fence", intended to cover the beautiful sign they had on the wall of their building.

Their concern was not limited to the loss of their sign, but was also reinforced by the problems your contractor ran into when it was discovered that the footing on their wall was only two feet below the surface and the footings for the wall you were constructing, was to be four feet. Some type of pilings were then driven into the ground and the wall placed back from six to eight inches from their wall.

A check of the ordinances that appeared to be applicable, indicated that first of all, notice should have been given to the Norris', which was not done (see attached).

It was also determined that the wall had to be up against their wall (on the line) or back five feet from their wall. This was not done. Your contractor received a notice or violation dated, December 21, 1984, calling these items to their attention (ordinance 28-04-090).

Mr and Mrs. Norris have reason to believe that their wall is already showing damage as a result of your failure to comply with the ordinance referred to. They are now formally requesting that the wall be torn down or moved back five feet. The Norris' cannot help but feel that their refusal to accept your low offer for their property has resulted in this situation.

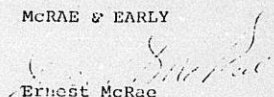
Page 2
Mr. Marvin Sikes
January 28, 1985

We will initiate such action as maybe required if a variance is sought, as suggested. The reason for the ordinance is to prevent the damage that the Norris' believe they are experiencing.

Will you please remove the wall?

Very truly yours,

McRAE & EARLY


Ernest McRae

EM:cw
Enclosures
cc: Mr. and Mrs. Norris

RE: AGENDA ITEM NO. 3

SECRETARY'S REPORT
CASE NO. BZA 4-85

APPLICANT: United American Bank and Trust Co., 750 East 21st Street, P. O. Box 970, Wichita, Kansas.

AGENT: David E. Adams, 200 West Douglas, 4th Floor, Wichita, Kansas.

REQUEST: Variance pursuant to Section 2.12.590.B, Code of the City of Wichita, to permit a side yard adjacent to the north property line to be approximately 6 inches in lieu of 0 inches.

GENERAL LOCATION: On the west side of Broadway and north of 19th Street.

ZONING: Subject property is zoned the "C" Commercial District as are the properties to the north, south and east. To the west is "B" Multiple-family Dwelling District.

LAND USE: Subject property is occupied by a new bank facility. Property to the north, east and south are commercial. To the west is the parking lot for the bank.

JURISDICTION:

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

COMMENTS BY THE SECRETARY:

The applicant is requesting a variance of the required side yard setback for a wall that has been constructed adjacent to the north property line. Central Inspection has cited the contractor for the construction of the wall to be in violation of the requirements of the zoning ordinance. The notice issued by Central Inspection referred to Section 28.04.090 of the Zoning Ordinance that actually relates to the provisions of the "LC" Light Commercial District. The appropriate citation should have been the section of the ordinance pertaining to the required side yard in the "C" Commercial District which is 28.04.100 (C-2.2). This section states in part - "If a side yard is provided for commercial buildings, the side yard shall not be less than 5 feet".

When this office was first contacted about this problem with the wall, it was the Secretary's opinion that Central Inspection had erred in the interpretation and the issuance of the citation. In discussing this matter with Jim Jorgenson, Acting Superintendent of Central Inspection, it was indicated that there has been a dispute between the two property owners over the construction of the wall. It is the Secretary's opinion that the intent of the regulation is to not create a void between structures that cannot be properly maintained. In this case a void of 6" or 7" has been created between the two structures that violates the intent of the regulations. The granting of a variance to allow the existing condition to remain would not resolve the maintenance problem. This request places the Board in the position of arbitrating a dispute between property owners that should more properly be decided by the courts if damages have occurred.

The applicant indicates that the wall was constructed as close to the property line as possible due to the need for driving sheet pilings in order to protect the wall on the adjacent property. It should be noted that a provision of the building code sets forth - "that when an excavation shall notify in writing the owners of the adjoining building so that the adjoining building can be protected." It further states - "that the adjoining property owners should be given access to the excavation for the purpose of protecting the adjoining buildings". It is the opinion of the Secretary that a method of constructing the wall

on the property line could have been accomplished, however at this time, it would now be impossible. It would now appear that the only reasonable solution to the problem is the enclosure of the void between the wall and the building, and the installation of flashing to prevent moisture from entering the space. This can be accomplished only with the cooperation of the adjacent property owner. This cooperation has not been forthcoming to this date even though the contractor has indicated his willingness to eliminate the problem.

UNIQUENESS:

It is the opinion of the Secretary that this property is not unique inasmuch as it is no different than most any other property where a building is immediately adjacent thereto.

ADJACENT PROPERTY:

It is the opinion of the Secretary that the granting of the variance requested will adversely affect the rights of adjacent property owners inasmuch as the void between the wall and the adjacent building will tend to accumulate trash and debris, and without flashing could cause a maintenance problem for the existing building as long as the space remains.

HARDSHIP:

It is the opinion of the Secretary that the strict application of the provisions of the zoning ordinance may constitute an unnecessary hardship upon the applicant inasmuch as the applicant will be required to either remove the wall or take steps to eliminate the possible hazard or maintenance problem caused by the 6" void between the wall and building.

PUBLIC INTEREST:

It is the opinion of the Secretary that the requested variance could adversely affect the public interest inasmuch as the granting of the variance would authorize the condition created by the applicant's wall that will provide a catch-all for trash and debris and a space that could be a potential hazard to small children if they attempted to crawl thru the space.

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 prevent the creation of a space between structures that does not permit the maintenance of both properties by the use of at least a 5 foot space.

RECOMMENDATION:

It is the opinion of the Secretary that all five conditions necessary to the granting of a variance cannot be found to exist, and the variance should be denied. It is further recommended by the Secretary that the Superintendent of Central Inspection be instructed to accept the location of the wall to be in general conformance with the intent of the regulations, provided that, masonry closures, the height of the wall, be installed to the property line at both the front and rear of the building on the north. In addition metal flashing shall be installed between the wall and the building to eliminate problems of maintenance. It is further understood that if the cooperation of the property owner to the north for the installation of the flashing cannot be obtained, other materials or method to secure the space to prevent access and trash accumulation, satisfactory to the Superintendent of Central Inspection, will be acceptable for compliance with the intent of the regulation as providing a zero side yard setback.

BZA CASE NO. 4-85

<u>1</u>	NOTICES SENT TO APPLICANT/AGENT
<u>1</u>	LEGAL ADVERTISEMENT SENT TO MAPC
<u>1</u>	NOTICES SENT TO CPO
<u>11</u>	NOTICES SENT TO ADJOINING PROPERTY OWNERS
<u>14</u>	TOTAL NOTICES SENT <u>2-5-85</u>

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

February 5, 1985

NOTICE TO ADJOINING PROPERTY OWNERS:

CASE NO. BZA 4-85

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 United American Bank and Trust Company, 750 East 21st, P. O. Box 970, 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 permit a side yard adjacent to the north property line to be approximately 6 inches, on property zoned the "C" Commercial District. A legal description of the applicant's property is as follows:

Lot 8, Frazier's Addition to Wichita, Sedgwick County, Kansas. Generally located on the west side of Broadway and north of 19th Street.

This application has been assigned Case BZA 4-85. It will be considered by the Board of Zoning Appeals on February 26, 1985 at 1:30 p.m. in the Board Room, First Floor of City Hall, 455 North Main Street, Wichita, Kansas. If you have no interest or objections regarding the requested variance, you have no obligation to appear or comment. If you desire to appear at the Board meeting, you are invited to do so, either in person or by agent or attorney.

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

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

Jack H. Galbraith
Secretary

BOARD OF ZONING APPEALS

CASE NO. 4-85

CITY OF WICHITA, KANSAS

FILED January, 1985

APPLICATION FOR VARIANCE

- I. Name of Applicant United American Bank and Trust Company
Mailing Address 750 E. 21st - P.O. Box 97 Phone 262-5111
- ± Name of Authorized Agent David C. Adams
Mailing Address 200 W. Douglas, 4th Floor Phone 262-2671
Relationship of applicant to property is that of Owner
(Owner, Tenant, Lessee, Other)
- II. The variance requested is to allow a side yard set back of
6 1/2" to 7" for a commercial improvement

for property located generally at the northwest corner of 19th
Street N. and Broadway (approximately 2013 North Broadway)
and legally described as: Lot 8, Frazier's Addition to
Wichita, Sedgwick County, Kansas

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

- III. The applicant herein, or his authorized agent, acknowledges:
- That he has received an instruction sheet concerning the filing and hearing of this matter;
 - 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;
 - 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.
 - That all documents are attached hereto as noted in paragraphs 2, 3, 4, and 5 of the instructions.

UNITED AMERICAN BANK
AND TRUST COMPANY

Applicant Marvin Seitz
Marvin Seitz, President

Authorized Agent David C. Adams
David C. Adams

OFFICE USE ONLY: Received in Office of Secretary, Board of Zoning Appeals,
9:00 (a.m. ~~p.m.~~), Jan 27, 1985, together with
appropriate fee of 150.00

Signed G. Lytle

Date 12/21/84

NOTICE OF VIOLATION

No. 770 592

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

To: SIMPSON & SON INC.

Address: 1831 S. ANNA
WICHITA, KS. Zip 67209

You are hereby notified that the following item(s) are in violation of Section(s): ZONING ORDINANCE
SEC.# 28.04.090 28.04.100(C.2.2)

of the Code of the City of Wichita, Kansas: RELOCATE
NORTH WALL ON PROPERTY LINE OR 5'-0"
OFF PROPERTY LINE OR APPLY FOR
A VARIANCE W/ ZONING APPEALS BOARD

Location of violation(s) 2001 N. BROADWAY

You are hereby ordered to correct the violation(s) listed above on or before JANUARY 1, 1984.

Signed: SUPERINTENDENT OF CENTRAL INSPECTION
PER JIM CRANFORD

By: Wayne G. Albin
Authorized Representative

Inspector's office hours 07:30 - 09:00 AM

Contact at 268-4462

lit

STATEMENT OF APPLICANT,
UNITED AMERICAN BANK AND TRUST COMPANY

Applicant requests that a variance be granted relieving it from strict enforcement of the specific provisions of Section 28.04.090(c)(2.1) of the Code of the City of Wichita, Kansas.

Applicant requests that a side yard of 6½" to 7" be allowed along a portion of the north line of Lot 8, Frazier's Addition, as shown on the attached sketch.

A side yard varying in width from 7" (0.58') on the east to 6½" (0.52') on the west was created by applicant because excavation work exactly upon the property line would have caused damage to the south wall of the adjacent building.

Applicant caused test holes to be dug near the north property line of Lot 8 to investigate the condition of the property and found that steel sheet pilings were required in order to protect the integrity of the south wall of the adjoining building. Accordingly it was necessary to move south several inches to allow for the driving technique necessary to plant the pilings.

The requested variance is unique for it was not possible to build exactly upon the property line and the granting of the requested variance will not adversely affect the rights of adjacent property owners or residents.

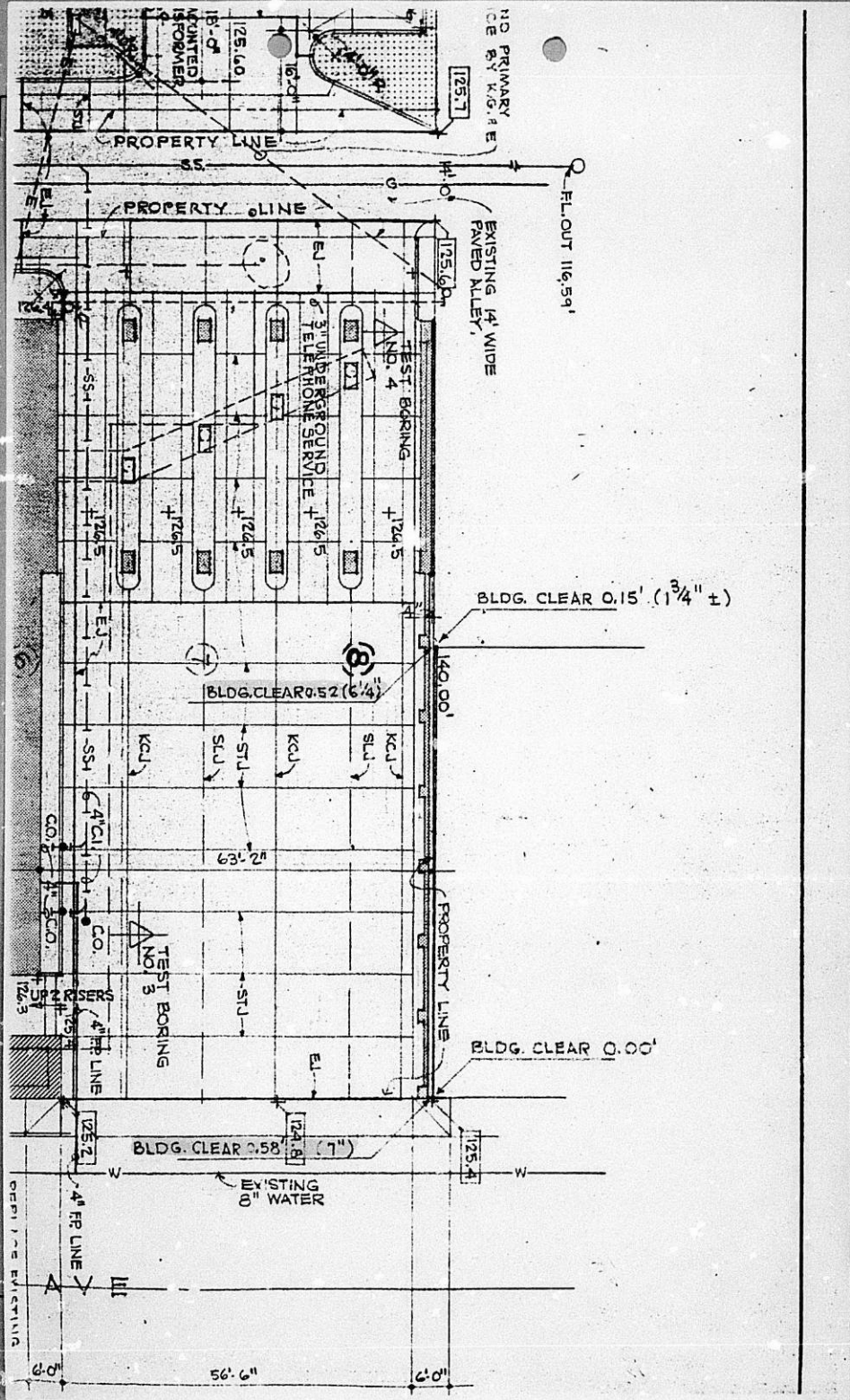
The strict application of the provisions of Title 28 would constitute an unnecessary hardship upon the applicant for it is impractical, if not impossible, to build exactly upon the property line.

The requested variance will not adversely affect public health, safety, morals, order, convenience, prosperity, or general welfare, and the granting of such a variance will not contravene the general spirit and intent of Title 28.

Respectfully submitted,

UNITED AMERICAN BANK AND TRUST COMPANY

By David C. Adams
David C. Adams
Authorized Agent



NO PRIMARY
CE BY K.S.P.E

125.7

PROPERTY LINE

PROPERTY LINE

EXISTING 14' WIDE
PAVED ALLEY,

125.60

FLOUT 116.59'

TEST BORING
AND 4
3" UNDERGROUND
TELEPHONE SERVICE

BLDG. CLEAR 0.15' (1 3/4" ±)

BLDG. CLEAR 0.52' (6 1/4")

BLDG. CLEAR 0.00'

BLDG. CLEAR 0.58' (7")

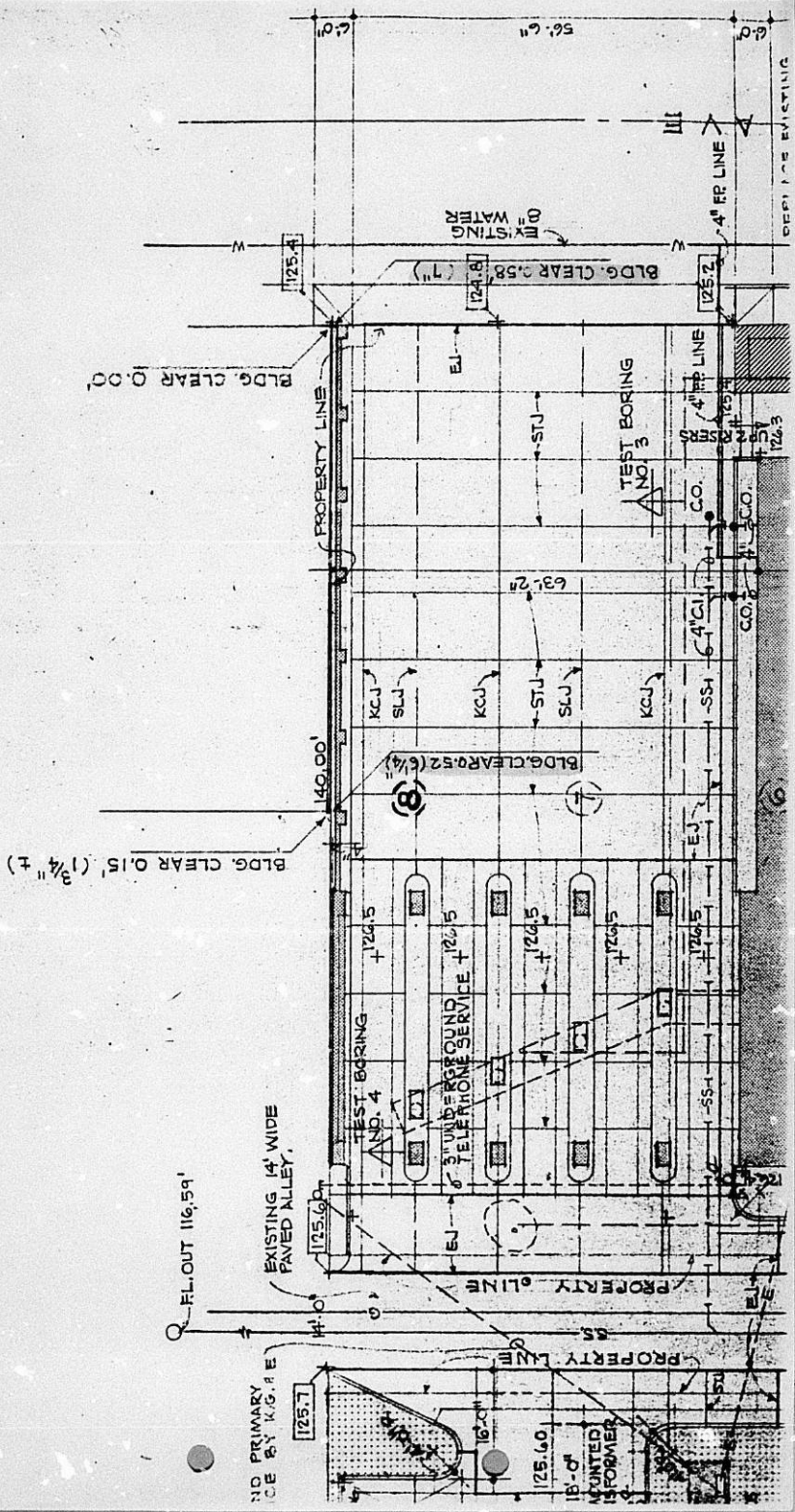
EXISTING
4" WATER

DEPICTED EXISTING

6.0'

50.6"

110.2'



NO PRIMARY
ICE BY W.G. RE

EXISTING 4' WIDE
PAVED ALLEY

FL. OUT 116.59'

18'-0"
MOUNTED
TRANSFORMER

3" UNDERGROUND
TELEPHONE SERVICE

TEST BORING
AND 4

TEST BORING
AND 3

BLDG. CLEAR 0.52 (6 1/2')

BLDG. CLEAR 0.58 (7')

BLDG. CLEAR 0.15 (3 1/4' F)

BLDG. CLEAR 0.00

PROPERTY LINE

PROPERTY LINE

PROPERTY LINE

PROPERTY LINE

PROPERTY LINE

PROPERTY LINE EXISTING

125.60

125.71

56.6"

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OWNERSHIP LIST

<u>Lot</u>	<u>Addition</u>	<u>Property Owner</u>
Lots 1 through 8, inclusive	Frazier's Addition	United American Bank & Trust Company 750 E. 21st Wichita, KS 67214
Lots 9 & 10	"	✓ Gaylene Sue Carter 3158 Mascot Wichita, KS 67204
Lots 11 & 12	"	✓ Virgie E. Spurgeon Rt. 1 Iola, KS 66749 AND -do E. W. Goble Address Unknown
Lots 13 & 14	"	✓ Claud C. Thrasher Ruby A. Thrasher 2029-2031 N. Broadway Wichita, KS 67214
Lots 15 & 16	"	✓ W. F. Holleicke Mildred M. Holleicke 1637 May Wichita, KS 67213
Lots 25 & 26	"	✓ Glenn E. Holmes Carolyn M. Holmes 320 Seville Ave. Wichita, KS 67209 AND ✓ Kenneth R. Holmes Bonnie J. Holmes 2246 Columbine Lane Wichita, KS 67204
Lots 27 & 28	"	✓ Paul R. Lueker Marilyn A. Lueker 1212 N. Topeka Wichita, KS 67214
Lots 29 & 30	"	✓ Eva Clanton 2026 N. Market Wichita, KS 67214
Lots 31 & 32	"	O. T. Collette Mary J. Collette Address Unknown
Lots 33, 34, 35, 36, 37, 38, 39 & 40	"	✓ United American Bank & Trust Company 750 E. 21st Wichita, KS 67214
Lots 6, 8 & 10	Nineteenth Addition	✓ W. A. Michaelis Jr. 4412 E. 77th St. North Valley Center, KS 67147
Lot 2	"	Same As Above
Lot 4	"	Same As Above

<u>Lot</u>	<u>Addition</u>	<u>Property Owner</u>
Lots 24, 26 & 28	North Lawrence Addition	W. A. Michaelis Jr. 4412 E. 77th St. North Valley Center, KS 67147
Lots 20 & 22	"	City of Wichita, a municipal corp. 455 N. Main Wichita, KS 67202

We hereby certify the foregoing to be a true and correct list of the property owners of the hereinbefore described lots within a 200 foot radius of:

Lot 8, Frazier's Addition to Wichita,
Kansas, Sedgwick County, Kansas

as shown by the last deed of record on file in the Office of the Register of Deeds, Sedgwick County, Kansas, on the 15th day of January, 1985, at 7:00 o'clock A.M.

THE SECURITY ABSTRACT AND
TITLE COMPANY, INC.

By

Mary Sable
Sr. Vice-President

Order No: 342338
ja/ns

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

February 5, 1985

NOTICE TO ADJOINING PROPERTY OWNERS:

CASE NO. BZA 4-85

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 United American Bank and Trust Company, 750 East 21st, P. O. Box 970, 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 permit a side yard adjacent to the north property line to be approximately 6 inches, on property zoned the "C" Commercial District. A legal description of the applicant's property is as follows:

Lot 8, Frazier's Addition to Wichita, Sedgwick County, Kansas. Generally located on the west side of Broadway and north of 19th Street.

This application has been assigned Case BZA 4-85. It will be considered by the Board of Zoning Appeals on February 26, 1985 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

February 5, 1985

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Jack H. Galbraith
Secretary

MICROFILMED
FROM THE BEST
AVAILABLE COPY

FORM 021

PAYMENT NOTICE
City of Wichita

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

Planning

DESCRIPTION	AMOUNT
	15.00

NAME _____
ADDRESS _____
FUND _____ DUE DATE _____
COMMENTS _____
DATE _____ BY _____

*

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

Roll # 2