

CASE 7-50

336

Thursday, July 15

BOARD OF ZONING APPEALS AGENDA

July 13, 1950

There will be a meeting of the Board of Zoning Appeals on Thursday, July 13, 1950 at 3:30 p.m. in the City Commission Room of the City Building. The following items are on the agenda for that time:

- A. Case No. 7-50  
An appeal by Holy Savior Parish for the erection of a school building at 1452 North Erie without holding the required 25 foot front set-back.
- B. Case No. 8-50  
An Appeal by Clarence L. Holloway for the erection of a dwelling at 1920 Salina without providing sufficient front yard.

E. N. Smith  
Secretary

CITY OF WICHITA  
BUILDING INSPECTION DIVISION

To Holy Saviour Parish Owner Address 1400 North Erie

To Same Applicant Address \_\_\_\_\_

Dear Sir:

Your Application Dated June 29, 1950

For a Permit for the erection of a school building

\_\_\_\_\_ at the premises designated as

1452 North Erie

Is hereby refused on this 29th day of June, 1950,

Under Section 16, Par. 5 (a) of the Zoning Ordinance.

For the reason that as planned, the 25' front set-back required by the said ordinance would not be provided. The other units of this group have, by order of the Board of Zoning Appeals, been permitted a front yard set-back of 10', and it is desired that this building, also, be allowed that set-back.

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  
Room 304, City Hall  
Wichita, Kansas

NOTICE TO PROPERTY OWNERS

July 10, 19 60

An appeal has been filed by Holy Savior Parish  
(Address) 1400 North Erie on behalf of \_\_\_\_\_  
\_\_\_\_\_  
(Address) \_\_\_\_\_

as provided by Section 33 of the Zoning Ordinance. The appellant  
desires to erect a school building without holding the required  
25 foot front setback on the premises  
located at 1452 North Erie

This appeal has been given Case No. y 6-50  
and a hearing will be held by the Board of Zoning Appeals on \_\_\_\_\_  
Thursday, July 13, 1960 at 3:30 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.

E. N. Smith  
Secretary.

NAMES AND ADDRESSES OF OWNERS

Robert W. Smith	1504 N. Erie
Vacel Smith	1504 N. Erie
James Melvin Dickson	1508 N. Erie
Lila Mae Dickson	1508 N. Erie
F. Ernest Fuson	1512 N. Erie
Yewell K. Fuson	1512 N. Erie
Ira E. Fuson	last known address
Vera B. Fuson	address unknown
Arthur A. Smith	" " " "
Beatrice N. Smith	" " " "
Richard G. Roger	" " " "
Ivan W. Pendell	1511 N. Erie
Bobbie Pendell	1511 N. Erie
J.V. Henderson	1507 N. Erie
Joyce L. Henderson	1501 N. Erie
J.E. Yoakum	1501 N. Erie
Vada A. Yoakum	1457 N. Erie
Arthur Schreck	1457 N. Erie
Clara Schreck	1458 N. Volutsia
William M. Kyner	1458 N. Volutsia
Amy Kyner	2510 E. 21st. St.,
Otilia Woydziak	2510 E. 21st. St.,
Melvin L. Repstine	1536 Park Place
Phyllis Joan Repstine	1536 Park Place
Catholic Diocese Wichita	1443 N. Erie
Harold Egy	1431 N. Erie
Lena M. Egy	1431 N. Erie
Sam Heidebrecht	1431 N. Erie
Flossie Heidebrecht	445 N. Emporia
O.D. Good	1435 N. Chautauqua
E. LaRue Good	1435 N. Chautauqua
Eugene Paul Christian	1439 N. Chautauqua
Helen H. Christian	1439 N. Chautauqua
Ted Murphy	1447 N. Chautauqua
Enid O. Murphy	1447 N. Chautauqua
Paul A. Funk	1457 N. Chautauqua
Doric C. Funk Jr.,	1457 N. Chautauqua
William R. Rigler	1505 N. Chautauqua
Norma L. Rigler	1505 N. Chautauqua
	1511 N. Chautauqua
	1511 N. Chautauqua
	1517 N. Chautauqua
	1517 N. Chautauqua

All of same being in the City of Wichita, Kansas

## Addresses of Residents

1. M.D. Beninga  
1508 North Volutsia
2. Ray Krueger  
1502 North Volutsia
3. J.E. Yoakum  
1458 North Volutsia
4. T.L. Raugh  
1444 North Volutsia
5. A.A. Smith  
1511 North Erie
6. Richard Rogers  
1507 North Erie
7. Ivan W. Pendell  
1501 North Erie
8. J.V. Henderson  
1457 North Erie
9. Wm. M. Kyner  
1447 North Erie
10. Mrs. O. Woydzisk  
1443 North Erie
11. Joe Schreck  
1437 North Erie
12. M.L. Repstine  
1431 North Erie
13. Philip Hickman  
1514 North Erie
14. C.A. Eggen  
1512 North Erie
15. W.B. Neiden  
1508 North Erie
16. R.W. Smith  
1504 North Erie
17. James Stranathan  
1523 North Chautauqua
18. W.R. Rigler  
1517 North Chautauqua
19. Paul Funk  
1511 North Chautauqua
20. Ted Murphy  
1505 North Chautauqua
21. Paul Christian  
1457 North Chautauqua
22. F.M. Warburton  
1447 North Chautauqua
23. S.M. Heidebrecht  
1439 North Chautauqua
24. Harold Egy  
1435 North Chautauqua
25. Elernor C. Norton  
1429 North Chautauqua
26. R.L. Fortner  
1425 North Chautauqua
27. Robert Schreffler  
1427 North Erie
28. Art Moormann  
1452 North Chautauqua
29. Lorene Cross  
1448 North Chautauqua
30. Earl Jordon  
1442 North Chautauqua
31. R.W. Bowman  
1438 North Chautauqua

Charles McClintock

411 Union Natl Bldg

Post Office Department  
OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, \$300  
(GPO)



Return to City Planning Office  
(Name of sender)  
City Building  
Street and Number, or Post Office Box,

REGISTERED ARTICLE

No. 3490  
INSURED PARCEL

WICHITA,

KANSAS.

RECEIPT FOR REGISTERED ARTICLE No. 3490

Fee paid 25 (cents) JUL 11 1950

Class postage paid pf Return receipt fee \_\_\_\_\_

Declared value, \$ 100 Special delivery fee \_\_\_\_\_

Surcharges paid, \$ \_\_\_\_\_ Restricted delivery \_\_\_\_\_  
(Accepting employee will place initials in proper space)

From Sh. City of Wichita \_\_\_\_\_  
(Street and number) (Post office and State)

Addressed to Walter G. ... \_\_\_\_\_  
(Street and number) (Post office and State)



Postmaster, per 118

GPO 49-16-12006-5

FORM 9811  
Rev. 1-4-40

### RETURN RECEIPT

Received from the Postmaster the Registered or Insured Article, the original number of which appears on the face of this Card.

1 Wally Savarin Parish  
(Signature or name of addressee)

2 Rev. W. J. Long  
(Signature of addressee's agent—Agent should enter addressee's name on line ONE above)

Date of delivery 7-12-50, 19 50

U. S. GOVERNMENT PRINTING OFFICE 18-13421

### RECEIPT FOR REGISTERED ARTICLE No. 2490

Fee paid 23 (Date) 7-11, 19 50

Class postage paid RV Return receipt fee \_\_\_\_\_  
Declared value, \$ 1.00 Special delivery fee \_\_\_\_\_

Surcharges paid, \$ \_\_\_\_\_ Restricted delivery in person \_\_\_\_\_  
(Accepting mailpiece with above initials in proper space) or order \_\_\_\_\_

From The City of Wichita (City) \_\_\_\_\_  
205 North 3rd St. (Street and number) \_\_\_\_\_

Addressed to Wally Savarin Parish (Address) \_\_\_\_\_  
1401 N. 1st St. (Street and number) \_\_\_\_\_



Postmaster, per MS

GPO 40-18-12080-5 (Use office and State)

HOLY SAVIOR PARISH  
1400 North Erie  
Wichita, Kansas

30 June 1950

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

Gentlemen:

On June 29th, 1950, Dondlinger & Sons Construction Company made application with the Building Inspection Division of the City of Wichita for a permit for the construction of an additional building to the present parish plant.

The architect's plans have been submitted and are now in the possession of the Building Inspector Office. The proposed building to be approximately 105 feet by 40 feet.

Mr. S. B. Maple, Chief Building Inspector for the City of Wichita, refused to issue a building permit for the construction of the additional building and did so under authority of Section 16, Paragraph 5(c) of the Zoning Ordinance of the City of Wichita, for the reason as stated in his formal refusal which is attached hereto.

It is to be remembered that all of the lots on the East side of Erie Street in the 1400 block are owned by the Wichita Diocese and on part of which Holy Savior Parish has erected a Church and School buildings.

In view of the fact that the above located property is zoned "A", two-family dwelling district, and these lots are 135' deep, and under Section 16 Paragraph 5(c) of the Zoning Ordinance that requires a front set back of 25 feet, we are of the opinion that strict compliance with the Zoning Ordinance renders an undue hardship to our Parish in the furtherance of the spiritual, educational and cultural development of the City Wichita, and in particular, in the development of the northeast section of our city.

We believe that the granting of the permit for the variance will not adversely effect the rights of adjacent property owners or residents. We are further of the opinion that the granting of this request will not be against the public interest.

Wherefore, we humbly request of the Board of Zoning Appeals that a permit be issued for the construction of the additional building for our Parish plant in accordance with the plans and specifications that have been heretofore submitted. There is also attached to this appeal the names and addresses of all the owners and residents within a distance of 200 feet of the property concerned.

Respectfully submitted,

*Arthur Schaeff*

HOLY SAVIOR BUILDING COMMITTEE

S T A T U S   S H E E T

Board of Appeals Case No. 7-50

1452 North Erie Premises in Question

Holy Savior Parish Appellant's Name

1400 North Erie Appellant's Address

Holy Savior Parish Owner's Name

same

Owner's Address

6-29-50 Building or Zoning Application Received by Building Inspector

6-29-50 Decision of Building Inspector refused, in violation of

Section 16, Paragraph 5(a) of the Zoning Ordinance

7-5-40 Appeal filed with Bond of Zoning Appeals

7-10-50 Hearing notice and receipt

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

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

7-10-50 Adjoining Property Owners Notified

Protests Received

Consents Received

Prior Cases on These Premises

7-13-50 Case Hearings

Case Decided Action of Board

Notice of Decision Sent

Court Cases

