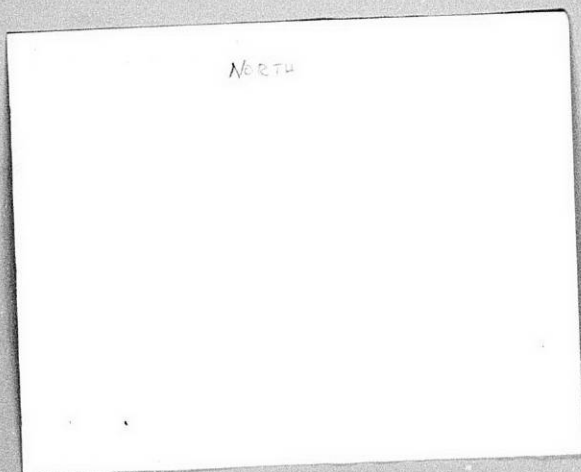
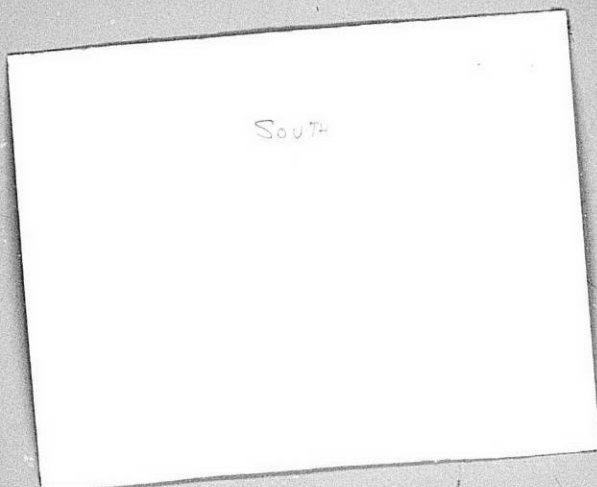
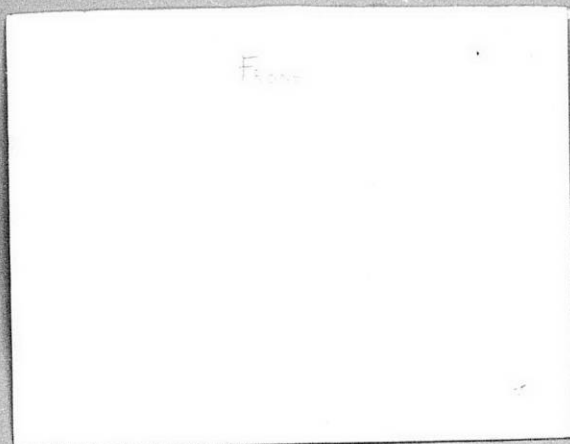


CASE No. 8-50

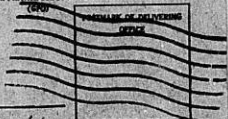




Post Office Department
OFFICIAL BUSINESS

WICHITA
JUL 12
5 PM
1950
KANS

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, ONE



Return to City Planning Office
(NAME OF SENDER)
City Building
Street and Number,
or Post Office Box,

REGISTERED ARTICLE

No. 3491

INSURED PARCEL

No. _____

WICHITA,
KANSAS.

Form 8611
Rev. 1-4-49

RETURN RECEIPT

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

1 Charles T. Holloway
(Signature or name of addressee)

2 _____
(Signature of addressee's agent—Agent should enter addressee's name on line ONE above)

Date of delivery 7-12, 1950

BOARD OF ZONING APPEALS

July 13, 1950

There was a meeting of the Board of Zoning Appeals on Thursday, July 13, 1950, at 3:30 p.m. in the City Commission Room. Members present were Chairman Herrman, Duke, and C. Smith. Others present were Secretary Smith, Maple and Shirkey.

CASE NO. 7-50

Secretary Smith reviewed Case No. 7-50, an appeal by Holy Savior Parish, 1400 North Erie, relating to the premises at 1452 North Erie. The appellant desires to build a school building without providing the 25 foot front yard setback required by Section 16, paragraph 5(a) of the Zoning Ordinance. Secretary Smith read a letter from the Building Committee of Holy Savior Parish stating that they would provide a 10 foot front yard, as had been permitted in the other three buildings in the group.

Charles McClintock, representing the appellant, was present and stated that in 1948 the Parish had come before the Appeal Board with a request for a variance to provide only a 10-foot front yard for the first three buildings which were built. These were the church building and two school buildings. Now there was need for an additional building for classrooms. The original ruling had applied only to the first three proposed buildings. Mr. McClintock stated that off-street parking had been provided on the south and would not be changed. Also that this would be a one-story building in accordance with the original ruling and any two-story building would have the 25 foot setback from the front property line.

C. Smith moved that since the same four conditions were met as in the original ruling, namely: (1) the condition is not uniform in the district as the appellant owns the entire frontage in the 1400 block on North Erie; (2) the other three buildings do not provide a 25 foot front setback; (3) the strict application of the ordinance will constitute unnecessary hardship as the appellant desires to observe modern design and use 105 feet of the 135 foot lot; (4) the variance would not be against public interest; the Board take jurisdiction and grant this variance with this limitation: (1) that the portion of the building extending into the 25 foot front yard strip be only a one-story building and any second story added must be set back the full 25 feet from the front property line. Duke seconded and the motion was put and carried unanimously.

CASE NO. 8-50

Secretary Smith reviewed Case No. 8-50, an appeal by Clarence L. Holloway, 512 1/2 West 12th Street, relating to the premises at 1920 Salina. The appellant has started the erection of a dwelling for which the building permit has been rescinded as an insufficient front yard is provided, in violation of Section 16, paragraph 5(a) of the Zoning Ordinance. Secretary Smith read a letter from the appellant stating why he was asking that the permit be reinstated and presented a sketch of the property in question and an affidavit from the property owner to the north stating that she was agreeable to the variance.

BOARD OF ZONING APPEALS
July 13, 1950
Page 2

Hugh Quinn, representing the petitioner, was present and stated that the ordinance required that the building be placed on a line projected between the two adjacent buildings. However, the appellant's building was placed on a line with the building closest to the street. He stated that this block is composed of old construction set back 29 feet, 3 inches from the front line and new construction with a setback of 25 feet, 8 inches. He stated that the appellant was not aware that he was in violation of the ordinance when he allowed a front setback of 25 feet, 6 inches. Mr. Quinn stated that this was not a willful violation of the Ordinance, but that the appellant failed to understand its terms.

Mr. Quinn stated that the house to the north has a porch which extends beyond the front line of the appellant's construction. Also that the attached garage of the appellant's house has a setback even with the front line of the house to the north. This property owner is the only one who would be injured by this variance and she had signed an affidavit that she is not opposed to the desired variance.

Mr. Quinn stated that this house was not built by a contractor, but by day labor, and the foundations had been poured, so that it would be of considerable expense for the appellant to move the building. Because of his limited means, it might mean that he could not finish the construction.

Duke moved and C. Smith seconded that in the Board's opinion the conditions are unusual and that the four conditions are met and that the Board take jurisdiction and grant this variance. The motion was put and carried unanimously.

As there was no further business to come before the Board at this time, the meeting was adjourned.

Eugene N. Smith
Secretary

Hugh Quinn

CITY OF WICHITA
BUILDING INSPECTION DIVISION

To Clarence L. Holloway _____ Owner Address 512½ West 12th _____

To Same _____ Applicant Address _____

Dear Sir:

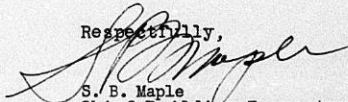
Permit B 15898
Your ~~Application~~ Dated June 7, 1950 _____

~~Per a permit~~ for the erection of a dwelling _____
_____ at the premises designated as
1920 Salina _____

Is hereby ~~refused~~ ^{rescinded} on this 10th day of July, 19 50,
Under Section 16, Par. 5 (a) of the Zoning Ordinance.

For the reason that an insufficient front yard is provided. The ordinance
requires that the building project not farther than a line between the two
adjacent dwellings. This building is placed on a line with the building closest
to the 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
Room 304, City Hall
Wichita, Kansas

NOTICE TO PROPERTY OWNERS

July 11, 19 50

An appeal has been filed by Clarence L. Holloway
(Address) 512 1/2 West 12th on behalf of _____

(Address) _____

as provided by Section 33 of the Zoning Ordinance. The appellant
desires to erect a dwelling at without providing the required
front yard on the premises
located at 1220 Salina

This appeal has been given Case No. 8-50
and a hearing will be held by the Board of Zoning Appeals on _____
Thursday, July 13, 1950 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.

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

2491

RECEIPT FOR REGISTERED ARTICLE No. 2491

Fee paid 23 (Dues) 1950

Class postage paid 12/11

Declared value, \$ _____

Surcharge paid, \$ _____

Return receipt fee _____

Special delivery fee _____

Restricted delivery (Accepting employee will place initials in proper space) _____

in person _____

or order _____

Fee paid _____

From 26 City of Wichita (City)

Addressed to 305 S. Cedar St. Bldg. 100 (Street and number)

512 W. 13th St. City 11 (Street and number)

Postmaster, per 100

ORD 69-10-12060-5

