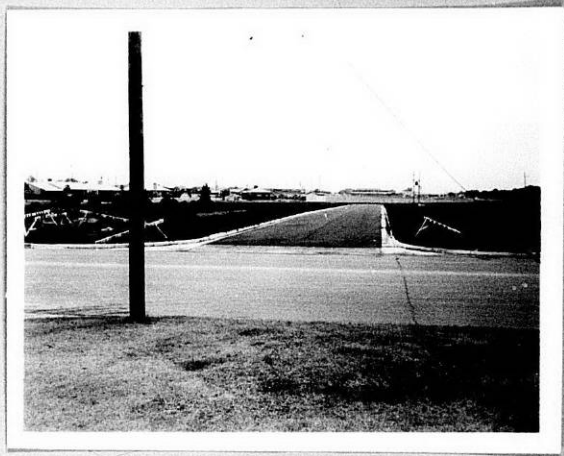


8-57 Womer Platt, Inc. appellant
Kansas Invest. Properties, Inc



June 23, 1958

Mr. Robert C. Foulston
Fourth National Bank Building
Wichita 2, Kansas

Dear Mr. Foulston:

Re: Board of Zoning Appeals
Case 8-57

This will acknowledge receipt of your letter of June 20, 1958. By this letter you submitted copies of the Articles of Incorporation of The Oaks Homes Association, Inc., and the Protective Covenants for property in "The Oaks".

Examination of these documents appears to meet the requirements established by the Board of Zoning Appeals with reference to this case. The resolution will now be signed and delivered to the appropriate parties for future records.

Very truly yours,

Leland R. Edmonds
Secretary
Board of Zoning Appeals

LRE:br

LAW OFFICES

FOULSTON, SIEFKIN, SCHOEPEL, BARTLETT & POWERS

FOURTH NATIONAL BANK BUILDING

WICHITA 2, KANSAS

ROBERT C. FOULSTON (1889-1947)
GEORGE SIEFKIN (1895-1954)
GEORGE B. POWERS
CARL T. SMITH
JOHN F. EBERHARDT
ANDREW F. SCHOEPEL
SAMUEL E. BARTLETT
STUART R. CARTER
ROBERT C. FOULSTON
MALCOLM MILLER
ROBERT N. PARTRIDGE
ROBERT M. SIEFKIN
RICHARD C. HARRIS
ANTHONY T. DEALY
GERALD SAWATZKY

June 20, 1958

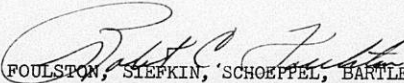
Mr. Leland R. Edmonds
Secretary, Board of Zoning Appeal
City Hall Annex
Wichita, Kansas

Re: Case 8-57
Meeting of December 19, 1957

Dear Sir:

Sid Platt advises me that you need some additional information to complete your file. The Protective Covenants were recorded in the Office of the Register of Deeds of Sedgwick County, Kansas on February 8, 1958 in Book 413, Page 305, and the Articles of Incorporation were filed with the Secretary of State on February 7, 1958 and recorded in the Office of the Register of Deeds of Sedgwick County, Kansas on February 8, 1958 in Book 413, Page 299. We enclose copies for your information and filing. If there is anything further required, please do not hesitate to call.

Very truly yours,


OF FOULSTON, SIEFKIN, SCHOEPEL, BARTLETT & POWERS

RCF:ps
Enc.

cc: Womer-Platt, Inc.



Mailed December 9, 1957

BOARD OF ZONING APPEALS
CITY OF WICHITA, KANSAS

NOTICE OF HEARING OF APPEAL

CERTIFIED MAIL

December 9, 1957

Womer Platt, Inc.
436 Ohio
Wichita, Kansas

Attention: W. A. Thomas, Secretary

Dear Mr. Thomas:

Your appeal, under the Zoning Ordinance, relative to premises at
101 South Oakwood Drive, Wichita, Kansas

has been given Board of Zoning Appeals Case No. 8-57.

All inquiries and references should always be made to that Case Number when you seek information from the Secretary.

Further, you are notified to appear before the Board of Zoning Appeals either in person, or by agent or attorney, for a hearing of your case on Thursday, December 19, 1957, at 1:30 p.m. in room 201 City Building, Wichita, Kansas

Respectfully,

Secretary, Board of Zoning Appeals

RECEIPT FOR CERTIFIED MAIL—15¢

No. 6386274

SENT TO Womer Platt, Inc.		POSTMARK OR DATE
STREET AND NO. 436 Ohio		
CITY AND STATE Wichita, Kansas		
<small>If you want a return receipt, check which</small>		
<input type="checkbox"/> It shows to whom and when delivered	<input type="checkbox"/> It shows to whom, when, and address where delivered	<small>If you want restricted delivery, check here</small>
		<input type="checkbox"/> 20¢ fee

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

CITY OF WICHITA
BUILDING INSPECTION DIVISION

To Womer Platt, Inc. Owner Address 434 Ohio
To Same Applicant Address _____

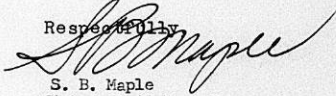
Dear Sir:

Your application Dated Oct. 31, 1957
For a Permit for the erection of a bus stop shelter house
_____ at the premises designated as

101 South Oakwood Drive
Is hereby refused on this 31st day of October, 1957,
Under Section 21-13, par. C, 1.2 of the Zoning Ordinance.

For the reason that this structure will be erected in the front yard.
These lots plat facing Oakwood and this shelter to be located as it is in the
corner of the lot will be in the front yard.

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.


CASE NO. 8-57
Date December 9, 1957

ZONING APPEALS PETITION

ACCEPTED AS TO FORM by the WICHITA BOARD OF ZONING APPEALS

Receipt No. 6087
(Purchasing Department)

by Stan R. Edmund

The City		of Wichita	Nº 6087
Wichita, Kansas	<u>12-9-1957</u>	check	\$ <u>30.00</u>
Received of	<u>Womer-Clath, Inc.</u>		
The Sum of	<u>Thirty and no/100</u>		DOLLARS
Being For	<u>41-R712-Zoning Petition</u>		
Department	_____		
Collector	<u>J. M. Perry</u>	DEC-957 30195	A TR Cashiers Official <u>30.00</u>

8-57



Kansas Investment Properties Inc.

BOX 2281 WICHITA 1, KANSAS

November 26, 1957

Secretary, Board of Zoning Appeals
205 City Building
Wichita, Kansas

Gentlemen:

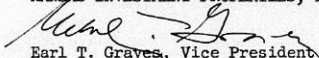
Attached herewith are three copies of Appeal for Variance or Exception form completed by Womer Platt, Inc. and Kansas Investment Properties, Inc., who are the owners of record. This property has been sold under contract to Womer Platt, Inc. for development purposes.

We are enclosing seven copies of the plat of The Oaks, a Replat of Reserve A, Block A, First Addition to The Village; seven copies of an Appeal Statement; fourteen copies of two photographs of the intersection of Oakwood and Douglas and a certified copy of the owners of the properties lying within a radius of 200 feet of Lot 1 in The Oaks, a Replat of Reserve A, Block A, First Addition to The Village. We are also enclosing ~~one~~ check in the amount of \$30.00 covering the appeal fee.

Also enclosed are seven drawings of the proposed ornamental fence and bus shelter which we are asking the Board of Zoning Appeals to consider. The development of this area will be getting under way immediately and we would like to have a decision on this Appeal at the earliest possible moment.

Very truly yours,

KANSAS INVESTMENT PROPERTIES, INC.


Earl T. Graves, Vice President
"Owners of Record"

cc: Womer-Platt, Inc.
R. M. Moore, Sr.



Case No. _____

Filed _____ 19 _____

APPEAL FOR VARIANCE OR EXCEPTION

TO: The Board of Zoning Appeals
Room 205, City Building
Wichita, Kansas

The undersigned WOMER-PLATT, INC. hereby appeals
from the decision of the Building Inspection Superintendent where-
in a Building Permit is refused under Section 21-13, Par. C. 1.2
to Zoning Ordinance
at the premises located at 101 South Oakwood Drive

This permit was denied for the reason that this structure will be erected
in the front yard. These lots plat facing Oakwood and this shelter to be located
as it is in the corner of the lot will be in the front yard.

The plans, application, and all data heretofore filed with
said Building Inspection Superintendent 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 WOMER PLATT, INC.
W. W. Thomas, Sec.

Appellant _____ Address 436 Ohio, Wichita, Kansas

Owner KANSAS INVESTMENT PROPERTIES, INC. Address 120 So. Market Wichita, Kansas
W. W. Thomas, Sec.

Lessee _____ Address _____
V.R.

(This appeal shall be filed with a \$^{30.00}~~25.00~~ fee within ninety days
after the date of the decision of the Building Inspector.)

APPEAL STATEMENT

November 26, 1957

To the Board of Zoning Appeals

This statement is made to clarify the plans of the developer in connection with the refusal of the City Building Inspector to issue a Building Permit for the erection of a bus stop shelter house in connection with the construction of an ornamental fence on the Douglas frontage of Lot 1 and Lot 10 in The Oaks-a Replat of Reserve A, Block A, First Addition to The Village. The description of proposed work is attached to this Appeal Statement and will be completed as per the attached drawings, if approved.

The Building Permit was refused on the 31st day of October 1957 under Section 21-13, paragraph C. 1.2 of the Zoning Ordinance for the reason that "this structure will be erected in the front yard. These lots are facing Oakwood and this shelter to be located as it is in the corner of the lot will be in the front yard".

It is the feeling of the developer of this property that the ornamental fence and bus shelter stop will enhance the value of the existing and adjoining property by making the ornamental fence more attractive and useful to the neighborhood. The use of the corner lot where the bus stop shelter is to be erected will, in the opinion of the Developer, not effect the value of the lot the shelter is to be located on or any other lots in the area.

The terms of this ordinance could constitute unnecessary hardship upon the property owner represented in this Appeal because it will limit the ability of the developer to present an attractive entrance to an unusual real estate development because of the developer's intention to make this area into the finest residential area of its type in Wichita.

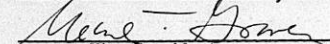
Respectfully submitted,

WOMER PLATT, INC.

"Developers"

Consent:

KANSAS INVESTMENT PROPERTIES, INC.


Vice President

"Owner of Record"