

CASE NO. 10-52

We the undersigned property owners in the vicinity of,
Ann's Market, 400 North Hydraulic, owned and operated by,
James and Marie Hendricks, do hereby agree and consent to the
improvements of said store building, by placing thereon, a
brick veneer front.

Sat. Nov. 8 - 1952 -

Leonard E. Smith
Mrs. L. E. Smith, 408 7/8 N. Hydraulic
Carrie Larmer 405 N. Kansas.
Gladys Faust 410 7/8 Hydraulic
Harold L. Farney 347 1/2 N. Hydraulic
Mrs. H. G. Crawford 1717 E. 3rd Str.
Aeneas C. Crawford 1717 E. 3rd Str.
Harry B. Rush 1721 E. 3rd St.
Alma J. Rush 1721 E. 3rd St.
Harold W. Hopkins 347 N. Kansas
Mary Hopkins 347 N. Kansas
Blanca Ebel 401 N. Kansas.
Richard H. Ebel 401 N. Kansas
Fred C. Koon 348 N. Hydraulic
Maudie M. Koon " " " "
Fred J. Meyer 344 N. Hydraulic
Seota Meyer 344 1/2 Hydraulic
Jessie M. Townsend 351 No. Hydraulic
Fred C. Townsend 351 No. Hydraulic
Walter L. Ramsden 406 N. Hydraulic
Earlean C. Ramsden 406 N. Hydraulic
Chas. Henry 803 University
Dottie Henry 803 University

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Eloise Morris M^{rs}. Murtry 523 N. Ash
Horace N. Mathews Jr. 351 N. Kansas
Eleanor M. Mathews 351 N. Kansas
~~Mr. Laurel D. Thogmartin 421 N. Kansas~~
Mr. Laurel D. Thogmartin 421 N. Kansas
Delores Thogmartin 421 N. Kansas

BOARD OF ZONING APPEALS

Case No. _____

Filed _____, 19____

APPEAL UNDER THE ZONING ORDINANCE

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

**J. C. Hendricks and
Marie Hendricks**

The undersigned, _____, hereby appeals
from the decision of the Building Inspector wherein a Building Permit
Is Refused For the reason that remodeling would change the general character
of the building in violation of existing zoning ordinances.

OR

Order Or Decision Rendered Because _____

The Plans, application, and all data heretofore filed with said Building
Inspector 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.

J. C. Hendricks
Marie Hendricks
Appellants

NAMES AND ADDRESSES

J. C. Hendricks a/k/a James C. Hendricks
Appellant and Marie Hendricks Address 400 North Hydraulic
J. C. Hendricks a/k/a James C. Hendricks
Owner and Marie Hendricks Address 400 North Hydraulic
Lessee Not leased Address _____

INSTRUCTIONS

1. This appeal must be typewritten and filed within ninety (90) days
after the date of the decision of the Building Inspector from
which this appeal is taken.
2. The appellant must file an explicit Typewritten statement setting
forth:
 - (a) The principal points on which this appeal is made. These
points shall be the same as those under which the Building
Inspector issued a refusal, order, or decision.
 - (b) A clear and accurate description of proposed work or use.
 - (c) Specific reference to that Section of the Zoning Ordinance
under which it is claimed permit should be issued. (14) - 2A
 - (d) Names and addresses of all owners and residents within a
distance of 200 feet of the property concerned.

APPEAL STATEMENT

The foregoing application for the remodeling of a grocery store located at 400 North Hydraulic, Wichita Kansas, by removing the existing wood front and constructing a masonry front, is in violation of present existing zoning ordinances, as said grocery store is a non-conforming use.

The present building has been operated as a grocery store for more than 25 years, and as a matter of fact, the building in its present condition with slight amount of repair would probably stand for another 25 years. You might say that the construction of a new front would change the general character of the building, if the construction of a new front can be said to change a building.

As it appears, the building will not be changed. The only change actually that amounts to anything that is being made, is the moving of the door from the corner to the center of the building, but symmetrically there is no change actually being made in the building. In view of the fact that the building will stand with minor repairs within the authority of the zoning ordinances, it seems logical that the owners and operators of the grocery store should be allowed in this instance, to make the improvement indicated on the drawing attached.

It is the intention of the owners of the property and operators of the grocery store known as "Ann's Market" to install a new front, the construction being brick with two large plate glass windows. It must necessarily be conceded that such an improvement would be of general benefit to the entire area.

A straight application of the terms of the zoning ordinances in this instance would institute and work an unnecessary hardship on the property owners making this appeal, and the exception requested is not against public interest.

The exception requested is not one that exists, generally speaking, in the same zoning district. The granting of a permit to erect and construct a new front on the property owned and operated by the applicants, would not affect the rights of adjacent property owners, but in fact would be beneficial.

It is contended that the permit may be granted under Sections 18 and 24 of the existing zoning ordinances.

Attached to the application and made a part hereof, are the names and addresses of the property owners within 200 feet of the property owned by the applicants, as prepared by the Fidelity Title Company, and one copy of drawing showing the proposed front to be erected on the premises owned by the applicants, to-wit: 400 North Hydraulic, legally described as Lots 30 and 31, Baker's Addition to the City of Wichita, on Hydraulic Avenue.

J. C. Hendricks
Maie Hendricks

Owners and Appellants.

CITY OF WICHITA
BUILDING INSPECTION DIVISION

To J. C. Hendricks Owner Address 400 N. Hydraulic
To Ernie Newman Constr. Co. Applicant Address 222½ N. Market

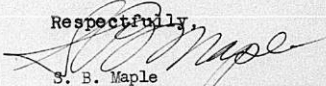
Dear Sir:

Your Application Dated Oct. 22, 1952
For a Permit for the remodeling of the grocery store
at the premises designated as
400 North Hydraulic

Is hereby refused on this 22nd day of October, 1952,
Under Sections 18 and 24 of the Zoning Ordinance.

For the reason that this remodeling will consist of the removal of the existing
wood front of this non-conforming grocery store and the rebuilding of it with
masonry construction. This would be in violation of the zoning ordinance in that
it would be changing the general character of the building.

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.

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BUILDING INSPECTION DIVISION

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To Ernie Newman Constr. Co. Applicant Address 222 1/2 N. Market

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Mr. & Mrs. Harold Meager
335 N. Hydraulic - City

Mr. & Mrs. Leonard Smith
408 N. Hydraulic - City

Mr. & Mrs. Robert Weiss
356 N. Hydraulic - City

Mr. & Mrs. Fred Coons
348 N. Hydraulic - City

Mr. & Mrs. E. B. Mc Grew
340 N. Hydraulic - City

Mr. & Mrs. Harry Rusk
1781 E. 3rd - City

Mr. & Mrs. I. G. Gregshy
355 N. Kansas - City

Mr. & Mrs. Richard Abel
401 N. Kansas - City

Mr. & Mrs. Darrell Koll
413 N. Kansas - City

Mr. & Mrs. Fred Townsend
351 N. Hydraulic - City

Mr. & Mrs. Walter Remden
404 N. Hydraulic - City

Mrs. Gladys Paust
410 N. Hydraulic - City

Mr. & Mrs. William Brown
356½ N. Hydraulic - City

Mr. & Mrs. Fred J. Meyer
344 N. Hydraulic - City

Mr. & Mrs. Herbert Crawford
1717 E. 3rd - City

Mr. & Mrs. Jim Payne
357 No. Kansas - City

Mr. & Mrs. H. N. Mathews
351 N. Kansas - City

Mrs. Carrie Larmer
405 N. Kansas - City

Bill Greenillion
405 N. Kansas - City

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