

BZA - 13-58 - Emery H. Williamson &
Helen Z. Williams, appellants.
Property at 2201 East 12th Street

After 60 days

12-23-58

2-24-59

99.

Williamson
Williams
H. Z. Williams
H. Z. Williams

RESOLUTION 13-58

WHEREAS, Mr. Emory H. Williamson and Helen Z. Williamson, 2201 East 12th Street, Wichita, Kansas, by Everett Pettis, attorney, desires to remodel and add to the residential structure at 2201 East 12th Street, Wichita, Kansas, and to use the same in conjunction with a nursery and greenhouse use, presently operated on the property; and has made application to the Building Inspection Superintendent for a permit to do so;

WHEREAS, the Building Inspection Superintendent has, under Section 21-11 of the Code of the City of Wichita, formally refused said permit inasmuch as the property lies within a "R1" residential district and is a non-conforming use therein;

WHEREAS, the exception requested arises from a condition that is not ordinarily found in this same zoning district for the reason that it is situated on the same tract of land that has been used for commercial purposes in maintaining a greenhouse business for many years prior to the development of residential properties around it; is situated immediately adjoining the greenhouse and was previously used as a residence for the owners of the property; is so situated that residential use of the same is no longer practicable; and that the property upon which the structure is located is surrounded by streets on three sides and there are no adjacent owners except across 12th Street to the north, across Madison Street to the west, and across Spruce Street to the east; and that all property immediately adjoining said residential structure is owned by the appellants;

WHEREAS, the granting of the exception will not adversely affect the rights of adjacent property owners or residents for the reason that there are no owners whose property actually abuts the land on which the structure is located, except to the extreme south of same which is south of the greenhouse;

WHEREAS, the strict application of the terms of this ordinance will constitute unnecessary hardship on the appellants for the reason that they would be deprived of the practical use of the structure, inasmuch as it is not a desirable rental property and cannot properly be used in the wholesale florist operation without the addition as requested;

WHEREAS, the exception requested is not against the public interest in view of the fact that the property on which the structure is located, approximately one-half block in size, is now being used as a greenhouse business and will continue to be so used, and the contemplated remodeling of the structure for commercial use in connection with the greenhouse would result in no material change in the use of the property as a whole; and since the property is surrounded on three sides by streets, no owners of property immediately adjacent will have commercial structures immediately abutting their land;

NOW, THEREFORE, BE IT RESOLVED by the Board of Zoning Appeals that the Building Inspection Superintendent of the City of Wichita, be and is hereby authorized and directed to issue a permit for the remodeling and addition to said residential structure located at 2201 East 12th Street, and the use of same in conjunction with the greenhouse and nursery operation conducted on this property subject to the provisions:

1. That the driveway from Madison Street to the east line of the greenhouse and associated structures be surfaced with a type of dust free material;
2. That parking area shall be provided which will accommodate a minimum of 15 vehicles to be located generally east of the residential structure and north of the greenhouses and associated structures;

3. That the parking area shall be bounded on three sides by a curbing of such nature as to preclude vehicle travel in the area to the north and east of the parking area; and that the parking area be surfaced with a type of dust free material;
4. That a redwood screen, a minimum of five feet in height, be erected commencing at the northeast corner of the greenhouses and associated structures and thence easterly to the Spruce Street property line, then south to a point even with the southeast corner of the greenhouses and associated structures, thence west to the corner of the greenhouse and associated structures;
5. That this redwood screen shall be appropriately stained and maintained;
6. That air conditioners associated with the greenhouses and associated structures shall be operated in such a manner that they cannot be mosquito breeding places;
7. That any addition which is made to the residential structure at the corner of 12th and Madison Streets shall be so styled as to maintain the residential character of the existing structure;
8. That the screening as designated above shall be completed on or before July 1, 1959, and all conditions noted in items 1 through 7 above, shall be completed on or before January 1, 1960;
9. That in the event the screening is not completed by July 1, 1959, and/or the entire project is not completed by January 1, 1960, then this permit shall be revoked and shall be subject to re-examination and re-approval by the Board of Zoning Appeals of the City of Wichita.

ADOPTED at Wichita, Kansas, this 24th day of March, 1959.

Luis Casado

Luis Casado, Chairman

ATTEST:

Leland R. Edwards
Leland R. Edwards, Secretary

NOTICES MAILED DECEMBER 9, 1958

Feb. 13, 1959

Calvin Clay	Melvin L. Thurman
Zelma Lee Clay	Edna L. Thurman
1141 North Ash	1232 North Spruce
Luevenia Nelson	Lepha M. Jacques
1301 North Madison	1228 North Spruce
Addie Robb	William Arck
1257 North Madison	Verda Ruth Arck
Gertrude B. Johnson	2339 Laura
1017 East 10th	Samuel J. Roberts
Carl Henderson	Priscille Roberts
Mary Henderson	1218 North Spruce
1243 North Madison	Wichita Properties, Inc.
Juanita Williams	2903 East Douglas
1347 Piatt	Curley Waller
Norman J. Johnson	1228 North Madison
Evelyn L. Johnson	Herman Herbert Dailey
1316 North Madison	Annie R. Dailey
Virgil Carter	1222 North Madison
Elizabeth Carter	Freddie Carr
1306 North Madison	Cleo Carr
George Ruff	1218 North Madison
1312 North Spruce	John L. Washington
Gustine D. Perkins	A. Christine Washington
Dorothy M. Perkins	1212 North Madison
3420 West Pawnee	Arthur Thomas Morton
W. B. Elliott	Francis E. Morton
2142 South Pinecrest	1211 North Spruce
James W. Ellis	Benjamin J. Thurman
1258 North Spruce	Queen Ollie Thurman
Luther C. McCarther	1232 North Spruce
Florine C. McCarther	Morris Lawrence
1252 North Spruce	Charlesetta Lawrence
Dalton M. Peet	1221 North Spruce
Kathryn M. Peet	Murrell Griffin
1520 North Pershing	1221 North Spruce
C. Glenn Jenkins, Inc.	CERTIFIED MAIL TO Emery H. & Helen Z. William-
2903 East Douglas	son
	2201 East 12th Street

BOARD OF ZONING APPEALS
FOURTH FLOOR, CITY BUILDING ANNEX
104 South Main
Wichita, Kansas

December 8, 1958

NOTICE TO ADJOINING PROPERTY OWNERS

An appeal has been filed by Emery H. Williamson and Helen Z.
Williamson, 2201 East 12th, Wichita, Kansas
as provided by Section 21-27 of the Zoning Ordinance. The appellant
desires to remodel the structure at 2201 East 12th Street, Wichita,
Kansas, to permit its use as a wholesale florist shop, which is not
listed as a permitted use under Section 21-11 of the Zoning Ordinance,
which section concerns the "B" Multiple Family zoning district.

This appeal has been given Case No. 13-58, and a hearing
will be held by the Board of Zoning Appeals on Tuesday
December 23, 1958 at 1:30 p.m., in Room 401, City Building
Annex, 104 South Main, Wichita, Kansas, at which time you may appear,
if you so desire, either in person or by agent or attorney.

By order of the Board of Zoning Appeals.

Leland R. Edmonds
Leland R. Edmonds, Secretary
Board of Zoning Appeals

BOARD OF ZONING APPEALS
FOURTH FLOOR, CITY BUILDING ANNEX
104 South Main
Wichita, Kansas

February 13, 1959

NOTICE TO ADJOINING PROPERTY OWNERS

An appeal has been filed by Erery H. Williamson & Helen Z. Williamson

2201 East 12th, Wichita, Kansas

Address

as provided by Section 21-27 of the Zoning Ordinance. The appellant desires to remodel the structure at 2201 East 12th Street, Wichita, Kansas, to permit its use as a wholesale florist shop, which is not listed as a permitted use under Section 21-11 of the Zoning Ordinance, which section concerns the "MF" Multiple Family zoning district.

This appeal has been given Case No. 13-58, and a re-hearing will be held by the Board of Zoning Appeals on Tuesday, February 24, 1959 at 1:30 p.m. in Room 401, City Building Annex, 104 South Main, Wichita, Kansas, at which time you may appear, if you so desire, either in person or by agent or attorney.

By order of the Board of Zoning Appeals.

Leland R. Edmonds
Leland R. Edmonds, Secretary
Board of Zoning Appeals

NOTICE MAILED TO PROPERTY OWNERS ON FEBRUARY 13, 1959

Calvin Clay
1141 N. Ash

Luevenia Nelson
1301 N. Madison

Addie Robb
1257 N. Madison

Gertrude B. Johnson
1017 E. 10th

Carl & Mary Henderson
1243 N. Madison

Norman J. & Evelyn L. Johnson
1316 N. Madison

Virgil & Elizabeth Carter
1306 N. Madison

George Ruff
1312 N. Spruce

Gustine D. & Dorothy M. Perkins
3420 W. Pawnee

W. B. Elliott
2142 S. Pinecrest

James W. Ellis
1258 N. Spruce

Luther C. & Florine C. McCarther
1252 N. Spruce

Dalton M. & Kathryn M. Peet
1520 N. Pershing

C. Glenn Jenkins, Inc.
2903 E. Douglas

Melvin L. & Edna L. Thurman
1232 N. Spruce

Lepha M. Jacques
1228 N. Spruce

William & Verda R. Arck
2339 Laura

Samuel J. & Priscille Roberts
1216 N. Spruce

Wichita Properties, Inc.
2903 E. Douglas

Curley Waller
1228 N. Madison

Herman H. Dailey
1222 N. Madison

Freddie Carr
Cleo Carr
1218 N. Madison

John L. & Christine Washington
1212 N. Madison

Arthur T. & Francis E. Morton
1211 N. Spruce

Benjamin J. & Queen Ollie Thurman
1232 N. Spruce

Morris & Charlesetta Lawrence
1221 N. Spruce

Murrell Griffin
1221 N. Spruce

Certified mailed to Emery H. & Helen Z. Williamson
2201 E. 12th St.

BOARD OF ZONING APPEALS
FOURTH FLOOR, CITY BUILDING ANNEX

104 SOUTH MAIN
WICHITA, KANSAS

March 13, 1959

NOTICE TO ADJOINING PROPERTY OWNERS

An appeal has been filed by Emory H. Williamson & Helen Z. Williamson whose address is 2201 East 13th, Wichita, Kansas

as provided by Section 21-27 of the Zoning Ordinance. The appellant desires to remodel the structure at 2201 East 13th Street, Wichita, Kansas, to permit its use as a wholesale florist shop, which is not listed as a permitted use under Section 21-11 of the Zoning Ordinance, which section concerns the "B" Multiple Family zoning district.

Their appeal has been given Case No. 13-58, and a re-hearing will be held by the Board of Zoning Appeals on Tuesday, March 24, 1959 at 1:30 p.m., in Room 401, City Building Annex, 104 South Main, Wichita, Kansas, at which time you may appear, if you so desire, either in person or by agent or attorney.

By order of the Board of Zoning Appeals.


Leland R. Edmonds, Secretary
Board of Zoning Appeals

BOARD OF COUNTY APPEALS
NOTICE MAILED TO PROPERTY OWNERS ON MARCH 13, 1959

27 +

WIKAM TRUST 401
WICHITA PROPERTIES, INC.
2903 E. DOUGLAS

Calvin Clay
1141 N. Ash

Curley Waller
1228 N. Madison

Luevenia Nelson
1301 N. Madison

Addie Robb
1257 N. Madison

Herman H. Dailey
1222 N. Madison

Gertrude B. Johnson
1017 E. 10th

Freddie Carr - Cleo Carr
1218 N. Madison

Carl & Mary Henderson
1243 N. Madison

John L. & Christine Washington
1212 N. Madison

Norman J. & Evelyn L. Johnson
1316 N. Madison

Arthur T. & Francis E. Morton
1211 N. Spruce

Virgil & Elizabeth Carter
1306 N. Madison

Benjamin J. & Queen Ollie Thurman
1232 N. Spruce

George Ruff
1312 N. Spruce

Morris & Charlesetta Lawrence
1221 N. Spruce

Gustine D. & Dorothy M. Perkins
13420 W. Pawnee

Murrell Griffin
1221 N. Spruce

W. B. Elliott
2142 S. Pinecrest

Certified mailed to Emery H. &
Helen Z. Williamson
2201 E. 12th St.

James W. Ellis
1258 N. Spruce

Luther C. & Florine C. McCarther
1252 N. Spruce

Dalton M. & Kathryn M. Peet
1520 N. Pershing

C. Glenn Jenkins, Inc.
2903 E. Douglas

Melvin L. & Edna L. Thurman
1232 N. Spruce

Lepha M. Jacques
1228 N. Spruce

William & Verda R. Arck
2339 Laura

Sammal J. & Priscille Roberts
1218 N. Spruce

Ret
3-23-59
undelivered

BOARD OF ZONING APPEALS
FOURTH FLOOR, CITY BUILDING ANNEX

104 SOUTH MAIN
WICHITA, KANSAS

March 13, 1959

NOTICE TO ADJOINING PROPERTY OWNERS

An appeal has been filed by Henry H. Williamson & Helen E. Williamson whose address is 2201 East 12th, Wichita, Kansas

as provided by Section 21-27 of the Zoning Ordinance. The appellant desires to remodel the structure at 2201 East 12th Street, Wichita, Kansas, to permit its use as a wholesale florist shop, which is not listed as a permitted use under Section 21-11 of the Zoning Ordinance, which section concerns the "B" Multiple Family zoning district.

Their appeal has been given Case No. 13-58, and a re-hearing will be held by the Board of Zoning Appeals on Tuesday, March 24, 1959 at 1:30 P.M., in Room 401, City Building Annex, 104 South Main, Wichita, Kansas, at which time you may appear, if you so desire, either in person or by agent or attorney.

By order of the Board of Zoning Appeals.


Leland R. Edmonds, Secretary
Board of Zoning Appeals

file

THE CITY OF WICHITA

OFFICE OF Chief Ass't City Attorney **DATE** April 17, 1959

TO Leland R. Edmonds, Secretary
FROM Thomas A. Wood, Chief Ass't City Attorney
SUBJECT BZA 13-58

In reply to your letter of March 4, concerning the above subject, it is impossible for me to give you an opinion whether the Board of Zoning Appeals could take jurisdiction in this case. As I have previously advised the Board of Zoning Appeals, its jurisdiction is based upon existence of the four conditions set forth in the zoning ordinance. The existence of these conditions is a question of fact to be determined by the Board of Zoning Appeals. I cannot advise you whether the Board should take jurisdiction in this case, nor do I feel that answering the abstract questions set forth in your letter will be of benefit in determining whether the Board has jurisdiction.

Thomas A. Wood
THOMAS A. WOOD
Chief Assistant City Attorney

TAW:am

cc: Fred W. Aley, City Attorney



BZA 58-13

March 17, 1959

Mr. Luis Casado
Casado Realty, Inc.
302 North Main
Wichita, Kansas

Dear Mr. Casado:

Attached to this letter is one print of a sketch showing the layout of the property involved in B2A13-58. This sketch indicates in general terms the location of the house, the greenhouses and associated structures, and the rubbish pile, all of which has been discussed to some degree at previous hearings on this matter.

The Board of Zoning Appeals at its meeting of February 24, 1959, directed that the Secretary, the applicant, and the attorney for the applicant, work together to prepare suggested conditions which might be attached to approval of this request, if the Board of Zoning Appeals chooses to grant the appeal. Accordingly, on March 12, 1959, the Secretary, the applicant, and the attorney for the applicant conferred on the site and discussed the several problems which have been suggested at the previous hearing. The results of this conference are outlined in the suggested conditions, as follows:

1. That the drive-way, from Madison Street to the east line of the greenhouses and associated structures, be surfaced with a type of dust-free material.
2. That a parking area providing for a minimum of 15 vehicles be prepared in the general location indicated on the sketch.
3. That the proposed parking area be bounded on the 12th Street, the Madison Street, and the Spruce Street sides by a curbing to preclude vehicle travel in the area to the north of the proposed parking area.

*Have installed 1/2 Comp. 7-1-59
Entire proj. compl 1-1-60*

4. That a screen, a minimum of five feet in height, be erected commencing at the northeast corner of the greenhouses and associated structures and moving to the Spruce Street property line, then south to a point even with the southeast corner of the greenhouses and associated structures, thence, west to the corner of the greenhouse and associated structures, all as indicated by the dotted line noted, "Proposed Screening."
5. That this proposed screening be redwood fence or masonry construction and that maintenance of the screening be required.
6. Air-conditioners associated with the greenhouses and associated structures should be operated in such a manner that they cannot be mosquito-breeding places.
7. Any construction which is permitted to the additional existing structure at the corner of 12th and Madison Streets should be so styled as to maintain the residential character of the existing structure.

As noted above, these suggested conditions were prepared in conference with the applicant and his attorney. At the time of the conference, the applicant and his attorney indicated general agreement to each of the conditions suggested. The attorney expressed a wish, however, that consideration be given to establishing a priority system for the taking effect of each of the conditions.

If the Board wishes to establish a priority system for construction of the various installations suggested above, and if the Board further wishes to establish an extended time period over which the construction is to take place, it would appear that careful consideration to requiring immediate construction of any screening which is considered appropriate from standpoint of protection of the neighborhood. This would appear to be the most urgent need.

The screening and parking suggested in the above conditions will require construction generally, as follows:

1. Parking area for fifteen spaces will require a tract approximately 150 feet by 20 feet, or 3,000 square feet.
2. The screening as proposed would require construction of approximately 350 feet of fence or wall.

Very truly yours,

Leland R. Edmonds
Secretary

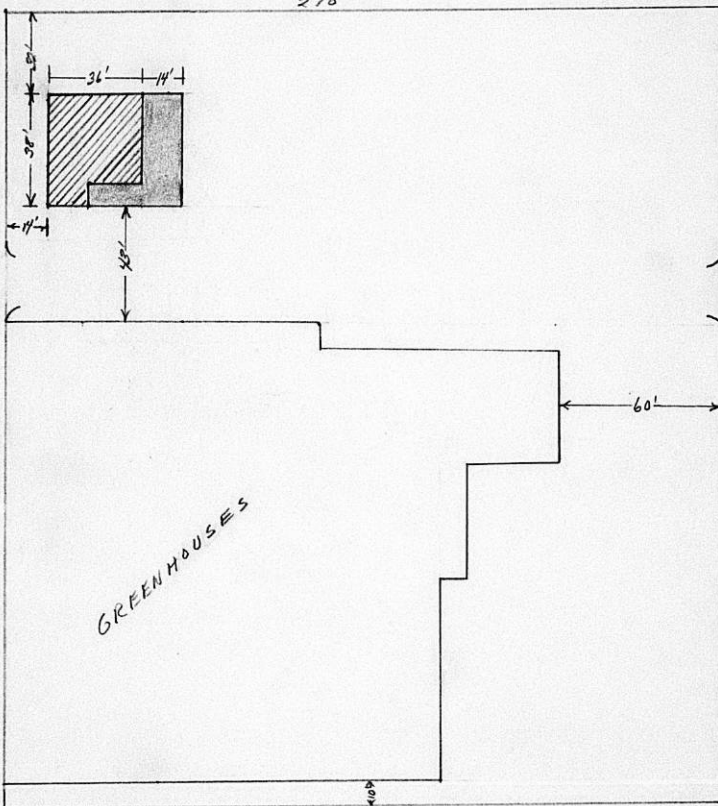
KREv

cc: Mr. Brad Hall - Mr. H.D. Lester
Mr. Russell Jump - Mr. Everett Pettis

NORTH

12TH STREET

270'



MADISON STREET

300'

GREENHOUSES

400'

SPRUCE STREET

300'

60'

2/24/25
2/25/25
2/26/25

March 17, 1959

Mr, Luis Casado
Casado Realty, Inc.
302 North Main
Wichita, Kansas

Dear Mr. Casado:

Attached to this letter is one print of a sketch showing the layout of the property involved in BZ13-58. This sketch indicates in general terms the location of the house, the greenhouses and associated structures, and the rubbish pile, all of which has been discussed to some degree at previous hearings on this matter.

The Board of Zoning Appeals at its meeting of February 24, 1959, directed that the Secretary, the applicant, and the attorney for the applicant, work together to prepare suggested conditions which might be attached to approval of this request, if the Board of Zoning Appeals chooses to grant the appeal. Accordingly, on March 12, 1959, the Secretary, the applicant, and the attorney for the applicant conferred on the site and discussed the several problems which have been suggested at the previous hearing. The results of this conference are outlined in the suggested conditions, as follows:

1. That the drive-way, from Madison Street to the east line of the greenhouses and associated structures, be surfaced with a type of dust-free material.
2. That a parking area providing for a minimum of 15 vehicles be prepared in the general location indicated on the sketch.
3. That the proposed parking area be bounded on the 12th Street, the Madison Street, and the Spruce Street sides by a curbing to preclude vehicle travel in the area to the north of the proposed parking area.

4. That a screen, a minimum of five feet in height, be erected commencing at the northeast corner of the greenhouses and associated structures and moving to the Spruce Street property line, then south to a point even with the southeast corner of the greenhouses and associated structures, thence, west to the corner of the greenhouse and associated structures, all as indicated by the dotted line noted, "Proposed Screening."
5. That this proposed screening be redwood fence or masonry construction and that maintenance of the screening be required.
6. Air-conditioners associated with the greenhouses and associated structures should be operated in such a manner that they cannot be mosquito-breeding places.
7. Any construction which is permitted to the additional existing structure at the corner of 12th and Madison Streets should be so styled as to maintain the residential character of the existing structure.

As noted above, these suggested conditions were prepared in conference with the applicant and his attorney. At the time of the conference, the applicant and his attorney indicated general agreement to each of the conditions suggested. The attorney expressed a wish, however, that consideration be given to establishing a priority system for the taking effect of each of the conditions.

If the Board wishes to establish a priority system for construction of the various installations suggested above, and if the Board further wishes to establish an extended time period over which the construction is to take place, it would appear that careful consideration to requiring immediate construction of any screening which is considered appropriate from standpoint of protection of the neighborhood. This would appear to be the most urgent need.

The screening and parking suggested in the above conditions will require construction generally, as follows:

1. Parking area for fifteen spaces will require a tract approximately 150 feet by 20 feet, or 3,000 square feet.
2. The screening as proposed would require construction of approximately 350 feet of fence or wall.

Very truly yours,


Leland R. Edmonds
Secretary

KREv

cc: Mr. Brad Hall - Mr. H.D.Lester
Mr. Russell Jump- Mr. Everett Fettis

B'w 54-13

March 17, 1959

Mr. Everett Fettis, Attorney
Board of Trade Building
Wichita, Kansas

Subject: BZ413-58

Dear Mr. Fettis:

Attached to this letter is one copy of a sketch prepared for subject case. Also attached is a copy of the letter recently sent to each of the Board of Zoning Appeals members outlining the conditions generally agreed upon at a conference attended by the Secretary of the Board of Zoning Appeals, by you, and by your client.

Examination of the copy of the letter will be self-explanatory. If you have any corrections or suggestions to make concerning this statement, please do not hesitate to call on us.

Very truly yours,

Leland R. Edmonds
Secretary

LREv
enc.

March 4, 1959

Mr. Thomas A. Wood
Chief Assistant City Attorney
City of Wichita
Wichita, Kansas

Dear Mr. Wood:

SUBJECT: BZA 13-58

BZA 13-58 is an application for permission to construct an addition to a residence located at 2201 East 12th Street, Wichita, Kansas. The application also is a request to use the existing residence and the addition proposed to be constructed as a part of the wholesale florist operation conducted at that site as a non-conforming use. The request to the Building Inspection Superintendent for the appropriate permits was denied inasmuch as it would be in violation of Section 21-11 of the Zoning Ordinance for the reason that the property is located in a "B" residential zone and is non-conforming.

The Board of Zoning Appeals first considered this matter on December 23, 1958, at which time it was deferred for sixty days. It was further considered by the Board of Zoning Appeals on February 24, 1959, and was further deferred for an additional thirty day period.

During the presentation of testimony in this case, the attorney, Mr. Everett C. Fettis, noted that the basement of the residence structure had been used for storage associated with the wholesale commercial operation for a number of years. The main portion of the house, however, has been restricted to residential use and was so used until very recent times. This then raised the question of whether or not the basement use constituted a non-conforming use for the residential structure as a whole.

Assuming that the basement use did not constitute a non-conforming use for the residential structure, the request then became a matter of allowing the non-conforming use to expand to a structure other than the greenhouse to which it has been confined until this date. This then raised the question of the right of the Board of Zoning Appeals, as presently established by the City Code and as authorized by the state statutes, to allow the expansion of a non-conforming use.

March 4, 1959

Page 2

As is true in all cases the secretary was requested to give his opinion concerning the Board's right to take jurisdiction in this matter. It was the secretary's opinion that the Board of Zoning Appeals should not take jurisdiction in this matter for the following reasons:

1. The Board has no power, implied or specifically stated, which allows it to expand non-conforming uses or to otherwise waive any portion of the zoning ordinance regulating non-conforming uses.
2. Approval of the request to expand this non-conforming use is, in essence, a change of zoning by allowing a commercial use on a portion of the property which had heretofore been reserved for residential purposes and is so zoned.
3. The right to alter the land use provisions contained in the zoning ordinance is a prerogative solely of the legislative body which legislative authority cannot be delegated to a subordinate board.
4. Section 12-715 of the state statutes grants to the Board of Zoning Appeals the power "to permit exceptions to --- the zoning regulations in the classes of cases or situations and in accordance with the purposes, conditions and procedures specified by the governing body of the city". From the standpoint of a non legal interpretation it would appear that this requires that the zoning ordinance set forth the specific provision that the Board of Zoning Appeals may permit the expansion of non-conforming uses in those instances and under those conditions specifically set out in the zoning ordinance.

The Board of Zoning Appeals has requested that the Department of Law render an opinion as to the Board's right of jurisdiction in this case. May we, therefore, have your comments at your earliest convenience so that they may be presented to the Board prior to the meeting of March 24, 1959. We will be happy to furnish additional details as necessary.

Very truly yours,

Leland R. Edmons

March 4, 1959

Mr. Everett Fettis
Attorney at Law
Wheeler Kelly Hagny Building
Wichita, Kansas

Dear Mr. Fettis:

SUBJECT: BZA 13-58

As you will recall, the Board of Zoning Appeals at its meeting of February 24, 1959, further deferred consideration of BZA 13-58. The purposes of this deferral were several, including a request that you and your client prepare plans for the screening of this area for presentation to the Board. The Board of Zoning Appeals specifically requested that copies of the plan be made available to the individual members prior to the next regular meeting.

The Board of Zoning Appeals will meet next on March 24, 1959. It is requested, therefore, that at your earliest convenience you contact this office with respect to an examination of your plans. We will at that time make arrangements to have copies of the plan made for distribution to the Board members.

If you have any questions concerning this matter please do not hesitate to call on us.

Very truly yours,

Leland R. Edmonds
Secretary

LRE:DW

Subject: COMPLAINTS

*BZA 13-58
Rec'd 2-24-59*

Date: Feb 23, 1959

To: The Zoning Committee

From: Home Owner's

In connection to the Appeal, which has been filed by Mr. & Mrs Emory H. Williamson & Helen J. Emerson of 2201 E. 18th St. Wichita, Kansas. as provided by section 21 -27 of the Zoning Ordinance:

The following Names, have been Submitted in Disproval of futher expanding of this ~~business~~, or any business in this Precinct.

- Mr. & Mrs Edward B. Coleman ----1308 N. Spruce St.
- Mr. & Mrs Calvin Clay -----1307 N. Madison St.
- Mr & Mrs N. J. Johnson -----1316 N. Madison St.
- Mrs . Elizabeth Carter-----1306 N. Madison St.
- Mrs.L uevenie Nelson-----1301 N. Madison St.
- L. Lewis -----1307 N. Spruce Ave.
- Mr. & Mrs Clem Allen -----1308 N. Spruce Ave.
- Mr. & Mrs Keyne Hatcher.-----1261 N. Spruce Ave.
- Mr. & Mrs Godfrey Thomas -1207 N. Spruce ..
- Mr . & Mrs Marshall Crawford 1222 N. Spruce..
- Mr . & Mrs James J. Burnett 1210 N. Spruce..

*Responsibility Yours
Submitted by
Mrs. Elaine McCarther
Mrs. Marrell Whiffin*

Note: duplicate Copy.

RECEIPT FOR CERTIFIED MAIL—15¢

NO. 3386396

SENT TO <i>Emery H. & Helen Z. Williamson</i>		POSTMARK OR DATE <i>3-16-59</i>
STREET AND NO. <i>2201 E. 12th Street</i>		
CITY AND STATE <i>Wichita, Kansas</i>		
<input checked="" type="checkbox"/> If you want a return receipt, check which of the following: It shows to whom and when delivered	<input type="checkbox"/> It shows to whom, when, and address where delivered	<input type="checkbox"/> If you want restricted delivery, check here <input type="checkbox"/> 30¢ fee

FDD Form 3900 July 1955 Replaces previous editions of this form which MAY be used.

#1-INSTRUCTIONS TO DELIVERING EMPLOYEE

Deliver ONLY address Show address where delivered
(Additional charges required for these services)

RETURN RECEIPT

Received the numbered article described on other side.

SIGNATURE OR NAME OF ADDRESSEE (must always be filled in)
Emery Williamson

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY
John Johnson

DATE DELIVERED *3-18-59* ADDRESS WHERE DELIVERED (only if requested in item #1)
Wichita, Kansas



RECEIPT FOR CERTIFIED MAIL—15¢

No. 6386396

SENT TO <i>Emery H. + Helen T. Williamson</i>	POSTMARK OR DATE <i>3-16-59</i>
STREET AND NO. <i>2201 E. 12th Street</i>	
CITY AND STATE <i>Wichita, Kans</i>	
<input checked="" type="checkbox"/> If you want a return receipt check which shows to whom and when delivered	<input type="checkbox"/> If it shows to whom, and address where delivered
<input type="checkbox"/> If you want restricted delivery check here	<input type="checkbox"/> 20¢ fee

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

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS

PENALTY FOR DAMAGE USE TO AVOID
PAYMENT OF \$200



INSTRUCTIONS: Fill in items below and complete #1 on other side, when applicable. Moisten gummed ends and attach to back of article. Print on front of article RETURN RECEIPT REQUESTED.

RETURN TO

POD Form 3811 Jan. 1958

REGISTERED NO.	NAME OF SENDER <i>Metropolitan Planning</i>
CERTIFIED NO. <i>6386396</i>	STREET AND NO. OR P. O. BOX <i>104 So. Main</i>
INSURED NO.	CITY, ZONE AND STATE <i>Wichita 2, Kans</i>

GS-16-7184-4

BOARD OF ZONING APPEALS
CITY OF WICHITA, KANSAS

NOTICE OF HEARING OF APPEAL

March 16, 19 59

CERTIFIED MAIL

Emery H. & Helen Z. Williamson
2201 East 12th Street
Wichita, Kansas

Dear Mr. & Mrs. Williamson :

Your appeal, under the Zoning Ordinance, relative to premises at

2201 East 12th Street, Wichita, Kansas

has been given Board of Zoning Appeals Case No. 13-58.

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 March 24, 1959, Tuesday, 19 59, at 1:30 p.m. in room 401, City Building Annex, 104 South Main, Wichita, Kansas

Respectfully,

Secretary, Board of Zoning Appeals

CITY OF WICHITA
BUILDING INSPECTION DIVISION

To Emery H. Williamsen Owner Address 2201 East 12th
To Same Applicant Address _____

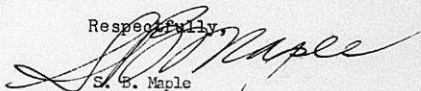
Dear Sir:

Your application Dated November 10, 1958
For a Permit for the Remodeling of and addition to the structure at
_____ at the premises designated as
2201 East 12th Street

Is hereby refused on this 12th day of November, 1958,
Under Section 21-11 of the Zoning Ordinance.

For the reason that this property, being located in a "E" residence district,
is non-conforming. The building that is to be remodeled has been used for residential
purposes. Therefore, it would not be permissible to remodel it for the wholesale
florist shop as requested.

Respectfully,


S. H. 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
CITY OF WICHITA, KANSAS

NOTICE OF HEARING OF APPEAL

December 9, 1958

CERTIFIED MAIL

Emery H. and Helen Z. Williamson
2201 East 12th Street
Wichita, Kansas

Dear Mr. & Mrs. Williamson:

Your appeal, under the Zoning Ordinance, relative to premises at
2201 East 12th Street, Wichita, Kansas

has been given Board of Zoning Appeals Case No. 13-58.

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 Tuesday, December 23, 19 58, at 1:30 P.M.
in Room 401, City Building Annex, 104 South Main, Wichita, Kansas

Respectfully,

Secretary, Board of Zoning Appeals

No. 6386298

RECEIPT FOR CERTIFIED MAIL—15¢

SENT TO <i>Emery H. + Helen Z. Williamson</i>	POSTMARK OR DATE
STREET AND NO. <i>2201 East 12th</i>	
CITY AND STATE <i>Wichita, Kansas</i>	
<input checked="" type="checkbox"/> If you want a return receipt, check which 7¢ shows to whom and when delivered	<input type="checkbox"/> If it shows to whom, when, and address where delivered
<input type="checkbox"/> If you want restricted delivery, check here	<input type="checkbox"/> 20¢ fee

POD Form 3800
July 1955

Replaces previous editions of
this form which MAY be used.

No. 6386312

RECEIPT FOR CERTIFIED MAIL—15¢

SENT TO		POSTMARK OR DATE
Emery H. & Helen Z. Williamson		
STREET AND NO.		
2201 E. 12th Street		
CITY AND STATE		
Wichita, Kansas		
<input checked="" type="checkbox"/> If you want a return receipt, check which of the following: <input checked="" type="checkbox"/> To whom and when delivered	<input type="checkbox"/> If it shows to whom, when, and address where delivered	<input type="checkbox"/> If you want restricted delivery, check here <input type="checkbox"/> 20c fee

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

#1-INSTRUCTIONS TO DELIVERING EMPLOYEE

Deliver ONLY to addressee (Additional charges required for these services)

Now address where delivered

RETURN RECEIPT

Received the numbered article described on other side.

SIGNATURE OR NAME OF ADDRESSEE (must always be filled in)

Helen Williamson

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

DATE DELIVERED

2-14-59

ADDRESS WHERE DELIVERED (only if requested in item #1)

CS-16-71543-4 GPO

No. 6386312

RECEIPT FOR CERTIFIED MAIL—15¢

SENT TO		POSTMARK OR DATE
Emery H. & Helen Z. Williamson		
STREET AND NO. 2201 E. 12th Street		
CITY AND STATE Wichita, Kansas		
If you want a return receipt, check which <input checked="" type="checkbox"/> It shows to whom and when delivered		If you want restricted delivery, check here <input type="checkbox"/> 20¢ fee

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

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS

16 17 18 19 20
 RECEIVED
 FEB 18 1955
 METROPOLITAN AREA PLANNING

PENALTY FOR PREPAYMENT OF POSTAGE
 DELIVERED
 FEB 18 1955
 WICHITA, KANSAS

INSTRUCTIONS: Fill in items below and complete #1 on other side, where applicable. Moisten gummed ends and attach to back of article. Print on front of article RETURN RECEIPT REQUESTED.

REGISTERED NO. _____ NAME OF SENDER _____
 METROPOLITAN AREA Planning Dept.

CERTIFIED NO. 6386312 STREET AND NO. OF P.O. BOX _____
 104 South _____

INCENSE NO. _____ CITY, ZONE AND STATE _____
 Wichita 2, Kansas

1958

RETURN TO

CS-16-71543-4

BOARD OF ZONING APPEALS
CITY OF WICHITA, KANSAS

NOTICE OF HEARING OF APPEAL

February 13, 1959

CERTIFIED MAIL

Emery H. & Helen Z. Williamson
2201 East 12th Street
Wichita, Kansas

Dear Mr. & Mrs. Williamson :

Your appeal, under the Zoning Ordinance, relative to premises at
2201 East 12th Street, Wichita, Kansas

has been given Board of Zoning Appeals Case No. 13-58.

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 Tuesday, February 24, 1959, at 1:30 p.m.
in room 401, City Building Annex, 104 South Main, Wichita, Kansas.

Respectfully,

Secretary, Board of Zoning Appeals

BOARD OF ZONING APPEALS
FOURTH FLOOR, CITY BUILDING ANNEX
104 South Main
Wichita, Kansas

February 13, 1959

NOTICE TO ADJOINING PROPERTY OWNERS

An appeal has been filed by Emery H. Williamson & Helen Z. Williamson

2201 East 12th, Wichita, Kansas
Address

as provided by Section 21-27 of the Zoning Ordinance. The appellant desires to remodel the structure at 2201 East 12th Street, Wichita, Kansas, to permit its use as a wholesale florist shop, which is not listed as a permitted use under Section 21-11 of the Zoning Ordinance, which section concerns the "B" Multiple Family zoning district.

This appeal has been given Case No. 13-58, and a re-hearing will be held by the Board of Zoning Appeals on Tuesday, February 24, 1959 at
1:30 P.M., in Room 401, City Building Annex, 104 South Main, Wichita, Kansas, at which time you may appear, if you so desire, either in person or by agent or attorney.

By order of the Board of Zoning Appeals.

Leland R. Edmunds
Leland R. Edmunds, Secretary
Board of Zoning Appeals

Wichita Kansas

Feb 23 - 1959

BZA 13-58

Ord 2-24-59

To whom it may concern:
Board of Zoning appeals.

Concerning the appeal which has been
filed by Emery H. Williamson & Helen
J. Emerson 2201 E 12th St.

Wichita, Kansas

as provided by section 21-27 of
the zoning ordinance.

Mrs Mauriel Giffen is acting as agent
of the family zoning district. The
following home owners are against the
remodeling of the structure of at 2201
East 12th St.

Mr & Mrs Edward B Coleman 1308 N Spruce

NAMES	ADDRESS
Mr. & Mrs. Calvin Clay	1307 N. Madison
Mr. & Mrs. D. J. Johnson	1316 N. Madison
Mrs. Elizabeth Carter	1306 N. Madison
Mrs. Lucrecia Nelson	1301 N. Madison
S. Lewis	1307 N. Spruce
Mrs. & Mrs. Clem. Allen	1208 N. Spruce
Mr. & Mrs. Kayne Hatchew.	1201 N. Spruce
Mr. & Mrs. Godfrey Thomas	1207 N. Spruce
Mr. & Mrs. Marshall Crawford	1222 N. Spruce
Mr. & Mrs. James J. Burnett	1210 N. Spruce