

BZA 15-64 - Ernest E. Quathamer re-
quests exception to expand residence
in "F" on W side of Emporia bet.
33rd and 34th Streets North

ACTION

DATE

By COMMITTEE *Approved* *5-22-64*
no appeal filed

M.A.P.C. _____

B.C.C./B. CO. C. _____

2/3

April 6, 1964

Mr. Ernest E. Quathamer
3407 North Emporia
Wichita, Kansas

Dear Mr. Quathamer:

Subject: BZA 15-64

On March 25, 1964, we advised you that the Board of Zoning Appeals had approved subject application for an exception to permit the construction of an addition to a residence on property generally located on the west side of Emporia between 33rd Street and 34th Street North.

We also advised that the Board's decision might be appealed to the City Commission provided that such appeal was filed on or before April 3, 1964.

The City Clerk has advised that no appeal was filed on or before that date, and the decision of the Board of Zoning Appeals is, therefore, final.

A copy of the resolution setting forth the action of the Board is attached for your information and files.

Very truly yours,

Jack H. Galbraith

Jack H. Galbraith
Secretary

JHG:ber

cc: Glen Lytle, Superintendent
of Central Inspection

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Wichita, Kansas

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Subject: BZA 15-64

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of Central Inspection

RESOLUTION NO. BZA 15-64

WHEREAS, Ernest E. Quatham, 3407 North Emporia, Wichita, Kansas, has filed an application for an Exception to permit the construction of an addition to a residence, as provided in Section 28.04.170.A.3, Code of the City of Wichita; which allows expansion of a nonconforming single family home in the "F" Heavy Industrial District, to a maximum of 40% of the floor area of the existing structure; and

WHEREAS, this application relates to property legally described as

Lots 31, 33 and 35, Block 14, in the Original Town of North Wichita, Sedgwick County, Kansas,

generally located on the west side of Emporia between 33rd Street and 34th Street North; and

WHEREAS, proper notice as required by ordinance and by the rules of the Board of Zoning Appeals has been given; and

WHEREAS, the Board of Zoning Appeals determined that it had proper jurisdiction to consider said request for an Exception under the provisions of Section 2.12.590, Code of the City of Wichita; and

WHEREAS, the property is zoned "F" Heavy Industrial; and

WHEREAS, the Board of Zoning Appeals has authority to permit expansion of a nonconforming single family home in the "F" Heavy Industrial District, provided such expansion does not exceed a maximum of 40% of the floor area of the existing structure; and

WHEREAS, the Board has determined that a hardship exists in that the occupants of the premises have found the residence too small and cannot get all their front room furniture into the front room; further, the kitchen and dining areas are much too small, and further, a son who attends college part time needs a room where he can study uninterrupted .

NOW, THEREFORE, BE IT RESOLVED by the Board of Zoning Appeals of the City of Wichita, Kansas, that an Exception be granted, subject to the following:

1. The addition of the proposed bedroom to the existing house shall be constructed in accordance with the standards and specifications as outlined by the Superintendent of Central Inspection. Provided that the proposed addition or enlargement shall not include more than 40% of the floor area of the existing structure (40% of the floor area of the existing structure would be approximately 300 square feet).
2. All construction shall be in conformance to the area, height and setback requirements of the "B" Multiple Family zoning district.

3. Construction shall be completed within 24 months from the effective date of the approval of this resolution or the permit shall be null and void.

ADOPTED AT WICHITA, KANSAS, this 24th day of March,
1964.

Harold Bauer
Harold Bauer, Chairman

ATTEST:

Jack H. Galbraith
Jack H. Galbraith, Secretary

Board of Zoning Appeals

April 2, 1964

Robert Finch, City Clerk

Jack H. Galbraith, Secretary

BZA 15-64

Attached is a copy of Resolution No. 15-64 covering action taken by the Board of Zoning Appeals in connection with Case No. BZA 15-64. This case was heard on March 24, 1964, and an appeal may be filed in your office on or before April 3, 1964. If an appeal is filed, please advise.

Jack H. Galbraith
Secretary

JHG:ber

Attachment

March 25, 1964

Mr. Ernest E. Quatham
3407 North Emporia
Wichita, Kansas

Dear Mr. Quatham:

Subject: BZA 15-64

This is to advise you that at its regular meeting of March 24, 1964, the Board of Zoning Appeals of the City of Wichita considered your request for an exception to permit the construction of an addition to a residence on property generally located on the west side of Emporia between 33rd Street and 34th Street North.

It was the action of the Board to approve this application, subject to the following:

1. The addition of the proposed bedroom to the existing house shall be constructed in accordance with the standards and specifications as outlined by the Superintendent of Central Inspection. Provided that the proposed addition or enlargement shall not include more than 40% of the floor area of the existing structure (40% of the floor area of the existing structure would be approximately 300 square feet).
2. All construction shall be in conformance to the area, height and setback requirements of the "B" Multiple Family zoning district.
3. Construction shall be completed within 24 months from the effective date of the approval of this resolution or the permit shall be null and void.

Section 2.12.610 of the Code of the City of Wichita provides that the decision of the Board shall be final unless it is appealed to the Board of City Commissioners within ten days of the date of the Board's action. Accordingly, an appeal could be filed in this case on or before April 3, 1964.

Page 2 - Mr. Ernest E. Quathamer
March 25, 1964

Subsequent to the expiration of the appeal period, you will be advised whether or not an appeal has been filed. If no appeal has been filed on or before April 3, 1964, the decision of the Board will be final and the Superintendent of Central Inspection will be in a position to issue the appropriate permit.

Very truly yours,

Jack H. Galbraith
Secretary

JHG:ber

cc: Robert Finch
City Clerk

Glen Lytle, Superintendent
of Central Inspection

SECRETARY'S REPORT

CASE NO. BZA 15-64

APPLICANT: Ernest E. Quathamer, 3407 North Emporia

REQUEST: Exception pursuant to Section 28.04.170.A.3, Code of the City of Wichita, Kansas, which allows expansion of a nonconforming single family dwelling in the "F" Heavy Industrial District. Such expansion is allowed up to a maximum of 40% of the floor area of the existing structure.

LOCATION: West side of Emporia between 33rd and 34th Streets North

ZONING: The property in question and all surrounding property is zoned "F" Heavy Industrial.

LAND USE: The property in question is occupied by a single family dwelling. The existing land use to the north and east is single family. There is a grain elevator to the south and a warehouse to the west.

JURISDICTION: The exception is within the jurisdiction of the Board of Zoning Appeals to grant, provided that "hardship" can be found to exist. The applicant has submitted a statement of justification and a plot plan, which are shown as Attachments #1 and #2 to this report.

GENERAL COMMENT: This particular lot is approximately 70 feet wide and 140 feet deep. The existing house contains approximately 750 square feet. The applicant explains in his statement of justification that he intends to add to the existing kitchen and to construct an additional bedroom on his existing house.

The applicant has suggested that the additional room is needed in that the existing house as it now stands is too small inasmuch as it is very difficult to get all of the front room furniture into the front room. The applicant also states that his son who attends college, needs a room where he can study uninterrupted.

RECOMMENDATION: It is the opinion of the Secretary that in view of the reasons submitted by the applicant, hardship can be found to exist and it is, therefore, recommended that the exception be granted, subject to the following conditions and requirements:

1. The addition of the proposed bedroom to the existing house shall be constructed in accordance with the standards and specifications as outlined by the Superintendent of Central Inspection. Provided that the

Page 2 - Secretary's Report
Case No. BZA 15-64

proposed addition or enlargement shall not include more than 40% of the floor area of the existing structure (40% of the floor area of the existing structure would be approximately 300 square feet).

2. All construction shall be in conformance to the area, height and setback requirements of the "B" Multiple Family zoning district.
3. Construction shall be completed within 24 months from the effective date of the approval of this resolution or the permit shall be null and void.

Attachments #1 - Statement of Justification
#2 - Plot Plan

3407 North Emporia
Wichita, Kansas

March 3, 1964

Gentlemen:

We wish to make these additions to our home for the following reasons:

- 1) As our house now stands, it is too small. We cannot get all our front room furniture into the front room.
- 2) Our son who attends college part time needs a room where he can study uninterrupted.
- 3) Our kitchen and dining area are much too small.

We propose to build on space for a bedroom and a new kitchen. The wall between our present kitchen and front room will be taken out and we will have a larger front room, as a result.

Sincerely,

E. E. Quathamer

Attachment #1
Case No. BZA 15-64

SECRETARY'S REPORT

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**Page 2 - Secretary's Report
Case No. BZA 15-64**

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3. Construction shall be completed within 24 months from the effective date of the approval of this resolution or the permit shall be null and void.

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Wichita, Kansas

March 3, 1964

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Attachment #1
Case No. BZA 15-64

CASE NO. BZA 15-64

NOTICES MAILED MARCH 5, 1964 FOR HEARING ON MARCH 24, 1964

Sam P. Wallingford Grain Corp.
Colorado Derby Building

Howard B. Gehrer
Alice E. Gehrer
2056 Payne Avenue

Erland F. Carlson
Elaine L. Carlson
1519 West 20th Street

Atchison Topeka & Santa Fe Railway Co.
Topeka, Kansas

Ernest E. Quathamer
Sara K. Auathamer
3407 North Emporia

J. E. Alexander
352 North Broadway

Mitchell R. McCutchen
Carolyn McCutchen
3423 North Emporia

Warren Francis Foster
Thelma F. Foster
3431 North Emporia

Esther P. Hawk
5801 Minnie

Lawrence E. Little
3400 North Topeka Avenue

Wichita Steel Fabricators, Inc.
3400 North BroadWAY

Ernest Quathamer
3407 North Emporia

BOARD OF ZONING APPEALS
Room 402 City Building Annex
104 South Main
Wichita, Kansas

15

March 4, 1964

NOTICE TO ADJOINING PROPERTY OWNERS

Case No. BZA 15-64

An application has been filed by Ernest E. Quathamer, 3407 North Emporia, Wichita, Kansas, pursuant to Section 28.04.17'.A.3, Code of the City of Wichita, requesting an Exception to permit construction of an addition to a residence, on property legally described as follows:

Lots 31, 33 and 35, Block 14, in the Original Town of North Wichita, Sedgwick County, Kansas. Generally located on the west side of Emporia in an area between 33rd and 34th Streets North.

This application has been assigned Case No. BZA 15-64, and will be considered by the Board of Zoning Appeals at its meeting on Tuesday, March 24, 1964, at 2 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.

Jack H. Galbraith
Secretary

BOARD OF ZONING APPEALS
Room 402 City Building Annex
104 South Main
Wichita, Kansas

March 4, 1964

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Jack H. Galbraith
Secretary

BOARD OF ZONING APPEALS
CITY OF WICHITA, KANSAS

CASE NO. _____
FILED _____

APPLICATION FOR EXCEPTION

I. Name of Applicant Ernest & Luathamu and wife
Mailing Address 3407 North Emporia Phone TE 4711
Name of Authorized Agent _____
Mailing Address _____ Phone _____
Relationship of applicant to property is that of owner
(owner, tenant, lessee, other).

II. Application is made for an exception as provided in Section
2804170A3, Code of the City of Wichita, Kansas
(Zoning Ordinance); to permit the installation or construction
of addition to house
_____ on property zoned
RF, located at 3407 North Emporia
_____ and legally described as: Lots
31-35-35
33-35-37 North Wichita Addn
_____, in the City of Wichita.

(Give metes and bounds description below if appropriate).

- III. The applicant herein, or his authorized agent:
- A. Acknowledges receipt of an instruction sheet relating to this application for an exception.
 - B. Agrees to conform to all requirements of the appropriate section of the Zoning Ordinance if this application is approved;
 - C. Acknowledges that he has been advised of his right of appeal of the decision of the Board to the Board of City Commissioners within ten (10) days of the date of that decision.

Applicant Ernest & Luathamu
Authorized Agent _____

OFFICE USE ONLY: Received in office of Secretary, Board of Zoning Appeals, _____ (a.m. - p.m.), _____, 19____, together with appropriate fee of \$50.00.

Signed _____

BOARD OF ZONING APPEALS

CASE NO. _____

CITY OF WICHITA, KANSAS

FILED _____

APPLICATION FOR EXCEPTION

I. Name of Applicant Ernest E. Duathamer

Mailing Address 3407 North Emporia Phone TE84871

Name of Authorized Agent _____

Mailing Address _____ Phone _____

Relationship of applicant to property is that of owner
(owner, tenant, lessee, other).

II. Application is made for an exception as provided in Section
29.04.170 A.3
2704.170A3, Code of the City of Wichita, Kansas

(Zoning Ordinance); to permit the installation or construction
of addition to house

_____ on property zoned

"F", located at 3407 North Emporia

_____ and legally described as: lots

31-33-35
33-35-37 North Wichita Addi.

_____, in the City of Wichita.

(Give metes and bounds description below if appropriate).

III. The applicant herein, or his authorized agent:

A. Acknowledges receipt of an instruction sheet relating to
this application for an exception.

B. Agrees to conform to all requirements of the appropriate
section of the Zoning Ordinance if this application is
approved;

C. Acknowledges that he has been advised of his right of
appeal of the decision of the Board to the Board of City
Commissioners within ten (10) days of the date of that
decision.

Applicant Ernest E. Duathamer

Authorized Agent _____

OFFICE USE ONLY: Received in office of Secretary, Board of Zoning
Appeals, _____ (a.m. - p.m.), _____, 19____,
together with appropriate fee of \$50.00.

Signed _____

3407 North Emporia
Wichita, Kansas
March 3, 1964

Gentlemen:

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E. E. Quathamer

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Wichita, Kansas
March 3, 1964

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Sincerely,

E. E. Quathamer

OWNERSHIP LIST

Lot	Block	Addition	Property Owner
25	13	Original Town of North Wichita	Wichita Steel Fabricators, Inc. 3400 N. Broadway
27	"	"	"
29	"	"	"
31	"	"	"
33	"	"	"
35	"	"	"
37	"	"	"
16	14	"	Lawrence E. Little 3400 N. Topeka Ave.
18	"	"	"
20	"	"	"
22	"	"	"
24	"	"	"
26	"	"	"
28	"	"	"
30	"	"	"
32	"	"	"
34	"	"	"
36	"	"	"
38	"	"	"
13	"	"	Esther P. Hawk 5801 Minnie
15	"	"	"
17	"	"	"
19	"	"	Warren Francis Foster Thelma F. Foster 3431 N. Emporia
21	"	"	"
23	"	"	Mitchell R. McCutchen Carolyn Mc Cutchen 3423 N. Emporia
25	"	"	"

Continued page 2

Lot	Block	Addition	Property Owner
27	14	Original Town of North Wichita	J. E. Alexander 352 N. Broadway
29	"	"	"
31	"	"	Ernest E. Quathamer Sara K. Quathamer 3407 N. Emporia
33	"	"	"
35	"	"	"
37	"	"	Atchison Topeka and Santa Fe Railway Co. Topeka, Kansas
16	15	"	Erland F. Carlson Elaine L. Carlson 1519 W. 20th St.
18	"	"	Thomas Eastep <i>no add</i> Nona Eastep Address unknown
20	"	"	"
22	"	"	Marlene M. Cartmell <i>no add</i>
24	"	"	"
26	"	"	Howard B. Gehrer Alice E. Gehrer 2056 Payne Ave.
28	"	"	"
30	"	"	"
34	"	"	"
36	"	"	"
38	"	"	Atchison-Topeka and Santa Fe Railway Co. Topeka, Kansas <i>dup</i>

Beginning at the intersection of the S. line of the NW $\frac{1}{4}$ of Sec. 33-26-JF, and the E. line of the A. T. & S. F. Railway Right of way, thence Northerly along said right of way 150', thence East parallel with the S. line of said NW $\frac{1}{4}$, 1434.72', thence S. 150 feet to the S. line of said NW $\frac{1}{4}$, thence W. to the place of beginning

Continued page 3

Description

Property Owner

Beginning 747.5' E of the NW corner of the SW $\frac{1}{4}$ of Sec. 33-26-1E, thence S. 1486.2', to a point 1200' N of the S. line of said SW $\frac{1}{4}$, thence E. 117.24', thence N. 1486.2' thence W. 117.24' to the place of beginning

S. P. Wallingford
Colorado-Derby Building


Beginning 668' E. & 580' N of the SW corner of the SW $\frac{1}{4}$ of Sec. 33-26-1E, thence N. 620', thence E. 79.5', thence N. 1484.55' to the N line of said SW $\frac{1}{4}$, thence W. 563.05' to the right of way of the A. T. & S. F. Ry. Co., thence S. along said right of way line 1485.05' to a point 1200' N. of the S. line of said SW $\frac{1}{4}$, thence E. 428.23' to a point 60' W. & 620' N. of beginning, thence S. 620', thence E. 60' to beginning

Sam P. Wallingford Grain, Corp.
Colorado-Derby Building

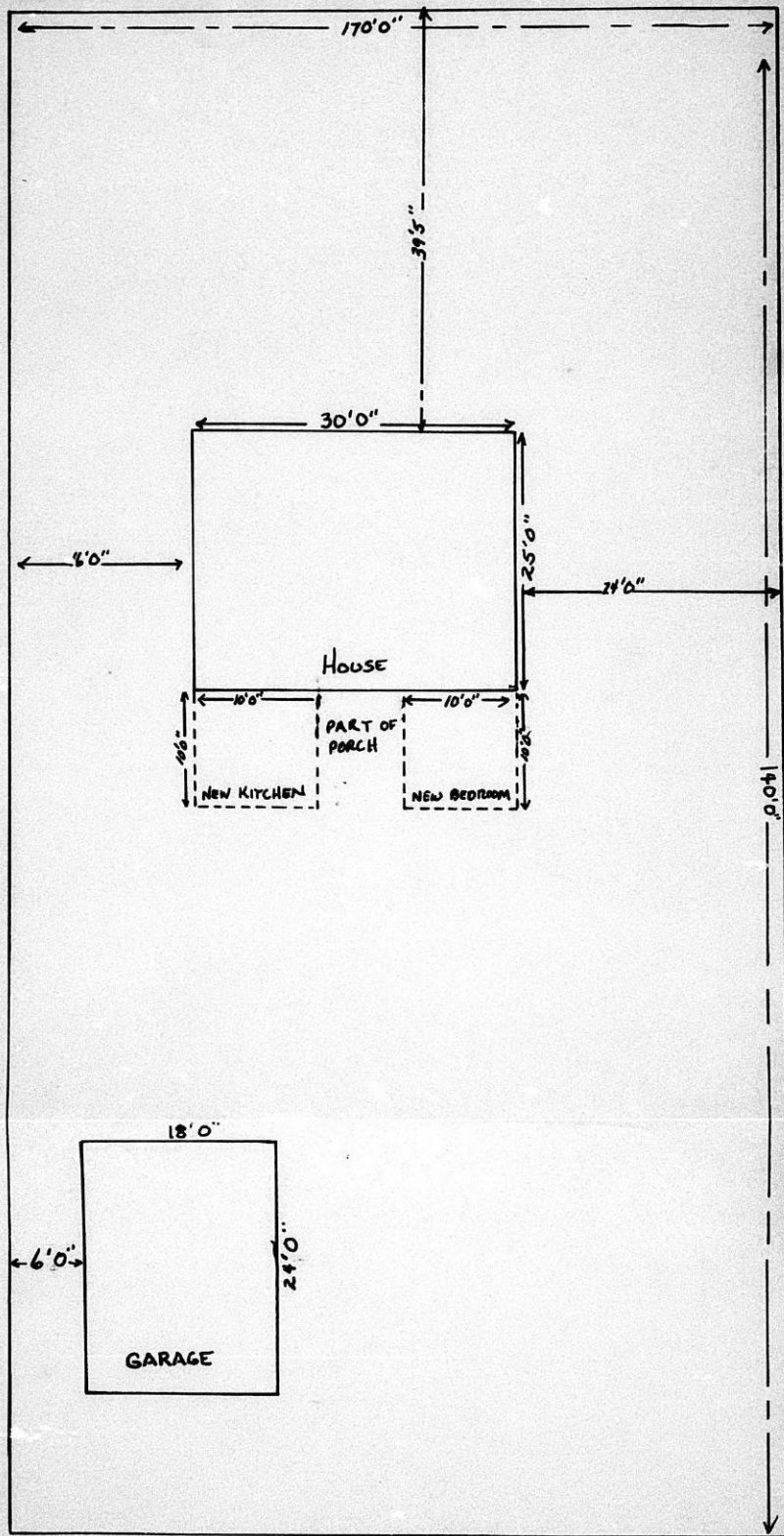
We, The Security Abstract and Title Company, Inc., hereby certify the foregoing to be a true and correct list of property owners within a 200 foot radius of Lots 31, 33 & 35, Block 14, in the Original Town of North Wichita, Sedgwick County, Kansas, as shown by the deeds on file in the Office of the Register of Deeds of Sedgwick County, Kansas, on this 2nd day of March, 1964 at 7:00 A. M.

THE SECURITY ABSTRACT AND TITLE COMPANY, INC.

By


Vice-President

Order No. 111533



SCALE 1"=10'

Attachment#2
BZA 15-63

FORM 223-021

PAYMENT NOTICE

City of Wichita

PAY AT TREASURER'S OFFICE - FIRST FLOOR

Bldg & Elev.	Elec.	Elev. Insp.	Exam. Fees
Hse. Mvr.	Hse. Moving	Licse.	Mech.
Oil Well	Pav. Cuts	Plan.	Plbg. Cert.
Sanitation	Sewer	Signs	Sidewalk
Street	Trailer		

DESCRIPTION	AMOUNT
<i>Water</i>	<i>12.00</i>
<i>Electric</i>	<i>12.00</i>

Name *Wichita Water Dept*

Address *1000 S. Broadway*

Type *Water* Due Date *1/15/50*

Comments:

Date *1/15/50* By *Wichita*