

Case No. BZA 72-84 - Duane Madley -
requests variances to reduce the side
yard setback from 25' to 15' and to
reduce the front yard setback from 25'
to 15' for off-street parking and
circulation drive only on property.

2004 Dec 10 22:54
S204 11-14-84
Record ✓

POSTED
9/24/84 TS

ACTION

B.Z.A. 72-84 (1) DENIED *FANI: YD. VAR.*
DATE 10-23-84
(2) APPROVED *SIDE YD. VAR.*

2004 Sec 10-30-84
Set 11-14-84
Record ✓

Case No. BZA 72-84 - Duane Madley -
requests variances to reduce the side
yard setback from 25' to 15' and to
reduce the front yard setback from 25'
to 15' for off-street parking and
circulation drive only on

Map No. 5441C

BZA 72-84
Filed 9/24/84

AREA DATA:

1. Acres: _____ (_____ ft. by _____ ft.)
2. Adjoining Zoning: E AA R-5 S R-1 W AA N AA
3. Land Use: East VACANT South 1-F
West 1-F North 1-F / VACANT
4. Area (is) ~~(is not)~~ platted.



Shaw.
No. 2153C
HASTINGS, MN
LOS ANGELES CHICAGO LOGAN O'
ROBINSON TX LACRUZ ORTIVE CA
1978

October 25, 1984

Duane Wadley
Wadley Homes, Inc.
2613 East Harry
Wichita, Ks. 67211

Re: BZA 72-84 - Request for Variances

Dear Mr. Wadley:

Enclosed is a signed copy of the Resolution adopted by the Board of Zoning Appeals on October 23, 1984.

This Resolution reflects the official action of the Board to deny the request for a variance to reduce the front yard setback from 25 feet to 15 feet and approve the request for a variance to reduce the required side yard setback from 25 feet to 15 feet, and sets out the condition of approval. It is forwarded to you for your information and files.

If you have questions concerning this matter, please call our office.

Sincerely,

Glen E. Lytle
Assistant Secretary

GEL:sad
Encl.

cc: Robert Feldner, Superintendent of Central Inspection (2)
Don Gisick, City Clerk

RESOLUTION NO. BZA 72-84

WHEREAS, Wadley Homes, Inc., 2613 East Harry, Wichita, Kansas, requests variances as provided in Section 2.12.590.B, Code of the City of Wichita, to (1) reduce the front yard setback from 25 feet to not less than 15 feet for off-street parking and circulation drive purposes only; and (2) reduce the side yard setback from 25 feet to 15 feet adjacent to the interior side yard line on the north on property zoned the "R-5" General Residence District and legally described as follows:

Lot 17, Block 11, South Seneca Gardens 4th Addition to Wichita, Sedgwick County, Kansas. Generally located on the northeast corner of Gold and 55th Street South (5500 Block South Gold).

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 did, at the meeting of October 23, 1984, consider said application; and

WHEREAS, the Board of Zoning Appeals has proper jurisdiction to consider said request for the variances under the provisions of Section 2.12.590.B, Code of the City of Wichita; and

WHEREAS, the Board of Zoning Appeals in consideration of the variance request to reduce the required front yard setback from 25 feet to 15 feet for off-street parking and circulation drive purposes only, considered the facts presented; and

WHEREAS, the Board of Zoning Appeals has found that the variance does not arise from such condition which is unique to the property in question inasmuch as the property has sufficient depth to develop in conformance to the regulation and maintain the required front yard setback; and

WHEREAS, the Board of Zoning Appeals has found that the granting of the permit for the variance will adversely affect the rights of adjacent property owners or residents inasmuch as it would move the more intense use closer to the front yards of the one-family dwellings already developed to the west; and

WHEREAS, the Board of Zoning Appeals has found that the strict application of the provisions of Title 28 (Zoning Ordinance) of which variance is requested will not constitute unnecessary hardship upon the property owners represented in the application inasmuch as the applicant is providing off-street parking spaces on a ratio of two spaces for each dwelling unit which is twice the minimum requirement of the zoning ordinance; and

WHEREAS, the Board of Zoning Appeals has found that the variance desired will not adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare due to the fact that the reduction of the front yard setback will not interfere with any right-of-way or easements; and

WHEREAS, the Board of Zoning Appeals has found that the granting of the variance desired will be opposed to the general spirit and intent of Title 28 (Zoning Ordinance) inasmuch as the requirement for landscaped front yards in the residential districts is to maintain adequate separation to provide a generally compatible environment for all residential properties when adjacent to, or across the street from, other residential uses; and

WHEREAS, each of the five conditions required by Section 2.12.590.B, Code of the City of Wichita, to be present before a variance can be granted have not been found to exist.

NOW, THEREFORE, BE IT RESOLVED by the Board of Zoning Appeals of the City of Wichita that this request for a variance to reduce the front yard setback from 25 feet to 15 feet be denied.

WHEREAS, the Board of Zoning Appeals in consideration of the variance request to reduce the required side yard from 25 feet to 15 feet adjacent to the interior side yard line on the north, considered the facts presented; and

WHEREAS, the Board of Zoning Appeals has found that the variance arises from such condition which is unique to the property in question and which is not ordinarily found in the same zone or district; and is not created by an action or actions of the property owner or the applicant inasmuch as it is excessively wide for a residential lot and the reduction of the side yard setback adjacent to a rear yard setback on the property to the north will still provide for a separation of 45 feet between structures; and

WHEREAS, the Board of Zoning Appeals has found that the granting of the permit for the variance will not adversely affect the rights of adjacent property owners or residents inasmuch as the proposed structures are only two stories in height and should not interfere with the light and air of the adjacent property owner than would a single-family dwelling constructed on an adjacent lot in any residential district at the normal setback; and

WHEREAS, the Board of Zoning Appeals has found that the strict application of the provisions of Title 28 (Zoning Ordinance) of which variance is requested will constitute unnecessary hardship upon the property owners represented in the application inasmuch as the applicant would be unable to construct the additional unit on the property even though the proposed density is less than 75% of that permitted by the zoning district; and

WHEREAS, the Board of Zoning Appeals has found that the variance desired will not adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare due to the fact that the structures will not interfere with any right-of-way or easements; and

WHEREAS, the Board of Zoning Appeals has found that the granting of the variance desired will not be opposed to the general spirit and intent of Title 28 (Zoning Ordinance) inasmuch as more than adequate separation of two-story structures will be maintained on the property to provide light and air to all properties; and

WHEREAS, each of the five conditions required by Section 2.12.590.B, Code of the City of Wichita, to be present before a variance can be granted has been found to exist.

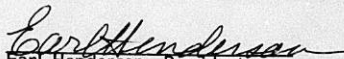
NOW, THEREFORE, BE IT RESOLVED by the Board of Zoning Appeals of the City of Wichita that this request for a variance to reduce the required side yard setback from 25 feet to 15 feet on property zoned the "R-5" General Residence District and legally described as:

Lot 17, Block 11, South Seneca Gardens 4th Addition to Wichita, Sedgwick County, Kansas. Generally located on the northeast corner of Gold and 55th Street South (5500 Block South Gold).

be approved subject to the following condition:

1. The reduction of the side yard setback from 25 feet to 15 feet shall only be applicable to the interior side yard that is adjacent to the north property line, and shall only be for two corners that will project into the required side yard as shown by the site plan dated May 1, 1984.

ADOPTED AT WICHITA, KANSAS, this 23rd day of October, 1984.


Earl Henderson, President

ATTEST:


Glen E. Lytle, Assistant Secretary

THE CITY OF WICHITA

OFFICE OF Citizen Participation

DATE October 19, 1984

TO Glen Lytle, Special Assistant for Zoning

FROM Mary L. Moore, Administrative Aide III

SUBJECT BZA 72-84 Generally located on
the northeast corner of Gold and
55th Street South (5500 Block
South Gold)

On Monday, October 15th, CPO Council "C" considered the above captioned case.

The Council voted 6-0 to recommend approval of the requested variance.

Duane Wadley, applicant, was present to discuss the case and answer questions from the Council. No area residents or property owners were present for this case.

Please provide the Council's recommendation to the Board of Zoning Appeals when BZA 72-84 is considered.

Mary L. Moore

Mary L. Moore
Administrative Aide III

MLM:dm

Noted:

Annie K. Montgomery
Annie K. Montgomery
CRS Director

RE: AGENDA ITEM NO.

SECRETARY'S REPORT CASE NO. BZA 72-84

APPLICANT: Wadley Homes, Inc., 2613 East Harry, Wichita, Kansas.

AGENT: Duane Wadley, Wadley Homes, Inc., 2613 East Harry, Wichita, Kansas.

REQUEST: Variances pursuant to Section 2.12.590.B, Code of the City of Wichita, to (1) reduce the front yard setback from 25 feet to not less than 15 feet for off-street parking and circulation drive purposes only; and (2) reduce the side yard setback from 25 feet to 15 feet adjacent to the interior side yard line on the north.

GENERAL LOCATION: On the northeast corner of 55th Street and Gold.

ZONING: Subject property is zoned the "R-5" General Residence District. Properties to the north and west are "AA" One-family Dwelling District. Property to the east is "R-5" and to the south is "R-1" Suburban Residential District in the county.

LAND USE: Subject property is to be developed with townhouses. Properties to the west and north are one-family dwellings. To the east and south the properties are vacant.

JURISDICTION:

The Board has jurisdiction to consider the variance request under the provisions outlined in Section 2.12.590.B, Code of the City of Wichita. The Board may grant the request when all five conditions as required by the State Statutes are found to exist.

COMMENTS BY THE SECRETARY:

The applicant is requesting variances to (1) reduce the front yard setback from 25 feet to not less than 15 feet for off-street and circulation drive purposes only; and (2) reduce the side yard setback from 25 feet to 15 feet adjacent to the interior side yard line on the north. The variance of the front yard setback is requested by the applicant to provide additional circulation space to permit easier access to the garages and parking spaces. The variance of the side yard setback is requested in order to provide one additional dwelling unit to the complex.

The property is one platted lot that is over 1000 feet in length and has a depth of 150. The number of units to be located on the site is 45, which is 17 units less than that permitted by the "R-5" zoning district. The side yard requirement in the "R-5" district is 10% of the lot width but shall not require more than 25 feet, which on this lot 25 feet is the requirement. It should be noted that if the 5 units on the north were developed on an individual lot, the requirement would be approximately 15 feet. Since the units are only two stories in height, and there is a twenty foot utility easement on the north that is adjacent to the rear yard on the property to the north, it is reasonable to reduce this side yard setback by 10 feet.

The applicant states that if a car parks in front of a garage door, there will not be sufficient room for circulation on the drive to provide access to the other parking or garage spaces. It is the opinion of the Secretary that to reduce the front yard setback from 25 feet to 15 feet will only compound the issue by encouraging the owners or tenants to park illegally on the property in violation of the parking standards. Also the properties to the west are developed with one-family dwellings and any reduction of the setback will place the more intense use closer to these dwellings.

In regards to the requested variance to reduce the front yard setback from 25 feet to 15 feet for circulation drive purposes only, the following findings by the Secretary are submitted for consideration by the Board.

UNIQUENESS:

It is the opinion of the Secretary that this property is not unique inasmuch as the property has sufficient depth to develop in conformance to the regulation and maintain the required front yard setback.

ADJACENT PROPERTY:

It is the opinion of the Secretary that the granting of the variance requested will adversely affect the rights of adjacent property owners inasmuch as it would move the more intense use closer to the front yards of the one-family dwellings already developed to the west.

HARDSHIP:

It is the opinion of the Secretary that the strict application of the provisions of the zoning ordinance will not constitute an unnecessary hardship upon the applicant inasmuch as the applicant is providing off-street parking spaces on a ratio of 2 spaces for each dwelling unit which is twice the minimum requirement of the zoning ordinance.

PUBLIC INTEREST:

It is the opinion of the Secretary that the requested variance would not adversely affect the public interest inasmuch as the reduction of the front yard setback will not interfere with any right-of-way or easements.

SPIRIT AND INTENT:

It is the opinion of the Secretary that the granting of the variance requested would be opposed to the general spirit and intent of the zoning ordinance inasmuch as the requirement for landscaped front yards in the residential districts is to maintain adequate separation to provide a generally compatible environment for all residential properties when adjacent to or across the street from other residential uses.

RECOMMENDATION:

It is the opinion of the Secretary that all five conditions necessary to the granting of a variance cannot be found to exist, and the variance to reduce the front yard setback should be denied.

In regards to the requested variance of the side yard setback on the north, the following findings of the five conditions are submitted for consideration.

UNIQUENESS:

It is the opinion of the Secretary that this property is unique inasmuch as it is excessively wide for a residential lot and the reduction of the side yard setback adjacent to a rear yard setback on the property to the north will still provide for a separation of 45 feet between structures.

ADJACENT PROPERTY:

It is the opinion of the Secretary that the granting of the variance requested will not adversely affect the rights of adjacent property owners inasmuch as the proposed structures are only two stories in height and should not interfere with the light and air of the adjacent property owner than would a single-family dwelling constructed on an adjacent lot in any residential district at the normal setback.

HARDSHIP:

It is the opinion of the Secretary that the strict application of the provisions of the zoning ordinance may constitute an unnecessary hardship upon the applicant inasmuch as the applicant would be unable to construct the additional unit on the property even though the proposed density is less than 75% of that permitted by the zoning district.

PUBLIC INTEREST:

It is the opinion of the Secretary that the requested variance would not adversely affect the public interest inasmuch as the structures will not interfere with any right-of-way or easements.

SPIRIT AND INTENT:

It is the opinion of the Secretary that the granting of the variance requested would not be opposed to the general spirit and intent of the zoning ordinance inasmuch as more than adequate separation of two-story structures will be maintained on the property to provide light and air to all properties.

RECOMMENDATION:

Should the Board determine that all five conditions necessary to the granting of a variance can be found to exist, then it is the recommendation of the Secretary that the variance be granted subject to the following condition:

1. The reduction of the side yard setback from 25 feet to 15 feet shall only be applicable to the interior side yard that is adjacent to the north property line, and shall only be for two corners that will project into the required side yard as shown by the site plan dated May 1, 1984.

BZA CASE NO. 72-84

<u>1</u>	NOTICES SENT TO APPLICANT/AGENT
<u>10</u>	LEGAL ADVERTISEMENT SENT TO MAPC
<u>1</u>	NOTICES SENT TO CPO
<u>21</u>	NOTICES SENT TO ADJOINING PROPERTY OWNERS
<u>23</u>	TOTAL NOTICES SENT <u>10-3-84</u>

BOARD OF ZONING APPEALS
Tenth Floor - City Hall
455 North Main, Wichita, Kansas 67202

October 3, 1984

NOTICE TO ADJOINING PROPERTY OWNERS:

CASE NO. BZA 72-84

As required by law, all property owners of record, within 200 feet of a property to be considered for an exception or variance by the Board of Zoning Appeals, are to be notified of the public hearing. An application has been filed by Duane Wadley, 2613 East Harry, Wichita, Kansas, requesting variances.

Pursuant to Section 2.12.590.B, of the Code of the City of Wichita, the applicant is requesting variances to reduce the side yard setback from 25 feet to 15 feet and to reduce the front yard setback from 25 feet to 15 feet for off-street parking and circulation drive only on property zoned the "R-5" General Residence District. A legal description of the applicant's property is as follows:

Lot 17, Block 11, South Seneca Gardens 4th Addition to Wichita, Sedgwick County, Kansas. Generally located on the northeast corner of Gold and 55th Street South (5500 Block South Gold).

This application has been assigned Case BZA 72-84. It will be considered by the Board of Zoning Appeals on October 23, 1984 at 1:30 p.m. in the Board Room, First Floor of City Hall, 455 North Main Street, Wichita, Kansas. If you have no interest or objections regarding the requested variances, you have no obligation to appear or comment. If you desire to appear at the Board meeting, you are invited to do so, either in person or by agent or attorney.

It should be noted that the Citizen Participation Organization Area Council may consider this case at its next meeting. Additional information about such a meeting may be obtained by calling the CPO Office, 268-4516.

If you have any questions about the application, please feel free to call the Wichita-Sedgwick County Metropolitan Area Planning Department at 268-4421.

Jack H. Calbraith
Secretary

BOARD OF ZONING APPEALS

CASE NO. 72-84

CITY OF WICHITA, KANSAS

FILED 9-24-84

APPLICATION FOR VARIANCE

I. Name of Applicant Wadley Homes, Inc.
 Mailing Address 2613 E. Harry Phone 264 5272
 Name of Authorized Agent Duane Wadley
 Mailing Address 2613 E. Harry Phone 264 5272
 Relationship of applicant to property is that of Owner
 (Owner, Tenant, Lessee, Other)

(1) The variance requested is to reduce indicated Northeastly side yard requirement to 15 feet. Subject lot is unique in that it is 1085 plus feet wide. 15 feet would still be more feet than most similar developments have.
~~The development presently has a smaller unit density than code permits. The developer does not like maximum density in most instances. The present side yard requirement prevents a hardship in that 1 unit would have to be removed or relocated.~~
for property located 5500 block S. Gold

and legally described as: Lot 17, Block 11, South Seneca Gardens 4th Addition

in the City of Wichita; and which is presently zoned R-5.

III. The applicant herein, or his authorized agent, acknowledges:

- a. That he has received an instruction sheet concerning the filing and hearing of this matter;
- b. That he has been advised of the fee requirements established by Section 2.12.580 of the Code of the City of Wichita (Ordinance No. 36-596); and that the appropriate fee is herewith tendered;
- c. That he has been advised of his right to bring action in the District Court of Sedgwick County to appeal the decision of the Board.
- d. That all documents are attached hereto as noted in paragraphs 2, 3, 4, and 5 of the instructions.

Applicant WADLEY HOMES, INC

Authorized Agent Duane Wadley

OFFICE USE ONLY: Received in Office of Secretary, Board of Zoning Appeals, 11:00 (a.m. p.m.), SEPT 24, 1984, together with appropriate fee of \$75.00.

Signed AA Smythe

BOARD OF ZONING APPEALS

CASE NO. 72-84

CITY OF WICHITA, KANSAS

FILED _____

APPLICATION FOR VARIANCE

I. Name of Applicant Wadley Homes, Inc.

Mailing Address 2613 E. Harry Phone 264 5272

Name of Authorized Agent Duane Wadley

Mailing Address 2613 E. Harry Phone 264 5272

Relationship of applicant to property is that of Owner
(Owner, Tenant, Lessee, Other)

(2) II. The variance requested is allow a 10 feet driveway to be installed in the rear 10 feet of the front yard setback. This would be used as a no parking driveway for more adequate parking and garage access. Property is under construction and it has become apparant that if a car parks in front of a garage there is not enough room for another car to pass to get to another garage or parking. Purpose of present parking and garages is to keep all car parking off the street, easier access will help this and be more in the public interest. Developer will landscape remaining setback with grass, birns, and trees. 5500 Block So. Gold.
for property located _____

and legally described as: Lot 17, Block 11, South Seneca Gardens 4th Add.

in the City of Wichita; and which is presently zoned R-5.

III. The applicant herein, or his authorized agent, acknowledges:

- a. That he has received an instruction sheet concerning the filing and hearing of this matter;
- b. That he has been advised of the fee requirements established by Section 2.12.580 of the Code of the City of Wichita (Ordinance No. 36-596); and that the appropriate fee is herewith tendered;
- c. That he has been advised of his right to bring action in the District Court of Sedgwick County to appeal the decision of the Board.
- d. That all documents are attached hereto as noted in paragraphs 2, 3, 4, and 5 of the instructions.

Applicant WADLEY HOMES, INC

Authorized Agent Duane Wadley

OFFICE USE ONLY: Received in Office of Secretary, Board of Zoning Appeals, 11:00 (a.m.p.m.), SEPT 24, 1984, together with appropriate fee of \$75.00.

Signed [Signature]

STATEMENT OF OWNERSHIP

STATE OF KANSAS)
) SS
 SEDGWICK COUNTY)

The undersigned duly bonded and qualified abstractor within and for the County and State aforesaid, does hereby certify:

That we have examined the records in the office of the Register of Deeds of Sedgwick County, Kansas, with reference to the ownership of the following property in Sedgwick County, Kansas viz:

Record Owners within 200 feet of:
 Lot 14, Block 11, SOUTH SENECA
 GARDENS 4TH ADDITION, Wichita,
 Sedgwick County, Kansas.



And from such examination find that the owners thereof are as set opposite the description of the property below, viz: (Addresses as given are furnished as a service and not certified.)

<u>DESCRIPTIONS</u>	<u>RECORD OWNERS</u>
Lot 17, Block 11, SOUTH SENECA GARDENS 4TH ADDITION,	Wadley Homes 2613 E. Harry Wichita, Kansas 67211
Reserve A, SOUTH SENECA GARDENS 4TH ADDITION,	Wadley Homes 2613 E. Harry Wichita, Kansas 67211
Lot 1, Block 4, SOUTH SENECA GARDENS 4TH ADDITION,	Lloyd Harcourt & Pamela Sue Smith 105 Maywood Wichita, Kansas 67217 <i>Revised 10-16-84</i>
Lot 2, Block 4, SOUTH SENECA GARDENS 4TH ADDITION,	Lloyd Harcourt & Pamela Sue Smith 105 Maywood Wichita, Kansas 67217
Lot 3, Block 4, SOUTH SENECA GARDENS 4TH ADDITION,	Cathy L. Hurlburt 1402 Mills Wichita, Kansas 67216



DESCRIPTIONS

RECORD OWNERS

Lot 9, Block 5, SOUTH SENECA GARDENS 4TH ADDITION,	Roland R., Jr. & Patricia A. Walter ✓ 711 Lockwood Wichita, Kansas 67217
Lot 10, Block 5, SOUTH SENECA GARDENS 4TH ADDITION,	Mitchell Kent Carter ✓ 703 Lockwood Wichita, Kansas 67217
Lot 11, Block 5, SOUTH SENECA GARDENS 4TH ADDITION,	Hubert D. & Thelma M. Luallen ✓ 706 Maywood Wichita, Kansas 67217
Lot 12, Block 5, SOUTH SENECA GARDENS 4TH ADDITION,	Amarado Investment Co., Inc. (Record Owners) ✓ 230 S. Market Wichita, Kansas 67202 <hr/> Shelby E. & Alice C. Tate (Escrow Contract) ✓ 718 Maywood Wichita, Kansas 67217
Lot 9, Block 6, SOUTH SENECA GARDENS 4TH ADDITION,	Ronald D. & Janice R. Boomershine ✓ 607 W. Mona Wichita, Kansas 67217
Lot 10, Block 6, SOUTH SENECA GARDENS 4TH ADDITION,	Mark A. & Maureen A. Angelini ✓ 601 W. Mona Wichita, Kansas 67217
Lot 11, Block 6, SOUTH SENECA GARDENS 4TH ADDITION,	William L. & Teresa I. Winfield ADDRESS UNKNOWN
Lot 12, Block 6, SOUTH SENECA GARDENS 4TH ADDITION,	Bruce G. & Patricia A. Aslesen ✓ 710 Lockwood Wichita, Kansas 67217
Lot 9, Block 7, SOUTH SENECA GARDENS 4TH ADDITION,	Robert C. & Dana J. Hinson ✓ 5449 S. Osage Wichita, Kansas 67217
Lot 10, Block 7, SOUTH SENECA GARDENS 4TH ADDITION,	Dennis M. Matos ADDRESS UNKNOWN
Lot 11, Block 7, SOUTH SENECA GARDENS 4TH ADDITION,	William E., II & Pamela Ann Shelby ADDRESS UNKNOWN
Lot 12, Block 7, SOUTH SENECA GARDENS 4TH ADDITION,	Mike Wiley ✓ 1857 S. Edgemoor Wichita, Kansas 67218
Lot 15, Block 8, SOUTH SENECA GARDENS 4TH ADDITION,	Floyd F. & Analine L. Ostrander ✓ 5443 S. Sycamore Wichita, Kansas 67217
Lot 16, Block 8, EXCEPT the South- westerly 15.5 feet, SOUTH SENECA GARDENS 4TH ADDITION,	✓ I T J Investments Inc. 342 S. Volutsia Wichita, Kansas 67211


Fidelity
Title
Company,
inc.



DESCRIPTIONS

RECORD OWNERS

Southwesterly 15.5 feet of Lot 16, and Lot 17, Block 8, SOUTH SENECA GARDENS 4TH ADDITION,	Albert C. & Deborah M. Meeks 5479 S. Gold Wichita, Kansas 67217
Lot 18, Block 8, SOUTH SENECA GARDENS 4TH ADDITION,	Kenton L. & Debora S. Muecke 5481 S. Gold Wichita, Kansas 67217
Lot 19, Block 8, SOUTH SENECA GARDENS 4TH ADDITION,	I T J Investments Inc. 342 S. Volutsia Wichita, Kansas 67211
Lot 17, Block 9, SOUTH SENECA GARDENS 4TH ADDITION,	I T J Investments Inc. 342 S. Volutsia Wichita, Kansas 67211
Lots 13, 14, 15 and 16, Block 11, SOUTH SENECA GARDENS 4TH ADDITION,	First National Bank in Wichita, Kansas, Executor of the Last Will and Testament of Frank M. Kessler P.O. Box One Wichita, Kansas 67201
Lot 1, Block 5, ROBBINS FARM 2ND ADDITION,	Robbins Realty 5301 S. Broadway Wichita, Kansas 67216
A triangular Tract of land, being that portion lying East of the Rock Island Railroad Right-of-Way, in the Southeast Corner of the Southwest Quarter of Section 20, Township 28 South, Range 1 East,	Eddie H. Bannon 2365 S. Market Wichita, Kansas 67211
The West 129.25 feet of the East Half of the Northeast Quarter of the Northwest Quarter of Section 29, Township 28 South, Range 1 East, EXCEPT the South 844.7 feet,	Phillip & Edna M. Knifley ADDRESS UNKNOWN
The East Half of the Northeast Quarter of the Northwest Quarter of Section 29, Township 28 South, Range 1 East, lying West of the Chicago, Rock Island & Pacific Railroad Right-of-Way, EXCEPT the South 844.7 feet and EXCEPT A tract beginning 129.25 feet East and 122.15 feet South of the Northwest corner of said East Half of the Northeast Quarter of said Northwest Quarter, thence East parallel with the North line of Section 29, 227.21 feet to West Right-of-Way of Chicago, Rock Island & Pacific Railroad; thence Southwesterly along said Right-of-Way 180.66 feet, thence West 188.99 feet; thence North 177 feet to the beginning, EXCEPT the West 129.25 feet of the above described tract.	Robert T. Knifley, Jr. 605 W. 55th Street South Wichita, Kansas 67217


Fidelity
Title
Company
inc.



DESCRIPTIONS

RECORD OWNERS

The East Half of the West Half of the Northeast Quarter of the Northwest Quarter of Section 29, Township 28 South, Range 1 East, EXCEPT the East 15 feet of the South 542.7 feet,

William Dale & Mary E. Erdman
615 W. 55th Street South
Wichita, Kansas 67217

Dated at Wichita, Kansas, this 27th day of September, 1984
at 7:00 A.M.

FIDELITY TITLE COMPANY, INC.

Medina S. Suttle

By Assistant Secretary

Tracer No. 68015


Fidelity
Title
Company,
inc.



**MICROFILMED
FROM THE BEST
AVAILABLE COPY**

FORM 29-1 PAYMENT NOTICE
City of Wichita

Bldg.	Use of Str.	Code Bks	Copies
Elec	Elev. Insp.	Hse Moving	Lic.
Mech	Boiler Insp.	Pav. Cuts	Cert.
Plbg	Exam Fees	Sewer	Elev.
Signs	Plan Rev. (P.W.)	Cement	M.S.P.

Plannin

DESCRIPTION	AMOUNT
VARIANCE (2nd)	\$ 75.00

NAME DUANE WADLEY
ADDRESS 2613 E HARRY 67211
FUND 155-40071 003 DUE DATE 9/24/84
COMMENTS
DATE 9/24/84 BY TS

FORM 29- PAYMENT NOTICE
City of Wichita

Bldg.	Use of Str.	Code Bks	Copies
Elec	Elev. Insp.	Hse Moving	Lic.
Mech	Boiler Insp.	Pav. Cuts	Cert.
Plbg	Exam Fees	Sewer	Elev.
Signs	Plan Rev. (P.W.)	Cement	M.S.P.

Planning

DESCRIPTION	AMOUNT
VARIANCE BZA (1st)	\$ 75.00

NAME DUANE WADLEY
ADDRESS 2613 E HARRY 67211
FUND 155-40071 003 DUE DATE 9/24/84
COMMENTS
DATE 9/24/84 BY TS

WICHITA - SEDGWICK COUNTY

WSC

BOARD OF ZONING APPEALS
CITY HALL - TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202

RETURN TO SENDER

RECEIVED

OCT 9 1984

METROPOLITAN PLANNING
ROUTE

WICHITA
OCT-3 1984

U.S. POSTAGE
\$ 20

Lloyd Harcourt &
Pamela Sute Smith
105 Maywood 703 Maywood
Wichita, Ks. 67217

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This BZA. Case
Has a Large Drawing
On 35mm Microfilm

Roll # 2