

Case No. BZA 4-76 - Bessie M. Larney  
requests exception to place a trailer  
home at the rear of 433 N. Baehr  
generally located on the south  
side of Baehr between Central  
--and-Bouglas

*Pos 189*  
*3-3-76*

*[Signature]*

*C.I.V. ✓*  
*map ✓*  
*4-7-76*  
*[Signature]*

**ACTION**

DATE 3-23-76

BZA COMMITTEE Approved

M.A.P.C. \_\_\_\_\_

B.C.C./B. CO. C. \_\_\_\_\_



XXXXXXXXXXXXXXXXXXXX  
XXXXXXXXXXXXXXXXXXXX  
XXXXXXXXXXXXXXXXXXXX

City Hall, Tenth Floor  
455 North Main

March 31, 1976

Mr. Richard Hudgins  
1121 N. Lakeview  
Derby, Kansas 67037

Re: Case No. EZA 4-76  
Request for Exception

Dear Mr. Hudgins:

Enclosed is a signed copy of the Resolution adopted by the Board of Zoning Appeals on March 23, 1976, in connection with your request for an exception to permit the installation of a mobile home on property zoned the "AA" Single Family Dwelling District, and generally located on the west side of Baehr in an area between Third Street and St. Louis Avenue.

This Resolution reflects the official action of the Board to approve the request and sets out the conditions of approval. It is forwarded to you for your information and files.

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

Very truly yours,

Jack H. Galbraith  
Secretary

BHG:LD:bh  
Encl.

cc: Bessie M. Carney, 433 N. Baehr, 67212  
Robert Feldner, Superintendent, Central Inspection  
Joe Donnelly, Central Inspection  
Don Gisick, City Clerk

RESOLUTION NO. BZA 4-76

WHEREAS, Bessie M. Carney, 433 North Baehr, Wichita, Kansas, requests an exception as provided in Section 2.12.590.C, Code of the City of Wichita, to permit the installation of a mobile home on property zoned the "AA" Single Family Dwelling District, and legally described as follows:

Lots 6 and 7, Block 6, Orchard Park, Sedgwick County, Kansas. Generally located on the west side of Baehr in an area between Third Street and St. Louis Avenue.

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 March 23, 1976, consider said application; and

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

WHEREAS, the Board of Zoning Appeals, after public hearing of this application, determined that a hardship does exist inasmuch as the applicant's father (Arthur Hilt) is in poor health and needs care, and the home of the applicant is not of sufficient size to accommodate him; and

WHEREAS, the Board of Zoning Appeals has authority to permit a mobile home on property zoned the "AA" Single Family Dwelling District, subject to conditions as outlined in Title 26, Code of the City of Wichita.

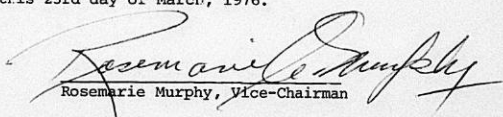
NOW, THEREFORE, BE IT RESOLVED by the Board of Zoning Appeals of the City of Wichita, that this application be approved for installation of a mobile home on property zoned the "AA" Single Family Dwelling District, and legally described as follows:

Lots 6 and 7, Block 6, Orchard Park, Sedgwick County, Kansas. Generally located on the west side of Baehr in an area between Third Street and St. Louis Avenue.

subject to the following conditions:

1. The mobile home may remain on the property as long as it is occupied by Arthur Hilt, the applicant's father. When the father no longer occupies the mobile home, it shall be removed.
2. The applicant shall report annually, during the first week of January, to the Central Inspection Division, as to whether or not the mobile home is still occupied by her father.
3. The location of the mobile home shall conform to all setback and height requirements of the "AA" Single Family Dwelling District and the requirements of Title 26 of the City Code.
4. Off-street parking shall be provided on the site to comply with the off-street parking provisions of the zoning ordinance.

ADOPTED AT WICHITA, KANSAS, this 23rd day of March, 1976.

  
Rosemarie Murphy, Vice-Chairman

ATTEST:

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Jack H. Galbraith, Secretary

XXXXXXXXXXXXXXXXXXXX  
XXXXXXXXXXXXXXXXXXXX  
XXXXXXXXXXXXXXXX

Tenth Floor, City Hall  
455 North Main

March 24, 1976

Mr. Richard Hudgins  
1121 N. Lakeview  
Derby, Kansas 67037

Re: Case No. BZA 4-76  
Request for Exception

Dear Mr. Hudgins:

At the regular meeting of the Board of Zoning Appeals on Tuesday, March 23, 1976, your request for an exception to permit the installation of a mobile home on property zoned the "AA" Single Family Dwelling District, and generally located on the west side of Baehr in an area between Third Street and St. Louis Avenue was considered.

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

1. The mobile home may remain on the property as long as it is occupied by the applicant's father. When the father no longer occupies the mobile home, it shall be removed.
2. The applicant shall report annually, during the first week of January, to the Central Inspection Division, as to whether or not the mobile home is still occupied by her father.
3. The location of the mobile home shall conform to all setback and height requirements of the "AA" Single Family Dwelling District and the requirements of Title 26 of the City Code.
4. Off-street parking shall be provided on the site to comply with the off-street parking provisions of the zoning ordinance.

A Resolution setting forth the official action of the Board is being prepared and you will be mailed a copy as soon as the signatures of the

Mr. Richard Hudgins  
March 24, 1976

Chairman and Secretary have been obtained.

If you have any questions, please call our office.

Very truly yours,

Jack H. Galbraith  
Secretary

JHG:LD:bh

cc: Bessie M. Carney, 433 N. Baehr, 67212  
Robert Feldner, Superintendent, Central Inspection  
Joe Donnelly, Central Inspection  
Donald Gisick, City Clerk

THE CITY OF WICHITA  
OFFICE OF CITIZEN PARTICIPATION

DATE March 19, 1976



TO Metropolitan Area Planning Department

FROM David Furnas, Citizen Participation Coordinator

SUBJECT Zoning Case No. BZA 4-76

At its March 17, 1976, meeting CPO Neighborhood Council "N" voted unanimously to recommend approval of BZA 4-76, granting an exception to permit the installation of a mobile home on property zoned "AA" in the area generally located on the west side of Baehr in an area between Third Street and St. Louis Avenue, with the specification that the mobile home be removed when the father of Bessie M. Carney no longer occupies the structure.

A handwritten signature in cursive script that reads "David Furnas".

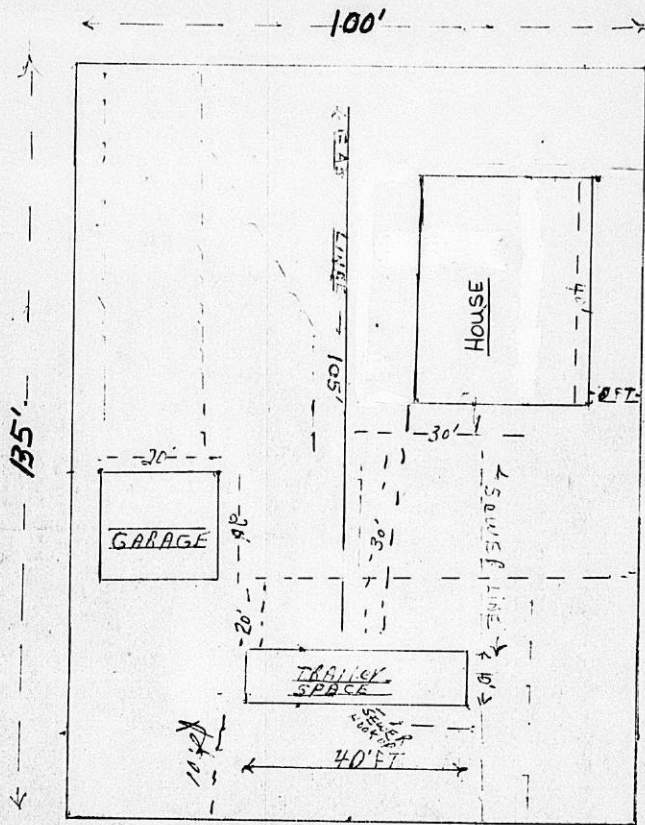
David Furnas  
Citizen Participation Coordinator

DF:KO:rh

BAEHR STREET

BZA 4-76

ORCHARD PARK ADDITION,  
Block "6" LOTS 6 & 7  
433 NORTH BAEHR  
100 FT BY 135' FT



SCALE 1"=20'

N ↑

SECRETARY'S REPORT  
CASE NO. BZA 4-76

APPLICANT: Bessie M. Carney, 433 North Baehr, Wichita, Kansas.

AGENT: Richard Hudgins, 1121 N. Lakeview, Derby, Kansas.

REQUEST: Exception pursuant to Section 2.12.590.C, Code of the City of Wichita to permit the installation of a mobile home in the "AA" Single Family Dwelling District.

GENERAL LOCATION: On the west side of Baehr in an area between Third Street and St. Louis Avenue.

LAND USE Subject property contains a single family home and a mobile home; west is a small trailer court; north, east, and south are all developed single family residential.

ZONING: Subject property and all surrounding properties are zoned the "AA" Single Family Dwelling District.

JURISDICTION:

The Board has jurisdiction to consider this request under the provisions outlined under Section 2.12.590.C, Code of the City of Wichita. The Board may grant the exception provided the conditions set out in Section 23.04.132(3) can be complied with.

COMMENTS BY THE SECRETARY:

The applicant is requesting an exception to permit the placement of a mobile home on her property zoned the "AA" Single Family Dwelling District.

The Board of Zoning Appeals has the authority to permit, as an exception, the placement of a mobile home on any property in any district on a temporary basis, provided that the applicant can show due cause that a hardship exists and that this hardship cannot reasonably be alleviated without the granting of this permit.

In the statement of justification, the applicant states that she needs to have her 80 year old father nearby where she can care for him. He has recently been in the hospital and needs regular meals provided and medication administered. The applicant's single family structure is a two bedroom home, and with two sons living at home, there is not sufficient room in the home to accommodate the applicant's father.

Subject mobile home is presently located on the applicant's property by a temporary 30 day permit. The mobile home is situated on the property so as to observe the proper setback requirements. The lot is of adequate size and area and does meet the requirements of the Mobile Home Code.

RECOMMENDATION:

It is the opinion of the Secretary that a hardship exists inasmuch as the applicant's father (Arthur Hilt) is in poor health and needs care, and the home of the applicant is not of sufficient size to accommodate him. Therefore, it is the recommendation of the Secretary that the exception to permit the installation of a mobile home on subject property be approved subject to the following conditions:

1. The mobile home may remain on the property as long as it is occupied by the applicant's father. When the father no longer occupies the mobile home, it shall be removed.
2. The applicant shall report annually, during the first week of January, to the Central Inspection Division, as to whether or not the mobile home is still occupied by her father.
3. The location of the mobile home shall conform to all setback and height requirements of the "AA" Single Family Dwelling District and the requirements of Title 26 of the City Code.
4. Off-street parking shall be provided on the site to comply with the off-street parking provisions of the zoning ordinance.

WICHITA-SEDGWICK COUNTY

DATE  
March 8, 1976

**METROPOLITAN AREA PLANNING DEPARTMENT**


TO Elmer Karstensen, Executive Assistant to the City Manager  
FROM Larry Dobson, Assistant Secretary, Board of Zoning Appeals  
SUBJECT Notice of Upcoming Board of Zoning Appeals Cases  
(Case Numbers BZA 3-76, BZA 4-76, BZA 5-76, and BZA 6-76)

Attached are notices of four cases to be considered by the Board of Zoning Appeals at its meeting of March 23, 1976. Also attached are sketch maps of the area involved in each case.

These are provided for distribution to the appropriate representatives of the Citizen's Participation Organization.

If you have any questions, please call.

Sincerely,

  
\_\_\_\_\_  
Larry Dobson  
Assistant Secretary

COPY

LD:bh  
Attach.

17 notices sent to adjoining property owners, and applicant and agent.  
10 notices sent to members of MAPC  
3-1-76  
Case No. BZA 4-76

BOARD OF ZONING APPEALS

CASE NO. \_\_\_\_\_

CITY OF WICHITA, KANSAS

FILED \_\_\_\_\_

APPLICATION FOR EXCEPTION

I. Name of Applicant Bessie M. Carney

Mailing Address 433 N. Baehr Phone 9439612

Name of Authorized Agent RICHARD HUDGINS

Mailing Address 1121 N. LAKEVIEW Phone 788-2917

Relationship of applicant to property is that of OWNER  
DERBY, KS.  
(Owner, Tenant, Lessee, Other).

II. Application is made for an exception as provided in Section 2.12.590.C, Code of the City of Wichita, Kansas, to permit the establishment of A MOBILE HOME on property zoned

AA, located AT 433 N. BAHR

and legally described as:

LOTS 6 and 7, BLOCK 6, ORCHARD PARK, SEDGWICK COUNTY, KANSAS

in the City of Wichita.

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. 24-606); and that the appropriate fee is herewith tendered;
- c. That all documents are attached hereto as noted in paragraphs 2, 3, and 4 of the instructions.
- d. 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.

Applicant Bessie M. Carney

Authorized Agent Richard M. Hudgins

OFFICE USE ONLY: Received in the office of the Secretary, Board of Zoning Appeals, 12:15 (a.m. - P.M.), 2/6, 1976, together with appropriate fee of \$50.00

Signed Larry Dobson

Feb. 6, 1976

Board of Zoning Appeals  
Wichita, Kansas

In regards to a permit for a mobile trailer to be placed in back of Bessie Conroy at 433 North Bader, Wichita, Kansas. The hardship reason for this permit is the Arthur Hitt being 80 yrs of age and is unable to properly care for himself and under the Doctor's request he should be close to his daughter and able to get his meals regularly and any medical help if and when needed.

The reason that Arthur Hitt is unable to live in the Family House is that it is a two bedroom house and she has two (2) sons still living at home and there is no room to accommodate Mr. Arthur Hitt.

Richard M. Hutchins  
(Counselor)

THE CITY OF WICHITA, KANSAS  
CENTRAL INSPECTION DIVISION  
DEPARTMENT OF PUBLIC WORKS

File No. \_\_\_\_\_

Date \_\_\_\_\_

LICENSE APPLICATION FOR OPERATION OF A MOBILE HOME PARK  
(Submit in triplicate) New \_\_\_\_\_  
Existing \_\_\_\_\_

APPLICATION IS HEREBY MADE for license to operate a Mobile Home Park (one or more mobile homes or house trailers) in conformance with the ordinances of the City of Wichita, Kansas. I hereby certify that the statements made on this application and the attached exhibits are true and correct to the best of my knowledge.

Signature of Applicant \_\_\_\_\_

Bessie M. Carney  
Signature of Owner

Legal Description of Proposed Park: \_\_\_\_\_

LOTS 6 AND 7 BLOCK 6 ORCHARD  
PARK

Owner: BESSIE M. CARNEY

Address: 433 N BAEHR Tel: 943-9612

If Applicable:  
Name of Park: \_\_\_\_\_

Address: \_\_\_\_\_ Tel: \_\_\_\_\_

Name of Operator: SAME

Address: \_\_\_\_\_ Tel: \_\_\_\_\_

Number of Spaces: Mobile Home ONE House Trailer \_\_\_\_\_

Water: City \_\_\_\_\_ Sewage: City  Fuel: Public

Private  Private \_\_\_\_\_ Private \_\_\_\_\_

Electricity:

Applicable to parks accommodating one or more HOUSE TRAILERS only:

Sanitary Facilities:  
No. of toilets(M) \_\_\_\_\_ No. of lavatories(M) \_\_\_\_\_ No. of showers or tubs(M) \_\_\_\_\_

No. of toilets(F) \_\_\_\_\_ No. of lavatories(F) \_\_\_\_\_ No. of showers or tubs(F) \_\_\_\_\_

Required Exhibits: Plat of proposed park (in triplicate). Min. Scale 1" equals 30'.  
Include: Park dimensions.

Number, location and size of spaces.  
Location and size of buildings, sewers, water lines, gas lines,  
sewage disposal system and water supply wells.

Applicable to new parks only: Layout shall include topographical contours,  
drainage and grading plans.

OFFICE USE ONLY:

In compliance with park layout requirements: \_\_\_\_\_ Electricity: \_\_\_\_\_

APPROVAL

WICHITA-SEDGWICK COUNTY HEALTH DEPT.

CENTRAL INSPECTION DIVISION

By \_\_\_\_\_

By \_\_\_\_\_

Date \_\_\_\_\_

Date \_\_\_\_\_

KA-247

CERTIFICATE OF OWNERSHIP  
-----

GUARANTEE TITLE CO., INC., hereby certifies the following to be a true and correct list of the property owners as shown by the last Deed of record in the Office of the Register of Deeds, Sedgwick County, Kansas, within a 200 foot radius of and including the following described property, viz:

Lots Six (6) and Seven (7), Block Six (6),  
ORCHARD PARK, Sedgwick County, Kansas.

Description	Owners and Addresses	Zip
<u>ORCHARD PARK</u>		
<u>BLOCK FIVE (5)</u>		
Lots 14 - 16	✓ C. W. Gourley and Jewell L. 414 North Baehr	67212
Lots 17 - 18	✓ Gilbert F. Ballinger and Jean 405 North Baehr	67212
Lots 19 - 20	✓ Hazel B. Brown, widow of Richard R. 436 North Baehr	67212
Lots 21 - 22	✓ Ernie L. Powers and Bessie O. 438 North Baehr	67212
Lots 23 - 24	✓ Milton F. Barrett and Opal V. 456 North Baehr	67212
<u>BLOCK SIX (6)</u>		
Lot 1	✓ Ivan L. Moses and Kathryn 459 North Baehr	67212
Lots 2 - 3	✓ Charles J. Goodson and Donna 818 North Anna	67212
Lot 4	✓ Hugh E. Richards and Helen B. 1012 North St. Paul	67203
Lot 5	✓ Virgil A. Sanderson and Betty Jean 257 North Sabin	67212
Lots 6 - 7	✓ Irvin C. Carney and Bessie M. 433 North Baehr	67212
Lots 8 - 10	D Gilbert Ballinger and Barbara Jean 405 North Baehr	67212
Lots 11 - 16	D Gilbert F. Ballinger and Barbara Jean 405 North Baehr	67212

BLOCK SIX (6) (con't)

Lots 17 - 19

✓ Guy O. Pratt and Eunice M.  
424 North Anna 67212

Lots 20 - 21

✓ ✓ Wm Frederick McAninch  
436 North Anna 67212

Lot 22

✓ Lillian D. Beardslee and Rella D.  
450 North Anna 67212

Lots 23 - 24 except the W. 56'

✓ O. B. Rynders and Ethel  
c/o Mrs. Glen Johnston  
1103 Fultz 67217

Lot 24, the W. 56'

✓ Thomas L. Waymire and Beatrice V.  
724 North Greenwood Ave. 67211

Dated this 15th Day of December, 1975 at 7:00 A.M.

No. 2113

GUARANTEE TITLE CO., INC.

By

Frank A. Henderson  
Vice-President

DELINEATED COPY

Additions underlined  
Deletions ~~marked-thru~~

Proposed Amendment to the  
Zoning Ordinance and the Mobile Home Ordinance  
of the  
City of Wichita

It is proposed to amend Section 26.04.090, paragraph (a), of the Code of the City of Wichita as follows:

(a) Area to be provided or allotted the mobile home shall contain not less than twenty-five hundred square feet or the area required for a single family dwelling in the district wherein located, whichever is larger, except in the "AA" zoning district where, for purposes of this Section, the lot area requirements of the "A" zoning district shall apply. This shall not in any way interfere with the area required for a structure already located on the property.

It is proposed to amend Section 28.04.182.3 of the Code of the City of Wichita as follows:

3. Mobile Homes

The board of zoning appeals may permit as an exception the placement of a mobile home on any property in any district ~~except in the "AA" one family dwelling district~~ on a temporary basis subject to the following conditions and requirements.

It is proposed to amend Section 28.04.182.3.3 of the Code of the City of Wichita as follows:

3.3. The location of such home shall conform to all ~~lot-area~~, height and setback requirements of the district in which located and the off street parking requirements of this chapter. Area allotted for the mobile home shall conform to the provisions of Section 26.04.090(a) of the Code of the City of Wichita.

Oct. 7, 1975

DR 75-30

Bill  
Loeff

FORM 512  
FISCAL 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

Name \_\_\_\_\_

Address \_\_\_\_\_

Type \_\_\_\_\_ Due Date \_\_\_\_\_

Comments: \_\_\_\_\_

Date \_\_\_\_\_ By \_\_\_\_\_