

Paid
4-25-84 AEL

ACTION

BZA 23-84 APPROVED 5-22-84
DATE

20' 4" Sec. 6-14-84

Shot

7-2

Record

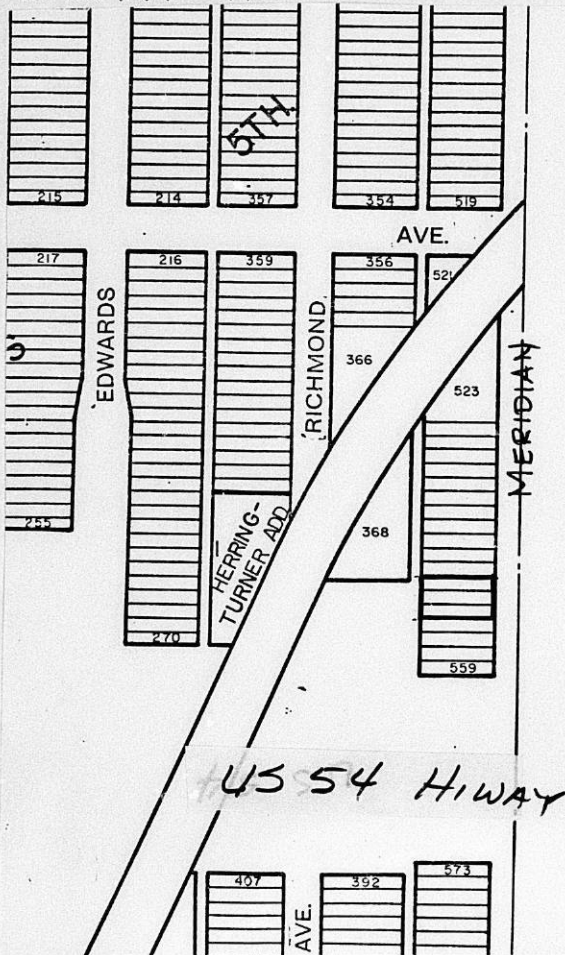
Case No. BZA 23-84 - Ullma White -
1508 S. Richmond - requests an excep-
tion to permit the location of an
additional dwelling (mobile home)
on a temporary basis on property
zoned the "RB" Four-family Dwelling

Map No. 5246

BZA 23-84
Filed _____

AREA DATA:

1. Acres: _____ (_____ ft. by _____ ft.)
2. Adjoining Zoning: E B S RB W RB N RB
3. Land Use: East YMCA South 2-F
West VAC North 1-F
4. Area (is) (~~to not~~) platted.



LOS ANGELES COUNTY
MEMORIAL PARK
U.S.A.

Standard
No. 2153C

HASTINGS, NN

May 24, 1984

Wilma White
1508 South Richmond
Wichita, Kansas 67213

Re: BZA 23-84 - Request for Exception

Dear Ms. White:

Enclosed is a signed copy of the Resolution adopted by the Board of Zoning Appeals on May 22, 1984.

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

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

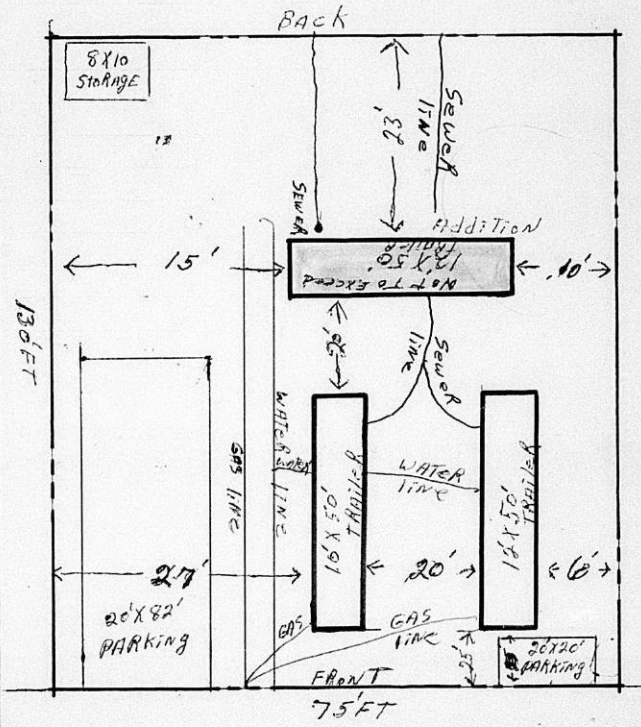
Sincerely,

Glen E. Lytle
Assistant Secretary

GEL:sad
Encl.

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

APPROVED
 CENTRAL INSPECTION DIVISIO
 CITY OF WICHITA
approved for Sitbrocks
 Date *4-4-84* By *B E*



PLOT PLAN
 723 So. Meridian

RESOLUTION NO. BZA 23-84

WHEREAS, Wilma White, 1508 South Richmond, Wichita, Kansas, requests an exception as provided in Section 2.12.590.C, Code of the City of Wichita, to permit the location of a mobile home on a temporary basis on property zoned the "RB" Four-family Dwelling District and legally described as follows:

Lots 547, 549 and 551 on Meridian Avenue, Martinson's 5th Addition to Wichita, Sedgwick County, Kansas. Generally located on the west side of Meridian between University and Kellogg (723 South Meridian).

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 May 22, 1984, 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 has authority to permit the location of a mobile home on a temporary basis on property zoned the "RB" Four-family Dwelling District subject to the conditions outlined in Section 28.04.182.3, Code of the City of Wichita.

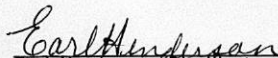
NOW, THEREFORE, BE IT RESOLVED by the Board of Zoning Appeals of the City of Wichita, that this application be approved to permit the location of a mobile home on a temporary basis on property zoned the "RB" Four-family Dwelling District legally described as follows:

Lots 547, 549 and 551 on Meridian Avenue, Martinson's 5th Addition to Wichita, Sedgwick County, Kansas. Generally located on the west side of Meridian between University and Kellogg (723 South Meridian).

subject to the following conditions:

1. The location of the mobile home shall be located in conformance with all requirements of the codes of the City of Wichita.
2. A permit shall be secured from Central Inspection for the location of the mobile home.
3. The mobile home can remain on the property only as long as Gordon Loftis lives therein and a member of the family resides on the property.
4. The mobile home shall be removed within 30 days of failure to comply with any of the above conditions.

ADOPTED AT WICHITA, KANSAS, this 22nd day of May, 1984.


Earl Henderson, President

ATTEST:


Glen B. Lytle, Assistant Secretary

THE CITY OF WICHITA

OFFICE OF CITIZEN PARTICIPATION DATE May 18, 1984

TO Glen Lytle, Special Assistant for Zoning

FROM Shirley Mast, Administrative Aide III

SUBJECT BZA 23-84: West Side of
Meridian between University
and Kellogg-723 S. Meridian

CPO Council "O" considered the captioned case at its May 17th meeting and voted 6-1 to recommend that the exception to permit the location of an additional dwelling (mobile home) on a temporary basis on property zoned the "RB" Four Family Dwelling District at 723 South Meridian be approved.

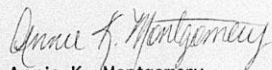
The applicant, Wilma White was present and discussed the case with the Council. No adjoining property owners or area residents were present concerning the case.

Please provide the Council's recommendation to the Board of Zoning Appeals when the case is considered on May 22nd.


Shirely Mast
Administrative Aide III

SM:sm

Noted:


Annie K. Montgomery
CRS Director

SECRETARY'S REPORT
CASE NO. BZA 23-84

APPLICANT: Wilma White, 1508 South Richmond, Wichita, Kansas.

AGENT: None

REQUEST: Exception pursuant to Section 28.04.182.3, Code of the City of Wichita to permit the location of an additional dwelling (mobile home) on a temporary basis.

GENERAL LOCATION: On the west side of Meridian between University and Kellogg (723 South Meridian).

ZONING: Subject property is zoned the "RB" four-family dwelling district as are the properties to the south, west and north. To the east is "B" Multiple-family District.

LAND USE: Subject property is occupied by two mobile homes. To the east is Friends University. To the south a two-family dwelling and to the north a one-family dwelling.

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 28.04.182.3 can be complied with.

COMMENTS BY THE SECRETARY:

The applicant is requesting an exception to permit the placement of an additional dwelling (mobile home) on a temporary basis on property owned by the applicant. This is to provide for the location of a mobile home for the living accommodations of a deaf and mute brother of the applicant that has until the recent death of his mother resided with her. It is now necessary that other members of the family look after him.

A nephew and his wife presently reside on the applicant's property and have expressed their willingness to look after him. It would appear that since there are already two mobile homes on the property, the most expedient solution would be to locate the brother in the second mobile home on the property.

The applicant for an exception must show due cause that a hardship exists that cannot reasonably be alleviated without the granting of this permit. It is the secretary's opinion that other solutions or options are available to the applicant rather than permitting a third mobile home unit on the property.

RECOMMENDATION:

It is the Secretary's opinion that the applicant has other options and the exception should be denied, however, should the Board determine that a hardship exists that cannot be alleviated without the granting of the exception, then it is recommended that any approval should be subject to the following conditions:

1. The location of the mobile home shall be located in conformance with all requirements of the codes of the City of Wichita.
2. A permit shall be secured from Central Inspection for the location of the mobile home.
3. The mobile home can remain on the property only as long as Gordon Loftis lives therein and a member of the family resides on the property.
4. The mobile home shall be removed within 30 days of failure to comply with any of the above conditions.

BZA CASE NO. 23-84

<u>1</u>	NOTICES SENT TO APPLICANT/AGENT
<u>10</u>	LEGAL ADVERTISEMENT SENT TO MAPC
<u>1</u>	NOTICES SENT TO CPO
<u>7</u>	NOTICES SENT TO ADJOINING PROPERTY OWNERS
<u>9</u>	TOTAL NOTICES SENT <u>5-1-84</u>

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

May 1, 1984

NOTICE TO ADJOINING PROPERTY OWNERS:

CASE NO. BZA 23-84

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 Wilma White, 1508 South Richmond, Wichita, Kansas, requesting an exception.

Pursuant to Section 2.12.590.C, of the Code of the City of Wichita, the applicant is requesting an exception to permit the location of an additional dwelling (mobile home) on a temporary basis, on property zoned "RB" Four-family Dwelling District. A legal description of the applicant's property is as follows:

Lots 547, 549 and 551 on Meridian Avenue, Martinson's 5th Addition to Wichita, Sedgwick County, Kansas. Generally located on the west side of Meridian between University and Kellogg (723 South Meridian).

This application has been assigned Case BZA 23-84. It will be considered by the Board of Zoning Appeals on May 22, 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 exception, 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. Galbraith
Secretary

BOARD OF ZONING APPEALS

CASE NO. 23-84

CITY OF WICHITA, KANSAS

FILED 4-10-84

APPLICATION FOR EXCEPTION

I. Name of Applicant Wilma White
 Mailing Address 1508 So. Richmond Phone 942-4800
 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 2.12.590.C,
 Code of the City of Wichita, Kansas, to permit the establishment of

*Per
 Ordinance* 1- Additional Mobile Home

on property zoned "RB"
 located on the west side of Meridian between University and Kellogg
1 (123 So. Meridian) Wichita, Kansas 67215
 and legally described as: LOTS 547, 549, 551, Meridian Avenue
MARTINSON'S 5TH Addition to the City of Wichita,
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. 36-596); 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 Wilma White

Authorized Agent _____

OFFICE USE ONLY: Received in Office of Secretary, Board of Zoning Appeals,
11:35 (a.m./p.m.), April 10, 1984, together with
 appropriate fee of _____.

Signed Lynn Shickey

My name is Wilma White. I am the owner of the property at 723 So. Meridian. I need your permission to place another trailer on this land.

My concern deals with my brother, Gordon Loftis. He is 60 years of age. He is a diabetic with heart trouble, and deaf and mute since birth. He does not read or write well. He does not read sign language or lips. He has had no contact with deaf persons since he left school at the age of 18. It is virtually impossible for him to communicate with anyone outside of family. Gordon desperately needs a place to live near his family. We are the most capable of caring for him.

Until November of 1983, Gordon lived with our mother in Oklahoma. She has since passed away, and Gordon has resided in a small trailer on

the back of his truck.

Because of my health condition (I have heart trouble and emphysema) I feel it best that my brother reside on my property on Meridian. My son and his wife occupy a trailer on this property and they have expressed willingness to care for Gordon.

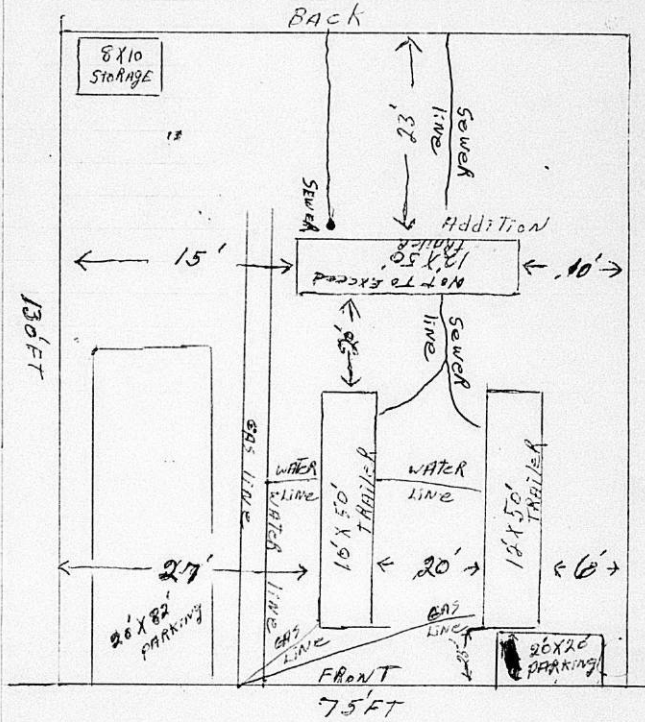
I need to place an additional trailer on this land. I ask that the city of Wichita grant permission for me to do so. In this way Gordon would be better able to remain self-sufficient, and he could ~~continue~~ retain the dignity he has worked to achieve in his lifetime.

I beseech you to consider this situation. I'm certain you will agree that my proposal is the best solution

Sincerely,

Helma White
1508 So. Richmond
Wichita, Ks. 67213

APPROVED
 CENTRAL INSPECTION DIVISIO
 CITY OF WICHITA
approved for setbacks
 Date 4-4-80 By B.E.



PLOT PLAN
 723 So. Meridian

OWNERSHIP LIST

<u>Property Description</u>	<u>Property Owner</u>
Odd lots 529 through 537, Meridian, Martinson's 5th Addition	✓ Paul Albin Stotts Irma Louise Stotts 303 S. Osage 67213
Lots 539 & 541, Meridian, Martinson's 5th Addition	✓ Lester L. Indermill 711 S. Meridian 67213
Lots 543 & 545, Meridian, Martinson's 5th Addition	✓ Clara Lansdowne trustee of the J. Wayne Lansdowne Family Trust and as Trustee of the Clara Lansdown Family Trust 3602 W. Central 67203
Lots 547, 549 & 551, Meridian, Martinson's 5th Addition	D Alford D. White Wilma White 1508 S. Richmond 67213
Lots 553, & 555, Meridian, Martinson's 5th Addition	✓ Kenneth L. Eurton Glenna Eurton 729 S. Meridian 67213
Lots 557 & 559, Meridian, Martinson's 5th Addition	✓ Robert Earl Nordin 731 S. Meridian 67213
Lot 368, except the south 50 feet, Richmond, Martinson's 5th Addition	✓ Lucille Hoss Route 3 Burlington, Kansas 66839
Odd lots 91 through 99, inclusive, except beginning at the northwest corner of said lot 91; thence east 25 feet; thence southerly to a point on the south line of said lot 99, said point being 30 feet east of the southwest corner thereof; thence southeasterly to a point on the south line of said lot 99, said point being 70 feet east of the southwest corner thereof; thence west 70 feet to the southwest corner of said lot 99; thence north to the northwest corner of said lot 91 and beginning, Meridian, University Place Addition.	✓ The Friends University 2100 University 67213

We hereby certify the foregoing to be a true and correct list of the property owners within a 200 foot radius of:

(continued on next page)

Page 2

Lots 547, 549 & 551, Meridian Avenue,
Martinson's 5th Addition to the City
of Wichita, Sedgwick County, Kansas

as shown by the last deed of record on file in the Office of
the Register of Deeds of Sedgwick County, Kansas, on this
9th day of April, 1984, at 7:00 o'clock A.M.

THE SECURITY ABSTRACT & TITLE CO. INC.

By

Mary Stable

Sr. Vice President

Order No: 332401
cf

MICROFILMED
FROM THE BEST
AVAILABLE COPY

FORM 29-21

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
75-74	75-

NAME William White

ADDRESS 1500 S. Broadway

FUND 255-4-31 DUE DATE 3

COMMENTS

DATE 4/1/84 BY [Signature]