

ACTION

DATE

Bza COMMITTEE *Spokane* 12-22-63

M.A.P.C. _____

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

BZA 29-63 - Lester D. & Thelma
Garretson request Exception to park
mobile home in "A" on NE corner of
Wellington Place and 31st St. No.

Board of Zoning Appeals

January 20, 1964

Glen Lytle, Superintendent of Central Inspection

Robert A. Lakin, Assistant Planning Director

BZA 29-63

We have received a card from Mrs. Thelma Garretson,
3200 Wellington Place, stating as follows:

"The mobile home of Mrs. Raymond Pew
Re BZA Case No. 29-63, was moved off
of my property in Nov. 1963."

Since one of the conditions of the Board's approval of
this case was that the mobile home remain on the sub-
ject property only as long as Mrs. Pew occupied it, and
that at such time as she no longer occupied it, it should
be removed from the lot, it is assumed that this case
can now be considered closed and no future mobile home
relocated on the property without a new Board of Zoning
Appeals approval.

Robert A. Lakin
Secretary

RAL:ber

Dear Sir:

The mobile home of Mrs. Raymond
few. FF-BZA case no 2763 was
mound of my property in Nov.
1963.

Mrs. Shilna Sarretson
3300 Wellington Pl.
Wichita
Kans.
67204



R E S O L U T I O N N O . B Z A 2 9 - 6 3

WHEREAS, Mrs. Thelma Garretson, 3200 Wellington Place, Wichita, Kansas, requests an Exception as provided in Section 28.04.180.A.17 of the Code of the City of Wichita, Kansas, to allow a mobile home to be located on property legally described as follows:

The West 75 feet of Lots 22, 23 and 24, Block 17, Jones Park Addition, in the City of Wichita, Sedgwick County, Kansas. Generally located at the northeast corner of 31st Street North and Wellington Place.

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, in regular meeting, consider said application on the 22nd day of October, 1963; 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 Section 1, Ordinance No. 27-189; and

WHEREAS, the property is zoned "A", Two Family; and

WHEREAS, Section 1, Ordinance No. 27-189, City of Wichita, authorizes the Board of Zoning Appeals to permit a mobile home on any property in any district, except the "AA" One Family Dwelling District, subject to such use being on a temporary basis and that hardship exists which cannot be alleviated without the granting of this exception, providing the location of the mobile home shall conform to all lot area, height and setback requirements of the district in which located and shall comply with all off-street parking requirements; and

WHEREAS, the Board considered the reasons submitted by the applicant in support of the finding of hardship, to-wit: That the proposed occupant as a result of her husband's death, will have to obtain employment as she will be dependent upon herself for livelihood; that she cannot drive a car and would have no way to get to and from her place of employment, shopping facilities, medical appointments, etc. and such transportation can and will be furnished by her relation; and

WHEREAS, due to her age and physical condition she demands rest and quiet and further has no money or income at this time to find accommodations elsewhere, and further that adequate accommodations are available at their location without cost to Mrs. Pew.

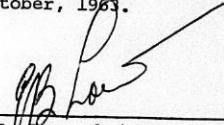
NOW, THEREFORE, BE IT RESOLVED that the Board of Zoning Appeals authorize and direct the Superintendent of Central Inspection to issue a permit for a mobile home on property legally described as

The West 75 feet of Lots 22, 23 and 24, Block 17, Jones Park Addition, in the City of Wichita, Sedgwick County, Kansas. Generally located at the northeast corner of 31st Street North and Wellington Place.

subject to the following conditions:

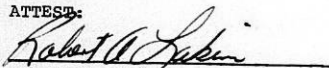
1. The mobile home may remain on subject property as long as Mrs. Raymond Pew occupies the mobile home.
2. When Mrs. Raymond Pew no longer occupies the mobile home it shall be removed from the lot.
3. The setbacks for the trailer shall be the same as those set out in the "A" Two Family District (Section 28.04.050).
4. The owner of the property shall file with the Superintendent of Central Inspection on the first Monday of each year, a statement containing the names and relationship of the occupant or occupants of the mobile home.

ADOPTED this 22nd day of October, 1961.



E. B. Law, Chairman

ATTEST:



Robert A. Lakin
Secretary

November 4, 1963

Mrs. Thelma Garretson
3200 Wellington Place
Wichita, Kansas

Dear Mrs. Garretson:

Subject: BZA Case No. 29-63

On October 23, 1963, we advised you that the Board of Zoning Appeals had approved your request for an exception to permit location of a mobile home on property legally described as the west 75 feet of Lots 22, 23 and 24, Block 17, Jones Park Addition, and generally located on the east side of Wellington Place in an area between 32nd and 33rd Streets 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 November 1, 1963.

The City Clerk has advised that no appeal was filed on or before the date indicated, 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,

Robert A. Lakin
Secretary

RAL:ber
Attachment

cc: Glen Lytle, Superintendent
of Central Inspection

October 23, 1963

Mrs. Thelma Garretson
3200 Wellington Place
Wichita, Kansas

Dear Mrs. Garretson:

Re: BZA Case No. 29-63

This is to advise you that at its regular meeting of October 22, 1963, the Board of Zoning Appeals of the City of Wichita considered your request for an exception to permit location of a mobile home on property legally described as the west 75 feet of Lots 22, 23 and 24, Block 17, Jones Park Addition, and generally located on the east side of Wellington Place in an area between 32nd and 33rd Streets North.

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

1. The mobile home may remain on subject property as long as Mrs. Raymond Pew occupies the mobile home.
2. When Mrs. Raymond Pew no longer occupies the mobile home, it shall be removed from the lot.
3. The setbacks for the trailer shall be the same as those set out in the "A" Two Family District (Section 28.04.050).
4. The owner of the property shall file with the Superintendent of Central Inspection, on the first Monday of each year, a statement containing the names and relationship of the occupant or occupants of the mobile home.

Page 2 - Mrs. Thelma Garretson
October 23, 1963

Section 2.12.610 of the Code of the City of Wichita provides that the decision of the Board of Zoning Appeals 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 November 1, 1963.

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 November 1, 1963, 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,

R.A.L.
Robert A. Lakin
Secretary

RAL:JWH:ber

cc: Robert G. Finch
City Clerk

Glen Lytle, Superintendent
of Central Inspection

October 25, 1963

Robert G. Finch, City Clerk

Robert A. Lakin, Secretary

BZA Case No. 29-63

Attached is a copy of BZA Resolution No. 29-63, covering action taken by the Board of Zoning Appeals on the above case.

This case was heard on October 22, 1963, and an appeal may be filed in your office on or before November 1, 1963.

If an appeal is filed, please advise.

Robert A. Lakin
Secretary

RAL:ber

Attachment

SECRETARY'S REPORT

BZA CASE NO. 29-63

HISTORY

At a recessed meeting of the Board of Zoning Appeals on October 1, 1963, the Board considered a request from Mrs. Thelma Garretson of 3200 Wellington Place, that Case No. BZA 18-63 be reconsidered by the Board. Case No. BZA 18-63, approved by the Board of Zoning Appeals on July 23, 1963, granted Mrs. Garretson permission to place a mobile home on her property to accommodate her brother who was completely incapacitated and needed constant care.

One of the conditions attached to the approval of this particular case was that the mobile home could remain on Mrs. Garretson's property as long as Mr. Pew (her brother) occupied the mobile home. On September 5, 1963, Mr. Pew passed away and according to the resolution by which this case was approved, the mobile home was to be removed from the lot. However, Mrs. Garretson requested that the Board of Zoning Appeals re-open and reconsider BZA Case No. 18-63, as her brother's widow was still occupying the mobile home and it was her belief that she would be suffering a severe hardship if the mobile home was removed from the property.

On October 1, 1963, the Board considered Mrs. Garretson's request that BZA 18-63 be reconsidered. However, under the Rules and Regulations of the Board, and upon the advice of legal counsel

for the Board, the Board decided that Mrs. Garretson must file a new application because the 15 day period in which a case might be reconsidered by the Board, had elapsed.

Upon the advice of the Board of Zoning Appeals, Mrs. Garretson has filed a new application for an exception as provided in Section 28.04.170.A.17 of the Code of the City of Wichita, to allow the mobile home to remain on the property. The Exception is within the jurisdiction of the Board of Zoning Appeals to grant, providing the following conditions and requirements have been found to exist, and providing it is located in some zone other than "AA":

1. The Board of Zoning Appeals shall determine a reasonable time limit to be attached to each individual case.
2. The applicant shall show due cause that a hardship exist and that this hardship cannot be reasonably alleviated without the granting of this permit.
3. Location of such home shall conform to all area, height, setback requirements of the district in which located and the off-street parking requirements of this Chapter.
4. The Board of Zoning Appeals may include additional conditions as it deems necessary to include but not limited to extraordinary setbacks, landscaping and installation of utilities.

The applicant has submitted a statement of justification and plot plan which are shown as Attachments #1 and #2 to this report. The area is in the "A" Two Family dwelling district.

COMMENTS BY THE SECRETARY

In the statement of justification submitted with this application, Mrs. Garretson suggests that Mr. Pew's widow will be suffering an undue hardship if the mobile home is removed from the lot in view of the fact that she is in a weakened physical condition due to the demand on her in caring for her husband before his death. It was also pointed out that Mrs. Pew is now dependent upon herself for her livelihood and consequently will have to seek employment. Since she cannot drive, it is necessary that she live in close proximity to Mrs. Garretson as she will need transportation to such places as the doctor's office, store, to work, etc. Mrs. Garretson also points out that Mrs. Pew has no income at the present time and if allowed to keep the mobile home on the property she could furnish the utilities for the trailer which would help reduce Mrs. Pew's expenses.

In view of the justification submitted by the applicant, it is the opinion of the Secretary that in this particular case hardship can be found to exist.

CONDITIONS IN EVENT OF APPROVAL

In view of the above considerations, it is the opinion and recommendation of the Secretary that this application be approved, subject to the following conditions and requirements:

1. The mobile home may remain on subject property only as long as Mrs. Raymond Pew occupies the mobile home.
2. When Mrs. Raymond Pew no longer occupies the mobile home it shall be removed from the lot.
3. The setbacks for the trailer shall be the same as those set out in the "A" Two family district (Section 28,04,050).
4. The owner of the property shall file with the Superintendent of Central Inspection on the first Monday of each year, a statement containing the names and relationship of the occupant or occupants of the mobile home.

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

To: Office of the Secretary
Board of Zoning Appeals
Room 402
City Building Annex

Dear Sir:

I submit this letter requesting permission to have a mobile home parked on our premises located (on application for exception form).

Since my brother's death, September 5, 1963, we would like consideration to leave his widow's (my sister in law) mobile home remain on our property, since moving it would cause considerable hardship for her as follows:

She will have to obtain employment as she will be dependent upon herself for her livelihood.

She cannot drive a car and would have no way to shop, to and from place of employment, Dr. appointments, etc.

I could take her to above mentioned places, etc.

Her age is 53 and at the present time she is in a rundown condition due to the constant demand on her to tend my brother before his death. She needs rest and quiet for a while before going to work.

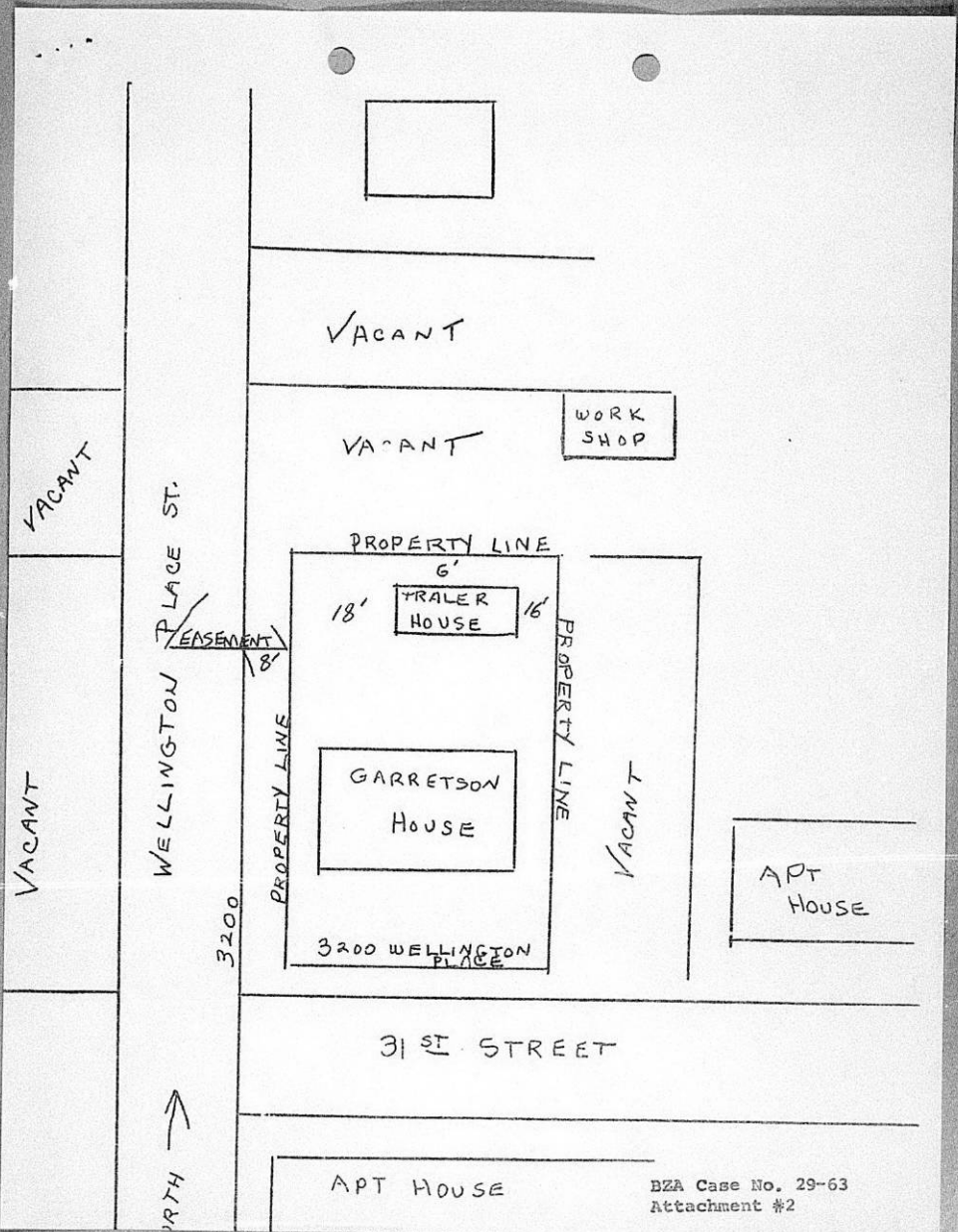
She has no money and no income at this time. If we could leave the mobile home on our property we would furnish her utilities and this would cut her expenses.

Thank you,

Mrs. Lester Garretson

We would like to keep this mobile home on property as long as Mrs. Lena Mae Pew occupies it.

Case BZA 29-63
Attachment #1



VACANT

VACANT

WORK SHOP

PROPERTY LINE

18' 6'

TRALER HOUSE

PROPERTY LINE

GARRETSON HOUSE

VACANT

APT HOUSE

3200 WELLINGTON PLACE

31ST STREET

APT HOUSE

BZA Case No. 29-63
Attachment #2

VACANT

VACANT

WELLINGTON PLACE ST.

EASEMENT 8'

3200

NORTH ↑

CASE NO. BZA 29-63

NOTICES MAILED OCTOBER 4, 1963

MEETING OCTOBER 22, 1963

O. A. Cota
Alice J. Cota
3205 Wellington Place

Esther Townsell
605 Apache Road

Carolyn Kauffman
136 South Pershing

Charles R. Cikanek
Evelyn Cikanek
3155 Park Place

Lloyd Rainey
Luella Rainey
3207 Wellington Place

Mid Kansas Federal Savings & Loan Assn.
230 South Market

Ralph C. Hooker
Lula M. Hooker
3219 Park Place

Lydia J. Darnall
3201 Park Place

Lester D. Garretson
Thelma R. Garretson
3200 Wellington Place

Harry Street Improvement Co. Inc.
208 North Broadway

Twenty First Street Bldg. Co. Inc.
208 North Broadway

Kenneth Guy
Nora Guy
3137 Wellington Place

H. Earl McClintock
Helen M. McClintock
3161 Park Place

Herbert O. Belknap
Carrie E. Belknap
3146 Wellington Place

BOARD OF ZONING APPEALS
Room 401 City Building Annex
104 South Main
Wichita, Kansas

October 4, 1963

NOTICE TO ADJOINING PROPERTY OWNERS

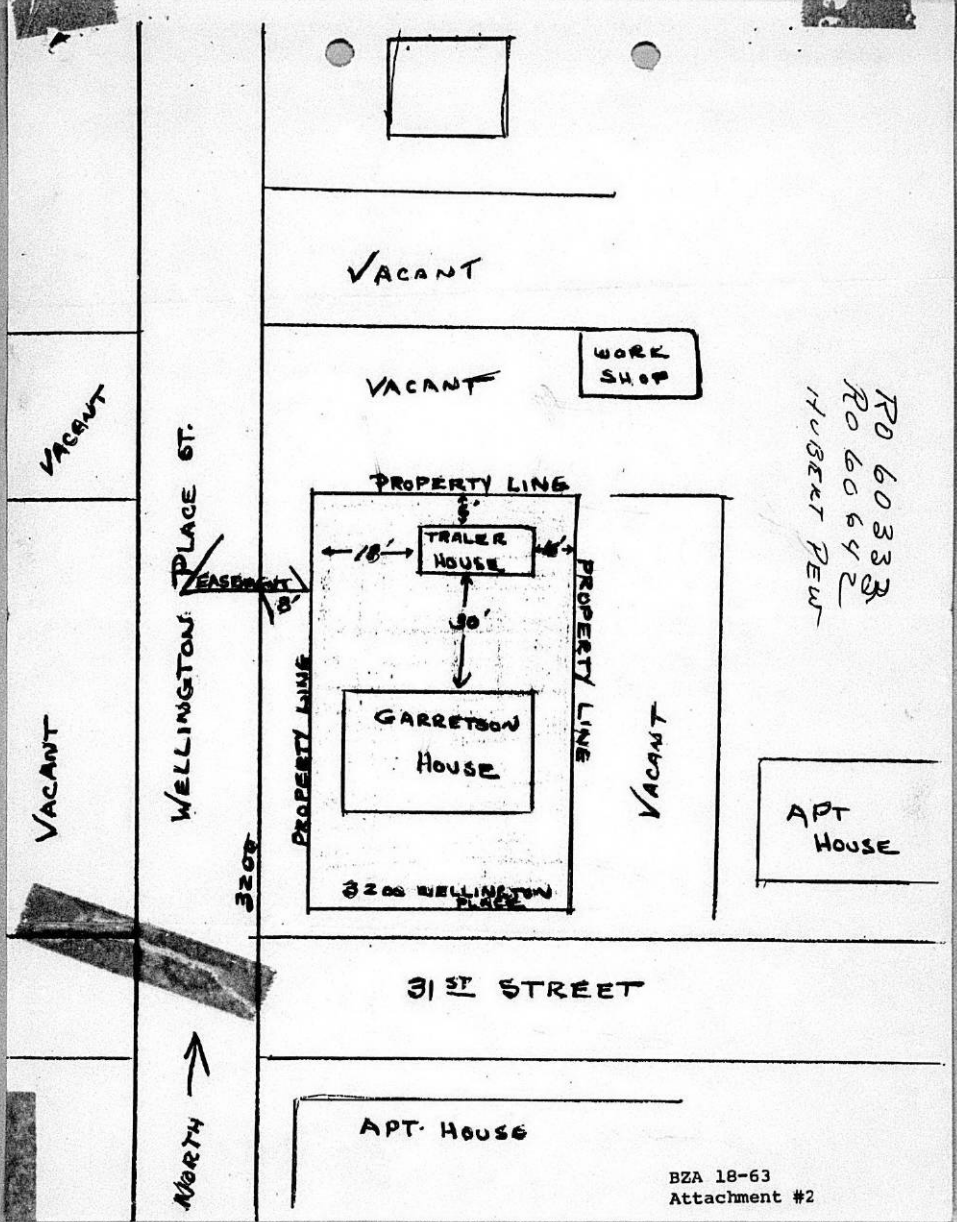
Case No. BZA 29-63

An application has been filed by Lester E. and Thelma Garretson, 3200 Wellington Place, Wichita, Kansas, requesting an Exception as provided in Section 28.04.180.A.17, (Ordinance No. 27-189), Code of the City of Wichita, to permit the mobile home to remain on property zoned "A", and legally described as:

The west 75 feet of Lots 22, 23, and 24, Block 17, Jones Park Addition, in the City of Wichita, Sedgwick County, Kansas. Generally located on the east side of Wellington Place in an area between 32nd and 33rd Streets North.

This application has been assigned Case No. BZA 29-63 and will be heard by the Board of Zoning Appeals on Tuesday, October 22, 1963, at 1 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.

Robert A. Lakin
Secretary



RD 60333
RD 60642
HUBERT PEW

APT HOUSE

abstract certificate of title
as filed in BZA 18-63 was
used for a mailing list to
adjacentproperty owners in
this case.

BOARD OF ZONING APPEALS
CITY OF WICHITA, KANSAS

CASE NO. _____
FILED _____

APPLICATION FOR EXCEPTION

I. NAME OF APPLICANT LESTER D. AND THELMA GARRETSON.
MAILING ADDRESS 3200 WELLINGTON PLACE PHONE TE 8-1326
NAME OF AUTHORIZED AGENT SELF
MAILING ADDRESS SAME AS ABOVE 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
28-04.180 A 17, CODE OF THE CITY OF WICHITA, KANSAS (ZONING
ORDINANCE); TO PERMIT THE INSTALLATION OR CONSTRUCTION OF _____
MOBILE HOME ON PROPERTY ZONED A, LOCATED AT
3200 WELLINGTON PLACE AND LEGALLY DESCRIBED AS:
THE WEST 75 FEET OF LOTS 22, 23, AND 24, BLOCK 17, JONES
PARK ADDITION IN THE CITY OF WICHITA.
(GIVE METES AND BOUNDS DESCRIPTION BELOW IF APPROPRIATE)

SEE ATTACHEMENT # 2 - BZA 18-63

- III. THE APPLICANT HEREIN, OR HIS AUTHORIZED AGENT:
- ACKNOWLEDGES RECEIPT OF AN INSTRUCTION SHEET RELATING TO THIS APPLICATION FOR AN EXCEPTION.
 - AGREES TO CONFORM TO ALL REQUIREMENTS OF THE APPROPRIATE SECTION OF THE ZONING ORDINANCE IF THIS APPLICATION IS APPROVED;
 - 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.

Mrs. Thelma Garretson
APPLICANT

AUTHORIZED AGENT

OFFICE USE ONLY: RECEIVED IN OFFICE OF SECRETARY, BOARD OF ZONING
APPEALS, 9:30 (A.M.) P.M.), October 2, 19 63,
TOGETHER WITH APPROPRIATE FEE OF \$50.00.

M. Martin
SIGNED

TO - OFFICE OF THE SECRETARY,
BOARD OF ZONING APPEALS
Room 402 -
CITY BUILDING ANNEX -

DEAR SIR.

I SUBMIT THIS LETTER REQUESTING PERMISSION TO HAVE A MOBILE HOME PARKED ON OUR PREMISES LOCATED (ON APPLICATION FOR EXCEPTION FORM.)

SINCE MY BROTHERS DEATH, SEPT. 5, 1963, WE WOULD LIKE CONSIDERATION TO LEAVE HIS WIDOWS (MY SISTER INLAW) MOBILE HOME REMAIN ON OUR PROPERTY, SINCE MOOVING IT WOULD CAUSE CONSIDERABLE HARD SHIP FOR HER AS FOLLOWS:

SHE WILL HAVE TO OBTAIN EMPLOYMENT AS SHE WILL BE DEPENDENT UPON HER SELF FOR HER LIVELIHOOD.

SHE CAN NOT DRIVE A CAR AND WOULD HAVE NO WAY TO SHOP, TO AND FROM PLACE OF EMPLOYMENT, DR. APPOINTMENTS, ETC.

I COULD TAKE HER TO ABOVE MENTIONED PLACES, ETC.

HER AGE IS 53. AND AT THE PRESENT TIME SHE IS IN A RUM

DOWN CONDITION DUE TO THE
CONSTANT DEMAND ON HER TO TEND
MY BROTHER BEFORE HIS DEATH. SHE
NEEDS REST & QUIET FOR AWHILE
BEFORE GOING TO WORK.

SHE HAS NO MONEY & NO INCOME
AT THIS TIME. IF WE COULD LEAVE
THE MOBILE HOME ON OUR PROPERTY
WE WOULD FURNISH HER UTILITIES &
THIS WOULD CUT HER EXPENSES.

THANKE YOU

MRS LESTER GARRETSON.

WE WOULD LIKE TO KEEP THIS MOBILE HOME
ON PROPERTY AS LONG AS MRS LENA
MAE PEW OCCUPY IT.

PAYMENT NOTICE
City of Wichita

PAY AT TREASURER'S OFFICE - FIRST FLOOR

Bl'g. & Elev. _____ Elec. _____ Elev. Insp. _____
 Exam Fees _____ Hse. Mvr. _____ Hse. Moving _____
 Licse. _____ Mech. _____ Oil Well _____ Pav. Cuts _____
 Plan. _____ Plb'g. _____ Plb'g. Cert. _____
 Sanitation _____ Sewer _____ Signs _____ Sidewalk _____
 Street _____ Trailers _____

DESCRIPTION	AMOUNT
<i>City of Wichita</i>	<i>50.00</i>

Name *City of Wichita*

Address *1000 S. Broadway*

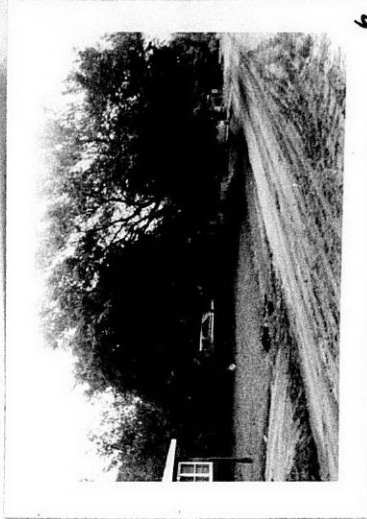
Type _____ Due Date *10-1-60*

Comments _____

Date *10-1-60* By *J. W. Jones*



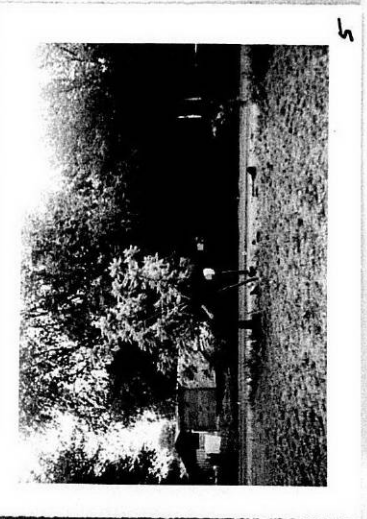
3



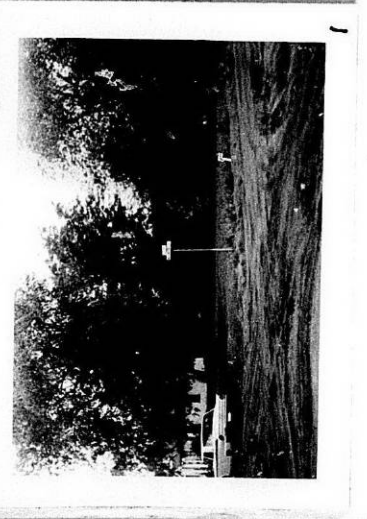
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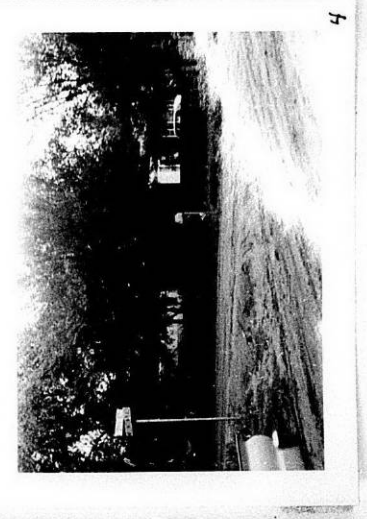
2



5



1



4

Map No. _____
 Sec. _____
 Twp. _____
 Range _____

APPLICATION

1. Applicant Address _____
2. Agent Address _____
3. General Address _____
 32nd _____
4. Proposed _____

AREA DATA

1. Acres _____
2. Area (in _____)

PHOTO DATA:

Taken by _____

6-6-63

Map No. B-4
Sec. 32
Twp. 26
Range 1E

DATA SHEET

Z- 0468
SCZ- _____
CU- _____
Filed 4-29-63

- APPLICATION DATA: From AA to RB
1. Applicant Lester D. & Thelma A. Garretson
Address 3200 Wellington Place Phone TE 81326
 2. Agent _____
Address _____ Phone _____
 3. General Location: E side of Wellington Place between 31st and 32nd Streets North
Address 3200 Wellington Pl.
 4. Proposed Use Location of a trailer in back yard.

- AREA DATA
1. Acres 0.21 (75 ft. by 126 ft.)
 2. Area (is) (~~is not~~) platted.

PHOTO DATA:
Taken by _____ Date _____ Time _____

