

Case No. BZA 37-78 Yvonne G. Dickinson requests exception to allow mobile home on property generally located at 1623 S. Emporia

B

*Post 169
9-26-78*

ACTION

BZA ~~37-78~~ COMMITTEE

37-78

Amend

DATE

9-26-78

M.A.P.C.

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

Map No. 5545
 Sec. 33
 Twp. 27
 Range 1E

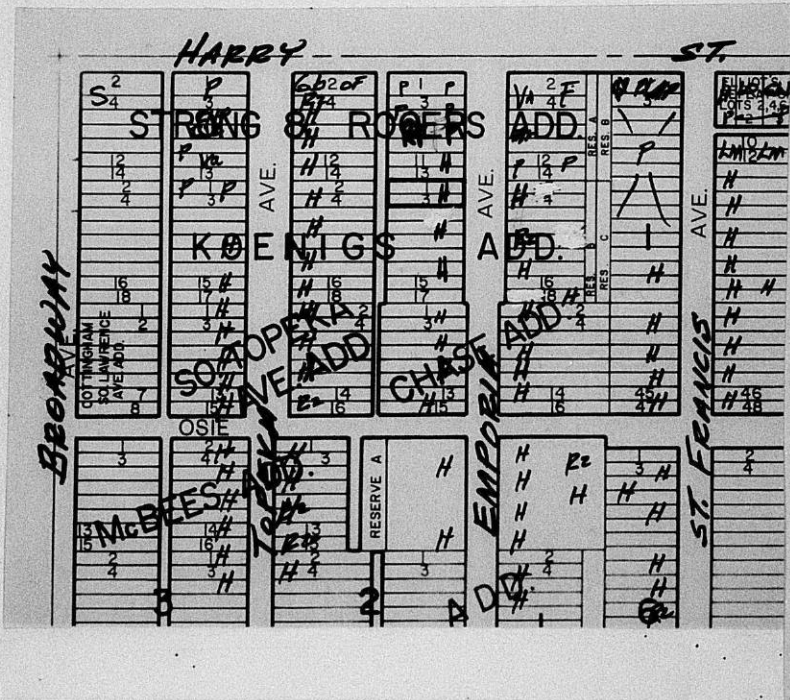
BZA- 37-98
 SCZ- _____
 CU- _____
 Filed _____

AREA DATA:

1. Acres: 0.16 (50 ft. by 140 ft.)
2. Adjoining Zoning: E _____ S _____ W _____ N _____
3. Land Use: East PARKING LOT South TWO FAM
 West SINGLE FAM North PARKING LOT
4. Sketch Plan Land Use is for: _____
5. Present Land Use if for: Single Fam
6. Area (is) (is not) platted. _____

PHOTO DATA:

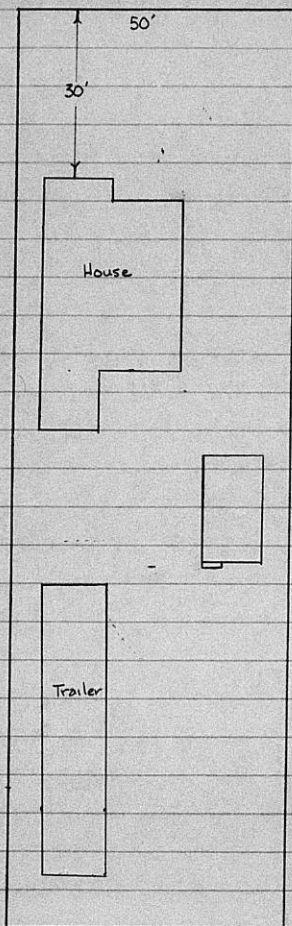
Taken by _____ Date _____ Time _____



HASTINGS, IN - LOS ANGELES
 No. 2153C
 S. Smith
 LOGAN OH - WASHINGTON, TX, U. S. A.

Emporia Ave.

←N



Scale: 1"=20'

RESOLUTION NO. BZA 37-78

WHEREAS, Yvonne G. Dickinson, 1623 S. Emporia, Wichita, Kansas, requests an exception as provided in Section 2.12.590.C, Code of the City of Wichita, to permit the establishment of a mobile home on property zoned the "A" Two Family Dwelling District and legally described as follows:

Lots 1 and 3 on Emporia Avenue, Koenig's Addition to Wichita, Sedgwick County, Kansas. Generally located on the west side of Emporia in an area between Harry and Osie.

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 September 28, 1978, 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 not exist that could not reasonably be alleviated by some other means; and

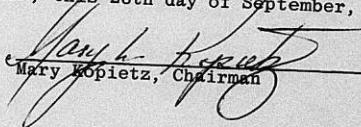
WHEREAS, the Board of Zoning Appeals has authority to permit a mobile home, in an zoning district, subject to conditions outlined in Title 26, Code of the City of Wichita.

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

Lots 1 and 3 on Emporia Avenue, Koenig's Addition to Wichita, Sedgwick County, Kansas. Generally located on the west side of Emporia in an area between Harry and Osie.

ADOPTED AT WICHITA, KANSAS, this 28th day of September, 1978.

ATTEST:


Mary Kopietz, Chairman

Larry Dobson, Assistant Secretary

October 5, 1978

Yvonne G. Dickinson
1623 S. Emporia
Wichita, Kansas 67211

Re: Case No. BZA 37-78
Request for Exception

Dear Ms. Dickinson:

Enclosed is a signed copy of the Resolution adopted by the Board of Zoning Appeals on September 26, 1978, in connection with your request for an exception to permit the establishment of a mobile home on property zoned the "A" Two Family Dwelling District, and generally located on the west side of Emporia in an area between Harry and Osie (1623 S. Emporia).

This Resolution reflects the official action of the Board to deny your request. It is forwarded to you for your information and files.

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

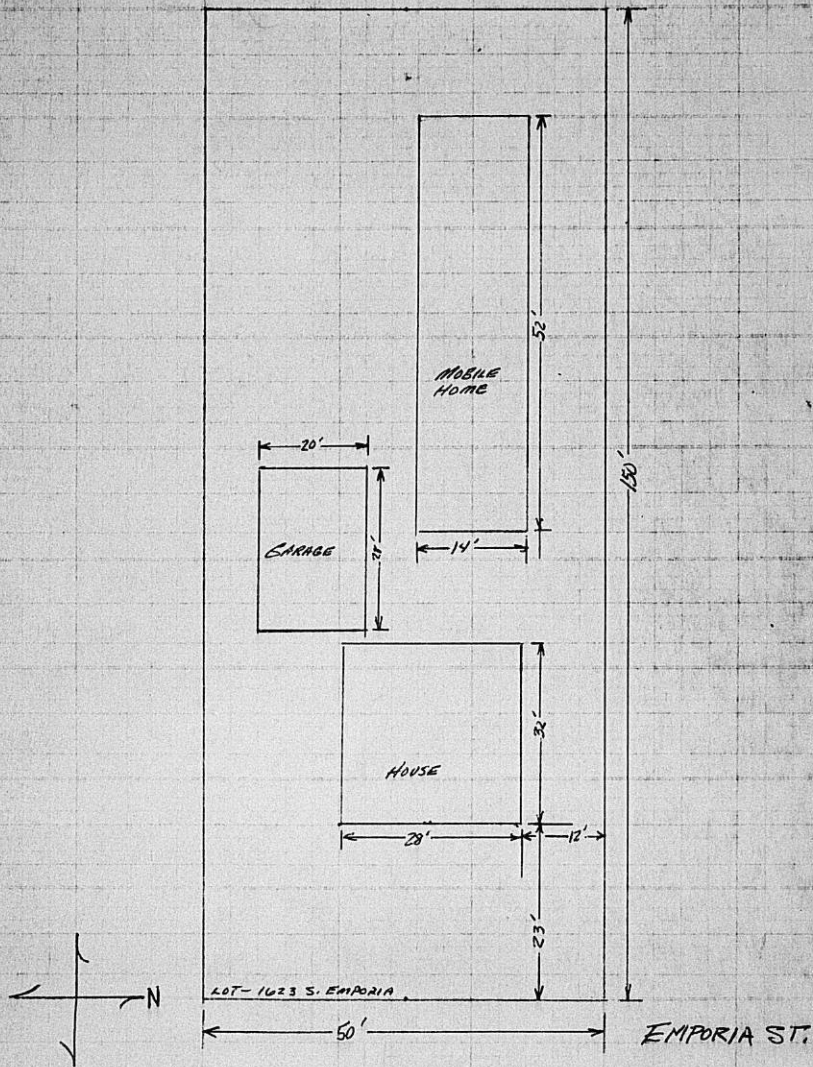
Sincerely,

Larry Dobeon
Assistant Secretary

LD:bbs
Enclosure

cc: Darl G. White, 1623 S. Emporia, 67211
Robert Feldner, Superintendent of Central Inspection
Joe Donnelly, Housing and Zoning Administrator
Don Gisick, City Clerk

1623 S. EMPORIA



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September 27, 1978

Yvonne G. Dickinson
1623 S. Emporia
Wichita, Kansas 67211

Re: Case No. BZA 37-78
Request for Exception

Dear Ms. Dickinson:

At the regular meeting of the Board of Zoning Appeals on Tuesday, September 26, 1978, your request for an exception to permit the establishment of a mobile home on property zoned the "A" Two Family Dwelling District, and generally located on the west side of Emporia in an area between Harry and Osie (1623 S. Emporia), was considered.

It was the action of the Board to deny the request.

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 Chairman and Secretary have been obtained.

Sincerely yours,

Larry Dobson
Assistant Secretary

LD:bbc

cc: Darl G. White, 1623 S. Emporia, 67211
Robert Feldner, Superintendent of Central Inspection
Joe Donnelly, Housing and Zoning Administrator
Don Gisick, City Clerk
Suzette Barscewski, 1630 S. Emporia, 67211
Mr. & Mrs. Con Doolin, 1634 S. Emporia, 67211

Wichita, Kansas
Sept. 14, 1978

We, the undersigned, Homeowners and Residents of the 1600 block of South Topeka and 1600 block South Emporia; strenuously object to lowering the standard of residential Standards now in effect in the above mentioned location. We do not feel that allowing Traylor Houses would add to the neighborhood but in the alternative would detract from it.

Lester E. Roll	1646 S. Topeka	264-8845
Viva L. Roll	1646 S. Topeka	264-8845
Suzette D. Carcusi	1630 S. Topeka	263-6553
Louis J. Carcusi	1630 S. Topeka	263-6553
Jamara Carcusi	1630 S. Topeka	263-6553
Con Doolin	1634 S. Topeka	263-8008
Henry A. Marshall	1656 S. Topeka	263-7742
Mrs. Geraldine Laughlin	1657 So. Emporia	263-8441
Joe W. Laughlin	1657 So. Emporia	263-8441
Rosalie E. Spencer	1651 So. Emporia	262-8605
Kathleen F. Wilcox	1626 S. Topeka	263-9311
Grace B. Doolin	1634 S. Topeka	263-8008
Thelma Childers	1654 S. Topeka	265-2986
Charles E. Weekley	1606 So. Topeka	265-6875
Lucille M. Babb	1610 So. Topeka	263-4325
George W. Bett	1610 So. Topeka	263-4325
Billy H. Spencer	1651 So. Emporia	262-8605
Clara F. Batten	1647 So. Emporia	267-4905
Janet V. Wimmer	1658 So. Topeka	265-3398
Ann L. White	1621 S. Emporia	267-9105
Opal Postfield	1645 S. Emporia	267-2747
Jenny Weaver	1643 S. Emporia	262-2167

THE CITY OF WICHITA
OFFICE OF CITIZEN PARTICIPATION

DATE September 22, 1978

TO Larry Dobson, Junior Planner, MAPD

FROM Deanna Patton, CPO Administrative Aide


SUBJECT BZA 37-78 (West side of Emporia
in an area between Harry and Osie)

At its September 20, 1978, meeting CPO Council "E" considered the captioned case. After hearing adjacent residents' protests about the detrimental effect of a mobile home on a residential neighborhood, Council "E" voted unanimously (8-0) to recommend that this request for an exception be denied unless extenuating circumstances of hardship can be authenticated.

Please provide this information to the Board of Zoning Appeals when it considers this item. Thank you.


Deanna Patton
CPO Administrative Aide

DP:m1
Noted:


David Furnas
Citizen Participation Coordinator

Larry Dobson
Planning Dept.

44-21
Was already filed. Total lot area 7500 "A" ZONE
Map bearing date 9-26-78 Side set back - 6'
Rear " " - 10'
Clearance from overhanging - 20'
Total area reqd. 2500 sq. ft.
(over and above set back)
(required for S/F house)

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

File No. _____
Date 8-21-78

Hand sup Case

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.

Xmasome Dickman
Signature of Applicant

Signature of Owner

Legal Description of Proposed Park: _____

CATS 1-3 Emporia Ave
Koenigs Add

Owner: DARA WILKIE

Address: 1623 S. Emporia Tel: 265 0450

If Applicable:
Name of Park: _____

Address: 1623 S. Emporia Tel: _____

Name of Operator: AWK

Address: _____ Tel: _____

Number of Spaces: Mobile Home 1 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) 2 No. of lavatories(M) 4 No. of showers or tubs(M) 2

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 _____

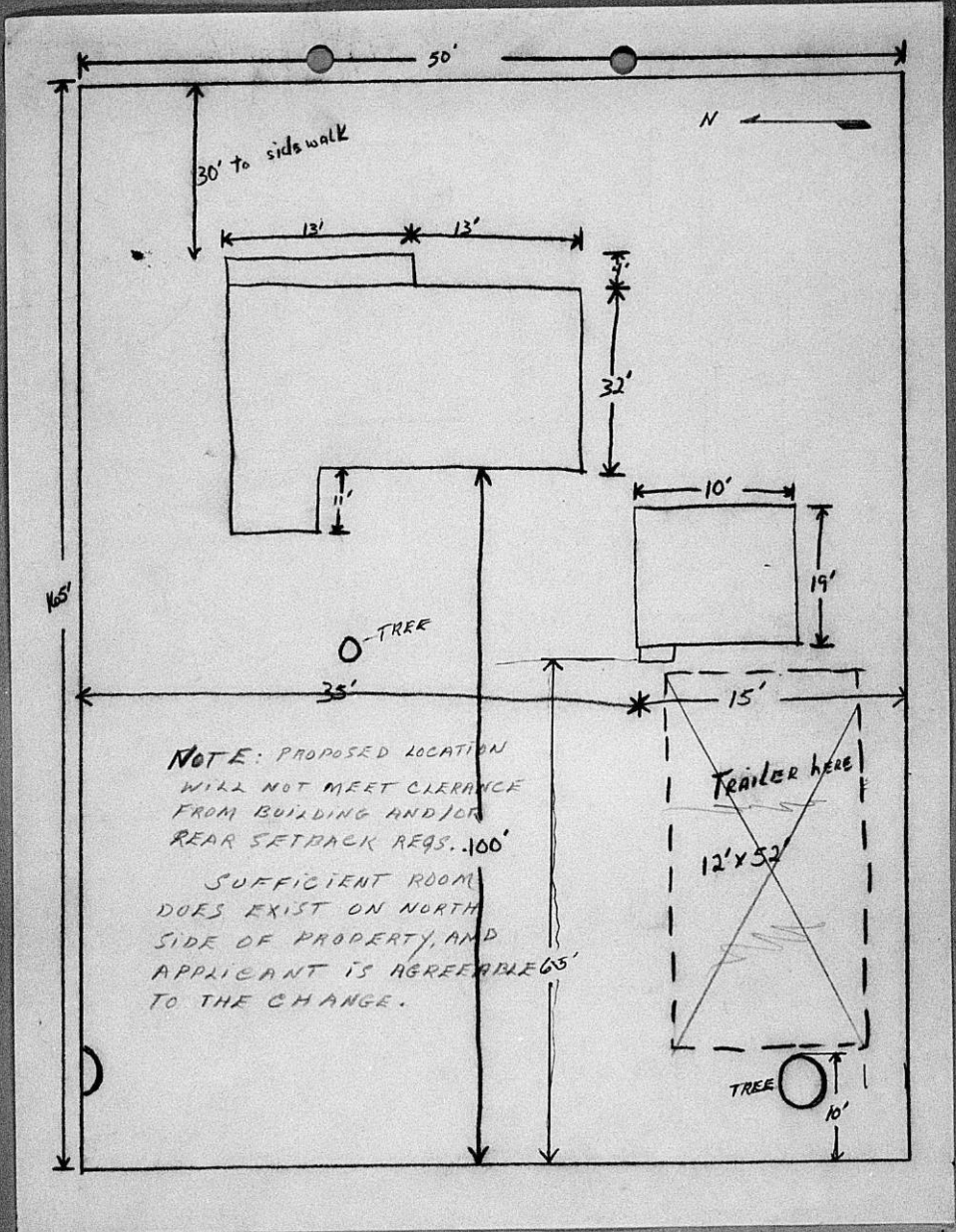
By E.H. James

Date _____

Date 9-1-78

KA-247

Approval based on engineering
location of property adjacent to
north side of property.



SECRETARY'S REPORT

CASE NO. BZA 37-78

APPLICANT: Yvonne G. Dickinson, 1623 S. Emporia,
Wichita, Kansas

AGENT: N/A

REQUEST: Exception pursuant to Section 2.12.590.C,
Code of the City of Wichita to permit the
establishment of a mobile home on property
zoned the "A" Two Family Dwelling District.

GENERAL LOCATION: West side of Emporia in an area between Harry
and Osie (1623 S. Emporia).

ZONING: Subject property and all surrounding proper-
ties are zoned the "A" Two Family Dwelling
District.

LAND USE: Subject property and all surrounding proper-
ties are developed with single family homes.

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 a mobile home on property owned by her father.

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 the applicant can show due cause that a hardship exists and that the hardship cannot reasonably be alleviated without the granting of this permit.

The applicant acting as agent for her father has submitted a letter from her father's doctor which suggests the father is in poor health and should have someone nearby to provide assistance. The applicant has temporarily moved in with her father, but indicates this would not be a satisfactory arrangement for a long period of time due to space limitations within the home. The applicant's son also lives with her and her father.

The applicant feels the need to live close to her father based on his medical problems and inability to care for himself and therefore would like to place a mobile home on the rear of subject property for her and her son to live in.

There is a discrepancy between the applicant's site plan, showing the property as 50 by 185 feet and the plat of subject property, which indicates the property dimensions as 49 by 140 feet. The submitted site plan, although dimensioned, is not drawn to scale. The Office of Central Inspection has indicated that they believe a 12 by 52 foot mobile home could be located on the north side of subject property and comply with all setback requirements. However, any approval of this exception should require the applicant to submit a revised site plan showing the accurate property dimensions, drawn to scale and showing the proposed location of the mobile home on the site.

RECOMMENDATION:

If the Board determines that there is a hardship in this case and that the hardship cannot be reasonably alleviated without the granting of the exception, the following conditions are suggested as conditions of approval;

1. The mobile home may remain on the property only as long as occupied by the applicant, Yvonne G. Dickinson, and further provided that the applicant's father, Darl G. White, resides on the property, except for temporary absence from his residence for brief hospital stays and other similar reasons.
2. If either of the two stipulations outlined in condition #1 are not met, the mobile home shall be removed from the property.
3. The applicant or her father shall report annually, during the first two weeks of January, to the Central Inspection Division, as to whether or not the parties are still residing on the property.
4. The location of the mobile home shall conform to all setback and height requirements in the "A" Two Family Dwelling District and with the requirements of Title 26 of the City Code.
5. Four (4) copies of a revised site plan shall be submitted to the Office of Central Inspection for their approval, accurately depicting the dimensions of the property and the location of existing structures and the proposed mobile home.

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

August 31, 1978

NOTICE TO ADJOINING PROPERTY OWNERS:

Case No. BZA 37-78

An application has been filed by Yvonne G. Dickinson, 1623 S. Emporia, Wichita, Kansas, pursuant to Section 2.12.590.C, Code of the City of Wichita, requesting an exception to permit the establishment of a mobile home on property zoned the "A" Two Family Dwelling District and legally described as follows:

Lots 1 and 3 on Emporia Avenue, Koenig's Addition to Wichita, Sedgwick County, Kansas. Generally located on the west side of Emporia in an area between Harry and Osie.

This application has been assigned Case No. BZA 37-78 and will be considered by the Board of Zoning Appeals at its meeting on Tuesday, September 26, 1978, at 1:30 p.m., in the Board Room, First Floor, City Hall, 455 North Main, Wichita, Kansas, at which time you may appear if you so desire, 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.

Jack H. Galbraith
Secretary

19 notices sent to adjacent property owners, applicant, and/or agent
10 notices sent to MAPC
1 notice sent to CPO

30 total notices sent on BZA 33-82, August 31, 1978

De Donnelly

2684481

Distance To GARAGE = 5ft
" " SIDE PROP. LINE = 3ft

HERVEY R. HODSON, M. D., F. A. C. S.
1122 SOUTH CLIFTON
WICHITA, KANSAS 67218

August 25, 1978

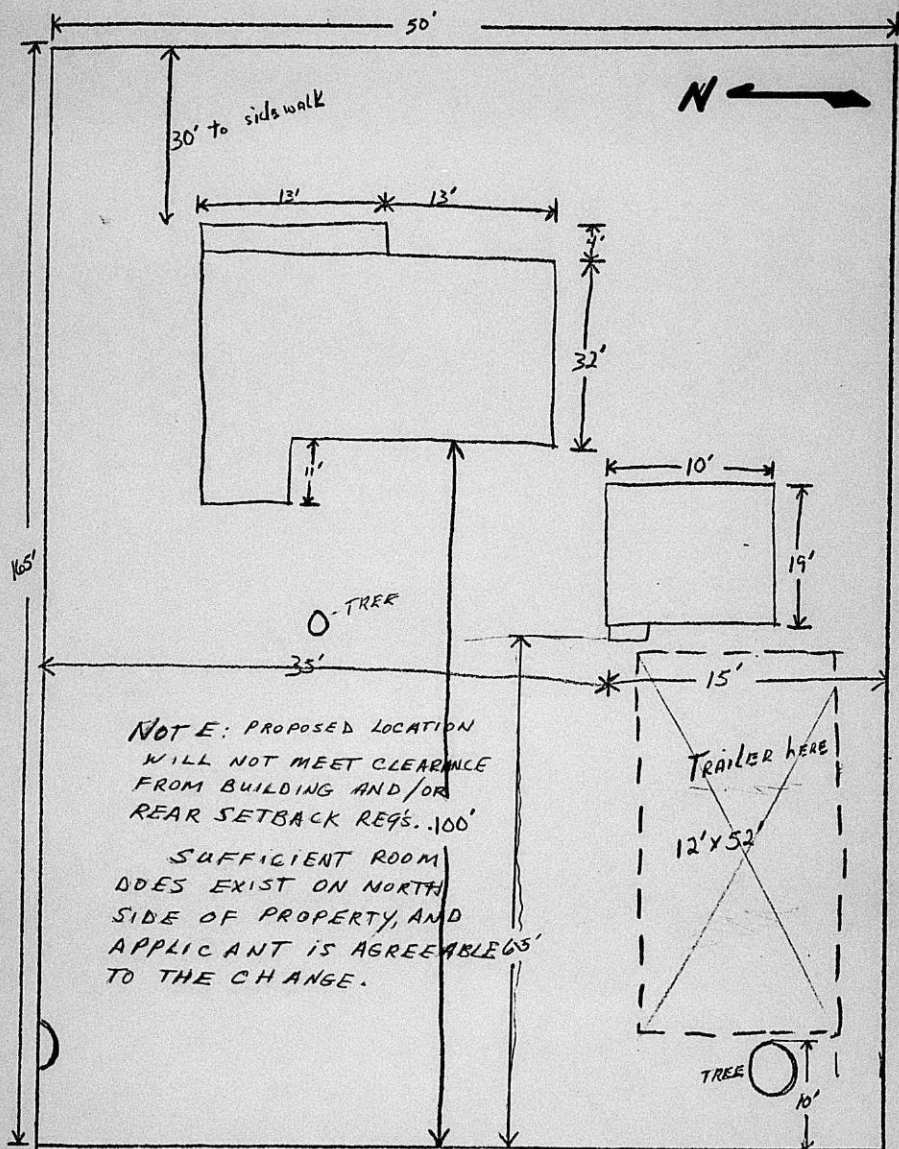
To Whom It May Concern:

Due to the health of my patient Mr. Darl
White, his daughter, Yovonne Dickinson,
should live near by, as in a trailer on the
lot.

Sincerely,


Hervey R. Hodson, M. D.

psh



BOARD OF ZONING APPEALS

CASE NO. _____

CITY OF WICHITA, KANSAS

FILED 8-28-78

APPLICATION FOR EXCEPTION

I. Name of Applicant Yvonne S. Dickinson - D Darl G. White
 Mailing Address 1623 S. Emporia 67211 Phone 26 50450
 Name of Authorized Agent None
 Mailing Address _____ Phone _____
 Relationship of applicant to property is that of Other
 (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 Darl G. White a mobile home on property zoned A-Two Family located 1623 S. Emporia and legally described as: Lots 1-3 Emporia Ave. KOENIGS Add. _____, 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 Yvonne S. Dickinson
 Authorized Agent None

OFFICE USE ONLY: Received in the office of the Secretary, Board of Zoning Appeals, 8:00 a.m. - p.m.), 8-28, 19 78, together with appropriate fee of \$50.00

West side of Emporia in
the area between Hamy & Osie

Signed Berry Dobson
 Subj. to approved site plan
 from C.I.D.

OWNERSHIP LIST

Lot	Addition	Property Owner
Lots 1 & 3 on Emporia	Koenigs	✓ Darl G. White Winnie White (deceased) 1623 S. Emporia 67211
Lots 5 & 7 on Emporia	" "	✓ James W. Pratt & Katherine M. 1625 S. Emporia 67211
Lots 9, 11, 13, 15 & 17 on Emporia	" "	✓ Donald E. Weaver 1643 S. Emporia 67211
Lots 2, 4, 6, 8 & 10 on Emporia	" "	<i>Not on plan hook to City</i> ✓ Ravie Mae McMahan address unknown
Lots 12 & 14 on Emporia	" "	<i>→ Road</i> ✓ John J. Lewellen & Olga H. address unknown
Lots 16 & 18 on Emporia	" "	✓ Armando Ayala & Linda 535 S. Fern St. 67213
Lots 2 & 4 on Topeka	" "	✓ George William Babb Sr. Lucille Mary Babb 1610 S. Topeka 67211
Lots 6 & 8 on Topeka	" "	✓ Theodore Roosevelt Wilcox Kathleen Frances Wilcox 1626 S. Topeka 67211
Lot 10 & N $\frac{1}{2}$ Lot 12 on Topeka	" "	<i>not listed</i> Louis John Barscewski Suzette D. Barscewski address unknown
S $\frac{1}{2}$ Lot 12 & All Lot 14 on Topeka	" "	✓ William C. Doolin & Grace B. 1634 S. Topeka 67211 Michael Conrad Doolin 1932 N. St. Paul 67203
Lots 16 & 18 on Topeka	" "	✓ Lester E. Roll & Viva Inez 1646 S. Topeka 67211
Lot 1 on Emporia	Strong & Roger's	✓ Jack L. Herron & Ramona L. 508 E. Harry 67211
Lots 3, 5, 7, 9, on Emporia	" " "	<i>D</i> " " " " " "
Lots 11 & 13 on Emporia	" " "	✓ James D. Liming & Henrietta M. 1615 S. Emporia 67211
W 70' of Lots 2, 4, & 6 on Emporia	" " "	✓ Mary Margaret Morris Boyd James R. Boyd 13 Douglas Ave. 67207
E 70' of Lots 2, 4, & 6 on Emporia	" " "	<i>not listed</i> Eloise Morris McMurtry Wilbur E. McMurtry address unknown
Lots 8, 10, 12 & 14 on Emporia	" " "	✓ N.R. Longenecker 1846 S. Water St. 67213



434 NORTH MAIN
WICHITA, KANSAS 67202
267-8371

Lot	Addition	Property Owner
E 50' of Lot 2 & E 50' of N 10' of Lot 4 on Topeka	Strong & Roger's	✓ Merite N. Lygrisse 933 Woodrow 67203
W 90' Lot 2 & W 90' of N 10' of Lot 4 on Topeka	" " "	✓ Merite N. Lygrisse & Margaret Ann 933 Woodrow 67203
S 15' Lot 4 & All Lot 6 on Topeka	" " "	✓ Merite N. Lygrisse & Bernice 933 Woodrow 67203
Lots 8 & 10 on Topeka	" " "	Ⓟ Merite N. Lygrisse & Bernice 933 Woodrow 67203
Lots 12 & 14 on Topeka	" " "	Robert J. Hein & Alberta M. 353 Howe Road 67209
Lots 2 & 4 on Emporia	Chase	Archie M. Ailshie & Dorothy A. 1537 S. Wichita 67213
Lots 1 & 3 on Emporia	" "	Gray R. Porterfield & Opal C. 1645 S. Emporia 67211
Lots 2 & 4 on Topeka	South Topeka Avenue	Billy G. Spencer & Rosalie E. 1651 S. Emporia 67211

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

200' radius of Lots 1 & 3 on
Emporia Avenue, Koenig's Addition
to the City of Wichita, Sedgwick
County, Kansas,

as shown by the last deeds of record on file in the Office of the Register of Deeds
of Sedgwick County, Kansas on this 24th day of August, 1978 at 7:00 o'clock A.M.

THE SECURITY ABSTRACT AND TITLE COMPANY, INC.

By

Mary Stalle

Vice President

Order No. 268237
rmk

FORM 3-021

PAYMENT NOTICE
City of Wichita

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

DESCRIPTION	AMOUNT
Exception Application (K2A)	\$50.00

NAME Darl G. White

ADDRESS 1123 S Emporia

FUND 40-00-000-41 DUE DATE 1/71-003-000-000

COMMENTS

DATE 8-25-78 BY [Signature]