

Case No. BZA 5-86 - Della Ivy requests an exception to permit the location of a mobile home on a temporary basis on property zoned the "B" Multiple-family Dwelling District & generally located on the west side of Hydraulic and south of

Posted  
3-24-86 GVL

# ACTION

B.Z.A. 5-86 DENIED 4/22/86  
DATE

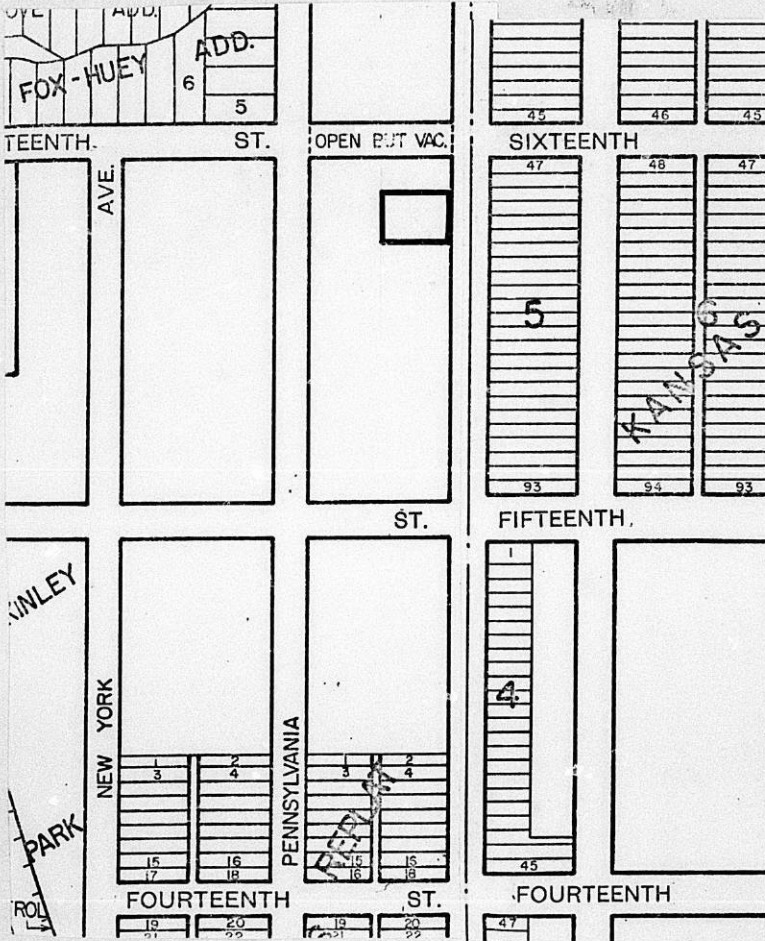
Case No. BZA 5-86 - Della Ivy requests an exception to permit the location of a mobile home on a temporary basis on property zoned the "R" Multiple-family Dwelling District & generally located on the west side of Hydraulic and south of

Map No. 5549 B

BZA 5-86  
Filed \_\_\_\_\_

AREA DATA:

1. Acres: \_\_\_\_\_ ( \_\_\_\_\_ ft. by \_\_\_\_\_ ft.)  
2. Adjoining Zoning: E "B" S "B" W "B" N "B"  
3. Land Use: East I-F South I-F  
West I-F North I-F  
4. Area (is) (~~is not~~) platted.



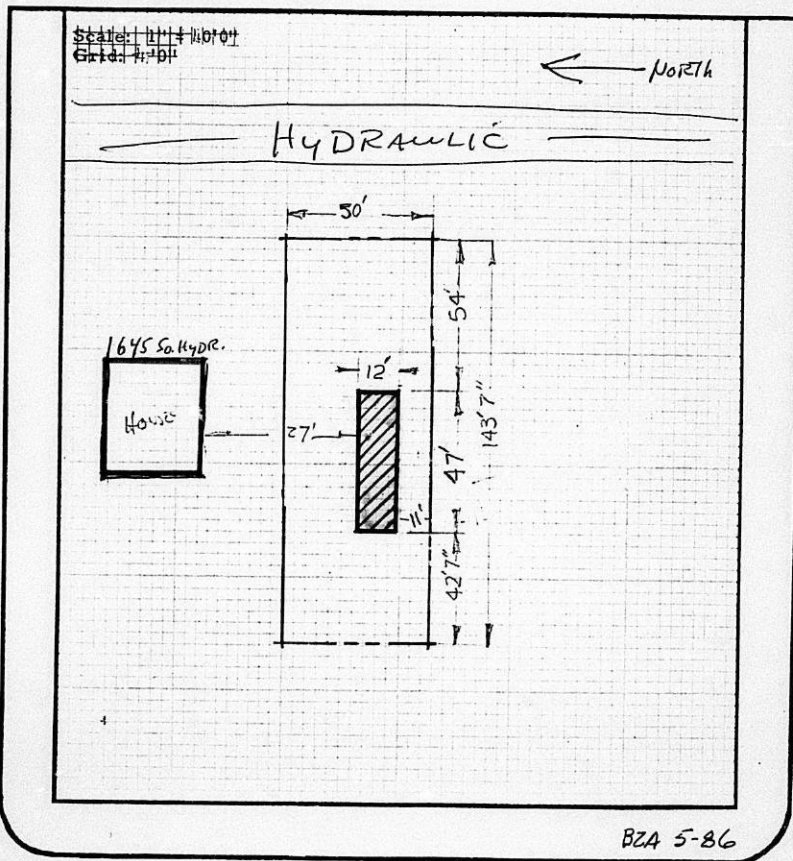
LOS ANGELES COUNTY  
REGISTERED PLAT  
NO. 2153C  
MORNING, TULOCUET GROVE, CA  
U.S.A.

**Speed**  
No. 2153C



RESIDENTIAL PLOT PLAN

ADDRESS: \_\_\_\_\_ PERMIT NO. \_\_\_\_\_  
LOT(S): \_\_\_\_\_ BLK. \_\_\_\_\_ OF \_\_\_\_\_ ZONING \_\_\_\_\_  
REQUIRED SETBACKS: FRONT \_\_\_\_\_ SIDE \_\_\_\_\_ SIDE \_\_\_\_\_ REAR \_\_\_\_\_



I certify that the above plat complies with applicable zoning setbacks and subdivision covenants and restrictions.

Signed: \_\_\_\_\_  
(Applicant)

White Copy - File

Yellow Copy - Applicant

April 23, 1986

Della F. Ivy  
1947 North Spruce  
Wichita, Kansas 67214

Re: BZA 5-86 On the west side of Hydraulic and south of Sixteenth  
Street

Dear Mrs. Ivy:

Enclosed is a signed copy of the Resolution adopted by the Board of  
Zoning Appeals on April 23, 1986.

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

With the denial of this request it will be necessary for you to remove the  
mobile home from your property at the earliest possible date. I believe  
the Board of Zoning Appeals felt that there were other means for you to  
resolve the problem presented to the Board, relative to the care of your  
son.

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

Sincerely,

Glen E. Lytle  
Assistant Secretary

GEL/lw

Enclosures

cc: Monty Robson, Superintendent of Central Inspection (2)  
Don Gisick, City Clerk

RESOLUTION CASE NO. 5-86

WHEREAS, Della F. Ivy, 1947 N. Spruce, Wichita, Kansas, pursuant to Section 2.12.590.C, Code of the City of Wichita, requests an exception to permit the location of a mobile home on a temporary basis on property zoned the "B" Multiple-family Dwelling District and legally described as follows:

The North 40 feet of Lot 54 and all of Lot 56, Spring Grove 2nd Addition on Hydraulic, Wichita, Sedgwick County, Kansas. Generally located on the west side of Hydraulic and south of 16th Street.

WHEREAS, proper notice as required by ordinance and by the rules of the Board of Zoning Appeals has been given; and

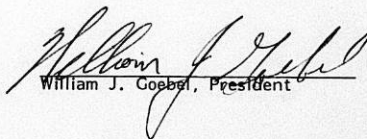
WHEREAS, the Board of Zoning Appeals did, at the meeting of April 22, 1986, consider said application; and

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

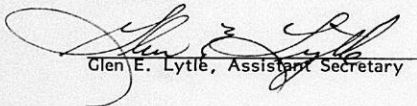
WHEREAS, the Board of Zoning Appeals has authority to permit the location of a mobile home on a temporary basis on property zoned the "B" Multiple-family Dwelling District subject to the conditions outlined in Section 28.04.C, Code of the City of Wichita.

NOW, THEREFORE, BE IT RESOLVED that after consideration of all the facts presented, the Board of Zoning Appeals of the City of Wichita, denied the application, and that you should consider some other method to resolve this matter without the location of the mobile home on this property.

ADOPTED AT WICHITA, KANSAS, this 22nd day of April, 1986.

  
William J. Coebel, President

ATTEST:

  
Glen E. Lytle, Assistant Secretary

THE CITY OF WICHITA

OFFICE OF Citizen Participation      DATE    April 10, 1986

TO      Glen Lytle, Special Assistant for Zoning

FROM    Barry L. Carroll, Administrative Aide III

SUBJECT    BZA 5-86: S.E. West Side of  
              Hydraulic and South of 16th  
              Street

On April 9, CPO Council Area "J" considered the above captioned case, a request for an exception to permit the location of a mobile home on a temporary basis on property zoned the "B" Multiple-family Dwelling District. Council members were provided the notice to adjoining property owners, a map of the area, and MAPD staff comments. The Council recommended by a vote of 5-0 to deny the request for an exception.

The applicant, Della F. Ivy, was present to describe the request and respond to questions from the Council. According to Ms. Ivy, she has an adult son with special needs whom she wants to move into the mobile home so that she can "look after him".

Several area residents in attendance, who were opposed to the request. Lawrence Jackson, 1658 North Hydraulic and Johnson W. Hilton, 1637 North Hydraulic stated that the mobile home would not be conducive to the area and provided Council members with a petition of several citizens who were also opposed to request.

After listening to both the applicant and the citizens present, Council members could not support the proposal.

Please provide the Council's recommendation to the Board of Zoning Appeals when case BZA 5-86 is considered.

*Barry L. Carroll*  
Barry L. Carroll  
Administrative Aide III

cc: Jack Galbraith, Chief Planner, Current Plans

BLC:dm

Noted:

*Annie K. Montgomery*  
Annie K. Montgomery  
CRS Director

RECEIVED

APR 10 1986

METROPOLITAN PLANNING

ROUTE  \_\_\_\_\_  
 \_\_\_\_\_

RE: AGENDA ITEM NO 3

SECRETARY'S REPORT  
CASE NO. BZA 5-86

APPLICANT: Della F. Ivy, 1947 North Spruce, Wichita, Kansas

AGENT: None.

REQUEST: Exception pursuant to Section 28.04.182.3 Code of the City of Wichita to permit the location of a mobile home on a temporary basis.

GENERAL LOCATION: On the west side of Hydraulic and south of Sixteenth Street.

ZONING: Subject property is zoned the "B" Multiple-family Dwelling District as are all adjacent properties.

LAND USE: Subject property is occupied by a one-family dwelling as are most adjacent properties.

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 legalize the location of a mobile home that has been placed on the property in violation of provisions of the zoning ordinance. The home is for a son who is an active patient at the North Mental Health Center. There is another brother who lives in the house on the property at 1645 North Hydraulic.

The owner has been cited by Central Inspection for the violation. The site plan submitted with the application indicates that there is more than sufficient land area to accommodate the mobile home in compliance with the lot area required by the "B" Multiple-family District.

It is difficult to determine by the letter submitted with the application from the staff psychiatrist from Sedgwick County Department of Mental Health why this mobile home must be placed at this location and why another location could not serve the purpose just as well. The letter states that "Bobby J. Baldwin is a patient...and are furnishing this statement at his request."

RECOMMENDATION:

It is the Secretary's opinion that there has not been sufficient information to determine that this request cannot be alleviated by some other means, and the application should be denied.

BZA CASE NO. 5-86

<u>1</u>	NOTICES SENT TO APPLICANT/AGENT
<u>15</u>	LEGAL ADVERTISEMENT SENT TO MAPC & BZA
<u>1</u>	NOTICES SENT TO CPO
<u>20</u>	NOTICES SENT TO ADJOINING PROPERTY OWNERS
<u>22</u>	TOTAL NOTICES SENT <u>3/27/86</u>

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

MARCH 27, 1986

NOTICE TO ADJOINING PROPERTY OWNERS:

CASE NO. BZA 5-86

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 Della F. Ivy, 1947 N. Spruce, 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 a mobile home on a temporary basis on property zoned the "B" Multiple-family Dwelling District. A legal description of the applicant's property is as follows:

The North 40 feet of Lot 54 and all of Lot 56, Spring Grove 2nd Addition on Hydraulic, Wichita, Sedgwick County, Kansas. Generally located on the west side of Hydraulic and south of 16th Street.

This application has been assigned Case No. BZA 5-86. It will be considered by the Board of Zoning Appeals on April 22, 1986 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.

Glen E. Lytle  
Assistant Secretary

**IMPORTANT MESSAGE**

FOR Shea

DATE 3-24 TIME 3:35 <sup>A.M.</sup> <sub>P.M.</sub>

**WHILE YOU WERE AWAY**

Eddie Agon

OF \_\_\_\_\_

PHONE No. \_\_\_\_\_

TELEPHONED	<input checked="" type="checkbox"/>	PLEASE CALL	<input type="checkbox"/>
CALLED TO SEE YOU	<input type="checkbox"/>	WILL CALL AGAIN	<input type="checkbox"/>
WANTS TO SEE YOU	<input type="checkbox"/>	RETURNED YOUR CALL	<input type="checkbox"/>

MESSAGE re 1645 N. Hydraulic  
the brother name is  
Otis Baldwin

SIGNED [Signature]

BOARD OF ZONING APPEALS

CASE NO. 5-86

CITY OF WICHITA, KANSAS

FILED \_\_\_\_\_

APPLICATION FOR EXCEPTION

I. Name of Applicant Della F. Duff  
 Mailing Address 1947 N. Spruce Phone 267-4919  
W.K. 67214  
 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 the location of a mobile home on a hardship basis

\_\_\_\_\_ on property zoned B  
 located on the west side of Hydraulic between 13<sup>th</sup> and 16<sup>th</sup> and legally  
 described as: The North 40 feet of lot 54 and all of lot 56,  
Spring Grove 2<sup>nd</sup> Addn on Hydraulic, 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. 39-285); 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 Della F. Duff

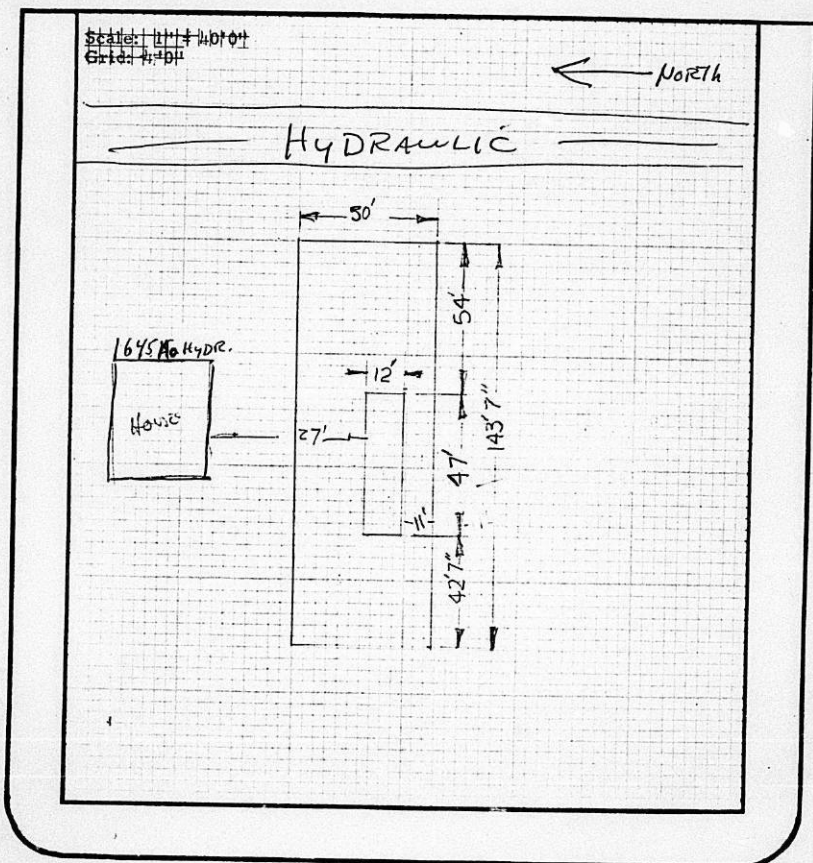
Authorized Agent \_\_\_\_\_

OFFICE USE ONLY: Received in Office of Secretary, Board of Zoning Appeals, 1:45 (p.m.), March 10, 1986, together with appropriate fee of 20.00.

Signed [Signature]

RESIDENTIAL PLOT PLAN

ADDRESS: \_\_\_\_\_ PERMIT NO. \_\_\_\_\_  
LOT(S): \_\_\_\_\_ BLK. \_\_\_\_\_ OF \_\_\_\_\_ ZONING \_\_\_\_\_  
REQUIRED SETBACKS: FRONT \_\_\_\_\_ SIDE \_\_\_\_\_ SIDE \_\_\_\_\_ REAR \_\_\_\_\_



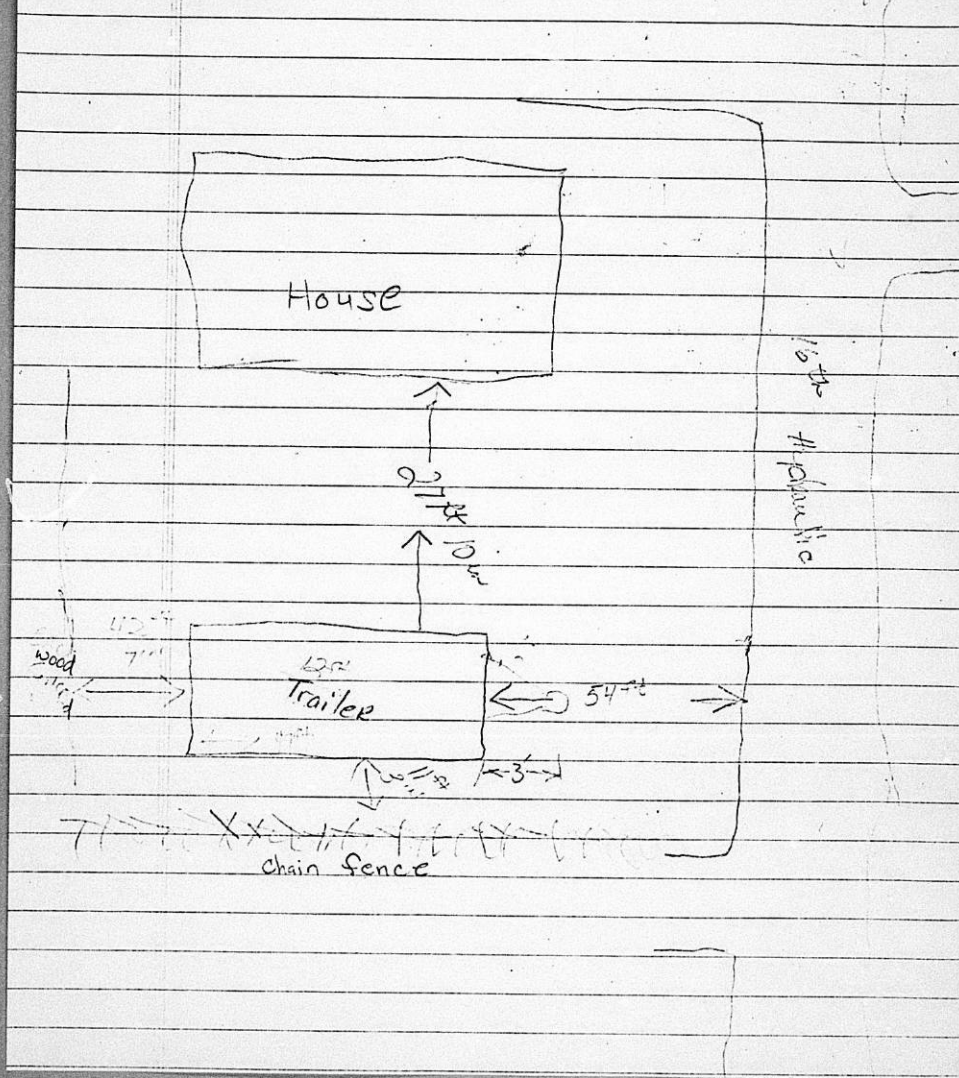
I certify that the above plat complies with applicable zoning setbacks and subdivision covenants and restrictions.

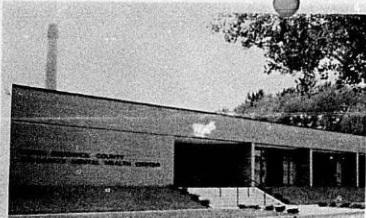
Signed: \_\_\_\_\_  
(Applicant)

White Copy - File

Yellow Copy - Applicant

MICROFILMED  
FROM THE BEST  
AVAILABLE COPY





## Sedgwick County Department of Mental Health

*Clinton D. Willsie, ACSW, Director*

1801 E. 10th, Wichita, Kansas 67214-3197  
(316) 268-8251

**North Comprehensive  
Community Mental  
Health Center**

1801 E. 10th  
268-8251 (67214-3197)

**South Comprehensive  
Community Mental  
Health Center**

3620 E. Sunnybrook  
685-0201 (67210-1464)

**Inpatient:  
St. Joseph Medical  
Center**

3600 E. Harry  
685-1111 (67218)

**Derby Center**

431 S. Woodlawn  
Derby, KS 67037  
788-2848

**Alcohol Treatment  
Center**

3620 E. Sunnybrook  
685-0405 (67210)

**Drug Treatment Center**

635 N. Main  
268-8025 (67203)

**Evaluation and Treatment  
Center**

635 N. Main  
268-8036 (67203)

**Juvenile Court Clinic**

1015 S. Minnesota  
268-7655 (67211)

**Special Services**

635 N. Main  
268-8025 (67203)

**Transitional Living Program**

1801 E. 10th  
268-8251 (67214)

**Youth Project**

"SCYP"  
1843 N. Lorraine  
682-0325 (67214)

**24-Hour Emergency**

(316) 686-7465

**AFFILIATES:**

**Family Consultation  
Service**

560 N. Exposition  
264-8317 (67203)

**Wichita Guidance  
Center**

415 N. Poplar  
686-6671 (67214)

**Holy Family Center**

619 S. Maize Rd.  
722-5381 (67209)

March 3, 1986

City Planning  
City of Wichita  
Municipal Courthouse  
Wichita, Kansas 67202

RE: Bobby J. Baldwin  
DOB: 1/10/50

Gentlemen:

Mr. Bobby J. Baldwin is currently an active patient at the North Mental Health Center. We are sending you this statement at his request.

Sincerely,

Charles Waite, LCSW  
Psychiatric Social Worker

*M. H. Shah*  
Mukhtar H. Shah, M.D.  
Staff Psychiatrist

CW:MHS:abl

O W N E R S H I P L I S T

<u>Lot</u>	<u>Addition</u>	<u>Property Owner</u>
Lot 46 & the N½ of vacated alley and the South 30 feet of Lot 48	Spring Grove 2nd, on Hydraulic	Milton A. Vernon Ina M. Vernon ✓ 304 S. 20th St. Joseph, MO 64501
The North 20 feet of Lot 48, all of Lot 50 and the South 45 feet of Lot 52 and vacated alley between Lots 48 & 50, on Hydraulic	"	Johnson W. Hilton Aneta D. Hilton ✓ 1637 N. Hydraulic Wichita, KS 67214
Beginning 150 feet South of the SW/c of the intersection of 16th Street & Hydraulic Ave.; th. South 25 feet; th. West 130 feet; th. North 25 feet; th. East 130 feet to beginning.	"	✓ Aneta D. Hilton 1637 N. Hydraulic Wichita, KS 67214
[ The North 40 feet of Lot 54 and all of Lot 56	"	✓ Della Francis Ivy 1645 N. Hydraulic Wichita, KS 67214
Lot 58	"	Maxine C. Walters AND ✓ Marcia Lynn Walters 1650 N. Madison Wichita, KS 67214
Lots 60 and 62	"	✓ Monroe R. Balton Edith R. Balton 1703 N. Hydraulic Wichita, KS 67214
Lot 45 and the South 30 feet of Lot 47	Spring Grove 2nd, on Pennsylvania	✓ Cornell D. Payne Jennifer D. Payne 1624 Pennsylvania Wichita, KS 67214
The North 20 feet of Lot 47 and the South 20 feet of Lot 40 and vacated alley lying between said lots and the North 30 feet of Lot 49 & the South 20 feet of Lot 51	"	✓ Lorayne J. King 1636 Pennsylvania Wichita, KS 67214
The North 30 feet of Lot 51 and the and the South 10 feet of Lot 53, and vacated alley lying between said lots	"	✓ Charles E. Clemons Sandra M. Clemons 1642 Pennsylvania Wichita, KS 67214
The North 40 feet of Lot 53 and the South 10 feet of Lot 55	"	✓ Campbell L. Maxwell 1718 E. 59th Kansas City, MO 64110
The North 40 feet of Lot 55 and vacated alley adjacent	"	✓ Veterans Administra- tion 901 George Washington Blvd. Wichita, KS 67211

<u>Lot</u>	<u>Addition</u>	<u>Property Owner</u>
Lot 57	Spring Grove 2nd, on Pennsylvania	✓ Bonita L. Gooch 4300 Spruce Ave. West Palm Beach, FL 33407
Lot 59 and the South 40 feet of Lot 61 and vacated alley between Lots 59 and 61	"	✓ Monroe R. Balton Edith R. Balton 1703 N. Hydraulic Wichita, KS 67214
The North 10 feet of Lot 61	"	✓ Edgar Pitts Verna B. Pitts 1718 Pennsylvania Wichita, KS 67214
Lot 50 and the South 5 feet of Lot 52	"	✓ Veterans Administration 901 George Washington Blvd. Wichita, KS 67211
The North 45 feet of Lot 52 and vacated alley adjacent to said lot on the North	"	Same As Above
Lot 54 and the South 5 feet of Lot 56	"	✓ Johnnie Brown Jr. 1647 Pennsylvania Wichita, KS 67214 AND Ora Mae Brown Rebecca Brown Address Unknown
The North 45 feet of Lot 56 and vacated alley adjacent to said lot on the North	"	✓ Fred R. Woods Jr. 1651 Pennsylvania Wichita, KS 67214
Lot 58	"	✓ Temple Childs Esther Marie Childs 1657 Pennsylvania Wichita, KS 67214
Lots 39, 41, 43, and 45	Kansas Addition	✓ Billy J. Gracey Betty J. Gracey 2483 N. Belmont Wichita, KS 67220
The West 90 feet of Lots 47 and 49	"	✓ Lawrence P. Jackson Blanche D. Jackson 1658 N. Hydraulic Wichita, KS 67214
The East 65 feet of Lots 47, 49, 51 and 53	"	✓ Veterans Administration 901 George Washington Blvd. Wichita, KS 67211

<u>Lot</u>	<u>Addition</u>	<u>Property Owner</u>
The West 90 feet of Lots 51 & 52, Block 5	Kansas Addition	James Green Regina Green ✓ 1652 N. Hydraulic Wichita, KS 67214
The East 65 feet of Lots 51 & 53, Block 5	"	Veterans Administra- tion ✓ 901 George Washington Blvd. Wichita, KS 67211
Lots 55, 57, and 59, Block 5	"	✓ Mattie Williams 7124 E. 17th Wichita, KS 67206
Lots 61, 63, 65, 67 and 69, Block 5	"	✓ Euria Mae Riddle William Riddle 4750 N. Battin Wichita, KS 67220
Lot 71, Block 5	"	✓ Irving U. Harris Olive B. Harris 1514 N. Hydraulic Wichita, KS 67214

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

The North 40 feet of Lot 54 and all of Lot 56, Hydraulic Avenue, Spring Grove Second Addition to Wichita, Kansas, Sedgwick County, Kansas.

as shown by the last deed of record on file in the Office of the Register of Deeds, Sedgwick County, Kansas, on the 24th day of February, 1986, at 7:00 o'clock A.M.

THE SECURITY ABSTRACT AND TITLE COMPANY, INC.

*Mary Sable*

By  
Sr. Vice-President

Order No: 356577

**MICROFILMED**  
**FROM THE BEST**  
**AVAILABLE COPY**

FORM 29-1121

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
City of Wichita	7.20

NAME

ADDRESS

FUND

DUE DATE

COMMENTS

DATE

BY