

BZA 14-66 - Vaden O. Brown requests exception to permit mobile home on the west side of Exchange between Clark and Kinkaid

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ACTION

Bye COMMITTEE App DATE 5-24-66

M.A.P.C. _____

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

R E S O L U T I O N N O . B Z A 1 4 - 6 5

WHEREAS, Vaden O. Brown, 2125 Exchange, Wichita, Kansas, requests an exception as provided in Section 28.04.182.3, Code of the City of Wichita, Kansas, to allow a mobile home to be located on property legally described as:

Lots 27 and 29 on Exchange Avenue in Fairgrounds Addition, in the City of Wichita, Sedgwick County, Kansas. Generally located on the west side of Exchange in an area between Clark and Kinkaid; and

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 May 24, 1966; 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

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

WHEREAS, Section 28.04.182.3, Code of the 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

WHEREAS, the Board considered the reasons submitted by the applicant in support of the finding of hardship, and found that a hardship does exist in that Mrs. Brown's mother (Mrs. Ackerman) is in extremely poor health and it is desirable that she live near Mrs. Brown in order that she may receive constant care and assistance.

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

Lots 27 and 29 on Exchange Avenue in Fairgrounds Addition, in the City of Wichita, Sedgwick County, Kansas. Generally located on the west side of Exchange Place in an area between Clark and Kinkaid; and

subject to the following:

1. The mobile home may remain on the property as long as it is occupied by Mrs. Brown's mother (Mrs. Ackerman) and whenever Mrs. Ackerman no longer occupies the mobile home, it shall be removed.

2. The applicant shall report annually (January 1) to the Central Inspection Division, as to whether or not the mobile home is still occupied by Mrs. Brown's mother.
3. The location of the mobile home shall conform to all setbacks, lot area and height requirements of the "A" zone and the requirements of Title 26 - Mobile Home Code.
4. No construction of a dwelling unit shall occur on said Lots 27 and 29 until such time as the mobile home is removed.

ADOPTED AT WICHITA, KANSAS, this 24th day of May, 1966.

Harold Bauer
Harold Bauer, Chairman

ATTEST:

Jack H. Galbraith
Jack H. Galbraith, Secretary

June 10, 1966

Mrs. Vaden O. Brown
2125 Exchange
Wichita, Kansas

Dear Mrs. Brown:

Re: BZA 14-66 - Request for Exception

We have completed the preparation of the Resolution adopted by the Board of Zoning Appeals in connection with the abovenumbered case, which was heard by the Board on May 24, 1966, which Resolution has been signed by the Chairman and Secretary.

As indicated in our letter of June 7, 1966, we are enclosing a copy of this Resolution for your information and files. A copy has also been provided the Central Inspection Division and you may now obtain the appropriate permit with respect to location of a mobile home on property generally located on the west side of Exchange between Clark and Kinkaid for a temporary period of time.

Please let us know if you have any questions concerning this case.

Very truly yours,

Jack H. Galbraith
Secretary

JHG:HW:ber
Attachment

cc: Glen Lytle, Superintendent of Central Inspection
L. L. Binkley, Maintenance Inspection Supervisor
Ralph Eberly, City Clerk

TO THE BOARD OF ZONING APPEALS:

May 23, 1966

We the undersigned people authorize, Marge Cross, to represent and speak for us, concerning Case No. BZA 14-66.

An application has been filed by Vaden O. Brown, 2125 Exchange, Wichita, Kansas, pursuant to Section 2.12.590, Code of the City of Wichita, requesting an exception to permit location of a mobile home on property zoned "A" Two Family Residential, and legally described as follows:
Lots 27 and 29 on Exchange Avenue in Fair Grounds Addition.
Generally located on the west side of Exchange in an area between Clark and Kinkaid.

WE THE UNDERSIGNED DO NOT APPROVE OF THIS PETITION.

- | <u>NAME</u> | <u>ADDRESS</u> | <u>DATE SIGNED</u> |
|--|--------------------------------------|--------------------|
| 1. Mrs & Mrs B. E. Watkins | 2150 Exchange (property owners) | May 23, 1966 |
| {Discrimination of appearance of connecting a surrounding property & lowering of property values.} | | |
| 2. Mrs & Mrs A. Penachis | 2160 Exchange (property owner) | May 23, 1966 |
| 3. Mr & Mrs Ralph H. Hershberger | 2153 Exchange (property owner) | May 23, 1966 |
| 4. John H. Scott | 2135 Exchange (Property Owner) | May 23, 1966 |
| 5. Neal Wainburg | Property Owner
2144 Exchange | May 24 1966 |
| 6. Nina Eaton | 2167 Exchange (Property owner) | May 24, 1966 |
| 7. Floyd L. Dilem | 2161 Exchange (Property owner) | May 24-66 |
| 8. Mr & Mrs Gerald L. Smith | 2140 Exchange Pl. | May 24, 1966 |
| 9. Mrs Marion C. Harrison | 2172 Exchange (Property owner) | May 24, 1966 |
| 10. Mr & Mrs Clarence J. Moss | 2101 Exchange Place (Property owner) | |

May 19, 1966

Board of zoning Appeals
104 So. Main,
Wichita, Kans.

Sirs:

Re: Case No. BZA 14-66

Because of ill health I am on leave
of absence from my job.

I am here with my family recuperating.
I am still the owner of the property
located at 2134 Silver.

This is directly across the alley from the
vacant lot on which Vaden C. Brown
proposes to move a mobile home.

I wish to protest his being granted
the right to move a mobile home as
per his application.

It would, I think, lower property values in
the immediate vicinity. Since my property
is for sale, this is of great concern to me.

Thanking you, I am

Sincerely

(Mrs.) Nellie Pearson
3408 So. 182nd Place
Seattle, Washington 98188

June 7, 1966

Mrs. Vaden O. Brown
2125 Exchange
Wichita, Kansas

Dear Mrs. Brown:

Re: BZA 14-66 - Request for Exception

This is to advise you that at its regular meeting on May 24, 1966, the Board of Zoning Appeals of the City of Wichita, considered your request for an exception to permit a mobile home to be located on property zoned "A" Two Family Residential and located on the west side of Exchange between Clark and Kinkaid for a temporary period of time.

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

1. The mobile home may remain on the property as long as it is occupied by Mrs. Brown's mother (Mrs. Ackerman) and whenever Mrs. Ackerman no longer occupies the mobile home, it shall be removed.
2. The applicant shall report annually (January 1) to the Central Inspection Division, as to whether or not the mobile home is still occupied by Mrs. Brown's mother.
3. The location of the mobile home shall conform to all setbacks, lot area and height requirements of the "A" zone and the requirements of Title 26 - Mobile Home Code.
4. No construction of a dwelling unit shall occur on said Lots 27 and 29 until such time as the mobile home is removed.

Page 2 - Mrs. Vaden O. Brown
June 7, 1966

A resolution indicating the official action of the Board will be mailed to you as soon as it is prepared and signatures of the Chairman and Secretary of the Board obtained.

Please contact our office if you have any questions concerning this matter.

Very truly yours,

Jack H. Galbraith
Secretary

JHG:W/ber

cc: Mrs. Nellie Pearson
3406 South 182nd Place
Seattle, Washington 98188

Mrs. Richard Watkins
2150 Exchange

Mrs. George Morris
2126 Silver

Alva F. Myers
904 West 30th Street South

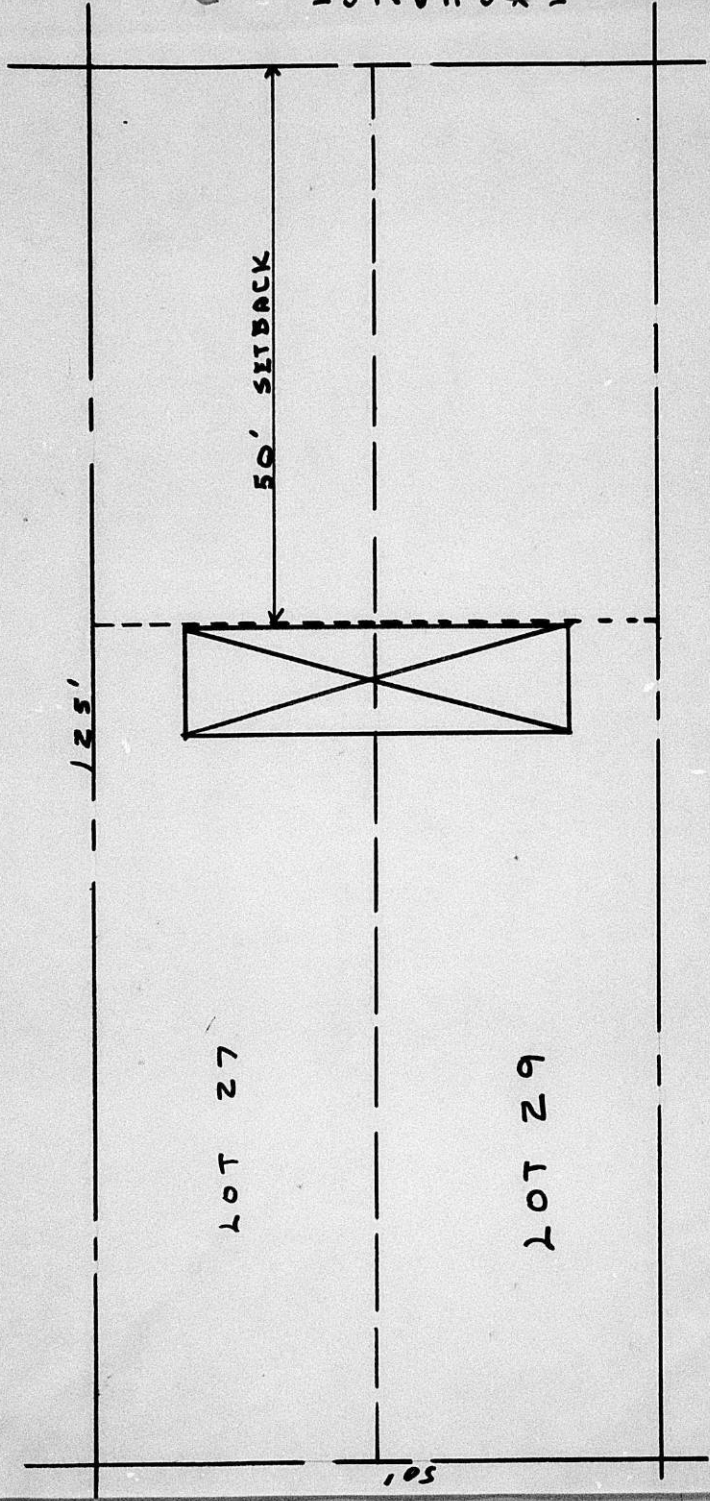
Clarence Moos
2108 Exchange

Glen Lytle
Superintendent of Central Inspection

L. L. Binkley
Maintenance Inspection Supervisor

Ralph Eberly
City Clerk

EXCHANGE



LOT 27

LOT 29

25'

50' SETBACK

50'

SECRETARY'S REPORT

CASE NO. PZA 14-66

APPLICANT: Vaden O. Brown, 2125 Exchange

REQUEST: Exception pursuant to Section 28.04.182.3, Code of the City of Wichita, to permit a mobile home to be located on said property for a temporary period of time.

GENERAL LOCATION: West side of Exchange between Clark and Kinkaid

LAND USE: Subject property is vacant and to the north, south, east and west is single family

ZONING: Subject property and all surrounding property is zoned "A" Duplex

JURISDICTION

The Board has jurisdiction to consider this request under the provisions outlined under Section 28.04.182.3, Code of the City of Wichita. Before the exception can be granted, the Board must find that a hardship exists which cannot be alleviated without the approval of the request.

COMMENTS BY THE SECRETARY

The statement of justification points out that the applicant desires to place a mobile home on his property for a temporary period so that Mrs. Brown's mother, who is 77 years old, can be close by to receive constant care, since she is in poor health. The statement further points out that their home is not large enough to accommodate both Mrs. Brown's mother and themselves.

Subject property is located immediately adjacent to the applicant's home and consists of two 25-foot by 125-foot lots which are presently vacant. The proposed lot for the mobile home is sufficient in area and does meet the requirements of the Mobile Home Park Code (Title 26).

Recommendation

It is the opinion of the Secretary that a hardship exists inasmuch as the applicant's home is not large enough for Mrs. Brown's mother to move in with them and that Mrs. Brown's mother needs constant care because of poor health. Therefore, it is the recommendation of the Secretary that the exception to permit the installation of the mobile home on Lots 27 and 29 on Exchange Avenue, Fairgrounds Addition, be granted, subject to the following conditions:

Page 2 - Secretary's Report
Case No. EZA 14-66

1. The mobile home may remain on the property as long as it is occupied by Mrs. Brown's mother and whenever Mrs. Brown's mother no longer occupies the mobile home it shall be removed.
2. The applicant shall report annually (January 1) to the Central Inspection Division, as to whether or not the mobile home is still occupied by Mrs. Brown's mother.
3. The location of the mobile home shall conform to all setback, lot area and height requirements of the "A" zone and the requirements of Title 26 - Mobile Home Code.
4. No construction of a dwelling unit shall occur on said lots 27 and 29 until such time as the mobile home is removed.

BOARD OF ZONING APPEALS
Room 402 City Building Annex
104 South Main
Wichita, Kansas

May 2, 1966

NOTICE TO ADJOINING PROPERTY OWNERS

Case No. BZA 14-66

An application has been filed by Vaden O. Brown, 2125 Exchange, Wichita, Kansas, pursuant to Section 2.12.590, Code of the City of Wichita, requesting an exception to permit location of a mobile home on property zoned "A" Two Family Residential, and legally described as follows:

Lots 27 and 29 on Exchange Avenue in Fair Grounds Addition. Generally located on the west side of Exchange in an area between Clark and Kinkaid.

This application has been assigned Case No. BZA 14-66, and will be considered by the Board of Zoning Appeals at its meeting on Tuesday, May 24, 1966, at 2:00 p.m. in Room 401 of the 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.

Jack E. Galbraith
Secretary

Board of Zoning Appeals, City of Wichita

I would like to make an application to get an exception, to permit a mobile home on our lot for my mother. She is 77 years old, not in good health and should have someone close by. Our home is not large enough to move in with us.

Mary E. Brown
&
V. O. Brown

BOARD OF ZONING APPEALS
CITY OF WICHITA, KANSAS

CASE NO. _____
FILED _____

APPLICATION FOR EXCEPTION

I. Name of Applicant Vaden O. Brown ✓
Mailing Address 2125 Exchange Phone FO33805
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
28.04.182.3, Code of the City of Wichita, Kansas
(Zoning Ordinance); to permit the installation or construction
of a mobile home
_____ on property zoned
"A", located 2127 Exchange
_____ and legally described as: lots
27 & 29 on Exchange Ave. in Fair
Grounds Addition, Sedgwick County in the City of Wichita.
(Give metes and bounds description below if appropriate).

III. The applicant herein, or his authorized agent:

- A. Acknowledges receipt of an instruction sheet relating to this application for an exception.
- B. Agrees to conform to all requirements of the appropriate section of the Zoning Ordinance if this application is approved;
- C. 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.

Applicant V.O. Brown
Authorized Agent _____

OFFICE USE ONLY: Received in office of Secretary, Board of Zoning Appeals, 4:00 (a.m. P.M.), April 26, 19 66, together with appropriate fee of \$50.00.

Signed Ronald G. Williamson

CERTIFICATE OF OWNERSHIP

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CALLAHAN 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, of:

Lots 27 and 29, on Exchange Place, in Fair Grounds Addition to Wichita, Sedgwick County, Kansas; and the property within a 200 foot radius thereof.

Description	Owner
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In Fair Grounds Addition to Wichita, Sedgwick County, Kansas:

On Exchange:

Lots 9 and 11	✓ Ferne M. Booth 1911 Silver
Lots 13, 15, 17, 19 and 21	✓ Everett Looney and Clara R. Looney 2058 Greenway Boulevard
Lots 23 and 25	✓ Vaden O. Brown and Mary E. Brown 2125 Exchange
Lots 27 and 29	✓ Vaden O. Brown and Mary E. Brown 2125 Exchange
Lots 31 and 33	✓ Alva F. Myers and Lucile B. Myers 904 West 30th St. South
Lots 35, 37 and 39, except the South 12½' of Lot 39	✓ John Henry Scott 2135 Exchange
South 12½' of Lot 39 and all of Lots 41, 43 and 45	✓ Ralph G. Hershberger and Esther E. Hershberger 2153 Exchange
Lots 12, 14, 16, 18 and 20	✓ Clarence J. Moos and Virginia M. Moos 2108 Exchange
Lots 22 and 24	✓ Veterans Administration c/o Loan Guaranty Officer
Lots 26 and 28	✓ Jackie D. Goodin & Dorothy M. Goodin 2130 Exchange
Lots 30 and 32	✓ Reynold M. Classen & Donna D. Classen 2136 Exchange
Lots 34 and 36	✓ Ronald L. Smith and Linda K. Smith 2140 Exchange
Lots 38 and 40	✓ Neal Muilenberg & Linnie Muilenberg 2144 Exchange
Lots 42, 44 and 46	✓ Richard E. Watkins & Joretta Joy Watkins 2150 Exchange



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Description	Owner
On Silver:	
Lots 10 and 12	✓ Lloyd T. Ladage & Margarita J. Ladage 2110 Silver
Lots 14 and 16	✓ James C. Ferguson & Lois A. Ferguson 2116 Silver
Lots 18, 20 and 22	✓ George W. Morris and Irene V. Morris 2126 Silver
Lots 24 and 26	✓ Loyd C. Honey 3737 Hoover, Redwood City, California
Lots 28 and 30, except the South 3' of Lot 30	✓ Nellie Pearson 2134 Silver
South 3' of Lot 30, all of Lot 32 and Lot 34, except the South 3'	✓ Wayne T. Walter & Patricia A. Walter 4460 East Kinkaid
South 3' of Lot 34, all of Lot 36 and Lot 38, except the South 3'	✓ Glenn H. Mitchell & Ada F. Mitchell 2144 Silver
South 3' of Lot 38, all of Lot 40, and Lot 42, except the South 3'	✓ Luther J. Hillin & Rogene D. Hillin 2150 Silver
South 3' of Lot 42 and all of Lots 44 and 46	✓ Clarence E. Clark and Dianna Denice Clark 2723 North Hillside
Lots 13 and 15	✓ Joyce Forrester 2118 Greenway Boulevard
Lots 17, 19 and 21	✓ James Louis Armstrong & Frances E. Armstrong
Lots 23 and 25	✓ Bert E. Cooper & Elaine M. Cooper c/o Mid Kansas Federal Savings and Loan 230 South Market
Lots 27, 29, 31, 33, 35, 37, 39 and 41	D. G. Lytal and Illa Lytal <i>no address found</i>
In Brookings Addition to Wichita, Sedgwick County, Kansas:	
Lot 2, Block B	✓ Angelo Penachio & Esther Penachio 2160 Exchange <i>no address found</i>
Lot 1, Block C	Elmer H. Crowl & Helen L. Crowl
Lot 2, Block C	Kendall Cameron & Hazel J. Cameron <i>no address found</i>

WITNESS our Hand and Seal at Wichita, Kansas, this 27th day of April, 1966, at 7:00 o'clock A. M.

CALLAHAN GUARANTEE TITLE CO., INC.
By *[Signature]*
Vice President

No. 8623

Form 223-021

PAYMENT NOTICE

City of Wichita

PAY AT TREASURER'S OFFICE - FIRST FLOOR

Bldg & Elev.	Elec.	Elev. Insp.	Exam. Fees
Hee. Mvr.	Hee. Moving	Licse.	Mech.
Oil Well	Pav. Cuts	Plan.	Plbg. Cert.
Sanitation	Sewer	Signs	Sidewalk
Street	Trailer		

DESCRIPTION AMOUNT

Bus Applications 50⁰⁰

Name *Wade O. Brown*

Address *2125 Lphanda*

Type *R-712* Due Date *4-26-66*

Comments:

Date *4-26-66*

By *Bhowers*