

BZA
20-80

ACTION

COMMITTEE APPROVED DATE 5-27-80

M.A.P.C. _____

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

6-4-80 JWA Sec
Checked out

POSTED
5-27-80

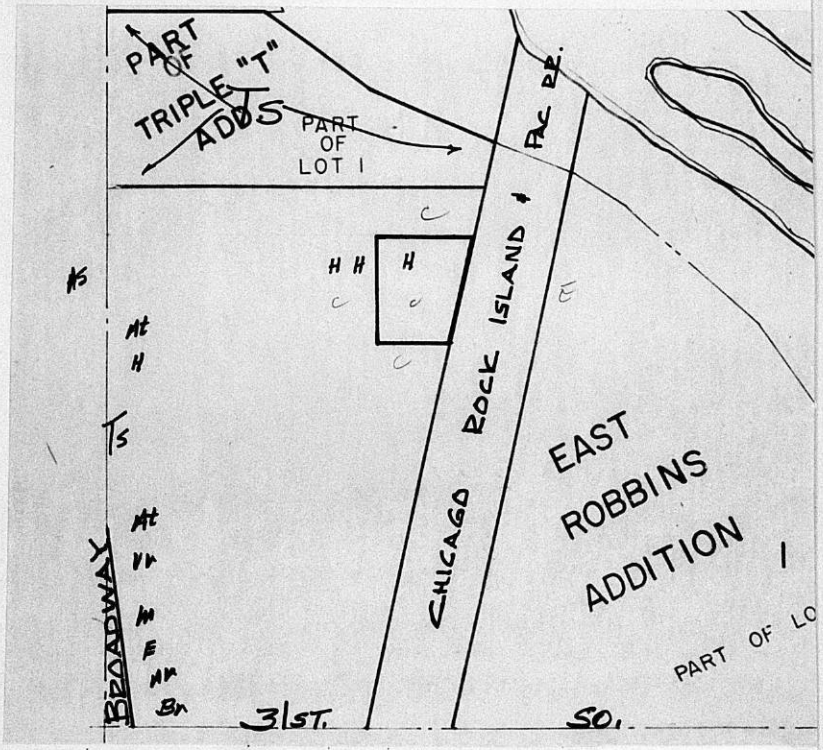
Case No. BZA 20-80 - Helen M. Tennis, requests an exception to permit the establishment of a mobile home on a temporary basis on property zoned "C" Commercial District and gen-

Map No. 5544
 Sec. 4
 Twp. 28
 Range 1E

BZA- 20-80
 SCZ- _____
 CU- _____
 Filed _____

AREA DATA:
 1. Acres: 0.65 (150 ft. by 190 ft.
 2. Adjoining Zoning: E _____ S _____ W _____ N _____
 3. Land Use: East ROCK ISLAND B.R. South UNDEVELOPED
 West SINGLE FAM North TRAILER SALES
 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 _____



15

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

May 6, 1980

NOTICE TO ADJOINING PROPERTY OWNERS:

CASE NO. BZA 20-80

An application has been filed by Helen M. Tennis, P. O. Box 17054, 417 East Evans, 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 a temporary basis on property zoned the "C" Commercial District and legally described as follows:

Beginning at a point on the west line of Lot 4, and 872.5 feet north of the southwest corner of said Lot 4, in Section 4, Township 28 South, Range 1 East of the Sixth Principal Meridian, in Sedgwick County, Kansas, thence east parallel with the south line of said Lot 4, 495 feet, for a place of beginning, thence south parallel with the west line of said Lot 4, 187.5 feet, thence east parallel with the south line of said Lot 4, 140 feet more or less to the westerly Right-of-Way line of the Chicago, Rock Island & Pacific Railroad, thence northeasterly along said Right-of-Way to a point east of the point of beginning, thence west parallel with the south line of said Lot 4, 179.7 feet, more or less, to the place of beginning. Generally located in an area east of Broadway (417 East Evans).

This application has been assigned case No. BZA 20-80, and will be considered by the Board of Zoning Appeals at its meeting on Tuesday, May 27, 1980, 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. If you have any questions about this application, please call 268-4390 and ask for Lynn Shirkey or 268-4394 and ask for Glen Lytle.

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

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

May 6, 1980

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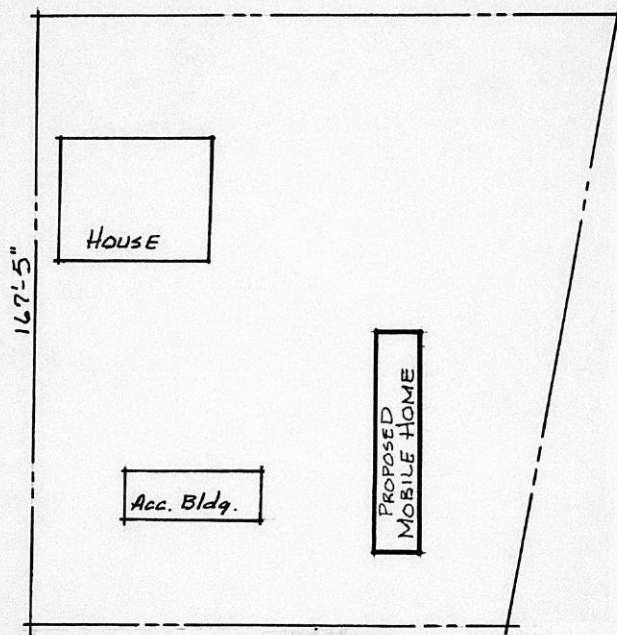
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Jack H. Galbraith
Secretary

EVANS ST.



BZA 20-80

May 30, 1980

Ms. Helen M. Tennis
P. O. Box 17054
Wichita, Kansas

Re: Case No. BZA 20-80
Request for Exception

Dear Ms. Tennis:

Enclosed is a signed copy of the Resolution adopted by the Board of Zoning Appeals on May 27, 1980, in connection with your request for an exception to permit the establishment of a mobile home on a temporary basis on property zoned "C" Commercial District and generally located in an area east of Broadway (417 East Evans).

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
Enclosure

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

RESOLUTION NO. BZA 20-80

WHEREAS, Helen M. Tennis, P. O. Box 17054, 417 East Evans, 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 "C" Commercial District and legally described as follows:

Beginning at a point on the west line of Lot 4, and 872.5' north of the southwest corner of said Lot 4, in Section 4, Township 28 South, Range 1 East of the Sixth Principal Meridian, in Sedgwick County, Kansas, thence east parallel with the south line of said Lot 4, 495', for a place of beginning, thence south parallel with the west line of said Lot 4, 187.5', thence east parallel with the south line of said Lot 4, 140' more or less to the westerly Right-of-Way line of the Chicago, Rock Island & Pacific Railroad, thence northeasterly along said Right-of-Way to a point east of the point of beginning, thence west parallel with the south line of said Lot 4, 179.7', more or less, to the place of beginning. Generally located in an area east of Broadway (417 East Evans).

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 27, 1980, 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 "C" Commercial District subject to the conditions outlined in Section 28.04.182.3, Code of the City of Wichita.

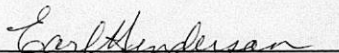
NOW, THEREFORE, BE IT RESOLVED by the Board of Zoning Appeals of the City of Wichita, that this application be approved to locate a mobile home on a temporary basis on property zoned "C" Commercial District and legally described as follows:

Beginning at a point on the west line of Lot 4, and 872.5' north of the southwest corner of said Lot 4, in Section 4, Township 28 South, Range 1 East of the Sixth Principal Meridian, in Sedgwick County, Kansas, thence east parallel with the south line of said Lot 4, 495', for a place of beginning, thence south parallel with the west line of said Lot 4, 187.5', thence east parallel with the south line of said Lot 4, 140' more or less to the westerly Right-of-Way line of the Chicago, Rock Island & Pacific Railroad, thence northeasterly along said Right-of-Way to a point east of the point of beginning, thence west parallel with the south line of said Lot 4, 179.7', more or less, to the place of beginning. Generally located in an area east of Broadway (417 East Evans).

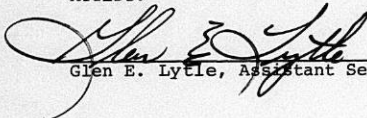
subject to the following conditions:

1. The mobile home can remain on the property only as long as the applicant's mother, Mrs. Louiza Anderson, resides in the mobile home.
2. The applicant shall report annually, during the first week of January, to the Central Inspection Division, as to whether or not the mobile home is still occupied by her mother.
3. The location of the mobile home shall comply with all applicable regulations of the "C" Commercial District and the requirements of Title 26, Mobile Home Code.

ADOPTED AT WICHITA, KANSAS, this 27th day of May, 1980.


Earl Henderson, Chairman

ATTEST:


Glen E. Lytle, Assistant Secretary

May 28, 1980

Ms. Helen M. Tennis
P. O. Box 17054
Wichita, Kansas

Re: Case No. BZA 20-80
Request for Exception

Dear Ms. Tennis:

At the regular meeting of the Board of Zoning Appeals on May 27, 1980, your request for an exception to permit the establishment of a mobile home on a temporary basis on property zoned "C" Commercial District and generally located in an area east of Broadway (417 East Evans) was considered.

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

1. The mobile home can remain on the property only as long as the applicant's mother, Mrs. Louiza Anderson, resides in the mobile home.
2. The applicant shall report annually, during the first week of January, to the Central Inspection Division, as to whether or not the mobile home is still occupied by her mother.
3. The location of the mobile home shall comply with all applicable regulations of the "AA" One-family Dwelling District and the requirements of Title 26, Mobile Home Code.

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.

If you have any questions, please call our office.

Sincerely yours,

Glen E. Lytle
Assistant Secretary

GEL:sad

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

THE CITY OF WICHITA

OFFICE OF CITIZEN PARTICIPATION

DATE May 21, 1980

TO Glen Lytle, Special Assistant for Zoning

FROM Ginny Schrag, CPO Administrative Aide

SUBJECT BZA 20-80 (417 East Evans)

At their meeting of May 19, the Area "C" CPO Council considered the captioned case. The Aide informed the Council of the reasons for the request.


The Council voted unanimously, 5-0, to recommend approval of the request for an exception to permit the establishment of a mobile home on a temporary basis on the property zoned "C", Commercial District.

Please inform the BZA of the Councils action when the case is considered on May 27. Thank you.


Ginny Schrag
CPO Administrative Aide

GS:m1

Noted:


Sarah Gilbert
Assistant CP Coordinator

RECEIVED
MAY 21 1980
METROPOLITAN PLANNING
ROUTE _____

SECRETARY'S REPORT
CASE NO. BZA 20-80

APPLICANT: Helen M. Tennis, P. O. Box 17054, 417 East Evans, Wichita, Kansas.

AGENT: None

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

GENERAL LOCATION: East of Broadway in an area north of 31st Street South (417 East Evans).

ZONING: Subject property is zoned "C" Commercial District as are the properties to the north, west and south. Property to the east is "E" Light Industrial.

LAND USE: Subject property is occupied by the applicant's home. Properties to the west are dwellings, to the east the Rock Island Railroad.

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 place a mobile home on her property on a temporary basis so that she can take care of her elderly mother. The applicant states that her mother is a partial invalid and needs someone to care for her needs daily. The applicant has sufficient room on the property to locate a mobile home in compliance with all applicable regulations.

The Board is required to set a reasonable time on the duration the mobile home can remain on a temporary basis under Section 28.04.182.3 of the Code. It is the opinion of the Secretary that if the hardship is valid, then the Board should limit the length of time the mobile home should remain on the property to the time the applicant's mother resides in the mobile home.

RECOMMENDATION:

Should the Board determine that a hardship exists that cannot reasonably be alleviated without the granting of the exception, then the exception should be granted subject to the following conditions:

Page 2
BZA 20-30
BZA AGENDA
5-27-30

1. The mobile home can remain on the property only as long as the applicant's mother, Mrs. Louiza Anderson, resides in the mobile home.
2. The applicant shall report annually, during the first week of January, to the Central Inspection Division, as to whether or not the mobile home is still occupied by her mother.
3. The location of the mobile home shall comply with all applicable regulations of the "AA" One-family Dwelling District and the requirements of Title 26, Mobile Home Code.

BZA CASE NO. 20-80

1 NOTICES SENT TO APPLICANT/AGENT

10 NOTICES SENT TO MAPC

1 NOTICES SENT TO CPO

10 NOTICES SENT TO ADJOINING PROPERTY OWNERS

22 TOTAL NOTICES SENT 5-6-80

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

May 6, 1980

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CASE NO. BZA 20-80

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Jack H. Galbraith
Secretary

To whom it may concern,

I have to care for my mother, since I am the oldest girl of a family of 7 children, and I'm the only girl that does not have a family, I have to run her to the Doctor, the Store, and other places she needs to go. I check on her everyday, and with the price of gas I need her living close to me, if we could put a mobil home on my property for her, we could conserve a lot of energy as there is a large shopping center 3 blocks away, with every thing we need in it, except

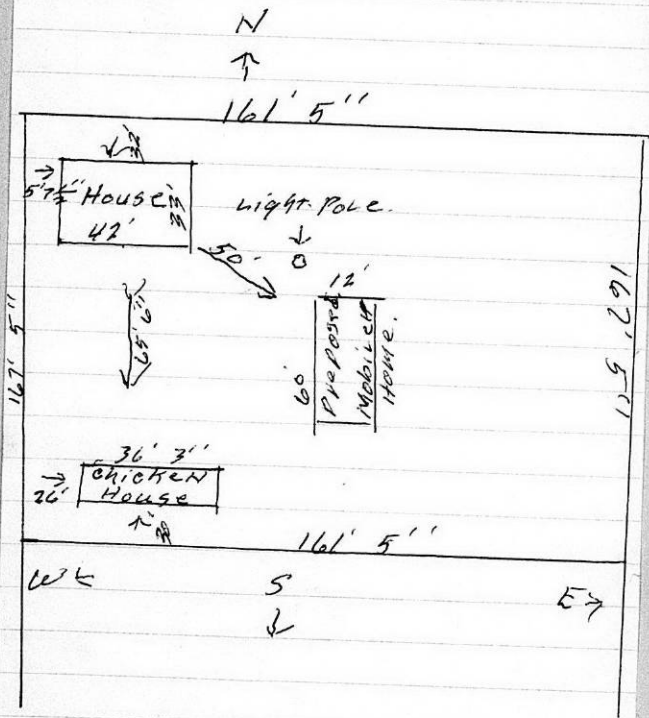
for Doctors, She is an
partial invalid and needs
some one to ~~handle~~ handle
her affairs, This I have done
for several years. We have
plenty of room on our
property for a mobil
home, and I could
check on her everyday
with out driving. I worry
about her during winter, some
times its hard to get out
and drive to where she lives,
Its very ~~expensive~~ expensive to
find a place for her to rent
in ~~of~~ her final position.

Sincerely
Helen M. Lewis

Mother's name - LOUIZA ANDERSON

417 E. EVANS

"AA"
UNPLATTED?
AZIM
4499



5544

BOARD OF ZONING APPEALS

CASE NO. BZA 20-80

CITY OF WICHITA, KANSAS

FILED 4-22-80

APPLICATION FOR EXCEPTION

I. Name of Applicant Helen M. Tennis

Mailing Address P.O. Box 17054 - 417 E. Evans Phone 522-2587

Name of Authorized Agent Same

Mailing Address Same 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 a mobile home on a temporary basis
a mobile home for

hardship of Louiza Anderson on property zoned

✓ "C", located in an area east of Broadway
(417 E. Evans) Wichita, Kansas

and legally described as: _____

see attached form

_____, 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 Helen M. Tennis

Authorized Agent _____

OFFICE USE ONLY: Received in the office of the Secretary, Board of Zoning Appeals, 1:20 (a.m. - P.M.), April 22, 1980, 19 80, together with appropriate fee of \$50.00

Signed J. Lynn Shirley

CERTIFICATE OF OWNERSHIP

REALTY TITLE CO., INC., hereby certifies the following to be a true and correct list of the property owners as shown by the last deeds of record in the Office of the Register of Deeds, Sedgwick County, Kansas, of:

OK for legal

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together with all real estate lying within a 200-foot radius thereof.

DESCRIPTION	OWNERS AND ADDRESSES
EAST ROBBINS ADDITION	The Dolese Co. 826 E. Central Wichita, Kansas 67202
	Harold H. Malone Monica Malone 3900 E. Waterman Wichita, Kansas 67218
TRIPLE T. ADDITION	Triple T. Inc. c/o M.G. Trabue 16345 E. Pawnee Wichita, Kansas 67230
Parcel 1: Beg. 872.5 ft north & 345 ft. east of the southwest/corner of Govern. Lt 4, in the SW $\frac{1}{4}$ Section 4-28S-1E of the 6th P.M., thence south parallel with the west line of sd. Lt, 187.5 ft, thence west parallel to the south line of sd Lt, 50 ft, thence north 187.5 ft, thence east 50 ft to beg, Sedgwick County, Kansas;	Janelle Properties Corp. 838 S. Edgemoor Wichita, Kansas 67218
Parcel 2: Beg. at a point on the west line of Govern Lt 4, in the SW $\frac{1}{4}$ 4-28S-1E of the 6th P.M., & 872.5 ft north of the sw/corner of said Govern Lt 4, thence east parallel with the south line of sd Lt, 345 ft for a place of beg, thence south parallel with the west line of sd Lt, 187.5 ft, thence east parallel with the south line of sd Lt, 75 ft, thence north 187.5 ft, thence west 75 ft to place of beg, Sedgwick County, Kansas.	
East half of a tract desc. as beg. at a point on the west line of Lt 4, Section 4-28S-1E, & 872.5 ft north of sw/corner of Lt 4, thence east paral to south line of sd Lt 4, 345 ft, for a point of beg, thence south parallel with west line of sd Lt 4, 187.5 ft, thence east parallel with the south line of sd Lt 4, 150 ft, thence north 187.5 ft, thence west 150 ft to point of beg.	Billy Y. Guice, Sr. P. O. Box 17171 Wichita, Kansas 67217 <i>Returned 5-13-80</i>

DESCRIPTION

OWNERS AND ADDRESSES

Beg. at a point on the west line of Lt 4, & 872.5 ft north of SW/corner of sd Lt 4, in Section 4-28S-1E of 6th P.M., in Sedgwick County, Kansas, thence east parallel with the south line of sd Lt 4, 495 ft, for a place of beg., thence south parallel with west line of sd Lt 4, 187.5 ft, thence east parallel with the south line of sd Lt 4, 140 ft more or less to the westerly Right-of-Way line of the Chicago, Rock Island & Pacific Railroad, thence NEly along sd ROW to a point east of the point of beg., thence west parallel with the south line of sd Lt 4, 179.7 ft, more or less to the place of beg.

Robert Tennis
Helen M. Tennis
P.O. Box 17054
Wichita, Kansas 67217

A tract in the SW/corner of Section 4, & in the SE $\frac{1}{4}$ of Section 5-28S-1E of 6th P.M., Sedgwick County, Kansas, desc. as follows: Beg. 476.5 ft north of SW $\frac{1}{4}$ of sd Section 4 thence west to east line of U.S. Highway, thence in a NWly direction along east line of sd Hway 211.51 ft to a point 685 ft north of the south line of sd SW $\frac{1}{4}$, thence east to the west line of Rock Island Railroad right-of-way, thence in a SWly direction along sd row to a point directly east of the place of beg, thence west to place of beg.

Milton C. Kennedy,
Executor of the last
will & testament of
Dwight Kennedy
c/o 1st Nat'l. Bank
Trust Dept.
100 N. Broadway
Wichita, Kansas 67202

*Returned
5-12-80
cannot locate.*

Tract beg. at a point 965.5 ft north & 220 ft east of the SW/corner of Section 4-28S-1E of 6th P.M., Sedgwick County, Kansas, thence south parallel with the west line of sd Section 4, 93 ft, thence east 125 ft., thence north 93 ft., thence west 125 ft., to place of beg, in SCK, commonly known as 400 Evans, Wichita, Kansas.

Emma A. Hodge
and
R. Marguerite Stripling
2395 Somerset
Wichita, Kansas 67204

Beg. at a point 965.5 ft north & 345 ft east of SW/corner of Section 4-28S-1E of 6th P.M. Sedgwick County, Kansas, thence south parallel with the west line of sd Sect. 4, 93 ft; thence east to west right of way line of the C.R.I. & P. RR; thence NEly along sd row to a point east of beg; thence west 435 ft, more/less to the place of beg., except the east 62 ft of west 122 ft of the following described tract: Beg. at a point 965.5 ft north & 345 ft east of SW/corner of Sect. 4-28S-1E of 6th P.M., SCK, thence south parallel with the west line of sd Sect. 4, a distance of 93 ft; thence east to the west ROW line of C.R.I. & P.RR., thence NEly along sd row to a point east of beg, thence west 345 ft, m/1, to place of beg and except a tract beg at a point 965.5 ft north & 345 ft east of SW/corner of Sect. 4-28S-1E 6th P.M., SCK, thence south parallel with the west line of sd Sect. 93 ft, thence east to the west row line of the C.R.I & P. RR., thence NEly along sd row to a point east of beg., thence west 345 ft, m/1 to point of beg, exc. the west 122 ft thereof, on sd tract is house No. 416 which is in the clear of all boundary lines.

Jan A. Adair
Kathleen Adair
635 S. Osage
Wichita, Kansas 67213

DESCRIPTIONOWNERS AND ADDRESSES

The east 62 ft of west 122 ft of the following desc. tract, beg at a point 965.5 ft north & 345 ft east of SW/corner of Sect. 4-28S-1E 6th P.M., Sedg. County, Ks., thence south parallel with the west line of sd Sect. 4, a distance of 93 ft, thence east to the west right-of-way line of the C.R.I. & P. RR., thence NEly along sd row to a point east of beg., thence west 345 ft, m/l, to place of beg.

Todd Christopher Love
Donna L. Love
none found

✓ *H.H. E. Evans*
Wichita, Ks. 67216

A tract beg. at a point 965.5 ft north & 345 ft east of SW/corner of Section 4-28S-1E, 6th P.M., Sedg. Cty, Ks., thence south parallel with the west line of sd Sect. 93 ft, thence east to west row line of the C.R.I. & P. RR., thence NEly along sd row to a point east of beg., thence west 345 ft. m/l to point of beg., exc. the west 122 ft thereof. On sd tract is house No. 416 which is in the clear of all boundary lines.

Richard W. Wise
✓ Susie Frances Wise
416 Evans
Wichita, Kansas 67216

Dated at Wichita, Kansas,
this 10th day of April,
1980, at 7:00 A.M.

REALTY TITLE CO., INC.

By *Linda Ayala*
Linda Ayala -
Vice President

R10480

WICHITA - SEDGWICK COUNTY



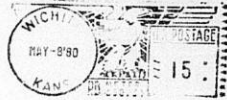
BOARD OF ZONING APPEALS
CITY HALL - TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202

RETURN TO
SENDER

ADDRESS UNKNOWN

- Moved, left no address
- No such number
- Moved, not forwardable
- Addressee unknown

Milton C. Kennedy
Executor of the last will & testament of
Dwight Kennedy
% First National Bank
Trust Department
100 North Broadway
Wichita, Kansas 67202



WICHITA - SEDGWICK COUNTY



BOARD OF ZONING APPEALS
CITY HALL - TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202

NOT DELIVERABLE AS ADDRESSED
NO FORWARDING OFFER ON FILE
CHISMOLU SIA

Billy V. Guice Sr.
P. O. Box
Wichita, Kansas 67217



not here

**MICROFILMED
FROM THE BEST
AVAILABLE COPY**

FORM 20-21

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
<i>Water</i>	<i>20-</i>
<i>Electric</i>	
NAME <i>John W. Tomic</i>	
ADDRESS <i>417 E. ...</i>	
FUND <i>4-4-71-103</i>	DUE DATE <i>...</i>
COMMENTS	
DATE <i>1/22/70</i>	BY <i>[Signature]</i>