

ACTION

DATE

BZA COMMITTEE *Approved subject to conditions* 5.22.73

M.A.P.C. _____

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

BZA 11-73 Willard T. Perry reqsts
EXCEPTION to permit mobile home
on the WS of Edward in an area N
of Kellogg Av.

POSTED
7-25-73
11

M.A.P.C.
C.I.
6-18-73

ACTION

	DATE
BZA COMMITTEE	<u>Approved subj</u> <u>5.22.73</u> <u>to conditions</u>
M.A.P.C.	_____
B.C.C./B. CO. C.	_____

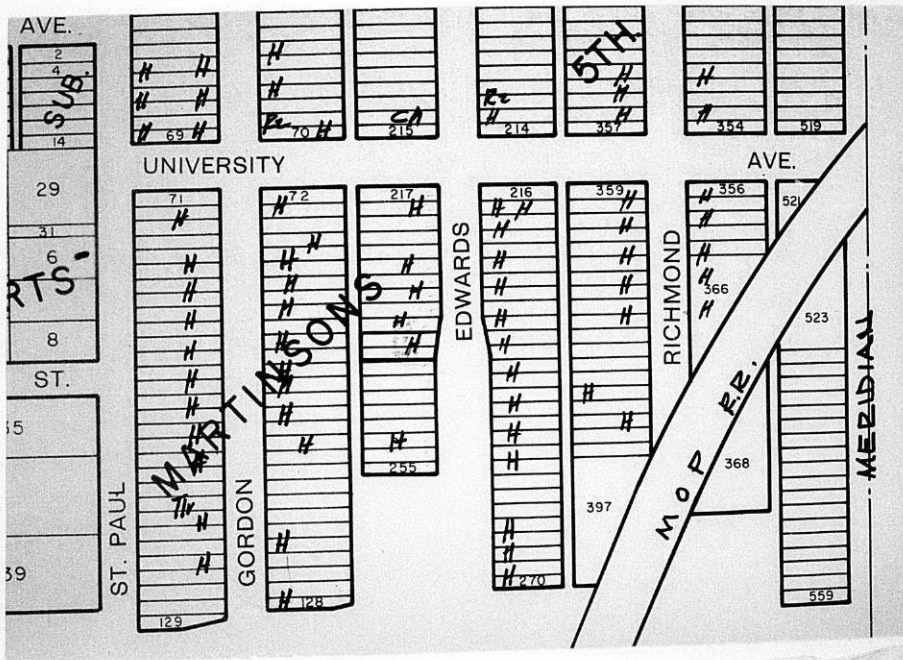
BZA 11-73 Willard T. Perry reqsts
EXCEPTION to permit mobile home
on the WS of Edward in an area N
of Killough Av.

Map No. 5246
 Sec. 25
 Twp. 27
 Range 1W

BZA- 11-73
 SCZ- _____
 CU- _____
 Filed _____

AREA DATA:
 1. Acres: 0.15 (50 ft. by 132 ft.)
 2. Adjoining Zoning: E A S A W AA N A
 3. Land Use: East SINGLE FAM South VACANT
 West SINGLE FAM North SINGLE FAM
 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 _____



May 25, 1973

Mr. Willard T. Perry
627 South Edwards
Wichita, Kansas 67203

Subject: Case No. BZA 11-73 - Request for Exception

Dear Mr. Perry:

Enclosed is a signed copy of the Resolution adopted by the Board of Zoning Appeals on May 22, 1973, in connection with your request for an exception to permit a mobile home to be located on subject property, zoned the "A" Two Family Dwelling District, and generally located on the West side of Edwards in an area South of University Avenue.

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 any questions concerning this matter, please call our office.

Very truly yours,

Jack H. Galbraith
Secretary

JHG:rw
enclosure

cc: Robert Feldner, Supt. of Central Inspection
Ralph Eberly, City Clerk
Joe Donnelly, Central Inspection

RESOLUTION NO. BZA 11-73

WHEREAS, Willard T. Perry, 627 South Edwards, Wichita, Kansas, 67213, requests an exception as provided in Section 2.12.590.C, Code of the City of Wichita, to permit a mobile home to be located on property zoned the "A" Two Family Dwelling District, and legally described as follows:

Lots 237 and 239 Martinson's 5th Addition to the City of Wichita, Sedgwick County, Kansas. Generally located on the West side of Edwards in an area South of University Avenue.

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 22, 1973, consider said application; and

WHEREAS, the Board of Zoning Appeals has proper jurisdiction to consider said request for an exception under the provisions of 2.12.590.C, Code of the City of Wichita; and

WHEREAS, the Board of Zoning Appeals has the authority to permit placement of a mobile home on any property in any district except the "AA" Single Family Dwelling District subject to the conditions outlined in Section 28.04.182.3, Code of the City of Wichita.

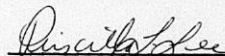
NOW, THEREFORE, BE IT RESOLVED by the Board of Zoning Appeals of the City of Wichita, that this application be approved to permit the placement of a mobile home on property zoned the "A" Two Family Dwelling District and legally described as follows:

Lots 237 and 239 Martinson's 5th Addition to the City of Wichita, Sedgwick County, Kansas. Generally located on the West side of Edwards in an area South of University Avenue.

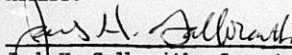
subject to the following conditions:

1. The mobile home may remain on the property as long as it is occupied by the applicant's cousin, Mrs. Razlaff. When Mrs. Razlaff no longer occupies the mobile home, it shall be removed.
2. The applicant shall report annually (first week in January) to the Central Inspection Division, as to whether or not the mobile home is still occupied by Mrs. Razlaff.
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 of the Mobile Home Code.

ADOPTED AT WICHITA, KANSAS, this 22nd day of May, 1973.


Priscilla L. Lee, Chairman

ATTEST:


Jack H. Galbraith, Secretary

May 22, 1973

Mr. Willard T. Perry
627 South Edwards
Wichita, Kansas 67203

Subject: Case No. BZA 11-73
Request for Exception

Dear Mr. Perry:

At the regular meeting of the Board of Zoning Appeals on May 22, 1973, your request for an exception to permit a mobile home to be located on subject property, zoned the "A" Two Family Dwelling District, and generally located on the West side of Edwards in an area South of University Avenue was considered.

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

1. The mobile home may remain on the property as long as it is occupied by the applicant's cousin. When the cousin no longer occupies the mobile home, it shall be removed.
2. The applicant shall report annually (first week in January) to the Central Inspection Division, as to whether or not the mobile home is still occupied by his cousin.
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 of the 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.

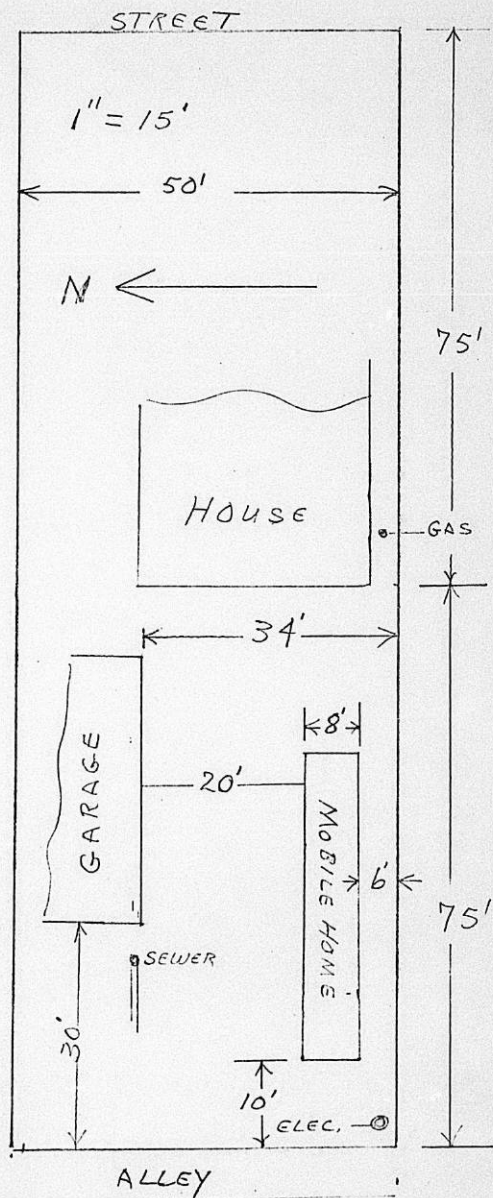
Very truly yours,

Jack H. Galbraith
Secretary

JHG:rw

Mr. Willard T. Perry
Page 2

cc: Robert Feldner, Superintendent of Central Inspection
Ralph Eberly, City Clerk
Joe Donnelly, Central Inspection



SECRETARY'S REPORT
CASE NO. BZA 11-73

APPLICANT: Willard T. Perry, 627 South Edwards, Wichita, Kansas, 67203

AGENT: None

REQUEST: Exception pursuant to Section 2.12.590.C, Code of the City of Wichita to permit a mobile home to be located on subject property.

GENERAL LOCATION: On the West side of Edwards in an area South of University Avenue.

LAND USE: Subject property contains a single family home, as do those properties to the North, East and West. The property to the South is undeveloped.

ZONING: Subject property is zoned the "A" Two Family Dwelling District, as are those properties to the North, South, and East. The property adjacent to the West is zoned the "AA" Single Family Dwelling District.

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, Code of the City of Wichita, can be complied with.

COMMENTS BY THE SECRETARY:

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 except the "AA" one family dwelling district on a temporary basis provided that the applicant can show due cause that a hardship exists and that this hardship cannot reasonably be alleviated without the granting of this permit. Section 28.04.182.3 further stipulates that the Board shall determine a reasonable time limit for each individual case; that the location of such home shall conform to all lot area, height and setbacks of the zoning district in which located and the off-street parking requirements of the Ordinance; and that the Board may include additional conditions as deemed necessary to include such things as extraordinary setbacks, landscaping and installation of utilities.

In his statement of justification the applicant states that he is legally responsible for his cousin, age 89, who

owns a mobile home now located at 6960 North Broadway, 14 miles from the applicant's home. The statement further points out that the applicant has been having frequent light strokes for almost two years, and his physician has questioned the advisability of his driving. In addition, his wife has been losing her eyesight, and therefore no longer drives. The cousin, due to the fact that her neighbors work, is left alone all day and often late at night. The applicant wishes to move the mobile home to his property in order to be able to care more conveniently for his cousin.

RECOMMENDATION:

After reviewing this case, it is the opinion of the Secretary that a hardship exists inasmuch as because of physical disabilities neither the applicant nor his wife could drive the distance presently necessary for them to be able to care for the cousin for whom they are legally responsible. Therefore it is the recommendation of the Secretary that the exception to permit the installation of a mobile home on subject property be granted subject to the following conditions:

1. The mobile home may remain on the property as long as it is occupied by the applicant's cousin. When the cousin no longer occupies the mobile home, it shall be removed.
2. The applicant shall report annually (first week in January) to the Central Inspection Division, as to whether or not the mobile home is still occupied by his cousin.
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 of the Mobile Home Code.

BOARD OF ZONING APPEALS
Room 402 City Building Annex
104 South Main Street
Wichita, Kansas 67202

May 2, 1973

NOTICE TO ADJOINING PROPERTY OWNERS:

Case No. BZA 11-73

An application has been filed by Willard T. Perry, 627 South Edwards, Wichita, Kansas, 67213, pursuant to Section 2.12.590.C, Code of the City of Wichita, requesting an exception to permit the installation of a mobile home on property zoned the "A" Two Family Dwelling District, and legally described as follows:

Lots 237 and 239 Martinson's 5th Addition to the City of Wichita, Sedgwick County, Kansas. Generally located on the West side of Edwards in an area South of University Avenue.

This application has been assigned Case No. BZA 11-73, and will be considered by the Board of Zoning Appeals at its meeting on Tuesday, May 22, 1973, at 1:30 p.m., in Room 401 City Building Annex, 104 South Main Street, Wichita, Kansas, at which time you may appear, if you so desire, either in person or by agent or attorney.

Jack H. Galbraith
Secretary

23 notices to Property Owners sent 5.2.73
8 " " " " " to MAPC
5.2.73

5246
25
27
1W

BOARD OF ZONING APPEALS

CASE NO. 11-73

CITY OF WICHITA, KANSAS

FILED 4.19.73

APPLICATION FOR EXCEPTION

I. Name of Applicant Willard J Perry

Mailing Address 627 So Edwards 6203 Phone 943-4807

Name of Authorized Agent N/A

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

(Zoning Ordinance); to permit the installation ~~or construction~~

of Mobile Home

on property zoned

"A" located 627 So Edwards

WS of Edward in an area S of University

and legally described as: 2 3 ac.

lots 237-239 - Martinsens 5th edition

the land from ownership list

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 Willard J Perry

Authorized Agent _____

OFFICE USE ONLY: Received in office of Secretary, Board of Zoning Appeals, 3:45 (a.m. - (p.m.)) April 18, 1973, together with appropriate fee of \$50.00.

T9-403

Signed E. L. Shierkey

A Cousin; for whom we are
largely responsible, age 89, with our
help, owns a mobile home, now located
at 6960 N. Broadway. 14 miles from our
home.

J. Willard J. Perry, for almost 2 years
have been having light strokes,
quite frequently. The doctor
has questioned the advisability of
my driving very much. My wife,
Lorena Perry, has been losing
her eyesight, so no longer drives.

The Cousin, due to working
conditions of other neighbours, is
left alone all day and often
late at night.

We wish to move the
mobile home to our property.
Willard J. Perry

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

Lot	Street	Addition	Property Owner
76	Gordon	Martinson's 5th Addition	✓ J. W. Nickel and Frieda Nickel 608 South Gordon Wichita, Kansas 67213
78	Same	Same	Same
80	Same	Same	✓ Same
82	Same	Same	✓ Vern J. Macy and Alice 614 South Gordon Wichita, Kansas 67213
84	Same	Same	Same
N10' 86	Same	Same	Same
S15' 86	Same	Same	✓ Goldie F. Cross and Wayne A. Cross 530 South Richmond Wichita, Kansas 67213
88	Same	Same	Same
90	Same	Same	Same
92	Same	Same	✓ William R. Hastings and Twila Hastings Address Unknown Twila Hastings 374 N. Broadway Same Weatherford, Okla 73096
94	Same	Same	
96	Same	Same	✓ Dale Lee Stegmaier and Glenda Stegmaier 362 N. Erie Wichita, Kansas 67214
N½ 98	Same	Same	Same
S½ 98	Same	Same	Not available ✓ John T. Davis and Edna M. 2929 River Park Drive Wichita, Kansas 67203
100	Same	Same	Same
102	Same	Same	✓ David C. Barney and Barbara A. Barney 704 S. Gordon 67213

Lot	Street	Addition	Property Owner
104	Gordon	Martinson's 5th Addition	D David C. Barney and Barbara A. Barney 704 South Gordon Wichita, Kansas 67213
106	Same	Same	Same
108	Same	Same	✓ Clarence M. Sill and Marjorie Ruth Sill 716 South Gordon Wichita, Kansas 67213
110	Same	Same	✓ Same
220	Edwards	Same	✓ N. L. Butz and Mary K. 602 South Edwards Wichita, Kansas 67213
222	Same	Same	Same
224	Same	Same	D Nelson L. Butz and Mary K. 602 South Edwards Wichita, Kansas 67213
226	Same	Same	Same
228	Same	Same	✓ James J. DeThamplé and Betty M. DeThamplé 618 S. Edwards Wichita, Kansas 67213
230	Same	Same	Same
232	Same	Same	<i>not available</i> ✓ Everett Long and Sharon 4628 South Millwood Wichita, Kansas 67217
234	Same	Same	Same
236	Same	Same	✓ Clara T. Bergen 628 South Edwards Wichita, Kansas 67213
238	Same	Same	Same
240	Same	Same	✓ Railroad Building Loan and Savings Association First Natl. Bank Building Wichita, Kansas 67202
242	Same	Same	Same
244 exc W 5'	Same	Same	✓ Dennis Lee Dierksen 9100 Delano Wichita, Kansas 67212

Lot	Street	Addition	Property Owner
246 exc W 5'	Edwards	Martinson's 5th Addition	D Dennis Lee Dierksen 9100 Delano Wichita, Kansas 67212
248	Same	Same	✓ Administrator of Veterans Affairs Washington, D. C.
250	Same	Same	Same
252	Same	Same	✓ Otis A. Bell and Gladys M. 708 South Edwards Wichita, Kansas 67213
254	Same	Same	Same
221	Same	Same	Hattie P. Turner Address Unknown
223	Same	Same	Same
225	Same	Same	✓ O. C. Miller and Marie E. 611 South Edwards Wichita, Kansas 67213
227	Same	Same	Same
229	Same	Same	✓ Jay C. McGee 1218 West First Wichita, Kansas 67203
231	Same	Same	Same
233	Same	Same	✓ Mary J. Miller and George R. Miller 623 South Edwards Wichita, Kansas 67213
235	Same	Same	Same
237	Same	Same	D W. T. Perry and Leveda Perry 627 South Edwards Wichita, Kansas 67213
239	Same	Same	Same
241	Same	Same	✓ Robert C. Burns and Rosie 629 South Edwards Wichita, Kansas 67213
243	Same	Same	Same
245	Same	Same	✓ Kansas Conference of Wesleyan Methodist Church 151 N. Volutsia Wichita, Kansas 67214

Lot	Street	Addition	Property Owner
247	Edwards	Martinson's 5th Addition	D Kansas Conference of Wesleyan Methodist Church 151 North Volutsia Wichita, Kansas 67214
249	Same	Same	Same
251	Same	Same	Same
253	Same	Same	✓ Lindsey Hughes and Eva Mae Hughes 635 South Edwards Wichita, Kansas 67214 67213
255	Same	Same	Same

1641 S. millwood

The Security Abstract and Title Company, Inc., hereby certifies the foregoing to be a true and correct list of property owners of:

refer legal

A 200 foot radius of: [Lots 237 and 239
Martinson's 5th Addition to the City of
Wichita, Sedgwick County, Kansas]

as shown by the records on file in the Office of the Register of Deeds of Sedgwick County, Kansas, on this 13th day of April, 1973 at 7:00 o'clock A.M.

THE SECURITY ABSTRACT AND TITLE COMPANY, INC.

By

Mary Sable

Vice President

Order No. 201214
wh

THE CITY OF WICHITA



BOARD OF ZONING APPEALS
CITY BUILDING ANNEX
104 S. MAIN ST.
WICHITA, KANSAS 67202

RETURN
TO
WRITER



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

check City Dir.

Everett Long & Sharon
4628 S. Millwood
Wichita, Ks. 67217

1618 W 22

BZA 11-73



not avail



THE CITY OF WICHITA



BOARD OF ZONING APPEALS
CITY BUILDING ANNEX
104 S. MAIN ST.
WICHITA, KANSAS 67202

RETURN
TO
WRITER



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

163

John T. Davis & Edna M.
2929 River Park Drive
Wichita, Ks. 67203

BZA 11-73



not avail.



FORM 22-1

PAYMENT NOTICE
City of Wichita

PAY AT TREASURER'S OFFICE - FIRST FLOOR

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

DESCRIPTION	AMOUNT
BZA (empties)	\$ 100

Name *Wichita Sewer Dept*

Address *27 S. Edwards*

Type *AW-407163* Due Date

Comments:

Date *1-18-73* By *RLW*