

BZA 17-70 - William J. Nelson,  
requests EXCEPTION to permit a  
mobile home at 1937 So. Everett.

BZA 7-38-70 Approve

5000  
5000  
1000  
140

POSTED

~~6-17-70~~

MAP ✓  
CJ ✓

~~8-12-70~~

BZA 7-28-70 Approve

50  
600  
100  
140

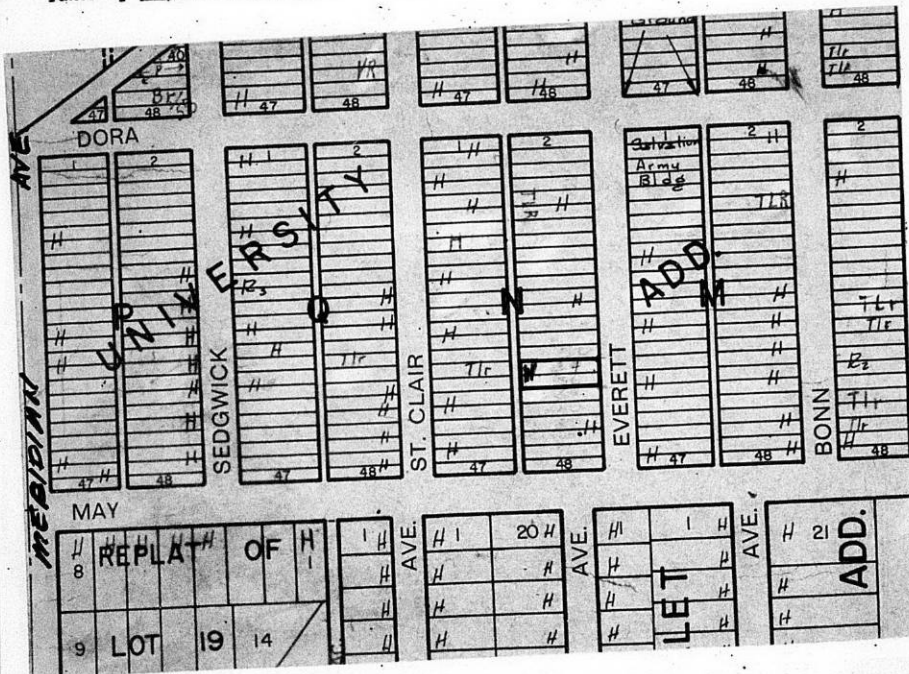
BZA 17-70 - William J. Nelson,  
requests EXCEPTION to permit a  
mobile home at 1937 So. Everett.

Map No. 5345  
 Sec. 31  
 Twp. 27  
 Range 1E

BZA 17-70  
 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 SINGLE FAM South VACANT  
 West MOBIL HOME North VACANT  
 4. Sketch Plan Land Use is for: \_\_\_\_\_  
 5. Present Land Use is for: UNDEVELOPED  
 6. Area (is) (is not) platted.

PHOTO DATA:  
 Taken by \_\_\_\_\_ Date \_\_\_\_\_ Time \_\_\_\_\_



RESOLUTION NO. BZA 17-70

WHEREAS, William J. Nelson, 1937 Everett Street, Wichita, Kansas, 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 "A" Two Family and legally described as follows:

Lots 34, 36, Block N, South University Place  
Addition to Wichita, Sedgwick County, Kansas.  
Generally located on the west side of Everett  
in an area north of May.

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 July 28, 1970, 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 exist inasmuch as the limited income of the applicant precludes his bringing the house which they presently occupy into compliance with City regulations; and

WHEREAS, the Board of Zoning Appeals has authority to permit a mobile home, on property zoned "A" Two Family, 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 approved for installation of a mobile home, on property zoned "A" Two Family, and legally described as follows:

Lots 34, 36, Block N, South University Place  
Addition to Wichita, Sedgwick County, Kansas.  
Generally located on the west side of Everett  
in an area north of May.

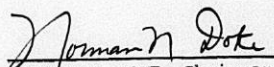
subject to the following conditions:

1. The mobile home may remain on the property as long as it is occupied by the applicant and/or his mother. When neither 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 himself and/or his 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 of the Mobile Home Code.

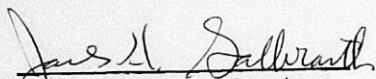
Resolution No. BZA 17-70  
Page 2

4. The existing home, which does not conform to the Code and which extends into public right-of-way, must be removed within 6 months or subject case shall be considered null and void.

ADOPTED AT WICHITA, KANSAS, this 28th day of July, 1970.

  
\_\_\_\_\_  
NORMAN N. DOKE, Chairman

ATTEST:

  
\_\_\_\_\_  
JACK H. GALBRAITH, Secretary

August 11, 1970

Mr. William J. Nelson  
1937 Everett Street  
Wichita, Kansas 67213

Subject: Case No. BZA 17-70  
Request for Exception

Dear Mr. Nelson:

Enclosed is a signed copy of the Resolution adopted by the Board of Zoning Appeals on July 28, 1970, in connection with your request for an exception to permit a mobile home to be located on property zoned "A" Two Family and generally located on the west side of Everett in an area north of May.

This Resolution reflects the official action of the Board 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:ls

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

July 29, 1970

William J. Nelson  
1937 Everett Street  
Wichita, Kansas 67213

Subject: Case No. BZA 17-70  
Request for Exception

Dear Mr. Nelson:

At the regular meeting of the Board of Zoning Appeals on Tuesday, July 28, 1970, your request for an exception to permit a mobile home to be located on property zoned "A" Two Family and generally located on the west side of Everett in an area north of May, was considered.

It was the action of the Board to approve this request subject to the conditions set out in the Secretary's Report and to the removal of the existing home, which does not conform to the Code and which extends into public right-of-way, within 6 months or subject case shall be considered null and void.

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:ls

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

THE CITY OF WICHITA

OFFICE OF CENTRAL INSPECTION DIVISION DATE

July 24, 1970

TO Jack Galbraith, Secretary, Board of Zoning Appeals  
FROM R. B. Feldner, Secretary, Board of Housing Standards  
and Appeals

SUBJECT

W. J. Nelson  
1937 Everett  
BZA Case #17-70

Please be advised that the Board of Housing Standards and Appeals (by unanimous vote) supported the granting of an exception to allow a mobile home to be placed at this location.

It was understood that should this exception be granted, the existing substandard dwelling shall be removed.

RBF:rs

cc: John Coe, Chairman, Board of Housing Standards and Appeals  
Joe Donnelly, Maintenance Inspection Supervisor

SECRETARY'S REPORT  
CASE NO. BZA 17-70

**APPLICANT:** William J. Nelson, 1937 Everett Street, Wichita,  
Kansas

**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 Everett in an area north  
of May

**LAND USE:** Subject property is occupied by a single family  
residence as are those properties to the north,  
south, east; west is a mobile home

**ZONING:** Subject property is zoned "A" Two Family as are those  
properties to the north, east, south and west

**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. The Board may grant the exception provided  
that the Board finds 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 appli-  
cant desires to have a mobile home on his property to be used  
by himself and his mother. The statement further points out that  
the house which they presently occupy is 43 years old, is not  
modern and they are financially incapable on their combined  
income of \$250 a month of bringing the house into compliance  
with City building and health regulations.

**RECOMMENDATION:**

After reviewing this case and the problems of bringing  
the house into conformance with the Office of Central Inspection,  
it is the opinion of the Secretary that a hardship exists  
inasmuch as the limited income of the applicant who is a disabled

Page 2 - Secretary's Report  
Case No. BZA 17-70

veteran and his mother who is 72 years of age and on social security precludes their bringing the house which they presently occupy into compliance with City regulations. 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 and/or his mother. When neither 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 himself and/or his 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 of the Mobile Home Code.

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

July 8, 1970

NOTICE TO ADJOINING PROPERTY OWNERS

Case No. BZA 17-70

An application has been filed by William J. Nelson, 1937 Everett Street, Wichita, Kansas, pursuant to Section 2.12.590.C, Code of the City of Wichita, requesting an exception to permit a mobile home to be located on property zoned "A"-Two Family, and legally described as follows:

Lots 34, 36, Block N, South University Place  
Addition to Wichita, Sedgwick County, Kansas.  
Generally located on the west side of Everett  
in an area north of M.V.

This application has been assigned Case No. BZA 17-70, and will be considered by the Board of Zoning Appeals at its meeting on Tuesday, July 28, 1970, 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

*12 notices Mailed 7-8-70*

"Statement of Hardship"

William J. Nelson

1937 E. 5th St.

Statement to justify hardship exception as provided in section 28.04.182 Part 3, code of the City of Wichita Kansas (Zoning Ordinance)

Dear Sirs:

I am a veteran drawing disability compensation and my mother of 72 years is receiving social security benefits.

We are living in our home that was built 43 years ago which is not modern and needs more repair than my income will allow.

I have purchased

a mobil home recently  
and wish to install it  
on my property under the  
provisions of this hardship  
exception mentioned above.

Our combined income  
is less than \$250.<sup>00</sup> a  
month and after quite  
some deliberation we  
have come to the conclusion  
that this is the only  
way we can alleviate  
this hardship and comply  
with the housing code &  
Health Dept. on our  
property.

I thank you  
William J. Nelson  
Applicant

BOARD OF ZONING APPEALS  
CITY OF WICHITA, KANSAS

CASE NO. 17-70  
FILED 6-3-70

APPLICATION FOR EXCEPTION

I. Name of Applicant William J. Nelson  
Mailing Address 1937 Everett St. <sup>213</sup> Phone 243-9748  
Name of Authorized Agent N/A  
Mailing Address N/A Phone N/A  
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 ~~182~~ C, Code of the City of Wichita, Kansas

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

~~of a~~ of a Mobil Home ~~to be located~~

to be located on property zoned

"A", located at 1937 South Everett

and legally described as: Lots 34,

36, ~~38~~, 40 Block N, South University

Place Addition to Wichita, Sedgewick County, Kansas

in the City of Wichita.

III. The applicant herein, or his authorized agent, acknowledges:

- That he has received an instruction sheet concerning the filing and hearing of this matter;
- 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;
- That all documents are attached hereto as noted in paragraphs 2, 3, and 4 of the instructions.
- That he has been advised of his right to bring action in the District Court of Sedgewick County to appeal the decision of the Board.

Applicant William J. Nelson

Authorized Agent N/A

OFFICE USE ONLY: Received in office of Secretary, Board of Zoning Appeals, 2:00 (a.m. (p.m.)), June 3, 1970, together with appropriate fee of \$50.00

T9-403

Signed E. Lynn Shirley Jr. Planner

CERTIFICATE OF OWNERSHIP  
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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 34 and 36, Block N, in South University Place Addition  
to Wichita, Sedgwick County, Kansas,

together with all lots lying within a 200 foot radius thereof.

G U A R A N T E E T I T L E C O.,	DESCRIPTION	OWNER OWNERS	ADDRESS
	<u>South University Place</u> <u>Block N</u>		
	Lots 17 and 19	✓ James W. Pratt and Katherine M.	1920 So. St. Clair 67203
	Lots 21 and 23	✓ Charles R. Brown and Mabel	922 No. Clara 67212
	Lots 25 and 27	✓ J. R. Johnson	1301 So. Seneca 67213
	Lots 29 and 31	✓ Eugene R. Williams	1934 So. St. Clair 67203
	Lots 33 and 35	✓ Ray D. Banning and Vera L.	1936 So. St. Clair 67203
	Lots 37 and 39	✓ Floyd R. Heedick and Jennie M.	1948 So. St. Clair 67203
	Lots 41-43-45-47	✓ Orville P. Patchett and Helen L.	800 West 59th St. South 67216
	Lots 18-20-22-24-26	✓ Ernestine Fields and Chester Church	c/o Roy C. Church 1935 So. Everett 67213
	Lots 28 and 30	✓ Roy C. Church and Viola M.	1935 So. Everett 67213
	Lot 32	✓ F. J. Ablah	800 E. 11th St. 67214
	Lots 34-36-38-40	✓ William J. Nelson	1937 So. Everett 67213
	Lots 42-44-46-48	✓ George L. Ward and Gladys E.	1951 So. Everett 67213

WITNESS our Hand and Seal this the 29th day of May, 1970  
at 7:00 o'clock A.M.

GUARANTEE TITLE CO, Inc.

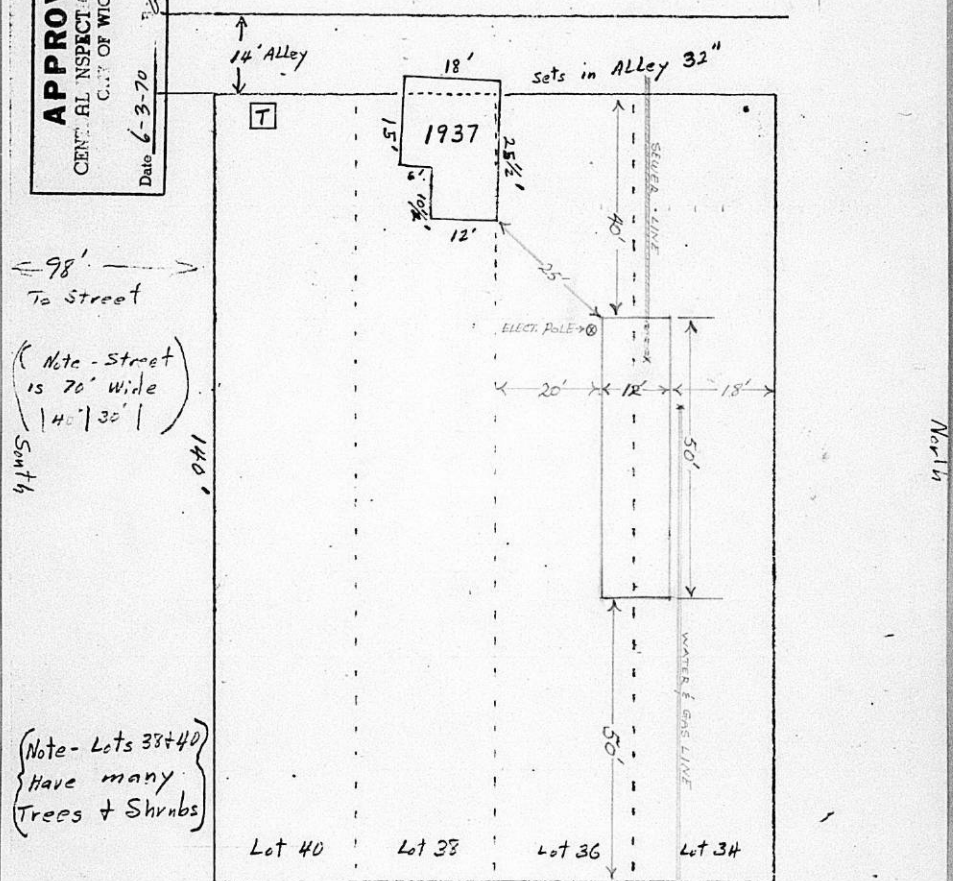
By *Nellie M. Rutziger*  
Vice-President.

Order No. 26760

West

# Plot Plan - 1937 So. Everett

**APPROVED**  
 CENTRAL INSPECTION DIVISION  
 CITY OF WICHITA  
 Date 6-3-70  
*[Signature]*



98'  
 To Street  
 (Note - Street is 70' wide)  
 40' | 30' |  
 South

(Note - Lots 38+40)  
 Have many  
 Trees + Shrubs

Scale 1/4" = 5'

Drawn By 6-16-69  
 J. P. A. CID

100'  
 Everett St.  
 (60' wide)  
 East

"A"-Zone  
 Block N  
 South University  
 Brace Addn.

Form 223-021

**PAYMENT NOTICE**  
City of Wichita

**PAY AT TREASURER'S OFFICE - FIRST FL**

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
<i>[Handwritten description]</i>	<i>[Handwritten amount]</i>

Name *[Handwritten name]*

Address *[Handwritten address]*

Type *[Handwritten type]* Due Date *[Handwritten date]*

Comments: *[Handwritten comments]*

Date *[Handwritten date]* By *[Handwritten signature]*