

Case No. BZA 19-80 - Lloyd & Nadine Reaves - requests an exception to permit a mobile home on a temporary basis on property zoned "AA" One-family dwelling and generally located

*Posted
5-2-80*

ACTION

BZA 19-80

COMMITTEE *Withdrawn* DATE *5-27-80*

M.A.P.C. *by Applicant 5-22-80 gms*

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

Map No. 5147
 Sec. 23
 Twp. 27
 Range 1W

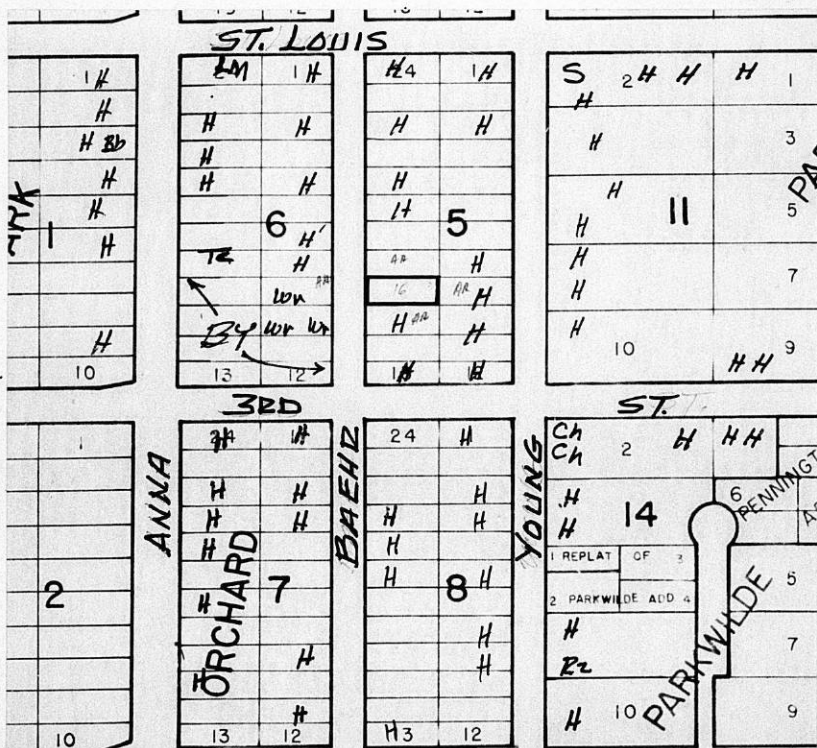
BZA- 19-80
 SCZ- _____
 CU- _____
 Filed _____

AREA DATA:

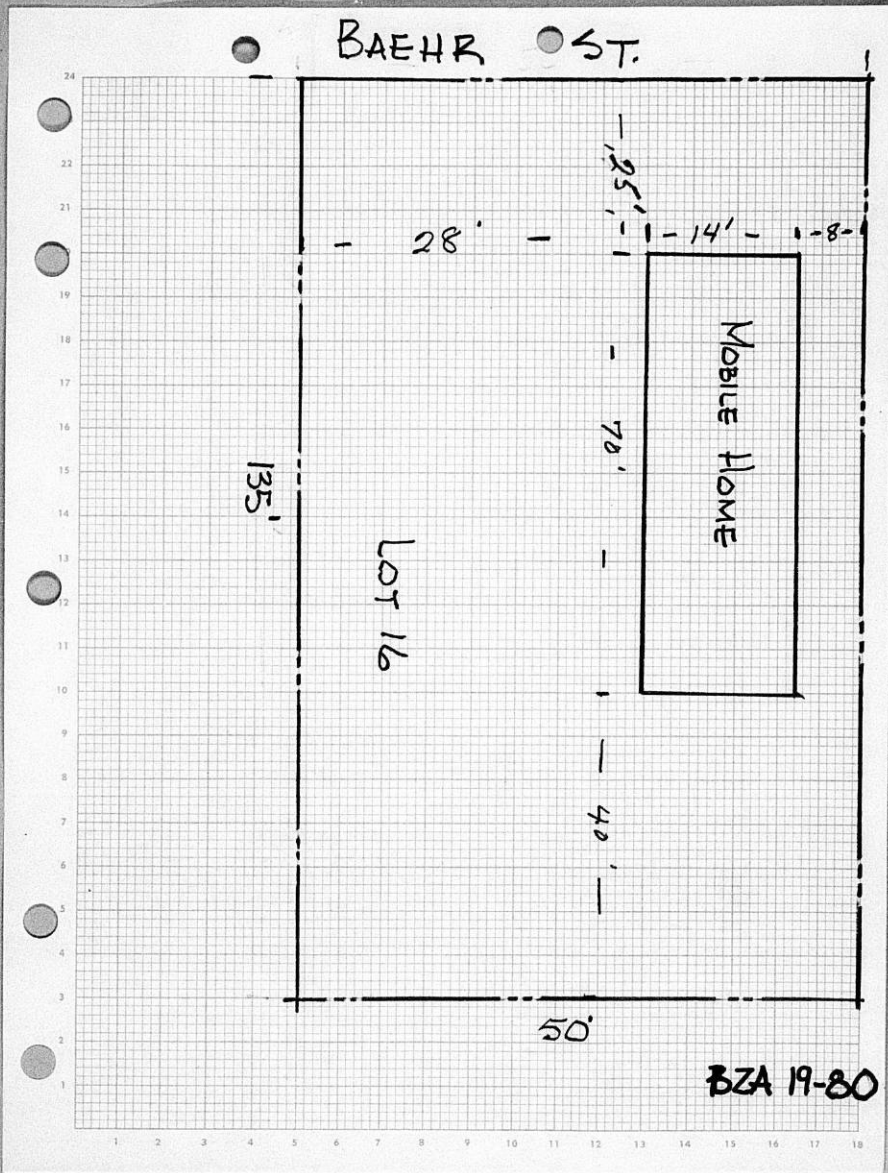
1. Acres: 0.14 (50 ft. by 130 ft.)
2. Adjoining Zoning: E _____ S _____ W _____ N _____
3. Land Use: East _____ South _____
 West _____ North _____
4. Sketch Plan Land Use is for: _____
5. Present Land Use is for: _____
6. Area (is) (is not) platted.

PHOTO DATA:

Taken by _____ Date _____ Time _____



BAEHR ST.



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 19-80

An application has been filed by Lloyd and Nadine Reaves, 432 North Baehr, Wichita, Kansas, pursuant to Section 2.12.590.C, Code of the City of Wichita, requesting an exception to permit a mobile home on a temporary basis on property zoned the "AA" One-family Dwelling District and legally described as follows:

Lot 16, Block 5, Orchard Park,
Sedgwick County, Kansas. Generally
located on the east side of Baehr
north of 3rd Street (414 N. Baehr).

This application has been assigned case No. BZA 19-80, 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

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Jack H. Galbraith
Secretary

May 28, 1980

Lloyd & Nadine Reaves
432 North Baehr
Wichita, Kansas

Re: Case No. BEA 19-80
Request for Exception

Dear Mr. & Mrs. Reaves:

At the regular meeting of the Board of Zoning Appeals on May 27, 1980, your request for an exception to permit a mobile home was stricken from the agenda.

This was based on your phone conversation to me on May 22, 1980 that you had purchased a house and would no longer need this exception.

If I can be of further assistance or if you have any questions, please call our office.

Sincerely yours,

Glen E. Lytle
Assistant Secretary

GEL:ead

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

THE CITY OF WICHITA
OFFICE OF CITIZEN PARTICIPATION

DATE May 19, 1980

TO Glen Lytle, Special Assistant for Zoning

FROM Bill Morris, CPO Administrative Aide

SUBJECT BZA 19-80 (East Side of Baehn,
North of 3rd Street)

CPO Council "N" reviewed the captioned case on May 15. The Council voted 8-1 to recommend that the exception be granted for 5 years or until the hardship ceases to exist, whichever comes first.

Lloyd and Nadine Reeves, the applicants, were present to explain that they needed to live near Mrs. Reeves' mother and grandmother, who need daily care. They further explained that they had attempted to purchase a home in the area, but couldn't find a property within their price range.

The Council members felt that a hardship did exist, and supported a 5 year time limit rather than 2 years because of the expense associated with moving and "hooking-up" a mobile home.

The Council member voting against the exception felt that housing was available in the area for Mr. and Mrs. Reeves to purchase.

Bill Morris
Bill Morris
CPO Administrative Aide

BM:rs

Noted *Sarah Gilbert*
Sarah Gilbert
Assistant CP Coordinator

RECEIVED

MAY 20 1980

METROPOLITAN PLANNING
ROUTE *Lytle*

SECRETARY'S REPORT
CASE NO. BZA 19-80

APPLICANT: Lloyd & Nadine Reaves, 432 N. Baehr, 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: On the east side of Baehr north of 3rd Street (414 N. Baehr).

ZONING: Subject property is zoned "AA" One-family Dwelling District as are all the surrounding properties.

LAND USE: Subject property is presently vacant. Properties to the east, north and south are single-family dwellings. Property to the west is occupied by a single-family dwelling and a non-conforming refuse hauling business.

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 permit the location of a mobile home on a property located in the "AA" One-family Dwelling District in order to care for an invalid mother who lives adjacent to the property. The applicant also states that she also is caring for a grandmother who lives in the 200 block of North Baehr. The grandmother is blind and is dependent upon the granddaughter for daily help and it is important that the applicant live in close proximity to both mother and grandmother.

The applicants presently live at 432 North Baehr in a rented house. The applicant indicates that the landlord's son is getting married and they need the house for he and his wife.

The site plan furnished by the applicant indicates that the lot is of sufficient size to comply with all setback requirements of the "AA" One-family Dwelling District.

The Board is required to set a reasonable time limit 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 applicant's arguments of a hardship are valid, then the applicant should be making an attempt to locate in the area permanently.

Page 2
BZA 19-80
BZA AGENDA
5-27-80

RECOMMENDATION:

It is the opinion of the Secretary that it is difficult to justify a hardship that cannot reasonably be alleviated without the granting of the exception. However, should the Board determine that a hardship does exist that cannot be alleviated, then the exception should be granted subject to the following conditions:

1. The mobile home may remain on the property only for a period of two years, at which time it shall be permanently removed from the property.
2. The applicant shall secure a mobile home license from Central Inspection prior to the location of the mobile home on the property.
3. The location of the mobile home shall conform to all setback requirements of the "AA" One-family Dwelling District and the requirements of Title 26 of the Code of the City of Wichita, Kansas.

BOARD OF ZONING APPEALS
Tenth Floor - City Hall
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May 6, 1980

NOTICE TO ADJOINING PROPERTY OWNERS:

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Jack H. Galbraith
Secretary

BZA CASE NO. BZA 19-80

1 NOTICES SENT TO APPLICANT/AGENT

10 NOTICES SENT TO MAPC

1 NOTICES SENT TO CPO

15 NOTICES SENT TO ADJOINING PROPERTY OWNERS

27 TOTAL NOTICES SENT 5-10-80

5147
23-27-1W

BZA
19-80

BOARD OF ZONING APPEALS

CASE NO. 19-80

CITY OF WICHITA, KANSAS

FILED 4-17-80

APPLICATION FOR EXCEPTION

I. Name of Applicant Lloyd and Nadine Reaves
 Mailing Address 432 N. Baehr Phone 945-4410
 Name of Authorized Agent _____
 Mailing Address _____ Phone _____
 Relationship of applicant to property is that of tenant
 (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 an exception to permit a mobile home the establishment of a mobile home on a temporary basis on property zoned "AA", located on the east side of Baehr north of 3rd Street (414 N. Baehr) and legally described as: Lot 10, Block #5, Orchard Park, Sedgwick County, KS _____, 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.

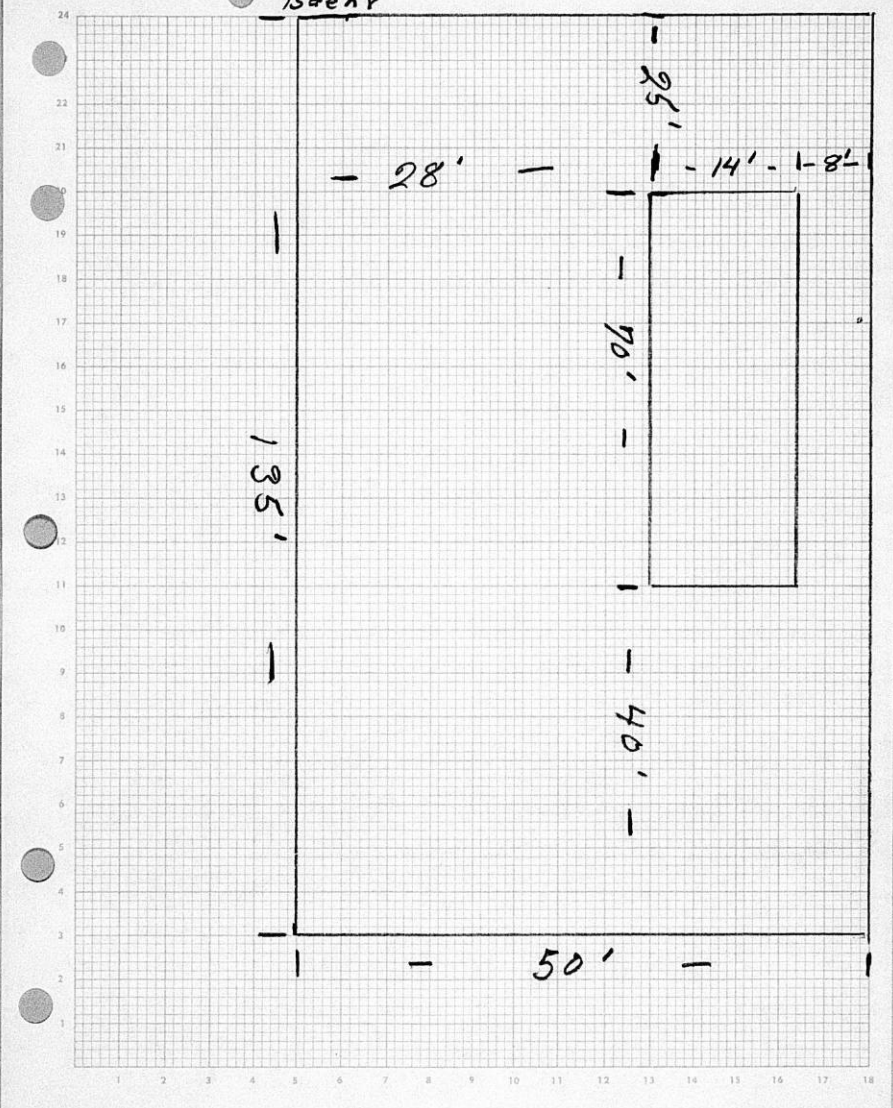
Applicant Nadine Reaves

Authorized Agent _____

OFFICE USE ONLY: Received in the office of the Secretary, Board of Zoning Appeals, 10:20 a.m. - p.m.), April 17, 19 80, together with appropriate fee of \$50.00

Signed D. Lynn Shirley

Lot 16
Baehr



To the Board of zoning Appeals,

We are applying for an exception under hardship.

We have lived at 432 N. Backs for four years and for the past two years I have been taking care of my mother - as she isn't able to care for her home. She has several health problems. I do her house cleaning, washing and grocery shopping - and some of their meals. She isn't able to ride in a car at this time. I also have a grandmother who lives at 221 N. Backs who is blind and depends on me for her evening meal and I do her washing and grocery shopping and pay her bills and get her checks cashed each month. We wouldn't be moving except that our landlord's son is getting married and needs this home. It would mean a lot to me to have a home close to my family that needs me so very much now.

Nadine Lewis

Jewell Gourley
414 N. Backs
Wichita, KS. 67212

Mother

Sarah Box
221 N. Backs
Wichita, KS. 67212

Grandmother

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

Lot	Addition	Property Owner
lot 5, Block 5	Orchard Park	✓ Lawrence Adrian Fanning Orvetta F. Fanning 439 North Young 67212
lot 6 Block 5	Same	✓ James C. Wilson and Sandra S. Wilson 441 Shadow Haven ^{Shadow Haven St.} 67213 <i>Returned 5-12-80 Agent to 5-13-80</i>
lots 7 and 8 Block 5	Same	✓ David Oxley 417 North Young 67212
lot 9, Block 5	Same	✓ Carl Marvin Edwards and Mildred Imogene Edwards Address Unknown
lot 10 Block 5	Same	✓ Ray H. Buchanan and Eleanor E. Buchanan 405 North Young 67212
lot 11 Block 5	Same	✓ Walter Leroy Gooch and Anita Alice Gooch 403 North Young 67212
lot 12 Block 5	Same	✓ Dale N. Scheer and Marjorie J. Scheer 401 North Young 67212
lot 13 Block 5	Same	✓ Albert J. Foster 414 North Young 67212 <i>Returned 5-12-80</i>
lots 14,15,16 Block 5	Same	✓ C. W. Gourley and Jewel L. Gourley 414 N. Baehr 67212
lots 17 and 18 Block 5	Same	✓ Gilbert F. Ballinger and Jean Ballinger 405 North Baehr 67212
lots 19 and 20 Block 5	Same	✓ Irvin R. Burling and Patricia M. Burling 436 North Baehr 67212
lot 5, Block 6	Same	✓ John M. Sanborn and Alberta A. Sanborn 435 North Baehr 67212
lots 6 and 7 Block 6	Same	✓ Irvin C. Carney and Bessie M. Carney 433 North Baehr 67212
lots 8 and 9 Block 6	Same	✓ Gilbert Ballinger and Barbara Jean Ballinger 405 North Baehr 67212 <i>Dub</i>



SECURITY IS KNOWING

Title Insurance • Escrow Closings • Abstracts

Lot	Addition	Property Owner
lot 10, Block 6	Orchard Park	<i>Deed</i> Gilbert Ballinger 405 North Baehr 67212
lots 11,12,15 16, Block 6	Same	<i>Deed</i> Gilbert F. Ballinger and Barbara Jean Ballinger 405 North Baehr 67212
lots 17 and 18 Block 6	Same	- Guy O. Pratt & Eunice M. 424 North Anna 67212
north half lot 8, Block 11	Parkwilde Addition	Michael G. Whalen and Reba S. Whalen Address Unknown
south half lot 8, Block 11	Same	Wesley E. Purkey 420 North Baehr 67212 <i>Returned 5-12-80 present to → Young</i>
north half lot 10, Block 11	Same	Steven W. Thole and Deborah L. Thole 408 North Baehr 67212 <i>Returned 5-12-80 present to → Young</i>

We hereby certify the foregoing to be a true and correct list of the property owners of:

A 200 foot radius of: Lot 16, Block 5,
Orchard Park, Sedgwick County, Kansas

as shown by the last deeds of record on file in the Office of the Register of Deeds of Sedgwick County, Kansas, on the 14th day of April, 1980 at 7:00 o'clock A.M.

THE SECURITY ABSTRACT & TITLE CO., INC.

By

Mary Hable

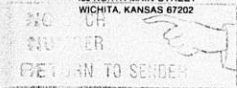
Vice President

Order No. 287107
wh

WICHITA - SEDGWICK COUNTY



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



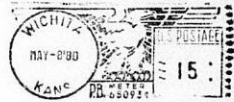
Albert J. Foster
414 North Young
Wichita, Ks. 67212

Back?

WICHITA - SEDGWICK COUNTY



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

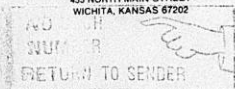


Wesley E. Purkey
420 North ~~Bach~~ *Young*
Wichita, Ks. 67212

WICHITA - SEDGWICK COUNTY



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



NO SUCH NUMBER

Steven W. & Deborah L. Thole
408 North ~~Bach~~ *Young*
Wichita, Ks. 67212

**MICROFILMED
FROM THE BEST
AVAILABLE COPY**

FORM 021 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

NAME _____

ADDRESS _____

FUND _____ DUE DATE _____

COMMENTS _____

DATE _____ BY _____

WICHITA - SEDGWICK COUNTY
W S C
19-80
BOARD OF ZONING APPEALS
CITY HALL - TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202

RETURNED FOR BETTER ADDRESS

NO SUCH STREET NUMBER

James C. & Sandra S. Wilson
441 Shadow Haven Meadowhaven St.
Wichita, Ks. 67213

