

5450 A

200' 4 Sec. 8-11-88

Checked 8-11-88

Shot 8-12

Recorded 8-17-88

Case No. BZA 24-82 - Josie Reynolds - requests an exception to permit the establishment of a mobile home on a temporary basis on property zoned "B" Multiple-family Dwelling District and generally located on the southwest

POSTED  
7-10-82

**ACTION**

*BZA*  
*2-24-82*

**BZA  
COMMITTEE**

**APPROVED**

**DATE**  
7-27-82

~~M.A.P.C.~~ \_\_\_\_\_

~~B.C.C./B. CO. C.~~ \_\_\_\_\_

5450A

200'4 Sec 8-11-82  
Checked 8-11-82  
Shor 8-12  
Recorded 8-17 KB

Case No. BZA 24-82 - Josie Reynolds -  
requests an exception to permit the  
establishment of a mobile home on a  
temporary basis on property zoned "g1"  
Multiple-family Dwelling District and  
generally located on the southwest.



July 28, 1982

Ms. Josie Reynolds  
103 West Burnett  
Wichita, Ks.

Re: Case No. EEA 24-82  
Request for Exception

Dear Ms. Reynolds:

Enclosed is a signed copy of the Resolution adopted by the Board of Zoning Appeals on July 27, 1982.

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: Jean Oliver Moore, 1044 North Waco, Wichita  
Robert Feldner, Superintendent of Central Inspection (2)  
Don Gisick, City Clerk

RESOLUTION NO. EZA 24-82

WHEREAS, Josie Reynolds, 103 West Burnett, 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 the "B" Multiple-family Dwelling District and legally described as follows:

Lots 107, 108, 109, 110 on Bayless now Burnett in North Lawn Addition, Sedgwick County, Kansas. Generally located on the southwest corner of Burnett and Park Place (103 West Burnett).

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 27, 1982, 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 the "B" Multiple-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 location of a mobile home on property zoned the "B" Multiple-family Dwelling District and legally described as follows:

Lots 107, 108, 109, 110 on Bayless now Burnett in North Lawn Addition, Sedgwick County, Kansas. Generally located on the southwest corner of Burnett and Park Place (103 West Burnett).

subject to the following conditions:

1. The mobile home may remain on the property only as long as Ms. Josie Reynolds occupies the mobile home and the daughter, Ms. Rita Ann Frazier, lives at 103 West Burnett.
2. The applicant shall report annually, during the first two weeks of January, to the Central Inspection Division as to the occupancy of the mobile home.
3. The applicant shall secure the necessary permits for location of the mobile home thru the office of Central Inspection.
4. The mobile home shall conform to all setback requirements of the "B" Multiple-family Dwelling District and all the requirements as set forth in the Mobile Home Regulations (Title 26 of the City Code).

ADOPTED AT WICHITA, KANSAS, this 27th day of July, 1982.

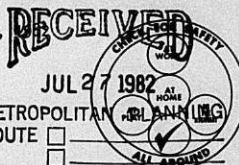
  
Tom Jacob, Chairman

ATTEST:

  
Glen E. Lytle, Assistant Secretary

**THE CITY OF WICHITA**  
**OFFICE OF CITIZEN PARTICIPATION**

**DATE** July 23,



**TO** Glen Lytle, Special Assistant for Zoning  
**FROM** Clemencia L. Prieto, Administrative Aide III

**SUBJECT** BZA 24-82 Southeast corner  
of Burnett and Park Place  
(103 West Burnett)

CPO Council "J" considered the captioned case at their July 22nd meeting and voted 7-0 to recommend approval of the exception to permit the establishment of a mobile home on a temporary basis.

Josie Reynolds, applicant, was present and spoke in support of the exception. No one was present to speak in opposition.

Please provide the Council's recommendation to the Board of Zoning Appeals when the case is considered at its July 27th meeting.

*Clemencia L. Prieto*  
Clemencia L. Prieto  
Administrative Aide III

CLP:dm

Noted:

*Sarah Gilbert /sm*

Sarah Gilbert  
CP Coordinator

SECRETARY'S REPORT  
CASE NO. BZA 24-82

APPLICANT: Josie Reynolds, 103 W. Burnett, Wichita, Kansas

AGENT: Jean Oliver Moore, 1044 North Waco, Wichita, Ks.

REQUEST: Exception pursuant to Section 2.12.590.C, Code of the City of Wichita to permit the establishment of a mobile home on a temporary basis.

GENERAL LOCATION: On the southwest corner of Burnett and Park Place.

ZONING: Subject property is zoned the "B" Multiple-family Dwelling District as are all adjacent properties.

LAND USE: Subject property is occupied by a one-family dwelling. Adjacent properties are all developed as residential.

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 as a second dwelling unit on a property on a temporary basis. The applicant submits that a hardship exists and that it is necessary to file this request to solve her dilemma. This is due to her health problems consisting of arthritis, emphysema, heart trouble, high blood pressure etc., and she is unable to care for herself.

The applicant's daughter lives in the dwelling on the property and would be available to provide daily care for her mother. At the present time the applicant indicates that she is living with her daughter, but must sleep in the bedroom with two young boys which is detrimental to her nerves. She also indicates that her financial condition prevents any other means of providing a location for the mobile home.

RECOMMENDATION:

If the Board determines that there is a hardship that cannot reasonably be alleviated without the granting of the exception, it is then the recommendation of the Secretary that the exception be granted subject to the following conditions:

1. The mobile home may remain on the property only as long as Ms. Josie Reynolds occupies the mobile home and the daughter, Ms. Rita Ann Frazier, lives at 103 West Burnett.
2. The applicant shall report annually, during the first two weeks of January, to the Central Inspection Division as to the occupancy of the mobile home.
3. The mobile home shall conform to all setback requirements of the "B" Multiple-family Dwelling District and all the requirements as set forth in the Mobile Home regulations (Title 26 of the City Code).

BZA CASE NO. 24-82

2 NOTICES SENT TO APPLICANT/AGENT

10 NOTICES SENT TO MAPC

1 NOTICES SENT TO CPO

23 NOTICES SENT TO ADJOINING PROPERTY OWNERS

36 TOTAL NOTICES SENT 7-7-82

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

July 7, 1982

NOTICE TO ADJOINING PROPERTY OWNERS:

CASE NO. BZA 24-82

As required by law, all property owners of record, within 200 feet of a property to be considered for an exception or variance by the Board of Zoning Appeals, are to be notified of the public hearing. An application has been filed by Josie Reynolds, 103 West Burnett, Wichita, Kansas, requesting an exception.

Pursuant to Section 2.12.590.C, of the Code of the City of Wichita, the applicant is requesting an exception to permit the establishment of a mobile home on a temporary basis on property zoned "B" Multiple-family Dwelling District. A legal description of the applicant's property is as follows:

Lots 107, 108, 109, 110 on Bayless now Burnett in North Lawn Addition, Sedgwick County, Kansas.  
Generally located on the southwest corner of Burnett and Market (103 West Burnett).  
PAGE PL.

This application has been assigned Case No. BZA 24-82. It will be considered by the Board of Zoning Appeals on July 27, 1982 at 1:30 p.m. in the Board Room, First Floor of City Hall, 455 North Main Street, Wichita, Kansas. If you have no interest or objections regarding the requested exception you have no obligation to appear or comment. If you desire to appear at the Board meeting, you are invited to do so, either in person or by agent or attorney.

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.

If you have any questions about the application, please feel free to call the Wichita-Sedgwick County Metropolitan Area Planning Department at 268-4421.

Jack H. Galbraith  
Secretary

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BOARD OF ZONING APPEALS  
CITY OF WICHITA, KANSAS

CASE NO. 24-82  
FILED 6-28-82

APPLICATION FOR EXCEPTION

I. Name of Applicant Josie Reynolds  
Mailing Address 103 W. Burnett Phone 832-0455  
Name of Authorized Agent Jean Oliver Moore  
Mailing Address 1044 N. Waco Phone 265-3135  
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 the establishment of a house trailer  
a mobile home on a  
temporary basis  
on property zoned residential "B" Multiple Family Dwelling Dist.  
located on the southwest corner of Burnett and Market  
#103 W. Burnett  
and legally described as: lots 107, 108, 109, 110 on  
Bayless near Burnett in North Lawn Addition  
Sedgwick County  
\_\_\_\_\_ , 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. 36-596); 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 Josie Reynolds

Authorized Agent Jean Oliver Moore

OFFICE USE ONLY: Received in Office of Secretary, Board of Zoning Appeals, 1:30 (p.m.), JUNE 28, 1982 together with appropriate fee of 75.00.

Signed [Signature]

This is in regard to the Special hardship permit to move a 10 x 54 Mobile Home on the property at 103 W. Burnett. I have invested everything I have in this property, about \$7,000.00 plus \$1,000.00 I had to borrow from my brother to get the Mobile Home to put on it, for me. Plus 28 yrs of my life to raise her, Rild Anne Fraizer, & her 2 sons. One age 10 years & one age 5 yrs. And due to the fact I will be 70 yrs old this year, I can no longer take care of myself due to osteoarthritis of spine, as well as all over my body, emphesemy heart trouble, High blood pressure, & have had pneumonia 7 times, I am no longer able to take care of myself. I need to be close to her, so she can

help look after me. After all  
I have taken care of her since  
she was 4 days old. This  
house is just too small for  
all of us, & if you could see  
where I have had to live  
in this room with her 2  
Boys in bunk beds, & toys  
you would know why I need  
to move the Mobile Home  
here for me. Or you could  
send the inspector up here &  
I will show him why. She  
first tried to put me in  
the Garage with the rats  
& mice. When I refused  
to sleep there she put me  
here in the room with the  
boys. All you would have to  
do is come, & look for your  
self & you would know why  
I am begging you for the  
Special Permit

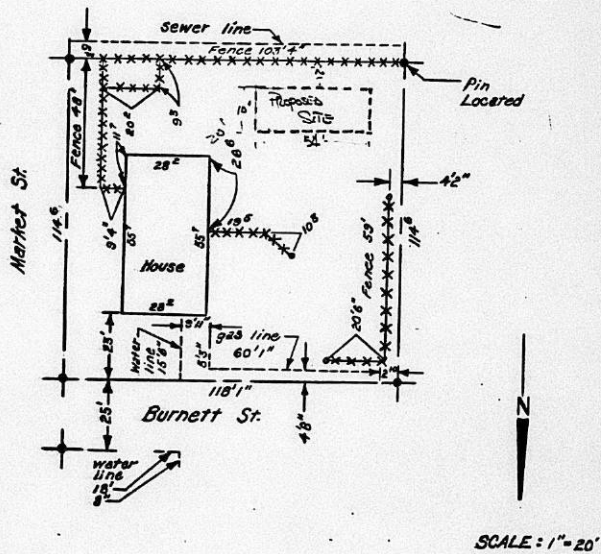
Josie L. Reynolds

Sometimes there have been  
9 people + 3 dogs all staying  
here at the same time. I am  
just too old, sick, + nervous  
to take this any longer.  
Neither can I pay lot rent,  
& live on my income. Here,  
I would only have to pay  
Utility Bills. That way I  
could live, + keep a roof  
over all of us. The Urban  
Renewal gave me the money  
to pay down on this for  
relocation.

LEGAL DESCRIPTION

Lots 107, 108, 109 and 110 on Bayless now Burnett, Northlawn Addition to the city of Wichita, Sedgwick County, Kansas, commonly known as 103 West Burnett, Wichita, Kansas, 67204.

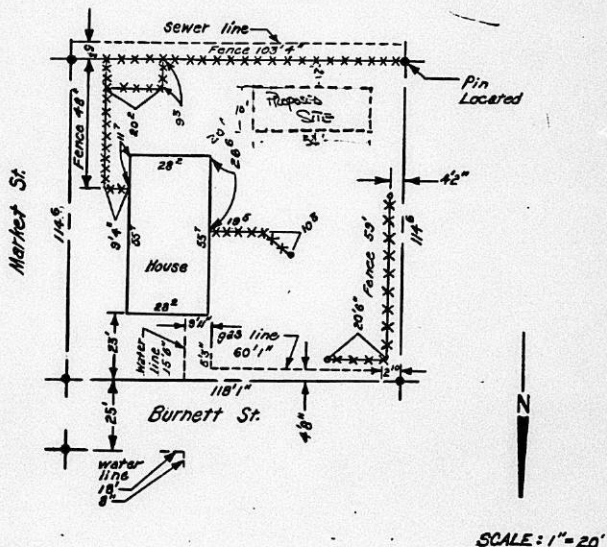
Josie Reynolds



LEGAL DESCRIPTION

Lots 107, 108, 109 and 110 on Bayless now Burnett, Northlawn Addition to the city of Wichita, Sedgwick County, Kansas, commonly known as 103 West Burnett, Wichita, Kansas, 67204.

Josie Reynolds



STATEMENT OF OWNERSHIP

STATE OF KANSAS )  
 ) SS  
 SEDGWICK COUNTY )

The undersigned duly bonded and qualified abstractor within and for the County and State aforesaid, does hereby certify:

That we have examined the records in the office of the Register of Deeds of Sedgwick County, Kansas, with reference to the ownership of the following property in Sedgwick County, Kansas viz:

Record Owners within 200 feet of:  
 Lots 107, 108, 109 and 110 on  
 Bayless now Burnett in NORTH LAWN  
 ADDITION,




And from such examination find that the owners thereof are as set opposite the description of the property below, viz: (Addresses as given are furnished as a service and not certified.)

<u>LOTS AND BLOCKS</u>	<u>ADDITION</u>	<u>RECORD OWNERS</u>
Lots 99, 100, 101, 102 and 103 on Bayless now Burnett, and Lots 72, 73, 74 and 75, on 26th Street North,	NORTH LAWN	<del>retired</del> Zion Holiness Church of Gods 14 E. 26th St No. Record Owner and Antonio A. & Marie Balderas D 2633 North Market Wichita, Kansas 67219
Lots 104, 105 and 106 on Bayless now Burnett and Lots 69, 70 and 71 on 26th Street North,	NORTH LAWN	Raymond L. & Eugene Stone 2524 W. 36th St. North Wichita, Kansas 67204
Lots 107, 108, 109 and 110 on Bayless now Burnett,	NORTH LAWN	Meyers & Ethel I. Harris ADDRESS UNKNOWN Trust Donna M. Harris
Lots 111, 112, 113, 114 and 115 on Bayless now Burnett,	NORTH LAWN	Earl C. & Edith G. Brown 127 West Burnett Wichita, Kansas 67204



<u>LOTS AND BLOCKS</u>	<u>ADDITION</u>	<u>RECORD OWNERS</u>
Lots 116, 117 and 118, except the South 58 feet on Bayless now Burnett,	NORTH LAWN	Ed & Patra Dykes 2736 Wellington Place Wichita, Kansas 67204
The South 58 feet of Lots 116, 117 and 118, on Bayless now Burnett,	NORTH LAWN	Mark William & Karen J. Muench 2726 Wellington Place Wichita, Kansas 67204
Lots 31 and 32 on 26th Street,	NORTH LAWN	Antonio A. Balderas and Antonio G. Balderas and Tony J. Balderas 2633 North Market Wichita, Kansas 67219
Lots 33 and 34 on 26th Street,	NORTH LAWN	Louie T. & Larene Bowers <del>ADDRESS UNKNOWN</del> <i>2055 Wellington Place</i>
Lots 35 and 36 on 26th Street,	NORTH LAWN	<del>K. &amp; B. Developments</del> <del>ADDRESS UNKNOWN</del>
Lots 37 and 38 on 26th Street,	NORTH LAWN	Reserve Savings & Loan Assn. 255 North Main Wichita, Kansas 67202
Lots 39 and 40 on 26th Street,	NORTH LAWN	<del>Roger K. Yerton</del> <del>ADDRESS UNKNOWN</del>
Lots 41 and 42 on 26th Street,	NORTH LAWN	Leslie Fisher 131 W. 26th St. North Wichita, Kansas 67204
Lots 57 and 58 on 26th Street,	NORTH LAWN	<i>returned</i> James Lee Gott 2248 South Millwood Wichita, Kansas 67213
Lots 59 and 60 on 26th Street,	NORTH LAWN	Kenneth D. Liming 347 North Brunswick Wichita, Kansas 67212
Lots 61 and 62 on 26th Street,	NORTH LAWN	<i>returned</i> James Lee Gott 2248 South Millwood Wichita, Kansas 67213 Life Estate to James E. & Ethel Mae Liming
Lots 63, 64, 65 and 66, on 26th Street,	NORTH LAWN	Wanda Estes 5041 Shelton Wichita, Kansas 67204
Lots 67 and 68 on 26th Street,	NORTH LAWN	Mary Warden <del>ADDRESS UNKNOWN</del>
Lots 131, 132, 133 and 134 on Bayless now Burnett,	NORTH LAWN	Jose T. & Janet F. Ranquillo 2704 Wellington Place Wichita, Kansas 67204



<u>LOTS AND BLOCKS</u>	<u>ADDITION</u>	<u>RECORD OWNERS</u>
Lots 135, 136, 137 and 138 on Bayless now Burnett,	NORTH LAWN	✓ John Allen, Jr. 418 W. 12th St. Wichita, Kansas 67203
Lots 139, 140, 141 and 142 on Bayless now Burnett,	NORTH LAWN	✓ <del>Melody R. Lamb</del> <u>ADDRESS UNKNOWN</u>
Lots 143 and 144 on Bayless now Burnett,	NORTH LAWN	✓ Fletcher C. & Florence D. Park 2722 Park Place Wichita, Kansas 67204
Lots 145 and 146 on 27th Street,	NORTH LAWN	✓ Marvin H. & Harriette M. Kistler 101 East Aley Wichita, Kansas 67219
Lots 147, 148 and 149 on 27th Street,	NORTH LAWN	✓ Joseph J. & Martha M. Weber <i>1408 N. Kolago Derby, Ks.</i> <u>ADDRESS UNKNOWN</u>
 Lots 150 and 151 on 27th Street,	NORTH LAWN	✓ Elzie LeRoy & Wanda Jean Clapp 103 West Aley Wichita, Kansas 67204
Lots 152, 153 and 154 on 27th Street,	NORTH LAWN	✓ Stephen J. & Lucille Patter 218 West Aley Wichita, Kansas 67204
Lots 155, 156, 157 and 158 on 27th Street,	NORTH LAWN	✓ Fred A. & Barbara W. Beaty 1631 East First Wichita, Kansas 67214
Lots 30, 31, 32 and 33, on Bayless now Burnett,	ALEY PARK	✓ Melquides & Luz Mesa 115 East Aley Wichita, Kansas 67219
Lot 34 on Bayless now Burnett,	ALEY PARK	D Fletcher C. & Florence D. Park 2722 Park Place Wichita, Kansas 67204
Lot 35 on 27th Street,	ALEY PARK	D Marvin H. & Harriete M. Kistler 101 East Aley Wichita, Kansas 67219
Lots 36 and 37 on 27th Street,	ALEY PARK	✓ Albert J. & Ruby Mersman 113 East Aley Wichita, Kansas 67219

-4-

Dated in Wichita, Kansas, this 1st day of June, 1982 at 7:00 A.M.

FIDELITY TITLE COMPANY, INC.

By *C. E. Bud Ridd*  
Vice President

Tracer No. 58193

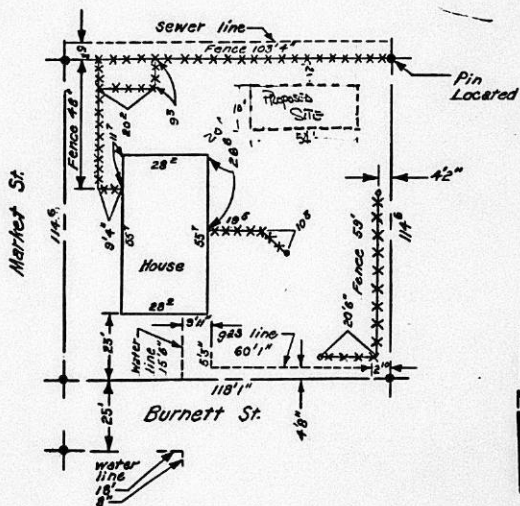


**Fidelity**  **Title**  
COMPANY, INC.

LEGAL DESCRIPTION

Lots 107, 108, 109 and 110 on Bayless now Burnett, Northlawn Addition to the city of Wichita, Sedgwick County, Kansas, commonly known as 103 West Burnett, Wichita, Kansas, 67204.

Josie Reynolds



BZA 24-82  
SCALE: 1" = 20'

WICHITA - SEDGWICK COUNTY



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

RETURN TO SENDER

RECEIVED

JUL 21 1982

METROPOLITAN PLANNING

ROUTE  \_\_\_\_\_



*No Mail Receipt  
1982  
12/27/82  
1/9/83*

*BZA  
24-82*



Zion Holiness Church of God  
114 East 26th Street North  
Wichita, Ks. 67219

WICHITA - SEDGWICK COUNTY



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

RETURN TO SENDER

RECEIVED

JUL 21 1982

METROPOLITAN PLANNING

ROUTE  \_\_\_\_\_



NOT 48 210811N1 07/08/82  
RETURN TO SENDER  
NOT DELIVERABLE AS ADDRESSED  
UNABLE TO FORWARD

*BZA  
24-82*



~~James L. Gott  
2248 South Millwood  
Wichita, Ks. 67213~~

Life Estate to James E. & Ethel M. Liming

*1321  
05*

WICHITA - SEDGWICK COUNTY



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

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JUL 21 1982

METROPOLITAN PLANNING

ROUTE  \_\_\_\_\_



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UNABLE TO FORWARD

*BZA  
24-82*



~~James L. Gott  
2248 South Millwood  
Wichita, Ks. 67213~~

*1321  
05*

**MICROFILMED**  
**FROM THE BEST**  
**AVAILABLE COPY**

FORM 29 11      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 \_\_\_\_\_