

BZA 27-64 - Ira Burt Coleman re-
quests exception to permit house
trailer at 1315-19 S. Washington

ACTION

DATE 5-26-64
COMMITTEE Bza

M.A.P.C. _____

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

June 8, 1964

Mr. Ira Burt Coleman
1315 South Washington
Wichita, Kansas

Dear Mr. Coleman:

Re: Case No. BZA 27-64

On May 27, 1964, we advised you that the Board of Zoning Appeals had approved your request for an Exception to permit installation of a mobile home on property legally described as:

Lot 8, Block 4, except the north 125 feet, Perry's Addition to Wichita, less east 14.39 feet transferred to City for widening of Washington Street (K-15 Improvement), all in the City of Wichita, Sedgwick County, Kansas,

generally located on the west side of Washington in an area south of Lincoln. We also advised that the Board's decision might be appealed to the City Commission, provided that such appeal was filed on or before June 5, 1964.

The City Clerk has advised that no appeal was filed on or before that date, and the decision of the Board of Zoning Appeals is, therefore, final.

A copy of the resolution setting forth the action of the Board is attached for your information and files.

Very truly yours,

Jack H. Galbraith
Secretary

JHG:JWH:ber
Attachment

cc: Glen Lytle, Superintendent
of Central Inspection

R E S O L U T I O N N O . B Z A 2 7 - 6 4

WHEREAS, Ira Burt Coleman, 1315 South Washington, Wichita, Kansas, requests an Exception, as provided in Section 28.04.180.A.17 of the Code of the City of Wichita, Kansas, to allow a mobile home to be located on property legally described as follows:

Lot 8, Block 4, except the north 125 feet, Perry's Addition to Wichita, less east 14.39 feet transferred to City for widening of Washington Street (K-15 Improvement), all in the City of Wichita, Sedgwick County, Kansas,

generally located on the west side of Washington in an area south of Lincoln; and

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, in regular meeting, consider said application on the 26th day of May, 1964; and

WHEREAS, the Board of Zoning Appeals determined that it had proper jurisdiction to consider said request for an Exception under the provisions of Section 2.12.590, Code of the City of Wichita; and

WHEREAS, the property is zoned "C" Commercial; and

WHEREAS, Section 28.04.180.A.17, Code of the City of Wichita, authorizes the Board of Zoning Appeals to permit a mobile home on any property in any district, except the "AA" One family dwelling district, subject to such use being on a temporary basis and that hardship exists which cannot be alleviated without the granting of this exception, providing the location of the mobile home shall conform to all lot area, height and setback requirements of the district in which located and shall comply with all off-street parking requirements; and

WHEREAS, the Board considered the reasons submitted by the applicant in support of the finding of hardship, and found that the applicants' property has been substantially reduced by the condemnation of right-of-way for the improvement of K-15, and further, the applicant and his wife are quite elderly and it would result in a hardship if they were not allowed to utilize their property for a home.

NOW, THEREFORE, BE IT RESOLVED by the Board of Zoning Appeals authorize and direct the Superintendent of Central Inspection to issue a permit for a mobile home on property legally described as

Lot 8, Block 4, except the north 125 feet, Perry's Addition to Wichita, less east 14.39 feet transferred to City for widening of Washington Street (K-15 Improvement), all in the City of Wichita, Sedgwick County, Kansas. Generally located on the west side of Washington in an area south of Lincoln,

subject to the following:

1. The mobile home may remain on subject property as long as Mr. Ira Burt Coleman and/or his wife occupy the mobile home.
2. When Mr. Ira Burt Coleman and/or his wife no longer occupy the mobile home it shall be removed from the lot.
3. The setbacks for the trailer shall be the same as those set out in "B" Multiple family dwelling district (Section 28.04.170) except the rear yard requirement, which shall be 5 feet.

ADOPTED AT WICHITA, KANSAS, this 26th day of May, 1964.

Harold Bauer

Harold Bauer, Chairman

ATTEST:

Jack H. Galbraith

Jack H. Galbraith, Secretary

Board of Zoning Appeals

June 4, 1964

**Robert G. Finch, City Clerk
Jack H. Galbraith, Secretary**

Case No. BZA 27-64

Attached is a copy of Resolution No. BZA 27-64, covering action taken by the Board of Zoning Appeals in connection with the above-numbered case, which case was heard by the Board on May 26, 1964. An appeal may be filed in your office on or before June 5, 1964. If an appeal is filed, please advise.

**Jack H. Galbraith
Secretary**

JHG:ber

Attachment

May 27, 1964

Mr. Ira Burt Coleman
1315 South Washington
Wichita, Kansas

Dear Mr. Coleman:

Re: Case No. BZA 27-64

This is to advise you that at its regular meeting of May 26, 1964, the Board of Zoning Appeals of the City of Wichita considered your request for an exception to permit installation of a mobile home on property legally described as:

Lot 8, Block 4, except the north 125 feet, Perry's Addition to Wichita, less east 14.39 feet transferred to City for widening of Washington Street (K-15 Improvement), all in the City of Wichita, Sedgwick County, Kansas.

generally located on the west side of Washington in an area south of Lincoln.

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

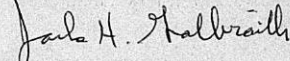
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Page 2 - Ira Burt Coleman
May 27, 1964

Section 2.12.610 of the Code of the City of Wichita provides that the decision of the Board of Zoning Appeals shall be final unless it is appealed to the Board of City Commissioners within ten days of the date of the Board's action. Accordingly, an appeal could be filed in this case on or before June 5, 1964.

Subsequent to the expiration of the appeal period, you will be advised whether or not an appeal has been filed. If none has been filed on or before the above date, the decision of the Board will be final and the Superintendent of Central Inspection will be in a position to issue the appropriate permit.

Very truly yours,



Jack H. Galbraith
Secretary

JHG:JWH:ber

cc: Glen Lytle, Superintendent
of Central Inspection

Robert G. Finch
City Clerk

SECRETARY'S REPORT

CASE NO. BZA 27-64

APPLICANT: Ira Burt Coleman, 1315 South Washington

REQUEST: Exception as provided in Section 28.04.180.A.16, Code of the City of Wichita, which allows the placement of a mobile home on any property in any district other than "AA" Single family district on a temporary basis.

ZONING: Property in question - "C" Commercial
North - "C" Commercial
East - "C" Commercial
South - "C" Commercial
West - "C" Commercial

EXISTING LAND USE: Property in question - Single family dwelling and liquor store
North - Single family
East - Single family
South - A.T. & S.F. Railroad
West - A.T. & S.F. Railroad

JURISDICTION: The Board has jurisdiction to consider the Exception request under the provisions set out in Section 28.04.180.A.16 of the Code of the City of Wichita.

COMMENTS BY THE SECRETARY:

The applicant has submitted a plot plan which is included as Attachment #1 to this report.

REQUEST:

The applicant has requested that he be allowed to install one house trailer on the remaining portion of the property which he now owns. The request is the result of the condemnation of his home and business and one-fourth of his land for the widening of Washington Street (K-15 improvement).

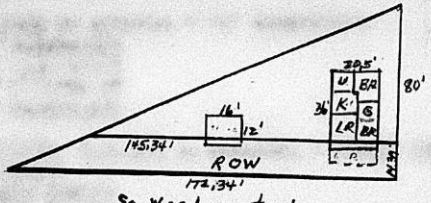
It is the opinion of the Secretary that hardship exists in view of the condemnation of the applicant's home, business, and a portion of his property for street purposes. The applicant and his wife are both elderly and it would work a substantial hardship on them if they were not allowed to utilize their property for a home. It is, therefore, the recommendation of the Secretary that this exception be granted subject to the following conditions and requirements:

Page 2 - Case No. BZA 27-64

1. The mobile home may remain on subject property as long as Mr. Ira Burt Coleman and/or his wife occupy the mobile home.
2. When Mr. Ira Burt Coleman and/or his wife no longer occupy the mobile home it shall be removed from the lot.
3. The setbacks for the trailer shall be the same as those set out in "B" Multiple family dwelling district (Section 28.04.070) except the rear yard requirement which shall be 5 feet.
4. The owner of the property shall file with the Superintendent of Central Inspection on the first Monday of each year, a statement containing the names and relationship of the occupant or occupants of the mobile home.

Attachment #1 - Plot Plan

COUNTY Sedwick PROJECT NO. 15-87 U 047-1 (1) TRACT NO. 57



So Washington

Area of Site - Before	6894 s.f.
Area of Site - After	4768 s.f.
Area of Site - R.O.W.	2126 s.f.

SECRETARY'S REPORT

NOV 17 1964

APPLICANT: Ira Burt Coleman, 1315 South Washington

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ZONING: Property in question - "C" Commercial
North - "C" Commercial
East - "C" Commercial
South - "C" Commercial
West - "C" Commercial

EXISTING LAW: Property in question - Single family Dwelling and liquor store
North - Single family
East - Single family
South - A.T. & S.F. Railroad
West - A.T. & S.F. Railroad

JURISDICTION: The Board has jurisdiction to consider the Exception request under the provisions set out in Section 28.04.180.A.16 of the Code of the City of Wichita.

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The applicant has submitted a plot plan which is included as Attachment #1 to this report.

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It is the opinion of the Secretary that hardship exists in view of the condemnation of the applicant's home, business, and a portion of his property for street purposes. The applicant and his wife are both elderly and it would work a substantial hardship on them if they were not allowed to utilize their property for a home. It is, therefore, the recommendation of the Secretary that this exception be granted subject to the following conditions and requirements:

Page 2 - Case No. BZA 27-64

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4. The owner of the property shall file with the Superintendent of Central Inspection on the first Monday of each year, a statement containing the names and relationship of the occupant or occupants of the mobile home.

Attachment #1 - Plot Plan

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

May 7, 1964

NOTICE TO ADJOINING PROPERTY OWNERS

Case No. BZA 27-64

An application has been filed by Ira Burt Coleman, 1315 South Washington, Wichita, Kansas, pursuant to Section 28.04.180.A.16, Code of the City of Wichita, requesting EXCEPTION to permit the installation of a mobile home on property zoned "c" Commercial, and legally described as follows:

Lot 8, Block 4, except the north 125 feet, Perry's Addition to Wichita, less east 14.39 feet transferred to City for widening of Washington Street (K-15 improvement), all in the City of Wichita, Sedgwick County, Kansas. Generally located on the west side of Washington in an area south of Lincoln.

This application has been assigned Case No. BZA 27-64, and will be considered by the Board of Zoning Appeals at its meeting on Tuesday, May 26, 1964, at 2 p.m. in Room 401 City Building Annex, 104 South Main, Wichita, Kansas, at which time you may appear, if you so desire, either in person or by agent or attorney.

Jack H. Galbraith
Secretary

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

May 7, 1964

NOTICE TO ADJOINING PROPERTY OWNERS

Case No. NZA 27-64

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Jack H. Galbraith
Secretary

CASE NO. BZA 27-64

14 NOTICES MAILED 5-8-64 FOR MEETING MAY 26, 1964

Ira Burt Coleman
1315 South Washington

M. G. and Grace E. Wiley
1307 South Washington

Ralph Harry & Elda S. Slater
1421 South Washington

Vina M. and John L. Colgan
1304 South Mosley

Frank L. and Regina Novascone
3821 East Central

T. W. and Maude Helt
1322 South Mosley

Howard B. and Alvina C. Scott
2454 South Poplar

Theodore W. Maisch, Jr.
245 South Terrace Drive

Dick J. Branstetter
1347 South Washington

Jewel Joan Hurst Branson
221 Hilldale

Mamie Sneed
1302 South Washington

Edward T. and Rose M. Phannenstiel
2461 Shelton

Bill W. and Agnes Yarbrough
1905 South Washington

Knapp Outdoor Advertising Co.
440 North Water

BOARD OF ZONING APPEALS
CITY OF WICHITA, KANSAS

CASE NO. 27-64
FILED 5-5-64

APPLICATION FOR EXCEPTION

I. Name of Applicant Ira Burt Coleman
Mailing Address 1315 South Washington Phone FO 3-8782
Name of Authorized Agent _____
Mailing Address _____ Phone _____
Relationship of applicant to property is that of _____
(owner, tenant, lessee, other).

II. Application is made for an exception as provided in Section
^{28.04.180.A16}
28.04.180.A16, Code of the City of Wichita, Kansas
(Zoning Ordinance); to permit the installation ~~or construction~~
of one (1) house trailer
_____ on property zoned
Commercial, located 1315-19 South Washington
_____ and legally described as: Lot 8,
Block 4, except north 125 feet, Perrys Addition to Wichita, less
east 14.39 feet transferred to City for widening of Washington
Street (K-15 Improvement), in the City of Wichita.

(Give metes and bounds description below if appropriate).
Applicant (age 80) and aged wife are losing their long time home and
business because of condemnation taking 1/4th the property with improve-
ments (No. C-2676-64 - Tract No. 57); and extreme hardship will be suffered
unless they are permitted an exception to locate one (1) house trailer -
not a trailer camp - on remaining lands for personal occupancy.

- III. The applicant herein, or his authorized agent:
- A. Acknowledges receipt of an instruction sheet relating to this application for an exception.
 - B. Agrees to conform to all requirements of the appropriate section of the Zoning Ordinance if this application is approved;
 - C. Acknowledges that he has been advised of his right of appeal of the decision of the Board to the Board of City Commissioners within ten (10) days of the date of that decision.

Applicant Ira Burt Coleman
Authorized Agent _____

OFFICE USE ONLY: Received in office of Secretary, Board of Zoning Appeals, 4:00 (a.m. - (p.m.)), May 5, 1964, together with appropriate fee of \$50.00.

Signed Gallbraith

T21-403

J.A. Mankin
AM 20403

LIST OF PROPERTY OWNERS

<u>LOT</u>	<u>BLOCK</u>	<u>ADDITION</u>	<u>PROPERTY OWNER</u>
8 (N. 125' exc. E. 14.39' deeded to City)	4	Perry's	M. G. Wiley and Grace E. Wiley 1307 S. Washington
8, exc. N. 125'	4	"	☞ Ira Burt Coleman
7 (S $\frac{1}{2}$, exc. E. 8.39' deeded to City)	4	"	Ralph Harry Slater and Elda S. Slater 1421 S. Washington
1 (N. 25 ft. of S. 50')		Triangular	Vina M. Colgan and John L. Colgan 1304 S. Mosley
1 (S. 25 ft)		"	Same
2		"	Same
3		"	Frank L. Novascone and Regina Novascone
4		"	3821 E. Central
5		"	Same
6		"	Same
7		"	Same
8		"	✓ Edith M. Arnold <i>no address</i>
9		"	Same
10		"	T. W. Helt and Maude Helt 1322 S. Mosley
11 (N $\frac{1}{2}$)		"	Same
11 (S $\frac{1}{2}$)		"	Howard B. Scott and Alvina C. Scott 2454 S. Poplar
12		"	Same
13		"	Theodore W. Maisch Jr. 245 S. Terrace Drive
14		"	Same

<u>LOT</u>	<u>STREET</u>	<u>ADDITION</u>	<u>PROPERTY OWNER</u>
15		Triangular	Dick J. Branstetter 1347 S. Washington
16		"	Same
17 (Exc W. 126')		"	Same
18 (Exc W. 126')		"	Same
17 (W. 126')		"	✓ W. L. Rozell <i>no address</i>
18 (W 126')		"	Same
28		"	Jewel Joan Hurst Branson 221 Hillsdale
29		"	Same
30		"	Same
50 exc. W. 7.66' deeded to City	Washington	Lincoln St.	Memie Sneed 1302 S. Washington
52 "	"	"	Same
54 "	"	"	Same
56 "	"	"	Same
58 exc. St.	"	"	Edward T. Phannenstiel Rose M. Phannenstiel 2461 Shelton
60 "	"	"	Same
62 "	"	"	Same
64 "	"	"	✓ Virgil L. Gilger and <i>no add</i> Odillia A. Gilger
66 "	"	"	Same
68 "	"	"	Same
70 "	"	"	Bill W. Yarbrough and Agnes Yarbrough 1905 S. Washington
72 "	"	"	Same
74 "	"	"	Knapp Outdoor Advertising Co. 440 N. Water St.

Page 3

We hereby certify the foregoing to be a correct list of property owners within a radius of 200 feet of Lot 8, Block 4, Perry's Addition to the City of Wichita, except the North 125 feet thereof, as shown by the records in the office of the Register of Deeds of Sedgewick County, Kansas, this 5th day of May, A. D. 1964 at 7 o'clock A. M.

THE SECURITY ABSTRACT AND TITLE COMPANY, INC.

By



Vice President.

Order No. 113581
(KPB)

Form 223-021

PAYMENT NOTICE
City of Wichita

PAY AT TREASURER'S OFFICE - FIRST FLOOR

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

DESCRIPTION	AMOUNT
7A Copier Jan	50/1

Name *W. J. ...*

Address *1214 ...*

Type *R 712* Due Date *1*

Comments:

Date *5-5-64* By *W. J. ...*