

August 5, 1986

Thelma J. Dodge
5914 South Broadway
Wichita, Kansas 67216

Re: Co.BZA 14-86 Request for Exception

Dear Ms. Dodge:

Enclosed is a signed copy of the Resolution adopted by the County Board of Zoning Appeals on August 4, 1985, in connection with your request for an exception to vary the number of residential buildings on a lot by permitting the placement of a second dwelling unit (mobile home) on a temporary basis on property zoned "C" Commercial District and generally located on the southeast corner of 58th Street South and Broadway (5914 South Broadway).

This Resolution reflects the official action of the Board to grant the exception, and sets out the condition 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
Secretary

GEL:lw

Enclosure

cc: Ron Worley, County Zoning Officer (2)
Don Wright, County Clerk

RESOLUTION NO. CO. BZA 14-86

WHEREAS, Thelma J. Dodge, 5914 South Broadway, Wichita, Kansas, pursuant to Section 16-A-3, Zoning Resolution of Sedgwick County, Kansas, requests an exception to permit the location of a second dwelling unit (mobile home) on a temporary basis on property zoned the "C" Commercial District and legally described as follows:

Lot 1, Block 1, Dennis Dodge Addition to Sedgwick County, Kansas. Generally located on the southeast corner of 58th Street South and Broadway (5914 South Broadway).

WHEREAS, proper notice as required by Resolution 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 August 4, 1986, 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 13.1.c.), Sedgwick County; and

WHEREAS, the Board of Zoning Appeals, after public hearing of this application, determined that a hardship does exist inasmuch as the hardship cannot be alleviated without the granting of the exception; and

WHEREAS, the Board of Zoning Appeals has authority to vary the number of residential buildings on a lot by permitting the placement of a second dwelling unit (mobile home) on a temporary basis on the applicant's property; and

NOW THEREFORE, BE IT RESOLVED by the Board of Zoning Appeals of Sedgwick County, that this application for an exception to permit the location of a second dwelling unit (mobile home) on a temporary basis on property zoned the "C" Commercial District and legally described as follows:

Lot 1, Block 1, Dennis Dodge Addition to Sedgwick County, Kansas. Generally located on the southeast corner of 58th Street South and Broadway (5914 South Broadway).

be approved subject to the following conditions:

1. The mobile home may remain on subject property as long as the applicant's mother, Edith Weber, resides therein.
2. The location of the mobile home shall conform to all setback requirement of the "C" Commercial District and that of the building code for Type V Construction.
3. The applicant shall obtain a proper building permit for the placement of a mobile home on the property.
4. The mobile home shall be removed from subject property within 30 days of the termination of the exception, as determined in condition #1 above.

ADOPTED AT WICHITA, KANSAS, this 4th day of August, 1986.


Elwood Jones, Vice Chairman

ATTEST:


Glen E. Lytle, Secretary

SECRETARY'S REPORT
CASE NO. CO.BZA 14-86

APPLICANT: Thelma J. Dodge, 5914 South Broadway, Wichita, KS 67216.

AGENT: None.

REQUEST: Exception pursuant to Section 16-A-3 of the Sedgwick County Zoning Resolution to vary the number of residential buildings on a lot by permitting the placement of a second dwelling unit (mobile home) on a temporary basis on the applicant's property.

GENERAL LOCATION: On the southeast corner of 58th Street South and Broadway (5914 South Broadway).

ZONING: Subject property is zoned the "C" Commercial as is the property to the south. Property to the west is "LC" and to the north and east is "R-1" Suburban Residential.

LAND USE: Subject property is occupied by a one-family dwelling. General area is developed with mixed uses commercial and residential.

JURISDICTION:

The Board has jurisdiction to consider this request under the provisions outlined under Section 16-A-3, of the Sedgwick County Zoning Resolution. The Board may grant the exception provided the conditions set out in Section 13-H can be complied with.

COMMENTS BY THE SECRETARY:

Section 13-H of the Zoning Resolution provides the Board of Zoning Appeals with the jurisdiction to allow more than one residential building on a lot by permitting the placement of a mobile home, on a temporary basis, subject to certain conditions and requirements. As justification for such an exception, the applicant must show due cause that a hardship exists and that the hardship cannot reasonably be alleviated without the granting of the exception. If the Board determines that a hardship does exist and approves the request, the Board must establish a reasonable time limit for the approval.

Subject property is slightly over one in size and has been tentatively approved by the Health Department for the required sewage disposal system on a temporary basis. This property has previously been approved for the location of a mobile home for the applicant's mother-in-law. It is now being requested that permission be granted in order to care for the applicant's mother, Edith Weber.

The previous BZA (3-82) was granted only as long as Leona Dodge lived in the mobile home. Circumstances have now changed and the applicant indicates that the home does not have sufficient area to provide for her mother and there is more than adequate land area for the mobile home.

RECOMMENDATION:

If the Board that there is a hardship in this case and that the hardship cannot reasonably be alleviated without the granting of this exception, the following condition are suggested as conditions of approval:

1. The mobile home may remain on subject property as long as the applicant's mother, Edith Weber, resides therein.

2. The location of the mobile home shall conform to all setback requirement of the "C" Commercial District and that of the building code for Type V Construction.
3. The applicant shall obtain a proper building permit for the placement of a mobile home on the property.
4. The mobile home shall be removed from subject property within 30 days of the termination of the exception, as determined in condition #1 above.

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

July 18, 1986

NOTICE TO ADJOINING PROPERTY OWNERS:

CASE NO. Co.BZA 14-86

As required by law, all property owners of record, within twice the frontage but not to exceed 1,000 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 Thelma J. Dodge, 5914 South Broadway, Wichita, Kansas, requesting an exception.

Pursuant to Section 16-A-3 of the Zoning Resolution of Sedgwick County, Kansas, the applicant is requesting an exception to permit the location of a second dwelling unit (mobile home) on a temporary basis on property zoned the "C" Commercial District. A legal description of the applicant's property is as follows:

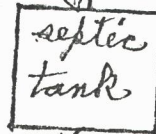
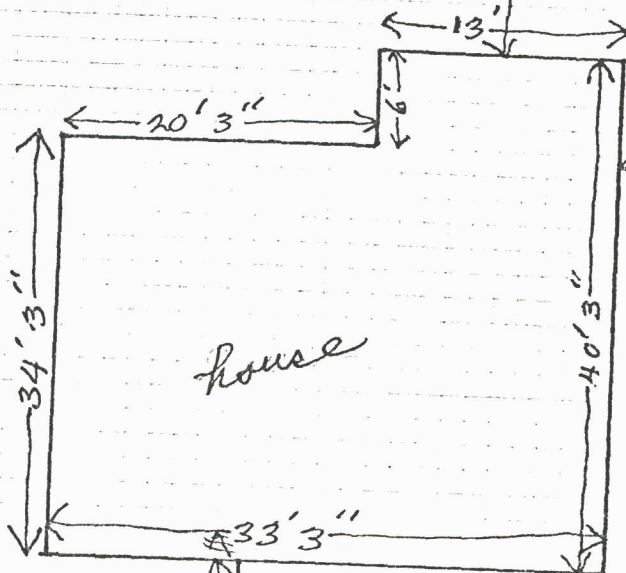
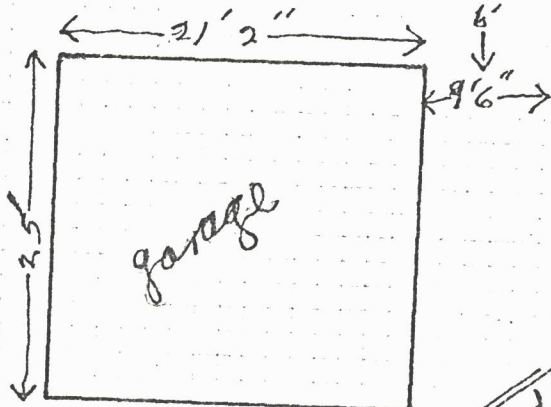
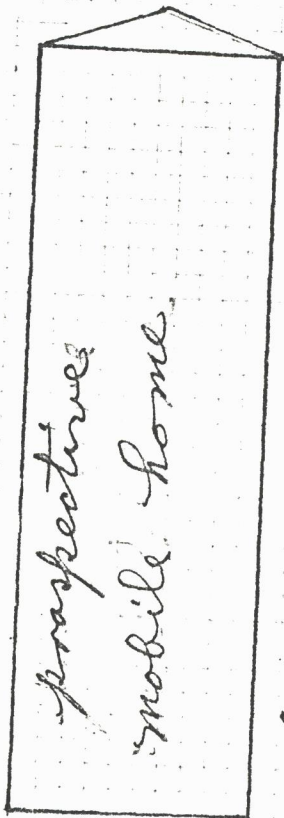
Lot 1, Block 1, Dennis Dodge Addition to Sedgwick County, Kansas. Generally located on the southeast corner of 58th Street South and Broadway (5914 South Broadway).

This application has been assigned Case No. Co.BZA 14-86. It will be considered by the Board of Zoning Appeals on August 4, 1986 at 3:30 p.m. in Room 320, Sedgwick County Courthouse, 525 North Main, 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.

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

Glen E. Lytle
Secretary

19' 15'



septic drains

complete plot is
150' x 570'

