


5. The mobile home shall not be occupied until all regulations of the Health Department and Central Inspection Division have been complied with.

ADOPTED AT WICHITA, KANSAS, this 23rd day of August, 1988.

  
\_\_\_\_\_  
Sharon Ryan, President

ATTEST:

  
\_\_\_\_\_  
Jack H. Galbraith, Secretary

BZA RESOLUTION NO. 40-88

WHEREAS, Lawrence E. Hack, pursuant to Section 2.12.590.C, Code of the City of Wichita, requests an exception to permit the establishment of a mobile home on a temporary basis on property zoned the "E" Light Industrial District and "AA" One Family Dwelling District and legally described as follows:

The south three acres of the E 1/4 of the SW 1/4 of the SE 1/4 of Section 21, Township 28 South, Range 1 East of the 6th P.M., Sedgwick County, Kansas, except the East 180.37 feet thereof. Generally located on the north side of 55th St. South, 1/3-mile west of Hydraulic.

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 August 23, 1988, 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 establishment of a mobile home on a temporary basis on property zoned the "E" Light Industrial District and "AA" One-Family Dwelling District, subject to the conditions outlined in Section 28.04.182.3, Code of the City of Wichita.

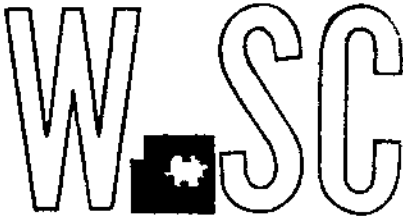
NOW, THEREFORE, BE IT RESOLVED by the Board of Zoning Appeals of the City of Wichita that this application be approved to permit the establishment of a mobile home on a temporary basis on property zoned the "E" Light Industrial District and "AA" One-Family Dwelling District and legally described as follows:

The south three acres of the E 1/4 of the SW 1/4 of the SE 1/4 of Section 21, Township 28 South, Range 1 East of the 6th P.M., Sedgwick County, Kansas, except the East 180.37 feet thereof. Generally located on the north side of 55th St. South, 1/3-mile west of Hydraulic.

subject to the following conditions:

1. One mobile home for residential use may be placed on subject property if located not less than 75 feet north of the south property line (section line) and not less than 10 feet from either side property line. The mobile home may remain for as long as Helen Ure resides at 1308 E. 55th Street South and a resident of the mobile home provides care for her.
2. The mobile home shall comply with all anchoring and foundation requirements as set forth in Sections 26.04.215, 26.04.216 and 26.04.217 of the City Code.
3. This property shall not be used for any industrial purpose as long as the mobile home approved by this BZA exception remains on the property.
4. The applicant shall certify to Central Inspection on an annual basis every August that an occupant of the mobile home is providing care for Helen Ure, who resides at 1308 E. 55th Street South. Within 90 days after Helen Ure no longer resides at that address, the mobile home shall be removed.

WICHITA -- SEDGWICK COUNTY



METROPOLITAN AREA PLANNING  
DEPARTMENT

CITY HALL -- TENTH FLOOR  
455 NORTH MAIN STREET  
WICHITA, KANSAS 67202-1688  
(316) 268-4561

August 24, 1988

Lawrence E. Hack  
1030 E. 55th St. So.  
Wichita, KS 67216

Re: BZA 40-88 - Exception to permit mobile home on north side of  
55th St. So., 1/3-mi. west of Hydraulic

Dear Mr. Hack:

Enclosed is a signed copy of the above-referenced BZA resolution adopted by the Board of Zoning Appeals on August 23, 1988. This resolution reflects the official action of the Board to grant your request and sets out the conditions of approval. It is forwarded to you for your information and files.

This is a reminder that the zoning adjustment signs should now be removed from the property. If you have any questions concerning this matter, please contact our office.

If you have questions concerning this matter, please call our office.

Sincerely,

Louise Olivarez  
Assistant Secretary  
Board of Zoning Appeals

LO/jcm  
Enclosure

cc: Lawrence A. Davis, 9215 Belview, Wichita, KS, 67209  
David G. Crockett, 1005 N. Market, Wichita, KS, 67214  
Monty Robson, Superintendent of Central Inspection  
Joe Donnelly, Zoning Administrator, CID  
Dale Rea, Deputy City Clerk

FILE COPY

2. The mobile home shall comply with all anchoring and foundation requirements as set forth in Sections 26.04.215, 26.04.216 and 26.04.217 of the City Code.
3. This property shall not be used for any industrial purpose as long as the mobile home approved by this BZA exception remains on the property.
4. The applicant shall certify to Central Inspection on an annual basis every August that an occupant of the mobile home is providing care for Helen Ure, who resides at 1308 E. 55th Street South. Within 90 days after Helen Ure no longer resides at that address, the mobile home shall be removed.

August 23, 1988

SECRETARY'S REPORT

CASE NUMBER: BZA 40-88

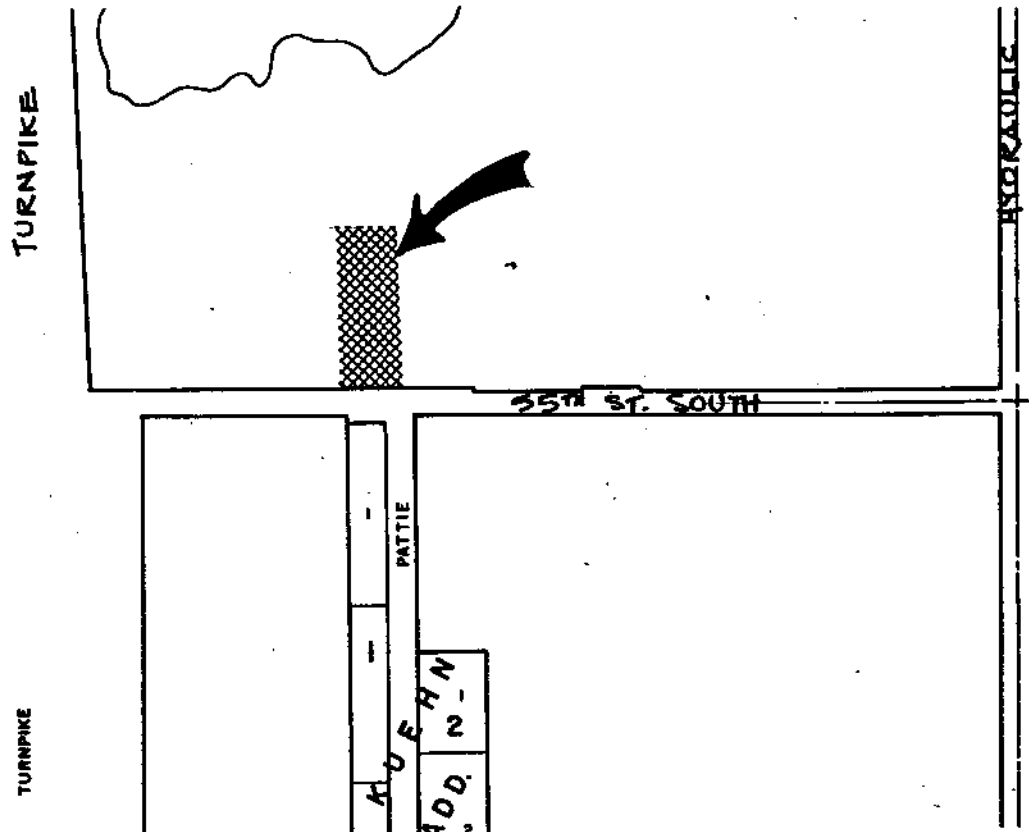
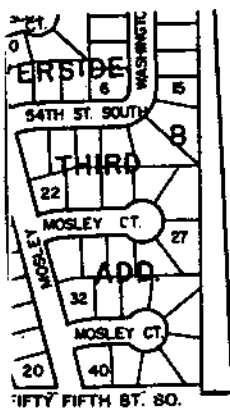
OWNER/APPLICANT/AGENT: Lawrence A. Davis (owner)  
Lawrence E. Hack (contract purchaser/  
applicant)  
David G. Crockett (agent)

REQUEST: Exception to permit the establishment of a mobile home on a temporary basis.

CURRENT ZONING: "E" Light Industrial and "AA" One-Family Dwelling

SITE SIZE: 1.64 acres

LOCATION: North side of 55th Street South, 1/4-mile west of Hydraulic



JURISDICTION: The Board has jurisdiction to consider this request under the provisions outlined in 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.

**BACKGROUND:** The applicant (contract purchaser) is requesting an exception to permit the temporary placement of a mobile home on a 1.64-acre unplatted tract of land located on the north side of 55th Street South, 1/4-mile west of Hydraulic. The south 300 feet of the 400(m/1)-foot-deep site has been zoned "E" Light Industrial since 1959. On the site is a small building formerly used as a machine shop and an unoccupied mobile home sitting on blocks. The driveway access to this site is shared with the property to the east, which is where this applicant's mother, Helen Ure, resides in the larger of the two dwellings. The small dwelling in the rear is a rental unit which is believed to be vacant at this time. The applicant has stated that his son and daughter-in-law would be living in the mobile home and providing care for the applicant's mother. The applicant lives about 1/8-mile to the west on 55th Street.

The Health Department has reviewed this request and stated that for each person who will reside in the mobile home, 100 feet of lateral field must be added to the existing septic tank. A new or modified water well may be needed in order to maintain at least the minimum separation between well and lateral field.

**ADJACENT ZONING AND LAND USE:**

NORTH	"AA"	Undeveloped
SOUTH	"R-1"	Single-family residence
EAST	"AA"	Two single-family residences
WEST	"AA"	Undeveloped

**RECOMMENDATION:** There are other mobile homes in this vicinity, both on individual sites and in mobile home parks and therefore a mobile home would not be out of character with the area. However, it is questionable whether a hardship exists which cannot be alleviated any other way. The applicant should be prepared to discuss with the Board why the care provider cannot reside in the rental unit at 1308-1/2 East 55th.

Should the Board determine that a mobile home is appropriate at this location on a temporary basis, then the following are recommended conditions of approval:

1. One mobile home for residential use may be placed on subject property if located not less than 75 feet north of the south property line (section line) and not less than 10 feet from either side property line. The mobile home may remain for as long as Helen Ure resides at 1308 E. 55th Street South and a resident of the mobile home provides care for her.