

Case No. BZA 18-86 - Donald Walenta requests an exception to permit the establishment of an off-street parking lot on property zoned the "RB" Four-family Dwelling District & generally located on the southwest corner of

ACTION

BZA 18-86 *Case withdrawn* ^{5/21/86} ~~DATE~~

see note in file

re: call from Jim Schaefer

on 5-12-86.

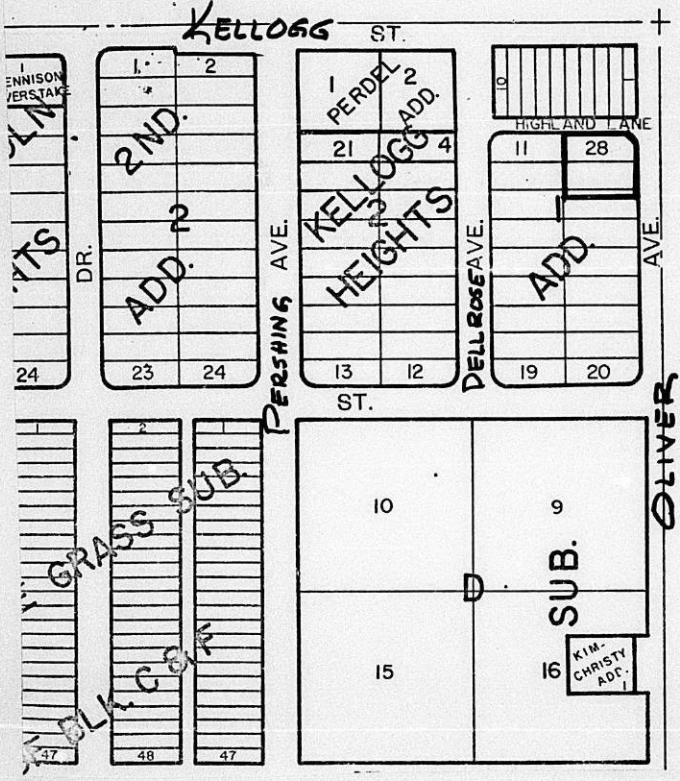
St. John

Map No. 5746 A

BZA 18-86
Filed _____

AREA DATA:

1. Acres: _____ (_____ ft. by _____ ft.)
2. Adjoining Zoning: E LC S RB W A N LC
3. Land Use: East 4-F South 1-F
West 1-F North Comm
4. Area (is) (~~is~~) platted.



Standard
No. 2153C
HASTINGS, MN
LOS ANGELES-CHICAGO-LOGAN, OH
MOBILE-TULSA-PORTLAND
WASHINGTON, D.C.
ST. LOUIS, MO
ST. PETERSBURG, FLA.
USA

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING DEPARTMENT

DATE: April 23, 1986

TO: Monty Robson, Superintendent of Central Inspection

FROM: Glen E. Lytle, Special Assistant for Zoning

SUBJECT: BZA 45-85 - Request for Exception to permit automobile leasing
business
18-86

For your information, the Board of Zoning Appeals was notified, through the applicant's attorney, that this case was being withdrawn. This was for an automobile leasing business located at 4629 East Kellogg in the "LC" Light Commercial District without securing proper approval as required by the zoning ordinance.

It should also be noted that the applicant's attorney has informed me that his client is unwilling to replat the property on the southwest corner of Oliver and Highland Lane. This was a requirement established by the MAPC and the City Commission for the "LC" zoning that was requested for the property by the owner. The parking lot has been established on the property without the required improvements and also in violation of the "RB" Four-family Dwelling District. I believe Joe Donnelly's people have issued citations for the violations but I would imagine it will take a considerable amount of follow-up to clear up all the violations.

I have had several inquiries on other locations for the leasing business in the past few days. I feel that there are times when these issues are compounded by the issuance of sign permits for new uses without clearing all the hurdles first. Sometimes this is a good time to check out the location to see that the use is permitted. Another good example is the Gorges Leasing at 330 North Rock Road where the sign is up and ready to move in and they find they have a problem.

Glen E. Lytle
Special Assistant for Zoning

GEL/lw

cc: Joe Donnelly, Central Inspection

IMPORTANT MESSAGE

FOR Glen
DATE 5/12/86 TIME 9:06 ^{A.M.} _{P.M.}

WHILE YOU WERE AWAY

OF Jim Schaffer
PHONE No. 685-3200

TELEPHONED	<input checked="" type="checkbox"/>	PLEASE CALL	
CALLED TO SEE YOU		WILL CALL AGAIN	<input checked="" type="checkbox"/>
WANTS TO SEE YOU		RETURNED YOUR CALL	

MESSAGE
Withdraw BZA 18-86
[Signature]
SIGNED [Signature]

FORM 000-017

C & BZA

TY OWNERS

Use Mod. Piced
Ownership list as
amended by G. E. L.
[Signature]
Keep this file w/ 020 45-75

BZA CASE NO. 18-86

<u>2</u>	NOTICES SENT TO APPLICANT/AGENT
<u>15</u>	LEGAL ADVERTISEMENT SENT TO MAPC & BZA
<u>1</u>	NOTICES SENT TO CPO
<u>11</u>	NOTICES SENT TO ADJOINING PROPERTY OWNERS
<u>14</u>	TOTAL NOTICES SENT <u>5/6/86</u>

Use Mod. Licd
ownership list as
amended by G.T.L.

[Signature]
Keep this file w/ 020 45-45

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

May 6, 1986

NOTICE TO ADJOINING PROPERTY OWNERS:

CASE NO. BZA 18-86

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 Donald Walenta, 4635 East Kellogg, 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 an off-street parking lot on property zoned the "RB" Four-family Dwelling District. A legal description of the applicant's property is as follows:

The north eleven feet of Lot 26 and all of Lots 27 and 28, Block 1, Kellogg Heights Addition to Wichita, Sedgwick County, Kansas. Generally located on the southwest corner of Oliver and Highland Lane.

This application has been assigned Case No. BZA 18-86. It will be considered by the Board of Zoning Appeals on May 27, 1986 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.

Glen E. Lytle
Assistant Secretary

BOARD OF ZONING APPEALS

CASE NO. 12-26

CITY OF WICHITA, KANSAS
AMENDED

FILED _____

APPLICATION FOR EXCEPTION

I. Name of Applicant Donald Walenta
Mailing Address 4635 E. Kellogg Phone 685-1346
Name of Authorized Agent James R. Schaefer
Mailing Address 400 N. Woodlawn, #205 Phone 685-3200
Wichita, KS 67208
Relationship of applicant to property is that of _____
(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 parking lot

_____ on property zoned "RB"
located on the S. sidwest cor. of Highland Ln. and Oliver,
described as: The North Eleven feet (11') of Lot Twenty-six
(26), and all of Lots Twenty-seven (27) and Twenty-eight
(28), Block One (1), KELLOGG HEIGHTS ADDITION, 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. 39-285); and that the appropriate fee is here-with 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 Donald Walenta

Authorized Agent James R. Schaefer

OFFICE USE ONLY: Received in Office of Secretary, Board of Zoning Appeals, 3:30 (a.m.p.m.) APRIL 25, 1986 together with appropriate fee of 400.00.

Signed [Signature]

OWNERSHIP LIST

Lot	Block	Addition	Property Owner
Lots 1-10, inclusive	Block 1	Kellogg Heights Addition	Donald J. Walenta 7918 Dublin Ct. Wichita, KS 67206
Lot 11 & the North 5 feet of Lot 12	Block 1	"	Same As Above
The South 45 feet of Lot 12 and the North 10 feet of Lot 13	Block 1	"	Don Schwartz Mildred A. Schwartz 522 S. Dellrose Wichita, KS 67218
The South 40 feet of Lot 13 & the North 20 feet of Lot 14	Block 1	"	Donald J. Walenta 7918 Dublin Ct. Wichita, KS 67206
The South 30 feet of Lot 14 & the North 20 feet of Lot 15	Block 1	"	Robert M. Love Dorothy M. Love 532 S. Dellrose Wichita, KS 67218
The South 30 feet of Lot 15 & the North 25 feet of Lot 16	Block 1	"	Phil J. Taylor Victoria M. Taylor 538 S. Dellrose Wichita, KS 67218
The South 25 feet of Lot 16 and the North 30 feet of Lot 17	Block 1	"	Aurelio R. Aguilera Angela G. Aguilera 544 S. Dellrose Wichita, KS 67218
The North 17 feet of Lot 22 & the South 36 feet of Lot 23	Block 1	"	Warren E. Jackson True M. Jackson 2380 S. Volutsia Wichita, KS 67211
The North 13 feet of Lot 24 & the South 38 feet of Lot 25	Block 1	"	Harley Schnell Hazel O. Schnell Address Unknown Affidavit of Notice of Interest: Donald Walenta 7918 Dublin Ct. Wichita, KS 67206
The North 12 feet of Lot 25 & the South 39 feet of Lot 26	Block 1	"	Billy R. Rogers Bonnie L. Rogers 531 S. Oliver Wichita, KS 67218

<u>Lot</u>	<u>Block</u>	<u>Addition</u>	<u>Property Owner</u>
The North 11 feet of Lot 26 and all of Lots 27 & 28	Block 1	Kellogg Heights Addition	Donald Walenta 7918 Dublin Ct. Wichita, KS 67206
Lots 4 and 5 and the North 10 feet of Lot 6	Block 2	"	Same As Above
The South 40 feet of Lot 6 and the North 15 feet of Lot 7	Block 2	"	✓ F. E. "Buster" Tipton 156 S. Ridgewood Wichita, KS 67218
The South 35 feet of Lot 7 and the North 20 feet of Lot 8	Block 2	"	✓ Michael A. Rump 531 S. Dellrose Wichita, KS 67218
The North 4 feet of Lot 17 and all of Lot 18 & the South 20 feet of Lot 19	Block 2	"	✓ W. T. Bowker Edith M. Bowker 1307 Stackman Dr. Wichita, KS 67203
The North 30 feet of Lot 19 and the South 45 feet of Lot 20	Block 2	"	✓ Francis H. Tallent Katharyn Ribott 522 S. Pershing Wichita, KS 67218
The North 5 feet of Lot 20 and all of Lot 21	Block 2	"	✓ John M. Owen Ilena Louise Owen 528 S. Pershing Wichita, KS 67218
Lots 1 & 2		Perdel Addition	✓ Donald Walenta 7918 Dublin Ct. Wichita, KS 67206
Lot 1		Walenta Addition	✓ Lynn Lowry Myrtle Lowry 115 S. Rutan Wichita, KS 67218
Lot 1		DeWitt 2nd Addition	✓ Cedar Village, Inc. 338 S. Morningside Wichita, KS 67207
Reserve A		Eilerts Addition	✓ Richard Eilerts Samson Address Unknown AND ✓ Keith R. Eilerts Lydia W. Eilerts 23 Beech Road Wichita, KS 67206

Lot	Block	Addition	Property Owner
Lot 2	Block 2	Lincoln Heights 2nd Addition	Margaret B. Ash Address Unknown Affidavit of Notice of Interest Dean O. Mason Corlie O. Mason ✓ 4529 E. Kellogg Wichita, KS 67218
Lot 4	Block 2	"	Dean O. Mason Corlie O. Mason 4529 E. Kellogg Wichita, KS 67218
Lot 6	Block 2	"	✓ Donna E. Luetters 513 S. Pershing Wichita, KS 67218
Lot 8	Block 2	"	✓ Los Geraldine Chante 519 S. Pershing Wichita, KS 67218
Lot 10	Block 2	"	Charles W. Cox Helen H. Cox ✓ 525 S. Pershing Wichita, KS 67218
Lot 12	Block 2	"	Richard Steven Fresh ✓ Regina S. Fresh 525 S. Pershing Wichita, KS 67218
Lot 14	Block 2	"	Philip A. Garrison Sue Ann Garrison ✓ 537 S. Pershing Wichita, KS 67218
Lot 9	Block 11	Lincoln Heights Addition	DeAnn Hatfield Conservator of ✓ Jennifer Hatfield 337 S. Pershing Wichita, KS 67218
Lot 9	Block 12	"	College Hill Dental ✓ Building, a Ltd. partnership 4524 E. Kellogg Wichita, KS 67218
Beginning at the SE/c of Lot 10, Block 12; th. West along the North line of Kellogg Ave. 52 feet; th. North 80 feet to a point 48 feet West of the East line of Lot 10; th. NE'ly 29.58 feet more or less to a point 47 feet South and 24 feet West of the NE/c of Lot 10; th. North 47 feet to the North line of Lot 10; th. East 24 feet to the NE/c of Lot 10; th. South 144.26 feet more or less to p.o.b.	"	Robert E. McFarlane ✓ Fern I. McFarlane 337 S. Delaware Wichita, KS 67218 AND Joyce D. McFarlane ✓ 4616 E. Kellogg Wichita, KS 67218	

Lot	Block	Addition	Property Owner
<p>Part of Lots 10 & 11, Block 12, described as beginning at a point 48 feet West of the NE/c of Lot 10, Block 12; th. South parallel to the East line 45 feet; th. in a SW'ly direction 28.5 feet more or less to a point 76 feet West and 50 feet South of the NE/c of Lot 10; th. West parallel to the North line of Lot 11, 40 feet; th. in a SW'ly direction 52.25 feet more or less to a point on the East line of Pershing Ave., said point being 85 feet SE'ly from the NW/c of Lot 11; th. SE'ly along the E'ly line of Pershing Ave. 106.5 feet more or less to the SW'c of Lot 10; th. East 26.4 feet; th. North 80 feet to point 48 feet West of the East line of said Lot 10; th. NE'ly 29.58 feet more or less to a point 47 feet South and 24 feet West of the NE/c of Lot 10; th. North parallel with the East line of Lot 10, 47 feet to the North line of Lot 10; th. West 24 feet to p.o.b.</p>		Lincoln Heights Addition	Garry O. Cannon 1510 Todd Place Wichita, KS 67207
<p>Part of Lot 11, Block 12, described as follows: Beginning at a point 48 feet West of the NE/c of Lot 10, Block 12; th. South parallel with the East line of said Lot 10, 45 feet; th. in a SW'ly direction 28.5 feet, more or less, to a point 76 feet West and 50 feet South of the NE/c of said Lot 10; th. West parallel with the North line of Lot 11, 40 feet; th. in a SW'ly direction 52.25 feet, more or less, to a point on the East line of Pershing Ave., said point being 85 feet SE'ly from the NW/c of said Lot 11; th. NW'ly along the East line of Pershing Ave., as platted in said Addn., 85 feet, to the NW/c of said Lot 11; th. East 137 feet to p.o.b.</p>			Vicky J. Howard AND Kerin V. Edelman 460 462 S. Pershing Wichita, KS 67208

<u>Lot</u>	<u>Block</u>	<u>Addition</u>	<u>Property Owner</u>
The South 150 feet of the West 125 feet of Block 14		Lincoln Heights Addition	City of Wichita 455 N. Main Wichita, KS 67202

We hereby certify the foregoing to be a true and correct list of the property owners of the hereinbefore described lots within a 200 foot radius of:

~~Lots 1 and 2, Perdel Addition, Wichita, Kansas,
Sedgwick County, Kansas.~~

and

The North 11 feet of Lot 26 and all of Lots 27 and 28, Block 1, Kellogg Heights Addition to Wichita, Kansas, Sedgwick County, Kansas.

as shown by the last deed of record on file in the Office of the Register of Deeds, Sedgwick County, Kansas, on the 26th day of February, 1986, at 7:00 o'clock A.M.

Revised by G.E.L. 4-30-86

THE SECURITY ABSTRACT AND TITLE COMPANY, INC.

Mary Kable

By

Sr. Vice-President

WICHITA - SEDGWICK COUNTY

W.S.C.

BOARD OF ZONING APPEALS

CITY HALL - TENTH FLOOR

455 NORTH MAIN STREET

WICHITA, KANSAS 67202

FORWARD ORDER EXPIRED
RETURN TO SENDER

RECEIVED
MAY 19 1986
METROPOLITAN PLANNING
ROUTE



PRESORTED
FIRST-CLASS



J. L. S.

1809

5-7

Robert M. Love
Dorothy M. Love
532 S. Dellrose
Wichita, KS 67218

BLA
18-86

MICROFILMED
 FROM THE BEST
 AVAILABLE COPY

FORM 29-021 PAYMENT NOTICE
City of Wichita

Bldg.	Use of Str.	Code Bks	Copies
Elec	Elev. Insp.	Hse Moving	Lic.
Mach	Boiler Insp.	Fav. Cuts	Cert.
Plbg	Exam Fees	Sewer	Elev.
Signs	Plan Rev. (P.W.)	Cement	M.S.P.

Planning

DESCRIPTION	AMOUNT
CITY P24 EXCEPT.	400 ⁰⁰

NAME JAMES R. SCHAEFER

ADDRESS 400 N. WOODLAWN

FUND 45-40210-003 DUE DATE

COMMENTS

DATE April 25, 1946 BY H. Lytle

FORM 29-021 PAYMENT NOTICE
City of Wichita

Bldg.	Use of Str.	Code Bks	Copies
Elec	Elev. Insp.	Hse Moving	Lic.
Mech	Boiler Insp.	Fav. Cuts	Cert.
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Planning

DESCRIPTION	AMOUNT
CITY P24 EXCEPT.	400 ⁰⁰

NAME JAMES R. SCHAEFER

ADDRESS 400 N. WOODLAWN

FUND 45-40210-003 DUE DATE

COMMENTS

DATE April 25, 1946 BY H. Lytle

Hold for revised
 fee of \$200⁰⁰ as
 per 146. comm. w/
 Jim Schaefer.
