

Case No. BZA 22-79 - Harold Orindegreff requests exception to permit outdoor sales & storage area for boats & trailers on property zoned "LC" and generally located on

POSTED  
6-7-79  
[Signature]

**ACTION**

COMMITTEE approved DATE 6-26-79

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

B.C.C./B. CO. C. void

void 7-1-80

BZA  
22-79

Map No. 5342  
 Sec. 18  
 Twp. 28  
 Range 1E

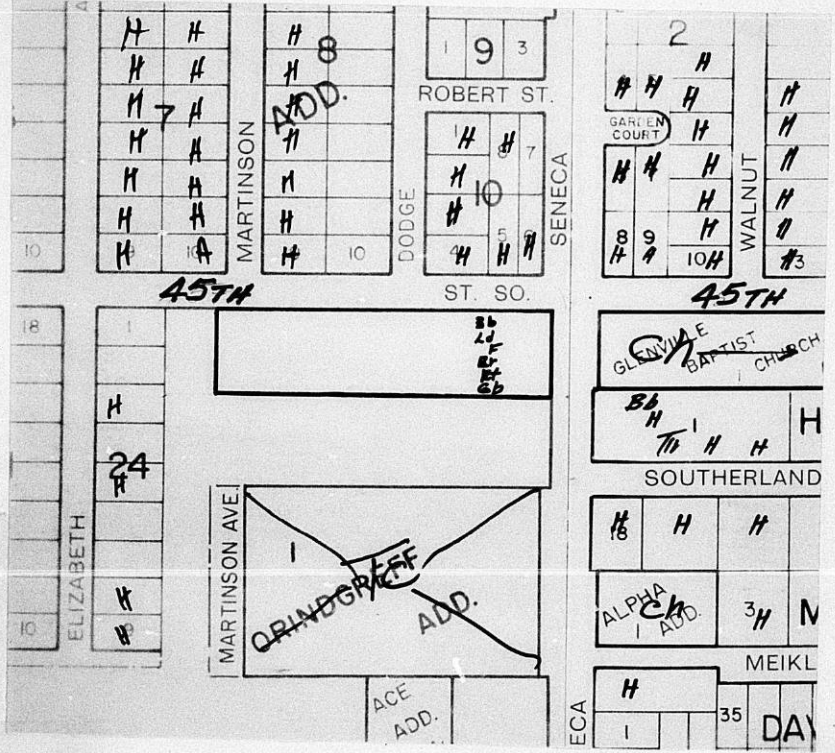
BZA- 22-79  
 SCZ- \_\_\_\_\_  
 CU- \_\_\_\_\_  
 Filed \_\_\_\_\_

AREA DATA:

1. Acres: 2.16 ( 154 ft. by 611 ft.)
2. Adjoining Zoning: E \_\_\_\_\_ S \_\_\_\_\_ W \_\_\_\_\_ N \_\_\_\_\_
3. Land Use: East CHURCH South MOBILE HOME COURT  
 West UNDEVELOPED North SINGLE FAM
4. Sketch Plan Land Use is for: \_\_\_\_\_
5. Present Land Use is for: BEAUTY SHOP, TAVERN, FOOD STORE
6. Area (is) (is not) platted.

PHOTO DATA:

Taken by \_\_\_\_\_ Date \_\_\_\_\_ Time \_\_\_\_\_



HASTINGS, M. L. LOS ANGELES  
 No. 2153C  
 Smead  
 LORAIN CH. - MORTONSON, TX. U. S. A.

RESOLUTION NO. BZA 22-79

WHEREAS, Harold Orindgreff, 2900 Oriole Drive, Wichita, Kansas, requests an exception as provided in Section 2.12.590.C, Code of the City of Wichita, to permit an outdoor sales and storage area for boats and trailers on property zoned the "LC" Light Commercial District and "AA" Single Family Dwelling District, and legally described as follows:

Beginning at a point on the east line of Section 18, Township 28 South, Range 1 East of the Sixth Principal Meridian, in Sedgwick County, Kansas, 1133.47 feet north of the Southeast corner of said Section, thence west 641 feet; thence north 154.58 feet; thence east 641 feet; thence south 154.8 feet more or less, to point of beginning. Generally located on the southwest corner of 45th Street South and Seneca (4601-03-05 S. Seneca).

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 June 26, 1979, 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 an outdoor sales and storage area for boats and trailers on property zoned the "LC" Light Commercial District subject to the conditions outlined in Section 28.04.183.2, 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 to permit an outdoor sales and storage area for boats and trailers on property zoned the "LC" Light Commercial District, and legally described as:

Beginning at a point on the east line of Section 18, Township 28 South, Range 1 East of the Sixth Principal Meridian, in Sedgwick County, Kansas, 1133.47 feet north of the Southeast corner of said Section, thence west 570 feet; thence north 154.58 feet; thence east 570 feet; thence south 154.8 feet more or less, to point of beginning. Generally located on the southwest corner of 45th Street South and Seneca (4601-03-05 S. Seneca)


be approved subject to the following conditions:

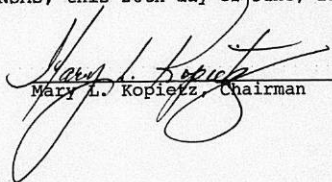
1. The property shall be platted in accordance with the Subdivision Regulations including dedication of street rights-of-way and the appropriate method to resolve the drainage problems, prior to forwarding the resolution to the Office of Central Inspection, and in the event platting is not completed within one (1) year from the date of approval by the Board of Zoning Appeals, subject case shall be considered null and void.
2. A new development plan shall be submitted showing new property lines and shall not include any area that is not zoned "LC".
3. A six to eight foot screening fence shall be installed along the north property line beginning at a point 310 feet west of the center line of Seneca and extending along the west edge of the "LC" zoning and along the south property line to the east 200 feet. Should the owner desire to use evergreen vegetation as a screen, a landscape plan shall be submitted for approval showing the planting material on private property that will screen the storage from view.

4. No access to 45th Street South west of a point 310 feet from the center line of Seneca Street shall be permitted, nor shall there be access from the west or south property lines where screening is required.
5. All loading and unloading of boats and trailers shall be on private property.
6. Only 3 boats shall be displayed on the east side of the building as shown by the plan.
7. All storage and display areas shall be paved with concrete, asphalt or other comparable material.
8. All lights shall be shielded to direct light away from adjoining property. No string-type lighting or banners shall be permitted.
9. No sound projecting devices or loudspeakers shall be used so as to be heard outside of any structure.
10. No repair work shall be conducted except in an enclosed building.
11. The area shall be properly policed through inspections by the owner or operator for the proper maintenance and removal of trash.
12. All conditions of approval shall be completed prior to occupancy of the premises.

ADOPTED AT WICHITA, KANSAS, this 26th day of June, 1979.

ATTEST:

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

  
\_\_\_\_\_  
Mary L. Kopietz, Chairman

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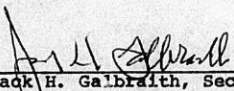
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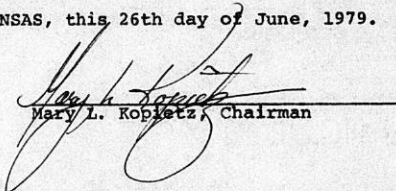
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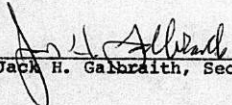
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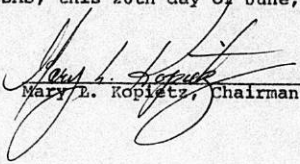
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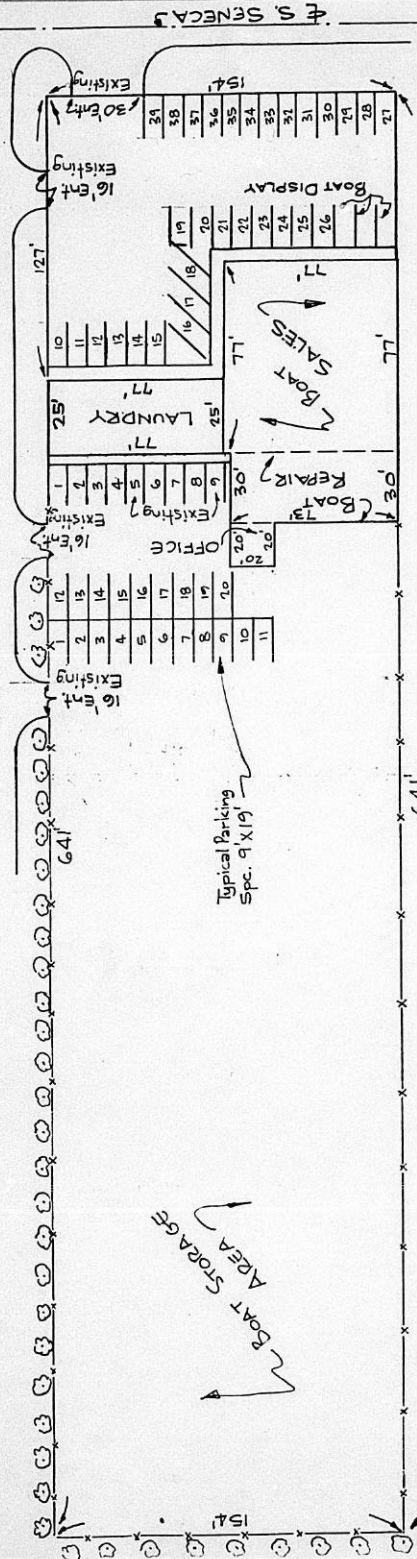
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ATTEST:

  
\_\_\_\_\_  
Jack H. Gaborath, Secretary

  
\_\_\_\_\_  
Mary E. Kopsitz, Chairman

45<sup>th</sup> ST. 7



SCALE 1"=50'

LEGEND

-x- = 6' Chain Link Fence

⊙ = Screen Trees

**RESOLUTION NO. BEA 22-79**

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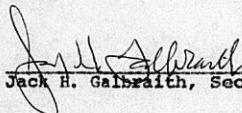
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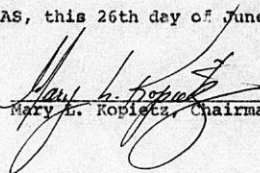
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ATTEST:

  
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Jack H. Galbraith, Secretary

  
\_\_\_\_\_  
Mary L. Kopietz, Chairman

July 1, 1980

Mr. Harold Orindegreff  
2900 Oriole Drive  
Wichita, Kansas 67204

Re: Case No. BZA 22-79

Dear Mr. Orindegreff:

Please be advised that the action taken by the Board of Zoning Appeals on June 26, 1979 to approve your request for an exception to permit the establishment of an outdoor sales and storage area for boats has now become null and void. A condition of approval was that the property be platted within one year from the date of approval by the Board of Zoning Appeals.

Since this office has not received an application for a plat on the property we assume your interest in pursuing this use has been dropped.

If you have any questions, please give me a call at 268-4394.

Sincerely,

Glen E. Lytle  
Assistant Secretary

GEL:sad

cc: Robert Feldner, Superintendent of Central Inspection

*Dev JAG  
copy sent to  
Brian Corrigan  
4530 S. Martensen 17  
7-6-79*

June 27, 1979

Mr. Harold Orindgreff  
2900 Oriole Drive  
Wichita, Kansas 67204

Re: Case No. BZA 22-79  
Request for Exception

Dear Mr. Orindgreff:

At the regular meeting of the Board of Zoning Appeals on June 26, 1979, your request for an exception to permit the establishment of an outdoor sales and storage area for boats and trailers on property zoned "LC" Light Commercial District and "AA" Single Family Dwelling District and generally located at the southwest corner of Seneca and 45th Street South (4601-03-05 S. Seneca) was considered.

It was the action of the Board to approve this request subject to the following conditions;

1. The property shall be platted in accordance with the Subdivision Regulations including dedication of street rights-of-way and the appropriate method to resolve the drainage problems, prior to forwarding the resolution to the Office of Central Inspection, and in the event platting is not completed within one (1) year from the date of approval by the Board of Zoning Appeals, subject case shall be considered null and void.
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BZA 22-79

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11. The area shall be properly policed through inspections by the owner or operator for the proper maintenance and removal of trash.
12. All conditions of approval shall be completed prior to occupancy of the premises.

A Resolution setting forth the official action of the Board is being prepared and you will be mailed a copy as soon as the signatures of the Chairman and Secretary have been obtained.

If you have any questions, please call our office.

Sincerely yours,

Glen E. Lytle  
Assistant Secretary

GEL:bbc

cc: Robert Feldner, Superintendent of Central Inspection  
Joe Donnelly, Housing and Zoning Administrator  
Don Gisick, City Clerk

862

**THE CITY OF WICHITA**

OFFICE OF

DATE June 19, 1979

TO Glen Lytle, Special Assistant for Zoning


FROM Sarah Gilbert, Assistant CP Coordinator

SUBJECT BZA 22-79 (Southwest Corner of 45th  
St. South and Seneca)

The four members of the Area "C" CPO Council present at the June 18, 1979 meeting were provided copies of the Secretary's Report on the captioned case. They were concerned about the effect of the exception on Seneca traffic and area drainage, but the twelve specified conditions satisfied their questions.

Mr. Orindgreff and two area residents spoke to the Council. The residents had no objections to the exceptions and stated that boat sales and storage would be a more desirable use than others permitted in the "LC" Light Commercial District.

Although the Council did not have a quorum and could not take official action, the members asked that you be informed that they have no objections to the exception, provided that the twelve conditions listed in the Secretary's Report are required.

  
Sarah Gilbert  
Assistant CP Coordinator

SG:jw



SECRETARY'S REPORT  
CASE NO. BZA 22-79

APPLICANT: Harold Crindgreff, 2000 Oriole Drive, Wichita, Kansas

AGENT: Same

REQUEST: Exception pursuant to Section 2.12.590.C, Code of the City of Wichita to permit the establishment of an outdoor sales and storage area for boats and trailers.

GENERAL LOCATION: The southwest corner of Seneca and 45th Street South (4601-03-05 S. Seneca).

ZONING: Subject property is zoned "LC" and "AA". Property to the south is "LC" and "BB". All other property to the east, west and north is zoned "AA" Single Family.

LAND USE: The property is occupied by a building which formerly housed a grocery store and self-service laundry. Property to the north and west is residential. A church is located to the east with commercial development and vacant land to the south.

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 28.04.183.2 can be complied with.

COMMENTS BY THE SECRETARY:

The applicant is requesting an exception to permit the establishment of an outdoor sales and storage area for boats and trailers on subject property. This will be a new location for a business that has been located on South Broadway and is purchasing this property to relocate the marine sales business.

The subject property is located adjacent to Seneca, an arterial street, and would, therefore, qualify for consideration of approval by the Board of Zoning Appeals. It should be noted that the outdoor sales and storage area to the west will be across the street from the "AA" Single Family Dwelling District. This area shall be provided with screening as set forth in the zoning ordinance. This may either be a decorative solid fence, or evergreen vegetation. When a fence is used, it must not be less than six feet in height or more than eight feet. When evergreen vegetation is used, a landscape plan must be submitted for approval.

The applicant has been informed of the conditions set forth in Section 28.04.183.2 of the ordinance and has submitted a plan showing the intended use of the property. It should be noted that the applicant has indicated that the boat storage area will

Page 2  
Case No. BZA 22-79  
BZA AGENDA  
6-26-79

extend to the west property line. This would include the west 71 feet of the property which is zoned "AA" Single Family and would not permit such use without a zone change.

It should also be noted that the tract of land is unplatted and there is insufficient right-of-way for Seneca, Martinson and 45th Street South, to comply with the requirements of the Subdivision Regulations. Also, this general area has extremely poor drainage and the improvement of this property for boat sales and storage will increase the amount of runoff.

The Neighborhood Plan for the South Seneca Area as adopted by the City Commission, emphasizes that all new development should provide drainage directly into a major water channel or to retain storm water on-site, so that the rate of water leaving the site would not exceed the predevelopment rate. In order to accomplish this, it would be necessary to design the site with a retention pond.

RECOMMENDATION:

If the Board finds that the use would be appropriate at this location, it is the recommendation of the Secretary that the exception be approved subject to the following conditions:

1. The property shall be platted in accordance with the Subdivision Regulations including dedication of street rights-of-way and the appropriate method to resolve the drainage problems.
2. A new development plan shall be submitted showing new property lines and shall not include any area that is not zoned "LC".
3. A six to eight foot screening fence shall be installed along the north property line beginning at a point 310 feet west of the center line of Seneca and extending along the west edge of the "LC" zoning and along the south property line to the east 200 feet. Should the owner desire to use evergreen vegetation as a screen, a landscape plan shall be submitted for approval showing the planting material on private property that will screen the storage from view.
4. No access to 45th Street South west of a point 310 feet from the center line of Seneca Street shall be permitted, nor shall there be access from the west or south property lines where screening is required.
5. All loading and unloading of boats and trailers shall be on private property.

Page 3  
Case No. BZA 22-79  
BZA AGENDA  
6-26-79

6. Only 3 boats shall be displayed on the east side of the building as shown by the plan.
7. All storage and display areas shall be paved with concrete, asphalt or other comparable material.
8. All lights shall be shielded to direct light away from adjoining property. No string-type lighting or banners shall be permitted.
9. No sound projecting devices or loudspeakers shall be used so as to be heard outside of any structure.
10. No repair work shall be conducted except in an enclosed building.
11. The area shall be properly policed through inspections by the owner or operator for the proper maintenance and removal of trash.
12. All conditions of approval shall be completed prior to occupancy of the premises.

BZA CASE NO. 22-79

1 NOTICES SENT TO APPLICANT/AGENT

10 NOTICES SENT TO MAPC

1 NOTICES SENT TO CPO

27 NOTICES SENT TO ADJOINING PROPERTY OWNERS

40 TOTAL NOTICES SENT 6-6-79

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

June 6, 1979

NOTICE TO ADJOINING PROPERTY OWNERS:

CASE NO. BZA 22-79

An application has been filed by Harold Grindgreff, 2900 Oriole Drive, Wichita, Kansas, pursuant to Section 2.12.590.C, Code of the City of Wichita, requesting an exception to permit an outdoor sales and storage area for boats and trailers on property zoned the "LC" Light Commercial District and "AA" Single Family Dwelling District, and legally described as follows:

Beginning at a point on the east line of Section 18, Township 28 South, Range 1 East of the Sixth Principal Meridian, in Sedgwick County, Kansas, 1133.47 feet north of the Southeast corner of said Section, thence west 641 feet; thence north 154.53 feet; thence east 641 feet; thence south 154.8 feet more or less, to point of beginning. Generally located on the southwest corner of 45th Street South and Seneca (4601-03-05 S. Seneca).

This application has been assigned case No. BZA 22-79, and will be considered by the Board of Zoning Appeals at its meeting on Tuesday, June 26, 1979, at 1:30 p.m., in the Board Room, First Floor, City Hall, 455 North Main, Wichita, Kansas, at which time you may appear if you so desire, 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.

Jack E. Galbraith  
Chief Planner

May 17, 1979

Mr. Harold Orindgreff  
2900 Oriole Drive  
Wichita, Kansas 67204

Re: Case No. BZA 22-79  
Request for Exception

Dear Mr. Orindgreff:

Enclosed herewith is an application for an exception to permit an outdoor sales area in the "LC" Light Commercial District as permitted by Section 28.04.183-2 of the zoning ordinance (copy enclosed).

I regret that at the time you came in to file the application for a variance for outside storage I was not here to review your application. It is not under the jurisdiction of the Board of Zoning Appeals to grant a "use variance" to permit outside storage in the "LC" district, but it has been construed that boat sales can be handled as an exception, the same as a used car sales area.

As you will note by the application for an exception, it will be necessary to furnish a plot plan, drawn to scale, which will show compliance with the conditions as set forth in the ordinance. This will include the parking required for the building at one space for each 250 square feet of building area, and one space for each 3,000 square feet of outdoor sales area on the property. It will also be necessary to screen the outdoor storage and sales area where adjacent to any residential area. Such plan shall be reviewed and approved by the Traffic Engineer's office.

I would appreciate your filing this information in this office prior to May 29, 1979, in order to process this case for the June 26, 1979 meeting. I am holding your check here in my office and will appreciate your returning the paid receipt for the variance. You will be issued a new receipt for the exception when you come in.

Page 2  
May 17, 1979  
Harold Orindgreff  
Re: BZA 22-79

If you have any questions, please give me a call at 268-4421.

Sincerely,

Glen E. Lytle  
Assistant Secretary

GEL:bbc  
Enclosure

CITY OF WICHITA, KANSAS

FILED \_\_\_\_\_

**EXCEPTION**  
**APPLICATION FOR VARIANCE**

I. Name of Applicant Harold Orindgreff

Mailing Address 2900 Oriole Drive, Wichita, Kansas 67204 Phone 838-3880

Name of Authorized Agent Harold Orindgreff

Mailing Address \_\_\_\_\_ Phone \_\_\_\_\_

Relationship of applicant to property is that of Owner  
(Owner, Tenant, Lessee, Other)

II. The variance requested is for outside boat storage. See attached letter  
of explanation. [Exception: To permit outdoor sales and storage

for boats and trailers  
area in the 'LC' District.

for property located 4601-03-05 South Seneca, Wichita, Kansas 67217

the southwest corner of Seneca and 45<sup>th</sup> street south

and legally described as: The east 641 feet of the South 1/2 of 1 the  
Southeast 1/4 of Section 18, Twp. 28, Range 1 east of the 6th P.M. except

*see legal on subject tract.*

the south 1133.47 feet thereof and except the north 30 feet thereof,  
subject to road easement on the east 30 feet thereof, Sedgwick Co., Kansas

in the City of Wichita; and which is presently zoned L.C.

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. 24-606); and that the appropriate fee is herewith tendered;
- c. 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.
- d. That all documents are attached hereto as noted in paragraphs 2, 3, 4, and 5 of the instructions.

*✓ gen located on the southwest corner of 45<sup>th</sup> & Seneca*

Harold Orindgreff  
Applicant Harold Orindgreff

Authorized Agent \_\_\_\_\_

OFFICE USE ONLY: Received in office of Secretary, Board of Zoning Appeals 12.50 (a.m. - p.m.), May 17 19 79 together with appropriate fee of \$50.00.

Curtis Nandy  
Signed

SURVEYS FOR:  
CITY LOTS  
BUSINESS PROPERTIES  
FARMS  
OIL WELLS  
SUBDIVISIONS

OFFICE OF  
**CLYDE M. BAUGHMAN**  
Civil Engineer & Surveyor  
Registered Professional Engineer

TOPOGRAPHICAL MAPPING  
DRAINAGE  
CITY PLATS AND MAPS  
CITY PLAT BOOK

2522 EAST KELLOGG  
State of Kansas )

WICHITA 8, KANSAS

PHONE MURRAY 3-7431

County of Sedgwick )

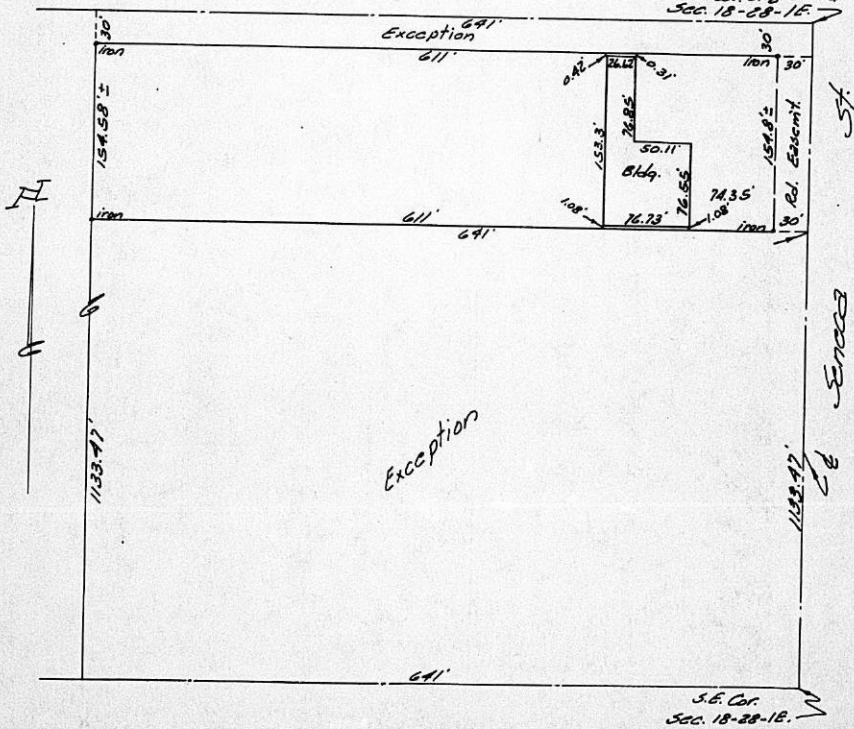
SS

March 28, 1956

I, Clyde M. Baughman, Surveyor in aforesaid county and state do hereby certify that I did on this 28th day of March, 1956, survey the east 641 feet of the South  $\frac{1}{2}$  of the SE $\frac{1}{4}$  of Sec. 18, Twp. 28, Range 1 East of the 6th P. M., except the south 1133.47 feet thereof and except the north 30 feet thereof, subject to road easement on the east 30 feet thereof. The accompanying plat is a true and correct exhibit of said survey for mortgage title insurance.

*Clyde M. Baughman*  
Surveyor

N.E. Cor. S. 1/2 S.E. 1/4  
Sec. 18-28-1E



Board Of Zoning Appeals  
City of Wichita, Kansas

Gentlemen:

Re: Request for zoning variance on property at 4601-03-05  
South Seneca, Wichita, Kansas.

Subject property has been used as a retail grocery store for the past 23 years. The last Lessee operated a retail grocery store but was destroyed by fire in October, 1978. He is not financially able to re-open the business although the building has been repaired.

We wish to sell the property and the Buyer intends to use the property as a Marine Sales Store, primarily boats, motors, and accessories. He wishes to use the undeveloped property to the rear of structure for storage of boats. With our present light commercial zoning, we found that outside storage was not permitted. This is the reason for our request for a variance.

The property is located at the southwest corner of 45th Street south and South Seneca Avenue. The nearest residences are on the north side of 45th street and are seperated from the property by the street itself.

Strict application of the provisions of Title 28 will deprive us of selling the property or leasing the property to the only prospective purchaser that we have had that is qualified.

Marine Sales is a clean business that will operate only during regular business hours and will not increase traffic flow to the area. Also the outside storage area will be fenced in such a manner that it will not become an attractive nuisance to children or any of the neighbors.

We feel that the granting of the variance will not be opposed to the general intent and spirit of Title 28.

Cordially,

*Harold Orindgreff*

Board Of Zoning Appeals  
City of Wichita, Kansas

Gentlemen:

Re: Request for zoning variance on property at 4601-03-05  
South Seneca, Wichita, Kansas.

Subject property has been used as a retail grocery store for the past 23 years. The last Lessee operated a retail grocery store but was destroyed by fire in October, 1978. He is not financially able to re-open the business although the building has been repaired.

We wish to sell the property and the Buyer intends to use the property as a Marine Sales Store, primarily boats, motors, and accessories. He wishes to use the undeveloped property to the rear of structure for storage of boats. With our present light commercial zoning, we found that outside storage was not permitted. This is the reason for our request for a variance.

The property is located at the southwest corner of 45th Street south and South Seneca Avenue. The nearest residences are on the north side of 45th street and are separated from the property by the street itself.

Strict application of the provisions of Title 28 will deprive us of selling the property or leasing the property to the only prospective purchaser that we have had that is qualified.

Marine Sales is a clean business that will operate only during regular business hours and will not increase traffic flow to the area. Also the outside storage area will be fenced in such a manner that it will not become an attractive nuisance to children or any of the neighbors.

We feel that the granting of the variance will not be opposed to the general intent and spirit of Title 28.

Cordially,

*Harold Crindgriff*



CERTIFICATE OF OWNERSHIP

REALTY TITLE CO., INC., hereby certifies the following to be a true and correct list of the property owners as shown by the last deeds of record in the Office of the Register of Deeds, Sedgwick County, Kansas, of:

**[**Beginning at a point on the east line of Section 18, Township 28 South, Range 1 East of the Sixth Principal Meridian, in Sedgwick County, Kansas, 1133.47 feet north of the Southeast corner of said Section, thence west 641 feet; thence north 154.58 feet; thence east 641 feet; thence south 154.8 feet, more or less, to point of beginning,**]**

together with all real estate lying within a 200 foot radius thereof.

<u>DESCRIPTION</u>	<u>OWNERS AND ADDRESSES</u>
<u>GLENVILLE BAPTIST CHURCH ADDITION</u>	
Lot 1	Glenville Bible Baptist Church 4604 So. Seneca Wichita, Kansas 67217
<u>HEATH HEIGHTS</u>	
Lot 1 except the east 132 feet	Ernest A. Buller 535 W. 26th St. South Wichita, Kansas 67217
East 132 ft. of Lot 1	Austin L. Avery Mabel B. Avery 948 Southerland Dr. Wichita, Kansas 67217
<u>ORINDGREFF ADDITION</u>	
Lot 1	<b>D</b> Harold J. Orindgreff 2900 Oriole Dr. Wichita, Kansas 67204
<u>PURCELL'S 10th BLOCK 2</u>	
Lot 8	Robert L. Nearhood 1615 Ellis Wichita, Kansas 67211
Lot 9	Toivi J. Hauta 1008 W. 45th St. South Wichita, Kansas 67217
Lot 10	Blanche V. Deming 4575 So. Walnut Wichita, Kansas 67217
<u>PURCELL'S 11th BLOCK 7</u>	
Lot 8	Delbert L. Strelow 4550 So. Elizabeth Wichita, Kansas 67217
Lot 9	Roy Lee Broadey 4558 So. Elizabeth Wichita, Kansas 67217

DESCRIPTION	OWNERS AND ADDRESSES
<u>PURCELL'S 11th</u>	
<u>BLOCK 7 cont'd</u>	

Lot 10 Herb Newlon  
Vicki Newlon  
c/o First Federal  
123 So. Market  
Wichita, Kansas 67202

Lot 11 Dennis Kessler  
Donna F. Kessler  
4551 So. Martinson  
Wichita, Kansas 67217

BLOCK 8

Lot 8 J.S. Geason  
c/o Veterans Administration  
5500 East Kellogg  
Wichita, Kansas 67218

Lot 9 Henry Burt  
Lola M. Burns  
1220 W. 45th St. South  
Wichita, Kansas 67217

Lot 10 City of Wichita

Lot 11 Gary E. Fisher  
Charlotte A. Fisher  
4551 So. Dodge  
Wichita, Kansas 67217

BLOCK 10

Lot 3 Harold W. Brunk  
Elizabeth A. Brunk  
2606 Larkin Dr.  
Wichita, Kansas 67216

Lot 4 LaVerne Wayne Weinman  
Bernadine L. Weinman  
4558 So. Dodge  
Wichita, Kansas 67217

Lot 5 Theodore R. Roeder  
Merna D. Roeder  
1108 W. 45th St. South  
Wichita, Kansas 67217

Lot 6 Murrel R. Aaroe  
Inez L. Aaroe  
Box 1656  
Chula Vista, Calif. 92010

BLOCK 24

Lot 1 Maurice Bewley  
Grace E. Bewley  
4521 So. Vine  
Wichita, Kansas 67217

Lot 2 do

Lot 3 Wayne H. Sisk III  
Alice K. Sisk  
4620 So. Elizabeth  
Wichita, Kansas 67217

Lot 4 Harley C. Baty  
Susan A. Baty  
1953 So. Martinson  
Wichita, Kansas 67217

Lot 5 do

DESCRIPTION	OWNERS AND ADDRESSES
North 650 ft thence south 1289 ft, west 84.8 ft, th east 725.8 ft of S $\frac{1}{2}$ SE $\frac{1}{4}$ Section 18-28S-1E	Brian E. Corrigan 4330 S. Martinson Wichita, Kansas 67217
Beg. 1133.47 ft north of SE/corner, Section 18, th west 641 ft; north 154.8 ft; th east 641 ft; south to pt of beg, SE $\frac{1}{4}$ 18-28S-1E	Charles W. Orindgreff 111 So. Hydraulic Suite 2 Wichita, Kansas 67211
Beg. 978.67 ft north of SE/corner, Section 18, west 641 ft, north 154.8 ft, east 641 ft south to beg. 18-28S-1E	Fred Davis c/o Lawrence Davis 212 N. Market Wichita, Kansas 67202
Undivided 5/24 interest	Brent Alan Davis
Undivided 5/36 interest	Holly Beth Davis
Undivided 5/36 interest	Nancy Jill Davis
Undivided 5/36 interest	Jason Benjamin Davis
Undivided 5/24 interest	Jeremy Lynn Davis c/o Lawrence Davis 212 N. Market Wichita, Kansas 67202

PURCELL'S 11th  
BLOCK 7

Lot 13

First Federal Savings  
& Loan Association  
123 So. Market  
Wichita, Kansas 67202

BLOCK 8

Lot 7

Franklin L. Ambler  
4544 So. Martinson  
Wichita, Kansas 67217

Lot 12

Larry William Haley  
c/o Mercury Mortgage Co. Inc.  
Box 131  
Tulsa, Oklahoma 74101

Dated this 4th day of  
May, 1979, at 7:00 a.m.

REALTY TITLE CO., INC.

*Linda Ayala*  
Linda Ayala - Vice President



SE4579

RESOLUTION No. BZA 22-79

~~Exception~~

WHEREAS, Harold Orindgreff, 2900 Poole  
Drive, Wichita, Kansas

requests an exception as provided in Section 2.12.590.C, Code of the City of Wichita, \_\_\_\_\_ to permit an outdoor sales and storage area for boats and trailers on property zoned the "LC" Light Commercial District and "AA" Single Family Dwelling District, and legally described as follows:

Beginning at a point on the east line of Section 18, Township 28 South, Range 1 East of the Sixth Principal Meridian, in Sedgwick County, Kansas, 1133.47 feet north of the Southeast corner of said Section, thence west 641 feet; thence north 154.58 feet; thence east 641 feet; thence south 154.8 feet more or less, to point of beginning. Generally located on the southwest corner of 45th Street South and Seneca (4601-03-05 S. Seneca).

~~Generally located~~

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 June 26, 1979, 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

EXCEPTION

Page 2

WHEREAS, the Board of Zoning Appeals has authority to permit the establishment of an outdoor sales and storage area for boats and trailers

on property zoned the "LC" Light Commercial District, subject to the conditions outlined in Section 28.04.183.2, 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 an outdoor sales and storage area for boats and trailers on property zoned the "LC" Light Commercial District, and "AA" Single Family Dwelling District, and legally described as follows:

Beginning at a point on the east line of Section 18, Township 28 South, Range 1 East of the Sixth Principal Meridian, in Sedgewick County, Kansas, 1133.47 feet north of the Southeast corner of said Section, thence west 570 feet; thence north 154.58 feet; thence east 570 feet; thence south 154.8 feet more or less, to point of beginning. Generally located on the southwest corner of 45th Street South and Seneca (4601-03-05 S. Seneca).

Generally located

subject to the following conditions:

(see attached for conditions) next page

ADOPTED AT WICHITA, KANSAS, this 26<sup>th</sup> day of June, 1979.

ATTEST:

Mary Kopietz, Chairman

Jack H. Galbraith Secretary &  
~~Asst. Secretary~~

extend to the west property line. This would include the west 71 feet of the property which is zoned "AAW" Single Family and would not permit such use without a zone change.

It should also be noted that the tract of land is unplatted and there is insufficient right-of-way for Seneca, Martinson and 45th Street South, to comply with the requirements of the Subdivision Regulations. Also, this general area has extremely poor drainage and the improvement of this property for boat sales and storage will increase the amount of runoff.

The Neighborhood Plan for the South Seneca Area as adopted by the City Commission, emphasizes that all new development should provide drainage directly into a major water channel or to retain storm water on-site, so that the rate of water leaving the site would not exceed the predevelopment rate. In order to accomplish this it would be necessary to design the site with a retention pond.

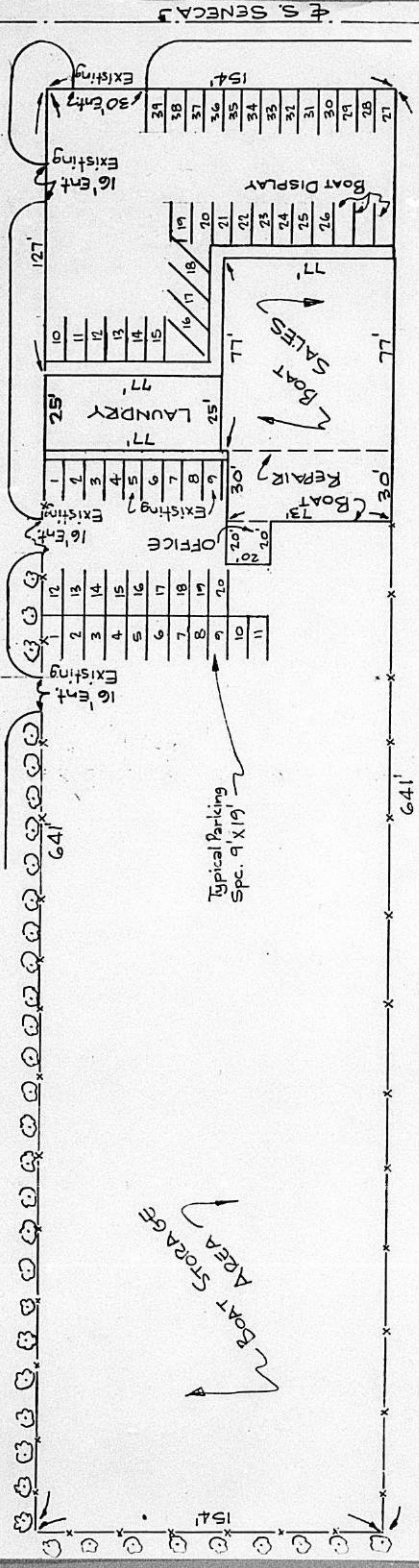
RECOMMENDATION

1. The property shall be platted in accordance with the Subdivision Regulations including dedication of street rights-of-way and the appropriate method to resolve the drainage problems, prior to forwarding the resolution to the Office of Central Inspection, and in the event platting is not completed within one (1) year from the date of approval by the Board of Zoning Appeals, subject case shall be considered null and void.
2. A new development plan shall be submitted showing new property lines and shall not include any area that is not zoned "LC".
3. A six to eight foot screening fence shall be installed along the north property line beginning at a point 310 feet west of the center line of Seneca and extending along the west edge of the "LC" zoning and along the south property line to the east 200 feet. Should the owner desire to use evergreen vegetation as a screen, a landscape plan shall be submitted for approval showing the planting material on private property that will screen the storage from view.
4. No access to 45th Street South west of a point 310 feet from the center line of Seneca Street shall be permitted, nor shall there be access from the west or south property lines where screening is required.
5. All loading and unloading of boats and trailers shall be on private property.

Page 3  
Case No. BFA 22-76  
BFA DEEDA  
6-26-78

6. Only 3 boats shall be displayed on the east side of the building as shown by the plan.
7. All storage and display areas shall be paved with concrete, asphalt or other comparable material.
8. All lights shall be shielded to direct light away from adjoining property. No string-type lighting or banners shall be permitted.
9. No sound projecting devices or loudspeakers shall be used so as to be heard outside of any structure.
10. No repair work shall be conducted except in an enclosed building.
11. The area shall be properly policed through inspections by the owner or operator for the proper maintenance and removal of trash.
12. All conditions of approval shall be completed prior to occupancy of the premises.

45th St. 7



SCALE 1"=50'

LEGEND:

-x- = 6' Chain Link Fence

⊙ = Screen Trees

S. SENeca



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

June 6, 1979

NOTICE TO ADJOINING PROPERTY OWNERS:

CASE NO. BZA 22-79

An application has been filed by Harold Crindgreff, 2900 Oriole Drive, Wichita, Kansas, pursuant to Section 2.12.590.C, Code of the City of Wichita, requesting an exception to permit an outdoor sales and storage area for boats and trailers on property zoned the "LC" Light Commercial District and "AA" Single Family Dwelling District, and legally described as follows:

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This application has been assigned case No. BZA 22-79, and will be considered by the Board of Zoning Appeals at its meeting on Tuesday, June 26, 1979, at 1:30 p.m., in the Board Room, First Floor, City Hall, 455 North Main, Wichita, Kansas, at which time you may appear if you so desire, either in person or by agent or attorney.

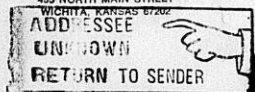
It should be noted that the Citizen Participation Organization Area Council may consider this case at its next meeting. Additional information about such a meeting may be obtained by calling the CPO Office, 268-4516.

Jack E. Galbraith  
Chief Planner

WICHITA - SEDGWICK COUNTY



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



ADDRESSEE  
UNKNOWN  
RETURN TO SENDER



*no listing*

*22-79*

Maurice and Grace Bewley  
4521 S. Vine  
Wichita, Kansas 67217

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

June 6, 1979

NOTICE TO ADJOINING PROPERTY OWNERS:

CASE NO. BZA 22-79

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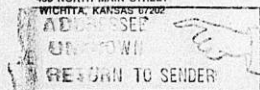
It should be noted that the Citizen Participation Organization Area Council may consider this case at its next meeting. Additional information about such a meeting may be obtained by calling the CPO Office, 268-4516.

Jack E. Galbraith  
Chief Planner

WICHITA - SEDGWICK COUNTY

**W.S.C.**

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



Harley and Susan Baty  
1953 S. Martinson  
Wichita, Kansas 67217



22-79

*no listing*

**MICROFILMED**  
 FROM THE BEST  
 AVAILABLE COPY

FORM 29

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
<i>50.00</i>	
<i>...</i>	
<i>...</i>	
NAME <i>Enz A. D...</i>	
ADDRESS <i>2100 ...</i>	
FUND <i>...</i>	DUE DATE <i>...</i>
COMMENTS	
DATE <i>5/29/74</i>	BY <i>...</i>