

BZA 27-70 - Glenn A. Richardson
d/b/a AAA Rental requests
EXCEPTION to permit operation of
trailer, vehicle and equipment
rental business at SE corner of
12th and Edwards Streets

POSTED
10/28/70
MAP ✓
ET ✓
1-2-71

BZA 11-24-70 Approved

"Null & Void"
5/24/71

Map No. 5248
 Sec. 13
 Twp. 27
 Range 1W

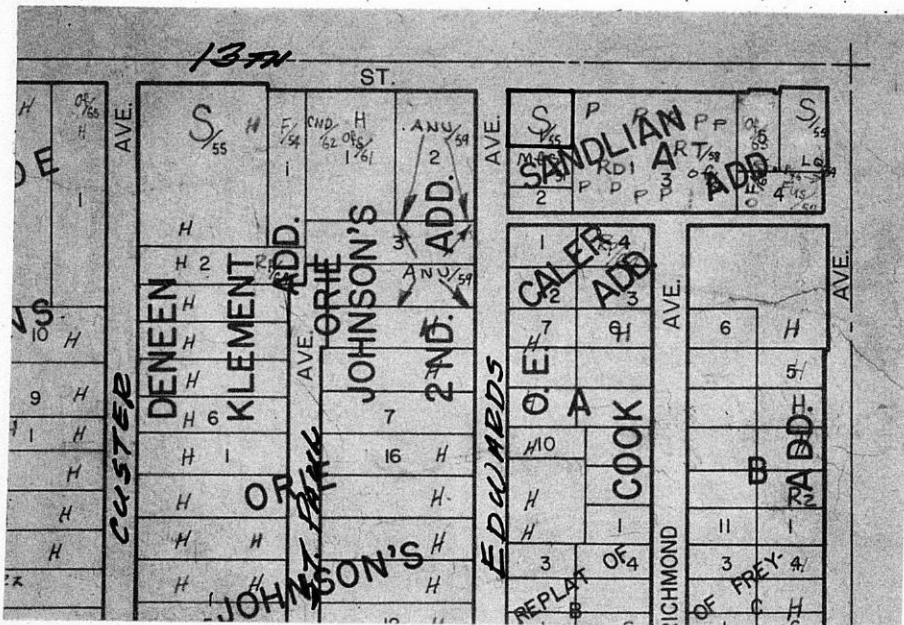
BZA 27-70
 SC2-
 CU-
 Filed

AREA DATA:

1. Acres: 0.27 (100 ft. by 120 ft.)
2. Adjoining Zoning: E _____ S _____ W _____ N _____
3. Land Use: East PARKING South WHOLESALE MEAT STORE
 West NURSERY North SERVICE STATION/GEN. BUSINESS
4. Sketch Plan Land Use is for: _____
5. Present Land Use is for: SERVICE STATION
6. Area (is) (is not) platted.

PHOTO DATA:

Taken by _____ Date _____ Time _____



May 24, 1971

Mr. Glen L. Richardson
dba AAA Rental
3101 East Boston Avenue
Wichita, Kansas 67211

Re: Case No. BZA 27-70
Request for Exception

Dear Mr. Richardson:

You will recall that the above-captioned Board of Zoning Appeals case was approved by the Board on November 24, 1970 subject to several conditions which were to be complied with within six months from the date of approval by the Board, or the case was to be considered null and void.

This is to advise you that on this date our office checked the application area and found that the approval area, 37 feet by 71 feet, had not been paved nor had the 5 to 8 foot high fence been constructed on the south, east and west lines.

Therefore, in accordance with condition #9, since the conditions of approval have not been complied with within six months, the resolution is considered "null and void." By copy of this letter to the Superintendent of Central Inspection and the City Clerk, this is also to advise them to mark their copy of the resolution "null and void."

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

Sincerely,

Jack H. Galbraith
Secretary

JHG:ber

cc: Robert Feldner, Superintendent of Central Inspection
Joe Donnelly, Central Inspection
Ralph Eberly, City Clerk

RESOLUTION NO. BZA 27-70

WHEREAS, Glenn L. Richardson, d/b/a AAA Rental, 3101 East Boston Avenue, Wichita, Kansas, requests an exception as provided in Section 2.12.590.C, Code of the City of Wichita, to permit the operation of a trailer, vehicle and equipment rental business, on property zoned "LC" Light Commercial, and legally described as follows:

The north 100 feet of Lot 1, Block A, Sandlian Addition to the City of Wichita, Sedgwick County, Kansas. Generally located at the southeast corner of 13th and Edwards Street.

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 November 24, 1970, 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 operation of a trailer, vehicle and equipment rental business, on property zoned "LC" Light Commercial, 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 the operation of a trailer, vehicle and equipment rental business, on property zoned "LC" Light Commercial, and legally described as follows:

The north 100 feet of Lot 1, Block A, Sandlian Addition to the City of Wichita, Sedgwick County, Kansas. Generally located at the southeast corner of 13th and Edwards Streets.

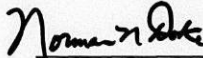
subject to the following conditions:

1. Approval shall be for only the east 71 feet of the south 37 feet of the application area.
2. The approved area of 37 feet x 71 feet shall be paved with concrete, asphalt or asphaltic concrete.
3. A 5 to 8 foot high solid wall constructed of masonry, architectural tile, staggered or louvered redwood or rough sawed cedar shall be constructed adjacent to the south, east and west lines of the approved area.

"Shall & Void"
J.H.G. 5/24/71


4. All lights shall be shielded to reflect or direct light away from adjoining property. No string-type lighting shall be permitted.
5. No signs shall be permitted to project over public right-of-way.
6. No sound-projecting devices or loudspeakers shall be used so as to be heard outside of any structure.
7. No repair work shall be conducted except in an enclosed building.
8. Conditions 2 and 3 shall be complied with prior to the use of the site for a trailer, vehicle and equipment rental business.
9. All conditions of approval by the Board shall be complied with within 6 months from the date of approval by the Board or this case shall be null and void.

ADOPTED AT WICHITA, KANSAS, this 24th day of November, 1970.



NORMAN N. DOKE, Chairman

ATTEST:


JACK H. GALBRAITH, Secretary

December 9, 1970

Mr. Glen L. Richardson
d/b/a AAA Rental
3101 East Boston Avenue
Wichita, Kansas 67211

Subject: Case NO. BEA 27-70
Request for Exception

Dear Mr. Richardson:

Enclosed is a signed copy of the Resolution adopted by the Board of Zoning Appeals on November 24, 1970, in connection with your request for an exception to permit the operation of a trailer, vehicle and equipment rental business, on property zoned "LC" Light Commercial, and generally located at the southeast corner of 13th and Edwards Streets.

This Resolution reflects the official action of the Board to approve your request and sets out the conditions of approval. It is forwarded to you for your information and files.

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

Very truly yours,

Jack H. Galbraith
Secretary

JHG:ls

Attachment

cc Robert Feldner, Superintendent of Central Inspection
Joe Donnelly, Central Inspection
Ralph Eberly, City Clerk

December 1, 1970

Mr. Glenn L. Richardson
O/D/a AAA Rental
3101 East Boston Avenue
Wichita, Kansas, 67211

Subject: Case No. BZA 27-70
Request for Exception

Dear Mr. Richardson:

At the regular meeting of the Board of Zoning Appeals on November 24, 1970, your request for an exception to permit the operation of a trailer, vehicle and equipment rental business, on property zoned "LC" Light Commercial, and generally located at the southeast corner of 13th and Edwards Streets, was considered.

It was the action of the Board to approve this request subject to the conditions set out in the Secretary's Report, amending Condition No. 9 to state "... within 6 months from the date of approval...".

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.

Very truly yours,

Jack H. Galbraith
Secretary

JHG:ls

cc Robert Feldner, Superintendent of Central Inspection
Joe Donnelly, Central Inspection
Ralph Eberly, City Clerk

SECRETARY'S REPORT
CASE NO. BZA 27-70

APPLICANT: Glenn L. Richardson, d/b/a AAA Rental, 3101 East Boston Avenue, Wichita, Kansas

REQUEST: Exception pursuant to Section 2.12.590.C, Code of the City of Wichita, to permit the operation of a trailer, vehicle and equipment rental business

GENERAL LOCATION: At the southeast corner of 13th and Edwards Streets

LAND USE: Subject property is occupied by a service station as is the property to the north; south is meat storage and sales; west is garden center and nursery; east is drive-in restaurant

ZONING: Subject property is zoned "LC" Light Commercial as are those properties to the north, south, east and west

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 under Section 28.04.183.2, Code of the City of Wichita, can be complied with.

COMMENTS BY THE SECRETARY:

The applicant is requesting an exception to permit the operation of a trailer, vehicle and equipment rental business on property zoned "LC" and located at the southeast corner of 13th Street and Edwards. It should be pointed out that the type of operation which the applicant proposes is a permitted use in the "LC" district provided all rental equipment is kept within an enclosed building. Section 28.04.183.2 of the Zoning Ordinance permits rental equipment to be displayed outdoors subject to certain conditions and approval by the Board of Zoning Appeals.

In viewing the area in the field, it may be seen that subject property, which is occupied by a service station, is bounded on the south by a meat locker plant, on the east by a drive-in restaurant, west is a nursery and garden center, and north is a service station.

Although it is the opinion of the Secretary that this request is not for the type of development that should be encouraged at random throughout the City in the light commercial areas, after taking into consideration the existing land use in the general area, it would appear that the granting of the exception in this instance would be proper.

RECOMMENDATION:

It the recommendation of the Secretary that the exception to permit the operation of a trailer, vehicle and equipment rental business, on property zoned "LC" Light Commercial be approved subject to the following conditions:

1. Approval shall be for only the east 71 feet of the south 37 feet of the application area.
2. The approved area of 37 feet x 71 feet shall be paved with concrete, asphalt or asphaltic concrete.
3. A 5 to 8 foot high solid wall constructed of masonry, architectural tile, staggered or louvered redwood or rough sawed cedar shall be constructed adjacent to the south, east and west lines of the approved area.
4. All lights shall be shielded to reflect or direct light away from adjoining property. No string-type lighting shall be permitted.
5. No signs shall be permitted to project over public right-of-way.
6. No sound-projecting devices or loudspeakers shall be used so as to be heard outside of any structure.
7. No repair work shall be conducted except in an enclosed building.
8. Conditions 2 and 3 shall be complied with prior to the use of the site for a trailer, vehicle and equipment business.
9. All conditions of approval by the Board shall be complied with within 6 months from the date of approval by the Board or this case shall be null and void.

BOARD OF ZONING APPEALS
Room 402 City Building Annex
104 South Main Street
Wichita, Kansas 67202

November 4, 1970

NOTICE TO ADJOINING PROPERTY OWNERS

Case No. BZA 27-70

An application has been filed by Glenn L. Richardson, d/b/a AAA Rental, 3101 East Boston Avenue, Wichita, Kansas, pursuant to Section 2.12.590.C, Code of the City of Wichita, requesting an exception to permit the operation of a trailer, vehicle and equipment rental business, on property zoned "IC" Light Commercial, and legally described as follows:

The north 100 feet of Lot 1, Block A, Sandlian Addition to the City of Wichita, Sedgwick County, Kansas. Generally located at the southeast corner of 13th and Edwards Streets.

This application has been assigned Case No. BZA 27-70, and will be considered by the Board of Zoning Appeals at its meeting on Tuesday, November 24, 1970, at 1:30 p.m., in Room 401 City Building Annex, 104 South Main Street, Wichita, Kansas, at which time you may appear, if you so desire, either in person or by agent or attorney.

JACK H. GALBRAITH
Secretary

10 Notices Mailed 11-4-70

BOARD OF ZONING APPEALS

CASE NO. 27-70

CITY OF WICHITA, KANSAS

FILED 10-26-70

APPLICATION FOR EXCEPTION

I. Name of Applicant GLENN L. RICHARDSON d/b/a AAA Rental

Mailing Address 3101 East Boston Avenue (11) Phone 683-8842

Name of Authorized Agent [REDACTED]

Mailing Address [REDACTED] Phone [REDACTED]

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

II. Application is made for an exception as provided in Section
28.04.183(2), Code of the City of Wichita, Kansas

(Zoning Ordinance); to permit the ~~installation or construction~~
operation of a trailer, vehicle and
~~of~~ equipment rental business.

[REDACTED] on property zoned

LC, located at 2619 West 13th Street

[REDACTED] and legally described as:

North 100 feet of Lot 1, Block A, Sandlian Addition to the

City of Wichita, Sedgwick County, Kansas

[REDACTED], 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. 24-606); and that the appropriate fee is herewith 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 Glenn L. Richardson

Authorized Agent [REDACTED]



OFFICE USE ONLY: Received in office of Secretary, Board of Zoning Appeals, 3:20 (a.m. - P.M.), Oct 26, 1970, together with appropriate fee of \$50.00.

T9-403

Signed Curtis L. Newby

STATEMENT JUSTIFYING EXCEPTION

Glenn L. Richardson, d/b/a AAA Rental Company, of Wichita, Kansas, has engaged in the tool and equipment rental business since 1963.

This business is presently being conducted from a fire-proof, metal building located at 1301 West 31st Street South, Wichita, Kansas.

The tool rental business serves the public and is of great convenience and necessity to it. Over the past few years there has been a great demand for rental tools which has caused a sharp increase in business. To better serve the general public, this applicant desires to open a second rental operation at 2619 West 13th Street. The physical size of trucks, trailers, tractors and yard equipment requires that they be displayed and offered for rent outside of a building.

Inasmuch as this property is zoned "LC", which prohibits a display of tools and equipment outside of the building, pursuant to Section 28.04.183 (2) of the Code of the City of Wichita, Wichita, Kansas, this applicant hereby requests an exception to this zoning provision which will allow him to conduct his business to meet the needs of the public which are his customers.

Respectfully submitted,

Glenn L. Richardson

GLENN L. RICHARDSON
d/b/a AAA Rental

Applicant



OWNERSHIP LIST

Lot	Block	Addition	Property owner
N 100' of 1	A	Sandlian Addition	✓ Blanche M. Jabara 2104 Bella Vista Wichita, Kansas, 67203
S 72.5' of 1	"	"	✓ Walter K. Jabara, 2104 Bella Vista Wichita, Kansas, 67203 and ✓ Virgil L. Nimrod, 1057 Coolidge Wichita, Kansas, 67203
2	"	"	✓ W. K. Jabara, 2104 Bella Vista Wichita, Kansas, 67203 and ✓ V. L. Nimrod, 1057 Coolidge Wichita, Kansas, 67203
3	"	"	✓ Indian Hills Development Company Inc., 1905 Southwest Blvd. Wichita, Kansas, 67213
<p>Beg. 154' E. of the NW corner of Block C, in Sandlian's 3rd Addition, thence S. Parallel with the W. line of Blk C, 84', thence E. parallel with the N line of Block C, 232', thence S parallel with the W. line of Blk C, 348.29' more or less to the S. line of Blk C, thence E. along said S line of Blk C, 112.5', thence N parallel with the W line of said Blk C, 431.4' more or less to the N line of said Block C, extended E., thence W. 344.5' to beginning</p>			<p>✓ Indian Hills Apartments, Inc. 1905 Southwest Blvd. Wichita, Kansas, 67213</p>
<p>That part of Block C, Sandlian's 3rd Add. lying E. of the following line; beginning on the S. line of Block C, 398.5' E. of the SW corner of said Blk C, thence N parallel with the W. line of said Blk C. to a point on the Westerly line of Edwards Avenue as platted in Sandlian's 3rd Addition</p>			<p>✓ Indian Hills Development Company, Inc., 1905 Southwest Blvd. Wichita, Kansas, 67213</p>
1		Caler Addition	<p>✓ Walter K. Jabara, 2104 Bella Vista Wichita, Kansas, 67203 and ✓ Virgil L. Nimrod, 1057 Coolidge Wichita, Kansas, 67203</p>
4		"	<p>✓ Dwain E. Denny & Betty Jo Denny 3321 W. 9th St., Wichita, Kansas, 67203</p>
2 & 3		Orie Johnson 2nd Addition	<p>✓ Orie Johnson & Gertrude Johnson 1309 N. Edwards, Wichita, Kansas, 67203</p>

Continued page 2

Lot	Addition	Property Owner
W 200' of 1	Rhodes Addition	✓ Apco Oil Corp, Liberty Bank Bldg. Oklahoma City, Oklahoma, 73102
E 190' of 1	"	✓ Commercial Developers, Inc. 435 N. Broadway Wichita, Kansas, 67202

The Security Abstract and Title Company, Inc., hereby certifies the foregoing to be a true and correct list of property owners within a 200 foot radius of The North 100 feet of lot 1, Block A, in Sandlian's Addition to Wichita, Sedgwick County, Kansas, as shown by the last deeds on file in the Office of the Register of Deeds of Sedgwick County, Kansas, on this 7th day of April, 1970 at 7:00 o'clock A. M

The Security Abstract and Title Company, Inc.

By

Lucille Schroeder

Vice-President

Order No. 170047

This certificate is extended from April 7th, 1970 at 7:00 o'clock A. M. to this 15th day of October, 1970 at 7:00 o'clock A. M. and no change of ownership found.

THE SECURITY ABSTRACT AND TITLE COMPANY, INC.

By

Lucille Schroeder

Vice-president

Order No. 174097

Form 223-021

PAYMENT NOTICE

City of Wichita

PAY AT TREASURER'S OFFICE - FIRST FLOOR

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

DESCRIPTION	AMOUNT

Name

Address

Type

Due Date

Comments:

Date

By

*

This BZA. Case
Has a Large Drawing
On 35mm Microfilm
Roll # 1