

2-55

Safeway Stores

KAHRS & NELSON
ATTORNEYS AT LAW
FOURTH NATIONAL BANK BUILDING
WICHITA 2, KANSAS

AUSTIN M. COWAN (1888-1949)
W. A. KAHRS
ROBERT H. NELSON
WILBUR D. GEEDING
JULIAN H. ZIMMERMAN

TELEPHONES
AMHERST 2-3441
AMHERST 2-3442

March 8, 1955

Secretary of Board of
Zoning Appeals
City Building
Wichita, Kansas

Re: Petition of Safeway Stores for
off street parking privilege

Dear Sir:

I have received from Safeway Stores, Incorporated, and I enclose herewith a copy of the complete plot plan with reference to the proposed additional parking lot on the east side of Lightner Drive south of Kellogg. If this plan of development is not in keeping with the wishes of the Board, we would appreciate the Board indicating what changes that they recommend with reference to the improvement of said parking lot area.

I would appreciate being advised as to the date of the next meeting so that this matter can again be brought to the attention of the Board.

Yours very truly,

Robert H. Nelson
OF KAHRS & NELSON

RHN:ks

Enclosure

cc: Mr. George Fisher
Mr. Charles N. Rogers
Bramwell Construction Company
Continental Properties
Mr. M. V. Witbeck
Mr. G. W. Bluethman



Sent to: Thiel and Moulton 3-23-55

BOARD OF ZONING APPEALS
Room 302, City Hall
Wichita, Kansas

NOTICE TO PROPERTY OWNERS

March 23, 1955

An appeal has been filed by Robert H. Nelson, Attorney
(Address) Fourth National Bank Building on behalf of
Safeway Stores (Address) _____
as provided by Section ^{13-B} ~~13~~ of the Zoning Ordinance. The appellant
desires to construct and maintain a parking area

on the premises located at beginning 300 feet south of Kellogg on
the east side of Lightner Drive.

This appeal has been given Case No. 2-55, and a ^{re-}hearing will
be held by the Board of Zoning Appeals on Friday,
April 1, 1955 at 1:30 p.m. in Room 201 of the City Building, at
which time you may appear, if you so desire, either in person or
by agent or attorney.

By order of the Board of Zoning Appeals.

George J. Fisher
Secretary, Board of Zoning Appeals

BOARD OF ZONING APPEALS
Room 302, City Hall
Wichita, Kansas

NOTICE TO PROPERTY OWNERS

February 4, 1955

An appeal has been filed by Robt. Nelson
(Address) 624 Fourth Nat'l Bank Building on behalf of
SAFEWAY STORES, INC. (Address) _____
as provided by Section 33 of the Zoning Ordinance. The appellant
desires to _____ construct and maintain a parking area

_____ on the premises located at - beginning 330' south of Kellogg on the
east side of Lightner Drive.

This appeal has been given Case No. 2-55, and a hearing will
be held by the Board of Zoning Appeals on Friday,
February 11 at 1:30 in Room 201 of the City Building, at
which time you may appear, if you so desire, either in person or
by agent or attorney.

By order of the Board of Zoning Appeals.

George Fisher
Secretary, Board of Zoning Appeals

CITY COMMISSIONERS, WICHITA, KANS.

BOARD OF ZONING APPEALS, WICHITA, KANS.

AND

Received 2/11/55

Wichita, Kansas
February 9, 1955

TO WHOM IT MAY CONCERN:

We, the undersigned property owners, protest the COMMERCIAL zoning of the following described property:

The premises located at beginning 330 feet South of Kellogg on the East side of Lightner Drive, Wichita, Sedgwick County, Kansas.

NAME	ADDRESS
✓ Francis Hawyter	547 Lightner Dr.
✓ Chris Lightner	547 Lightner Drive
✓ Merle Marshall	553 Lightner Drive
✓ Helen Marshall	553 Lightner Drive
✓ Anita Stigman	548 Lightner Drive
✓ Agnes T Stigman	548 Lightner Drive
✓ Charles A Wallace	554 S. Lightner Dr.
✓ Betty B. Wallace	554 S Lightner Dr.
✓ W. W. Vorderstrasse	536 S Lightner Dr.
✓ Estella Vorderstrasse	536 S Lightner Dr.
✓ Violet Lake	537 S. Lightner Dr.
✓ George A. Butler	531 Lexington
✓ Elmer J. Rockenbach	530 Lexington
✓ Mrs E J Rockenbach	530 Lexington
✓ Joe Moddrell, Jr.	542 Lexington
✓ Mrs Joe Moddrell Jr	542 Lexington
✓ Mr Fred H. Moulton	548 Lexington
✓ Mrs Fred H. Moulton	548 Lexington
✓ Bernard C. Samuel	554 Lexington
✓ Mabel M. Samuel	554 Lexington
✓ Mr. Harold Bauer	555 Lexington
✓ Mrs. Harold Bauer	555 Lexington

CITY COMMISSIONERS, WICHITA, KANS.

BOARD OF ZONING APPEALS, WICHITA, KANS.

AND

Wichita, Kansas
February 9, 1955

TO WHOM IT MAY CONCERN:

We, the undersigned property owners, protest the COMMERCIAL zoning of the following described property:

The premises located at beginning 330 feet South of Kellogg on the East side of Lightner Drive, Wichita, Sedgwick County, Kansas.

Lee Jones 543 Lexington
Mrs L. Jones 543 Lexington
Paul Ernst 537 Lexington
Mary H. Ernst 537 Lexington
Ray Grunder 536 Lexington
Loretta Grunder 536 Lexington
Guy Proctor 549 Lexington
Evelyn Proctor 549 Lexington
Mary Jane Mitchell 541 - Lightner
Fred Thiele 530-32 Lightner
Wes Thiele 530-32 Lightner

CITY COMMISSIONERS, WICHA, KANS.
 BOARD OF ZONING APPEALS, WICHITA, KANS.

Submitted by Fred
 Thiele 4/1/55

We the undersigned property owners adjacent and area of 300 feet to property in question, beginning 330 feet south of Kellogg on the east side of Lightner Drive, do hereby reject to changing the zoning of the above described property from residential to light commercial or industrial parking area.

Name	Address
R. A. Buckingham	542 Lightner Dr
M. F. Buckingham	542 S. Lightner Dr.
Victor Altegman	548 S. Lightner Dr
Agnes Altegman	548 S. Lightner Dr
Margie Jorgensen	547 Lightner Drive
Oliver Jorgensen	547 Lightner Drive
Nelen M. Marshall	553 Lightner Dr.
Myrtle C. Marshall	553 Lightner Dr.
Charles H. Wallace	554 S. Lightner Dr.
Betty Wallace	554 S. Lightner Dr.
Viola Lake	537 S. Lightner Dr.
Raymond Brunton	536 Lexington
George G. Butler	531 Lexington
Andy Proctor	549 Lexington
Edith Proctor	549 Lexington
Gracie Maddrell	542 Lexington
Joe Maddrell	542 Lexington
Paul E. Ernst	537 Lexington
Mary H. Ernst	537 Lexington
Lucille Rokenbach	530 Lexington
Wesley Jones	543 Lexington
Lee Jones	573 Lexington
Elmer J. Rokenbach	530 Lexington
Lawrence C. Lasswell	554 Lexington
Walter M. Lasswell	554 Lexington

Appeal
ZONING PETITION

ACCEPTED AS TO FORM

Date *Jan 29, 1955*

24796

WICHITA CITY PLANNING COMMISSION

By *Shirley Lass*

Robt. Nelson

CASE 2-55
Filed 1-27-55

OFF STREET PARKING APPEAL

To: The Board of Zoning Appeals
Room 302, City Building
Wichita, Kansas

The undersigned, Safeway Stores, Incorporated, hereby appeals to your Honorable Bodies for a special permit to construct and maintain a parking area on the premises known as:

Beginning at the northwest corner of Lot 20, Drivers Addition to Wichita, Kansas; thence north along the east line of Lightner Drive a distance of 120 feet; thence east parallel with said Lot 20 a distance of 300 feet; thence south parallel with the east line of Lightner Drive a distance of 120 feet to the northwest corner of Lot 10, Drivers Addition to Wichita, Kansas; thence west a distance of 300 feet to point of beginning,

as provided in Section 13*B of the Zoning Ordinance #20-572.

I hereby declare that 1) the proposed parking area will provide additional parking spaces not required in the Zoning Ordinance, 2) the proposed parking area is within 200" of the boundary line of a "LC" Zoning District, 3) the parking area shall be used for passenger vehicles only, and in no case shall a fee be charged for parking facilities granted by this Board; and 4) improvement to the proposed parking area will be made in accordance with Section 13B of the Zoning Ordinance No. 20-572.

SAFEWAY STORES, INCORPORATED

By KAHRS & NELSON

By: Robert H. Nelson
Its Attorneys
624 Fourth National Bank Building
Wichita, Kansas

(title opinion)

KAHRS & NELSON
ATTORNEYS AT LAW
FOURTH NATIONAL BANK BUILDING
WICHITA 2, KANSAS

AUSTIN M. COWAN (1885-1949)
W. A. KAHRS
ROBERT H. NELSON
CLARENCE N. HOLEMAN
WILBUR D. GEEDING

TELEPHONES
AMHERST 2-3441
AMHERST 2-3442

January 28, 1955

Board of Zoning Appeals
c/o Planning Commission
City of Wichita
City Building
Wichita, Kansas

Re: Beginning at the northwest corner of Lot 20, Drivers Addition to Wichita, Kansas; thence north along the east line of Lightner Drive a distance of 120 feet; thence east parallel with said Lot 20 a distance of 300 feet; thence south parallel with the east line of Lightner Drive a distance of 120 feet to the northwest corner of Lot 10, Drivers Addition to Wichita, Kansas; thence west a distance of 300 feet to point of beginning.

Gentlemen:

This is to advise you that the above described property, now owned by Hudson Oil Company of Missouri, a corporation, by contract is being sold to Safeway Stores, Incorporated, said contract being dated October 15, 1954, and that upon completion of title requirements, title will be vested in Safeway Stores, Incorporated.

A copy of said contract will be furnished upon request.

Yours very truly,

Robert H. Nelson

OF KAHRS & NELSON

RHN:ks

KAHRS & NELSON

ATTORNEYS AT LAW

FOURTH NATIONAL BANK BUILDING

WICHITA 2, KANSAS

AUSTIN M. COWAN (1885-1949)
W. A. KAHRS
ROBERT H. NELSON
CLARENCE N. HOLEMAN
WILBUR D. GEEDING

TELEPHONES
AMHERST 2-3441
AMHERST 2-3442

January 26, 1955

Board of Zoning Appeals
c/o Planning Commission
City Building
Wichita, Kansas

Gentlemen:

On behalf of Safeway Stores, Incorporated, I am enclosing herewith original and 2 copies of off-street parking appeal with reference to the following described property:

Beginning at the northwest corner of Lot 20, Drivers Addition to Wichita, Kansas; thence north along the east line of Lightner Drive a distance of 120 feet; thence east parallel with said Lot 20 a distance of 300 feet; thence south parallel with the east line of Lightner Drive a distance of 120 feet to the northwest corner of Lot 10, Drivers Addition to Wichita, Kansas; thence west a distance of 300 feet to point of beginning.

Also enclosed is a plot plan showing the proposed use of said property together with certificate of ownership of property within 200 feet of the above described property and our check in the sum of \$15.00 in payment of the costs thereof. I would appreciate your advising the date this will be heard before the Board of Zoning Appeals.

Yours very truly,


OF KAHRS & NELSON

RHN:ks

Enclosures

OFF STREET PARKING APPEAL

To: The Board of Zoning Appeals
Room 302, City Building
Wichita, Kansas

The undersigned, Safeway Stores, Incorporated, hereby appeals to your Honorable Bodies for a special permit to construct and maintain a parking area on the premises known as:

Beginning at the northwest corner of Lot 20, Drivers Addition to Wichita, Kansas; thence north along the east line of Lightner Drive a distance of 120 feet; thence east parallel with said Lot 20 a distance of 300 feet; thence south parallel with the east line of Lightner Drive a distance of 120 feet to the northwest corner of Lot 10, Drivers Addition to Wichita, Kansas; thence west a distance of 300 feet to point of beginning.

as provided in Section 13*B of the Zoning Ordinance #20-572.

I hereby declare that 1) the proposed parking area will provide additional parking spaces not required in the Zoning Ordinance, 2) the proposed parking area is within 200' of the boundary line of a "LC" Zoning District, 3) the parking area shall be used for passenger vehicles only, and in no case shall a fee be charged for parking facilities granted by this Board; and 4) improvement to the proposed parking area will be made in accordance with Section 13B of the Zoning Ordinance No. 20-572.

SAFeway STORES, INCORPORATED

By **KAHRS & NELSON**

By: Robert L. Nelson
Its Attorneys
624 Fourth National Bank Building
Wichita, Kansas

OWNERSHIP LIST

A Tr beg 600' E of NW cor NE $\frac{1}{4}$ Sec.
25-27-1E; th S 330'; th E 600'; th
N 330'; th W 600' to beg.

Hudson Oil Company

LOT	ADDITION	PROPERTY OWNERS
1	Driver's	J. L. Driver
2	"	"
3	"	"
7	"	Fred H. Moulton 548 Lexington Sally Moulton <i>to H</i>
8	"	Joe Moddrell Jr. 542 Jeanne P. Moddrell Lexington
9	"	Ray E. Grunder 536 Loretta L. Grunder Lexington
10	"	Elmer J. Rockenbach Grace Lucille Rockenbach 530 Lexington
11	"	Geo. A. Butler 531 Lexington
12	"	Paul E. Ernst 537 Mary H. Ernst Lexington
13	"	Lee Jones 543 Lexington Hazel Louise Jones
14	"	Guy Proctor 549 Lexington Edna Faye Proctor Lexington
17	"	Victor A. Stegman 548 S. Agnes T. Stegman Lightner Dr.
18	"	Robt. A. Buckingham 542 Mary Francis Buckingham Lightner Dr.
19	"	Walter W. Vorderstrasse Estella M. Vorderstrasse
20	"	Fred Thiele 536 S. Lightner Dr. Bess Alice Thiele 740 Litchfield
1	A. J. Christman	Safeway Stores Inc. } <i>R. H. Nelson</i>
2 ex S 20'	"	"
2 S 20'	"	+ Sedgwick County
3	"	+ O. C. Frey <i>Betting Blvd</i>
8	"	Francis J. Langton 547 S. Olive V. Langton Lightner Dr.
9	"	Mary Jane Mitchell 651 S. <i>Oliver</i>
10	"	Violet L. Lake 537 S. Lightner Dr.
11 ex S 20'	"	+ Safeway Stores Inc. <i>R. H. Nelson</i>
11 S 20'	"	+ Sedgwick County <i>R. H. Nelson</i>

We hereby certify the foregoing to be a true and correct List of Property Owners in a 200 foot radius of Beginning at the Northwest corner of Lot 20, Drivers Addition, thence North along the East line of Lightner Drive 120 feet; thence East 300 feet; thence South 120 feet; thence West 300 feet to beginning, in the City of Wichita, as shown by the records in the Office of the Register of Deeds of Sedgwick County, Kansas, on this the 26th day of January, A. D., 1955, at 7:00 A. M.

THE SECURITY ABSTRACT AND TITLE COMPANY, INC.

By


Vice President

Order No. 11844

(rnb-rnb)

*

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