

BZA 2-68 C.A. Benjamin and Bill Lafferty requests Exception to permit Trailer Rental, etc. in "LC" zoning at SE corner Kellogg and Hunter

2-27-68

ACTION

Eya COMMITTEE Approved ^{USE} 2-27-68

W.A.P.C. _____

B.C.C./B. CO. C. _____

5946

Map No. 5946
 Sec. 30
 Twp. 27
 Range 1E

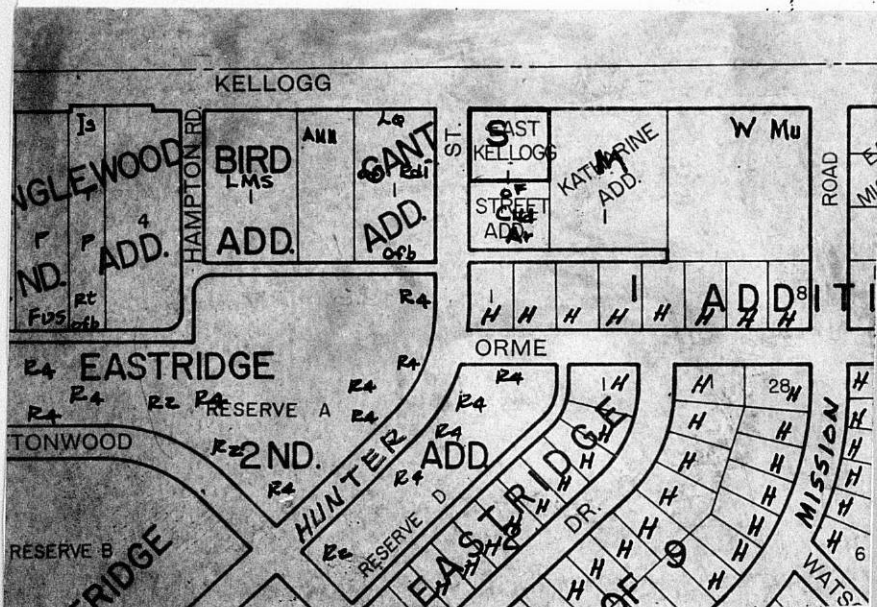
B2A 2-69
 SCZ- _____
 CU- _____
 Filed _____

AREA DATA:

1. Acres: 0.40 (125 ft. by 140 ft.)
2. Adjoining Zoning: E _____ S _____ W _____ N _____
3. Land Use: East MOTEL South OFFICE & CLEANERS
 West DRIVE-INN, LIQUOR STORE North KELLOGG
4. Sketch Plan Land Use is for: RESIDENTIAL
5. Present Land Use is for: RESIDENTIAL
6. Area (is) (is not) platted.

PHOTO DATA:

Taken by _____ Date _____ Time _____



March 13, 1968

Mr. Bill Lafferty
3202 Penley Drive
Wichita, Kansas 67218

Dear Mr. Lafferty:

Subject: Case No. BZA 2-63 - Request
for Exception.

Enclosed is a signed copy of the Resolution adopted by the Board of Zoning Appeals on February 27, 1968, in connection with your request for an exception to permit the installation of trailer rental for U-Haul Trailers, Handtrucks, hitches, tow bars, and car top carriers, on property zoned "LC" Light Commercial, and generally located on the southeast corner of E. Kellogg and Hunter Street.

This Resolution reflects the official action of the Board 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:skb

Attachment

cc: C. A. Benjamin, 6701 E. Kellogg 67207
Glen Lytle, Superintendent of Central Inspection
Ralph Eberly, City Clerk

March 16, 1968

Jack H. Galbraith
City Building Annex
Wichita, Kansas

Dear Mr. Galbraith:

Enclosed find (2) copies of plans for use of the property
at 6701 E. Kellogg Ave. in regards to the rental of U-Haul
equipment.

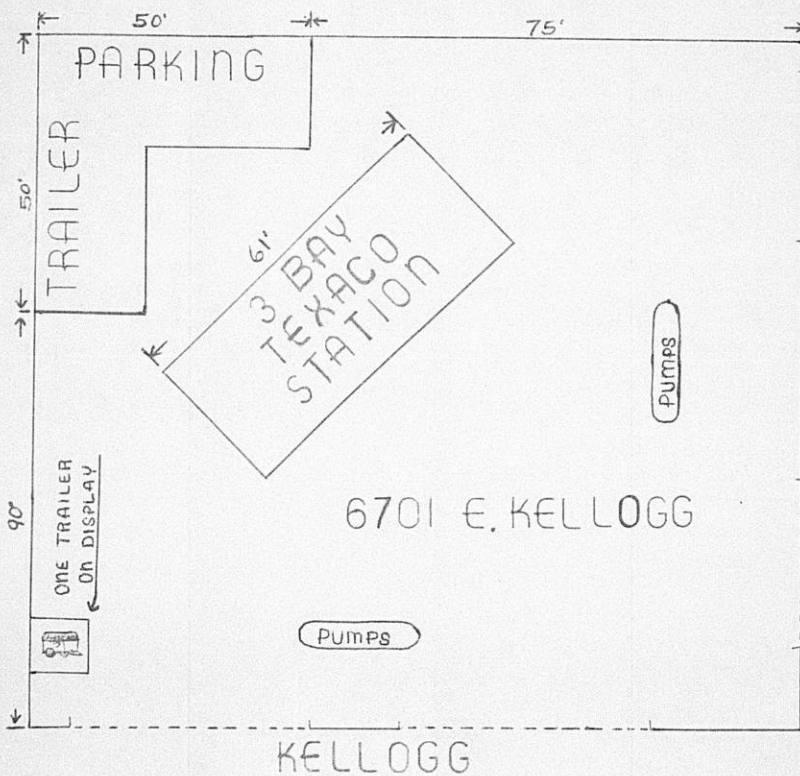
Ref: BZA 2-68

Very truly yours

Bill Lafferty

Bill Lafferty
U-Haul Co. Inc.





SCALE
.5 IN. = 10 FT.

6701 E. KELLOGG

KELLOGG

HUNTER

PARKING

TRAILER

3 BAY
TEXACO
STATION

ONE TRAILER
OR DISPLAY

PUMPS

PUMPS

R E S O L U T I O N N O. BZA 2-68

WHEREAS, C. A. Benjamin, 6701 East Kellogg, Wichita, Kansas, and Bill Lafferty, 3202 Penley Drive, Wichita, Kansas, request an exception as provided in Section 2.12.590. C, Code of the City of Wichita, to permit installation of trailer rental for U-Haul trailers, handtrucks, hitches, tow bars, and car top carriers, on property zoned "LC" Light Commercial, and legally described as follows:

The North 125 feet of Lot 1, East Kellogg Street Addition to Wichita, Sedgwick County, Kansas.
Generally located at the southeast corner of East Kellogg and Hunter Streets.

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 February 27, 1968, 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 installation of trailer rental for U-Haul trailers, handtrucks, hitches, tow bars, and car top carriers to be located on property zoned "LC" Light Commercial, subject to the conditions outlined in Section 28.04.183.2, Code of the City of Wichita.

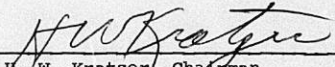
NOW, THEREFORE, BE IT RESOLVED by the Board of Zoning Appeals of the City of Wichita, that this application be approved to permit installation of trailer rental for U-Haul trailers, handtrucks, hitches, tow bars, and car top carriers, on property zoned "LC" Light Commercial, and legally described as follows:

The North 125 feet of Lot 1, East Kellogg Street Addition to Wichita, Sedgwick County, Kansas.
Generally located at the southeast corner of East Kellogg and Hunter Streets,

be approved subject to the following conditions:

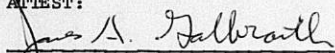
1. Approval is to apply only for a specified area within the service station site designated on the plan.
2. That all storage and display areas shall be paved with concrete, asphalt or other comparable material.
3. All lights shall be shielded to reflect or direct light away from adjoining property. No string-type lighting shall be permitted.
4. No signs shall be permitted to project over public right-of-way.
5. No sound-projecting devices or loudspeakers shall be used so as to be heard outside of any structure.
6. No repair work shall be conducted except in an enclosed building.

ADOPTED AT WICHITA, KANSAS, this 27th day of February,
1968.



H. W. Kratzer, Chairman

ATTEST:



Jack H. Galbraith
Secretary

March 5, 1968

Mr. Bill Lafferty
3202 Penley Drive
Wichita, Kansas 67218

Dear Mr. Lafferty:

Subject: BZA 2-68 - Request
for Exception.

At the regular meeting of the Board of Zoning Appeals on February 27, 1968, your request for an exception to permit the installation of trailer rental for U-Haul Trailers, Handtrucks, hitches, tow bars, and car top carriers, on property zoned "LC" Light Commercial, and generally located on the southeast corner of E. Kellogg and Hunter Street, was considered.

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

1. Approval is to apply only for a specified area within the service station site designated on the plan.
2. That all storage and display areas shall be paved with concrete, asphalt or other comparable material.
3. All lights shall be shielded to reflect or direct light away from adjoining property. No string-type lighting shall be permitted.
4. No signs shall be permitted to project over public right-of-way.
5. No sound-projecting devices or loudspeakers shall be used so as to be heard outside of any structure.

Page 2 - letter to
Mr. Bill Lafferty
Case No. BZA 2-68

6. No repair work shall be conducted except in an enclosed building.

It is now necessary that you resubmit two (2) copies of the corrected plan indicating the location of the areas on which trailers will be placed. Enclosed is the marked copy which should be changed and resubmitted to our office in duplicate.

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 the Secretary have been obtained and as soon as we receive the corrected copies of the plan.

Very truly yours,

Jack H. Galbraith
Secretary

JHG:skb

cc: C. A. Benjamin
6701 E. Kellogg 67207

Glen Lytle, Superintendent
Central Inspection

Ralph Eberly
City Clerk

SECRETARY'S REPORT

CASE NO. BZA 2-68

APPLICANT: C. A. Benjamin, 6701 E. Kellogg, Wichita, Kansas, and Bill Lafferty, 3202 Penley Drive, Wichita, Kansas.

REQUEST: Exception pursuant to Section 2.12.590.C, Code of the City of Wichita, to permit the installation of trailer rental for U-Haul Trailers, Handtrucks, hitches, tow bars, and car top carriers.

GENERAL LOCATION: Southeast corner of E. Kellogg and Hunter Street.

LAND USE: Subject property is occupied by a service station; to the east is a motel; north is single-family; west is a used car lot; and to the south is an auto repair business.

ZONING: Existing zoning is "LC" Light Commercial, as is that to the south, east and west; to the north is the City of Eastborough.

COMMENTS BY THE SECRETARY

The applicant is requesting an exception to the zoning ordinance to permit the establishment of a trailer, vehicle and equipment rental operation on property zoned "LC" at the southeast corner of Kellogg and Hunter Streets. The site is presently occupied by a service station and the trailer rental operation would be secondary in nature, being an additional service offered to the customers.

Originally the "LC" zoning classification did not permit any outdoor display of merchandise. Several years ago the ordinance was amended to permit merchandise which is for sale within the building, to be displayed in areas immediately adjacent to the building, such as service stations displaying tires and other similar items. It is the opinion of the Secretary that to permit the outdoor display of non-associated merchandise or equipment such as trailers and car top carriers can create an unsightly appearance and could impair the traffic circulation of the service station facility.

The blanket approval of the trailer rental operation for the area included within the application, would vreate an inter-mixing of two different commercial businesses on a site adequate in size only to accomodate one use.

It is the opinion of the Secretary that to permit the intermixing of uses where outdoor display and storage of trailers and equipment

is involved in all "LC" zoned areas is not proper inasmuch as it usually results in unsightly appearances of service stations and the adjacent residential neighborhoods. This particular application, however, lies within an area where there are several new and used car dealerships which are adjacent to this major east-west highway.

It is possible that if the number of rental units are limited and an area is described within which the storage and display of the trailers and associated equipment is confined, that this would exercise the necessary controls as to appearance, magnitude of the operation, and the non-congestion of traffic circulation of the existing service station.

RECOMMENDATION

It is the opinion of the Secretary that the exception to permit the installation of a trailer rental operation in conjunction with this service station located in this light commercial district adjacent to U. S. 54, be approved, subject to the following conditions:

1. Approval is to apply only for a specified number of trailers and a specified area within the service station site mutually agreed upon by the Board and the applicant. Said area to be clearly defined on a scaled drawing of the application area, two copies of which shall be submitted to the Secretary of the Board prior to the forwarding of the Resolution to the office of Central Inspection.
2. That all storage and display areas shall be paved with concrete, asphalt or other comparable material.
3. All lights shall be shielded to reflect or direct light away from adjoining property. No string-type lighting shall be permitted.
4. No signs shall be permitted to project over public right-of-way.
5. No sound-projecting devices or loudspeakers shall be used so as to be heard outside of any structure.
6. No repair work shall be conducted except in an enclosed building.

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

February 15, 1968

NOTICE TO ADJOINING PROPERTY OWNERS

Case No. BZA 2-68

An application has been filed by C. A. Benjamin, 6701 E. Kellogg, Wichita, Kansas 67207, and Bill Lafferty, 3202 Penley Drive, Wichita, Kansas, 67218, pursuant to Section 2.12.590.C, Code of the City of Wichita, requesting an exception to permit the installation of Trailer Rental for U-Haul Trailers, Handtrucks, Hitches, Tow Bars, and Car Top Carriers, on property zoned "LC" Light Commercial, and legally described as follows:

The North 125 feet of Lot 1, East Kellogg Street
Addition to Wichita, Sedgwick County, Kansas.
Generally located at the Southeast corner of
E. Kellogg and Hunter Streets.

This application has been assigned Case No. BZA 2-68, and will be considered by the Board of Zoning Appeals at its meeting on Tuesday, February 27, 1968, at 1:30 p.m., in Room 401 City Building Annex, 104 South Main, Wichita, Kansas, at which time you may appear, if you so desire, either in person or by agent or attorney.

Jack H. Galbraith
Secretary

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Room 402 City Building Annex
104 South Main Street
Wichita, Kansas 67202

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Jack H. Galbraith
Secretary

APPLICATION FOR EXCEPTION

I. Name of Applicant C. A. BENJAMIN
 Mailing Address 6701 E. KELLOGG #7207 Phone MU 5-2891
 Name of ~~Authorized Agent~~ APPLICANT BILL LAFFERTY (U-HAUL CO INC)

Mailing Address 3202 PENNEY DR. 67218 Phone MU 4-0604
 * Please send notice + agenda, etc. to address below.
 Relationship of applicant to property is that of LESSEE
 (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~~ of U-HAUL TRAILERS, HANDTRUCKS, HITCHES, TOW BAGS, & CAR TOP CARRIERS on property zoned "LC", located 6701 E. KELLOGG, and legally described as: NORTH SE corner of E. Kellogg, Hunter 125'DE LOT 1, EAST KELLOGG ST ADDITION TO WICHITA, SEDGWICK COUNTY KS, in the City of Wichita.

* (Give metes and bounds description below if appropriate).
U-HAUL CO INC
401 S. 42ND ST
KANSAS CITY, KANS 66106

- III. The applicant herein, or his authorized agent:
- A. Acknowledges receipt of an instruction sheet relating to this application for an exception.
 - B. Agrees to conform to all requirements of the appropriate section of the Zoning Ordinance if this application is approved;
 - C. Acknowledges that he has been advised of his right of appeal of the decision of the Board to the Board of City Commissioners within ten (10) days of the date of that decision.

Applicant Bill Lafferty
 Authorized Agent _____

OFFICE USE ONLY: Received in office of Secretary, Board of Zoning Appeals, 10:30 a.m. (a.m. - p.m.), January 30, 19 68, together with appropriate fee of \$50.00.

Signed Jack H. Gallbraith, Jr. Planned
 By: DR

OWNERSHIP LIST

Lot	Block	Addition	Property Owner
1	1	Eastridge Addition	✓ Eldon C. Mayes and Esther Mayes 6702 E. Orme 07
2	"	"	✓ George D. McCarthy and Margaret Louise McCarthy 441 S. Fountain 18
W 55' of 3	"	"	✓ Floyd H. Coggins and Beva V. Coggins 6718 E. Orme 07
E 18' of 3 and W. 37' of 4	"	"	✓ Viola A. Killian 6724 E. Orme 07
E 36' of 4	"	"	Ronald Barnett and Janice Barnett, Address unknown 2231 Willow Tree 13 City No./Sub. No Eastridge Apartment # 1, Inc. ✓ Address unknown 6535 E. Lincoln (St. 07
Reserve A		Eastridge 2nd Add.	
1		East Kellogg Street Addition	✓ May's Company, Inc. Address unknown 204 E 47N (St. 19 208 N. Broad Street (City) 02
7 exc. S. 25' for street	X	Eastborough 3rd Add.	✓ Francis P. Dunn, Jr and Evelyn M. Dunn 6 Hunter Lane 07
8 exc. S. 25' for street	"	"	✓ Otto E. Meyer and Anna K. Meyer 17 Peach Tree Lane 07
13 exc. S. 25' for street	Y	"	✓ Clarence H. Dirks and Ruth O. Dirks 8707 Willowbrook 07
14 exc. N 14.6' & exc. S. 25' for street	"	"	✓ W. D. Jochems, Jr. 12 Brookfield Road 06
1 exc. N 200' of E. 100'		Gant Addition	✓ Caro Company, Inc. 6631-A E. Kellogg 07
N. 200' of E. 100' of 1		"	✓ Stella L. Sagerty 527 S. Poplar 11
1		Katharine Addition	English Village, Inc. 6727 E. Kellogg 07



434 NORTH MAIN
WICHITA, KANSAS 67202
AMherst 7-8371

We, The Security Abstract and Title Company, Inc., hereby certify the foregoing to be a true and correct list of property owners within a 200' radius of The North 125 feet of Lot 1, East Kellogg Street Addition to Wichita, Sedgwick County, Kansas, as shown by the deeds on file in the Office of the Register of Deeds of Sedgwick County, Kansas, on this 18th day of December, 1967 at 7:00 o'clock A. M.

THE SECURITY ABSTRACT AND TITLE COMPANY, INC.

By *Mary Gable*
Vice-President *Asst Secy*

Order No. 149589

RESOLUTION NO. BZA 2-68

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Generally located at the southeast corner of East Kellogg and Hunter Streets.

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 February 27, 1968, 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 installation of trailer rental for U-Haul trailers, handtrucks, hitches, tow bars, and car top carriers to be located on property zoned "LC" Light Commercial, subject to the conditions outlined in Section 28.04.183.2, Code of the City of Wichita.

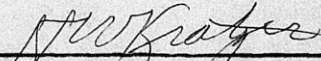
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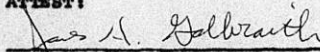
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2. That all storage and display areas shall be paved with concrete, asphalt or other comparable material.
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ADOPTED AT WICHITA, KANSAS, this 27th day of February,
1968.

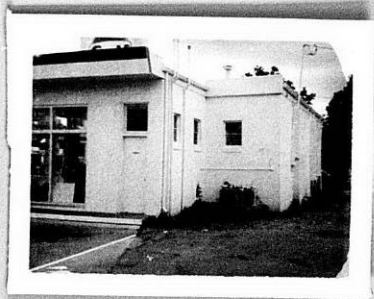


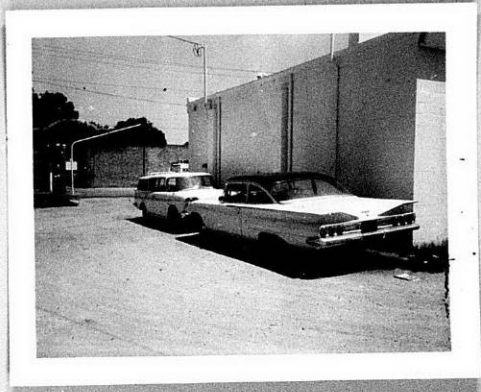
H. W. Kratzer, Chairman

ATTEST:



Jack H. Galbraith
Secretary





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	Signs	Plbg. Cert.
Sanitation	Sewer	Street	Sidewalk
Street	Trailer		

\$50.00

DESCRIPTION	AMOUNT
BZ A Application	

Name: *U-Haul Co. & Jeff Tramm*
 Address: *Special Account*
401 S. 42nd St., Kansas City, Mo. 66106
 Type: *R-41-e* Due Date: *1-30-68*

Comments:

Date: *1-30-68* By: *Suttyatt*

THE CITY OF WICHITA, KANSAS
BOARD OF ZONING APPEALS
104 SOUTH MAIN
WICHITA, KANSAS 67202

U-Haul Company, Inc.
401 South 42nd Street
Kansas City, Kansas 66106

THE CITY OF WICHITA, KANSAS
BOARD OF ZONING APPEALS
104 SOUTH MAIN
WICHITA, KANSAS 67202

Bill Lafferty
3202 Penley Drive
Wichita, Kansas 67218

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C. A. Benjamin
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