

BZA-6-69 - Bert Wilson requests Ex-  
ception to permit installation of  
U-Haul trailers, etc. on property  
zoned "LC" and located on southeast  
corner of Pawnee & Hydraulic.

POSTED  
4-28-69  
MAPD ✓  
C.I. ✓

ACTION

DATE 5-27-69

*approved*  
*subject to conditions*

BZA COMMITTEE

M.A.P.C.

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

RESOLUTION NO. BZA 6-69

WHEREAS, Bert Wilson, 1703 East Pawnee, by Bill Lafferty, 3202 Penley Drive, Wichita, Kansas, requests an exception as provided in Section 2.12.590.C, Code of the City of Wichita, to permit the installation or construction of U-Haul rental trailers, top-carriers, and hand-dollies on property zoned "LC" Light Commercial, and legally described as follows:

Lots 1 and 8, Pawnee Addition to Wichita, Sedgwick County, Kansas. Generally located on the southeast corner of Pawnee and Hydraulic.

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 May 27, 1969, 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 or construction of U-Haul rental trailers, top-carriers, and hand-dollies 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 installation or construction of U-Haul trailers, top-carriers, and hand-dollies, on property zoned "LC" Light Commercial, and legally described as follows:

Lots 1 and 8, Pawnee Addition to Wichita, Sedgwick County, Kansas. Generally located on the southeast corner of Pawnee and Hydraulic.

Subject to the following conditions:

1. Approval is to apply for only that area 30 feet by 30 feet indicated on the plot plan as that to be used for the parking of U-Haul Equipment.
2. The storage area shall be paved with concrete, asphalt or other comparable material.
3. All parking spaces abutting property lines shall have adequate guards to prevent the extension or overhanging of vehicles beyond property lines or parking spaces.
4. All lights shall be shielded to reflect or direct light away from adjoining property. No string-type lighting shall be permitted.


Resolution No. BZA 6-69  
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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.

ADOPTED AT WICHITA, KANSAS, this 27th day of May, 1969.

  
\_\_\_\_\_  
NORMAN N. DOKE, Chairman

ATTEST:

  
\_\_\_\_\_  
JACK H. GALBRAITH, Secretary

RESOLUTION NO. BZA 6-69

WHEREAS, Bert Wilson, 1703 East Pawnee, by Bill Lafferty, 3202 Penley Drive, Wichita, Kansas, requests an exception as provided in Section 2.12.590.C, Code of the City of Wichita, to permit the installation or construction of U-Haul rental trailers, top-carriers, and hand-dollies on property zoned "LC" Light Commercial, and legally described as follows:

Lots 1 and 8, Pawnee Addition to Wichita, Sedgwick County, Kansas. Generally located on the southeast corner of Pawnee and Hydraulic.

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 May 27, 1969, 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 or construction of U-Haul rental trailers, top-carriers, and hand-dollies 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 installation or construction of U-Haul trailers, top-carriers, and hand-dollies, on property zoned "LC" Light Commercial, and legally described as follows:

Lots 1 and 8, Pawnee Addition to Wichita, Sedgwick County, Kansas. Generally located on the southeast corner of Pawnee and Hydraulic.

Subject to the following conditions:

1. Approval is to apply for only that area 30 feet by 30 feet indicated on the plot plan as that to be used for the parking of U-Haul Equipment.
2. The storage area shall be paved with concrete, asphalt or other comparable material.
3. All parking spaces abutting property lines shall have adequate guards to prevent the extension or overhanging of vehicles beyond property lines or parking spaces.
4. All lights shall be shielded to reflect or direct light away from adjoining property. No string-type lighting shall be permitted.

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Page 2

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.

ADOPTED AT WICHITA, KANSAS, this 27th day of May, 1969.

*Norman N. Doke*

NORMAN N. DOKE, Chairman

ATTEST:

*Jack H. Galbraith*  
JACK H. GALBRAITH, Secretary

June 6, 1969

Mr. Bert Wilson  
1703 East Pawnee  
Wichita, Kansas 67211

Subject: BZA 6-69 - Request for  
exception.

Dear Mr. Wilson:

Enclosed is a signed copy of the Resolution adopted by the Board of Zoning Appeals on May 27, 1969, in connection with your request for an exception to permit the installation or construction of U-Haul rental trailers, top-carriers, and hand dollies on property zoned "LC" Light Commercial, and located at the southeast corner of Pawnee and Hydraulic.

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:so

Attachment

cc: Mr. Bill Lafferty, 3202 Penley Drive, Wichita, Ks. 67218  
Mr. Robert B. Feldner, Supt. of Central Inspection  
Mr. Ralph Eberly, City Clerk

May 28, 1969

✓  
Mr. Bert Wilson  
1703 East Pawnee  
Wichita, Kansas 67211

Subject: BZA 6-69 - Request for exception.

Dear Mr. Wilson:

At the regular meeting of the Board of Zoning Appeals on May 27, 1969, your request for an exception to permit the installation or construction of U-Haul rental trailers, top-carriers, and hand dollies on property zoned "LC" Light Commercial, and located at the southeast corner of Pawnee and Hydraulic, was considered.

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

1. Approval is to apply for only that area 30 feet by 30 feet indicated on the plat plan as that to be used for the parking of U-Haul Equipment.
2. The storage area shall be paved with concrete, asphalt or other comparable material.
3. All parking spaces abutting property lines shall have adequate guards to prevent the extension or overhanging of vehicles beyond property lines or parking spaces.
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.

Mr. Bert Wilson  
May 28, 1969

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.

A resolution setting forth the official action of the Board is being prepared and will be forwarded to you as soon as the signatures of the Chairman and the Secretary have been obtained.

If you have any questions, please call our office.

Very truly yours,

Jack H. Galbraith  
Secretary

JHG:sm

cc: ✓ Mr. Bill Lafferty, 3202 Penley Drive, Wichita, Ks. 67218  
✓ Mr. Robert B. Feldner, Supt. of Central Inspection,  
✓ Mr. Ralph Eberly, City Clerk

SECRETARY'S REPORT

CASE NO. BZA 6-69

APPLICANT: Bert Wilson, 1703 East Pawnee, Wichita, Kansas.

AGENT: Bill Lafferty (U-Haul Co.), 3202 Penley Drive, Wichita, Kansas.

REQUEST: Exception pursuant to Section 28.04.183.2, Code of the City of Wichita, to permit the installation or construction of U-Haul rental trailers, top-carriers, and hand-dollies.

GENERAL LOCATION: Southeast corner of Pawnee and Hydraulic.

LAND USE: Subject property is occupied by a service station as is that to the west. To the north are two restaurants, south is single family and general business, with the land to the east being vacant.

ZONING: Subject property is zoned "LC" Light Commercial as is that 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 providing the conditions as set out under Section 28.04.183.2 can be met.

COMMENTS BY THE SECRETARY

The applicant, lessee of subject property, is requesting an exception to the zoning ordinance to permit the establishment of a trailer, top-carrier and hand-dollie operation on property zoned "LC" at the southeast corner of Pawnee and Hydraulic. 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.

Several years ago the zoning ordinance was amended to permit merchandise which is for sale within the building to be displayed in areas immediately adjacent to the building. This amendment accommodated uses such as service stations displaying tires, oil, etc., in the "LC" zoning classification.

It is the opinion of the Secretary that this request is not the type of development that should be encouraged at random throughout the City in the light commercial areas, however in this particular instance it would appear that the use would be appropriate in view of the relationship of the application area with the railroad trackage and K-15 Highway to the east, the two major streets, Pawnee and Hydraulic, and large users of land in the area such as a bakery and bottling works.

A plat plan, approved by the Traffic Engineers Office, has been submitted with the application. The plan indicates off-street parking space for five customers and also indicates an area 30 feet by 30 feet east of the service station, as the proposed location for trailer storage. It should be pointed out that in conversation with the applicant's agent it was indicated that they do not desire to display trailers elsewhere on the property.

#### RECOMMENDATION

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

1. Approval is to apply for only that area 30 feet by 30 feet indicated on the plat plan as that to be used for the parking of U-Haul Equipment.
2. The storage area shall be paved with concrete, asphalt or other comparable material.
3. All parking spaces abutting property lines shall have adequate guards to prevent the extension or overhanging of vehicles beyond property lines or parking spaces.
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.

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Case No. BZA 6-69

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.

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

May 7, 1969

NOTICE TO ADJOINING PROPERTY OWNERS

Case No. BZA 6-69

An application has been filed by Bert Wilson, 1703 E. Pawnee, Wichita, Kansas, pursuant to Section 28.04.183.2, Code of the City of Wichita, requesting an exception to permit the installation or construction of U-Haul rental trailers, top-carriers, and hand-dollies on property zoned "LC" light commercial and legally described as follows:

Lots 1 and 8, Pawnee Addition to Wichita, Sedgwick County, Kansas. Generally located on the southeast corner of Pawnee and Hydraulic.

This application has been assigned Case No. BZA 6-69, and will be considered by the Board of Zoning Appeals at its meeting on Tuesday, May 27, 1969, 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

*19 Notice  
mailed 5-7-69*

5644

BOARD OF ZONING APPEALS  
CITY OF WICHITA, KANSAS

CASE NO. B2A 6-69  
FILED 4-25-69

APPLICATION FOR EXCEPTION

✓ I. Name of Applicant BERT WILSON  
Mailing Address 1703 E. PAWNEE Phone AMS-9033  
Name of Authorized Agent BILL LAFFERTY (U-HAUL CO.)  
Mailing Address 3202 PENLEY DR Phone MU 4-0604  
Relationship of applicant to property is that of LESSEE  
(owner, tenant, lessee, other).

II. Application is made for an exception as provided in Section \_\_\_\_\_, Code of the City of Wichita, Kansas

(Zoning Ordinance); to permit the installation or construction of U-HAUL RENTAL EQUIPMENT - TRAILERS, TOP CARRIERS, HAND DOLLIES, on property zoned LC, located 1703 E. PAWNEE

S.E. corner Pawnee & Hydraulic and legally described as: LOTS 1 AND 8 PAWNEE ADDITION

\_\_\_\_\_, in the City of Wichita.

(Give metes and bounds description below if appropriate).

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 \_\_\_\_\_

Authorized Agent Bill Lafferty

OFFICE USE ONLY: Received in Office of Secretary, Board of Zoning Appeals, 10:45 (a.m.) - p.m.), April 25, 1969, together with appropriate fee of \$50.00.

Signed Lynn Shirley

O W N E R S H I P    L I S T

Lot	Block	Addition	Property owner
1		Pawnee Addition	× Teachers Insurance and Annuity Association of America Address unknown
2		"	✓ Stella L. Sagerty, 521 S. Poplar Wichita, Kansas, 67211
3		"	✓ Timothy F. Thole and Thelma A Thole, 2418 S. Hydraulic Wichita, Kansas, 67216
4		"	✓ Glen A. Rose and Willia R. Rose 2426 S. Hydraulic Wichita, Kansas, 67216
5		"	✓ Marion W. Wood & Olive Louise Wood, 2267 S. Hydraulic Wichita, Kansas, 67211
8		"	× Teachers Insurance and Annuity Association of America Address unknown
9		"	D Stella L. Sagerty 521 S. Poplar Wichita, Kansas, 67211
10 & 11		"	Melvin Mapes & Frances F. Mapes 2516 S. Hydraulic Wichita, Kansas, 67216
12		"	× Gladys P. Wright and Myrtle D. Bohon, Address unknown
1 & 3	3	Archie Adams Add.	✓ Adams Investment, Inc., Address unknown
5	"	"	✓ James E. Johnson and Mildred M. Johnson, 2417 S. Hydraulic Wichita, Kansas, 67216
7	"	"	✓ Sarah Elizabeth Driskell 2423 S. Hydraulic Wichita, Kansas, 67216
1 except the S 100'		Blain Addition	✓ Vivian Jones, Archie R. Adams III & Vickie Lynn Adams. Addresses unknown <i>1935 E. Blake 67211</i>
S. 100' of 1		"	× General Enterprises, Inc. Address unknown

Continued page 2

Description	Property Owner
Beginning at the Southwest corner of the SW $\frac{1}{4}$ of Sec. 34-27-1E, thence E. to the West right of way of the A.T.& S.F. Ry Co., thence Northwesterly along said right of way to the West line of said SW $\frac{1}{4}$ of Sec 34, thence S. along said West line of SW $\frac{1}{4}$ of Sec. 34 to the place ov beginning	✓ Harry R. Bomhoff and Mabel F. Bomhoff 2274 S. Kansas Wichita, Kansas, 67211

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 Lots 1 and 8, Pawnee Addition, 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 17th day of April, 1969 at 7:00 o'clock A. M.

THE SECURITY ABSTRACT AND TITLE COMPANY, INC.

By

*Lucille Schreiber*

Vice-President

Order No. 162229

FORM 27

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		50.00

DESCRIPTION	AMOUNT
B2A application	

Name *Bill Lafferty*

Address *3202 Peabody*

Type *R71C*

Comments:

Date *4-25-69* BY *Joyce Smith*

\*

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

