

BZA 9-72 - Seneca Construction
requests Exception to permit mobile
home sales at NW corner of Seneca
and Carey Lane

BZA 4-25-72 Approve

POSTED

4-3-72

MALOV

e.I.

5-11-72

BZA 4-25-72 Approve

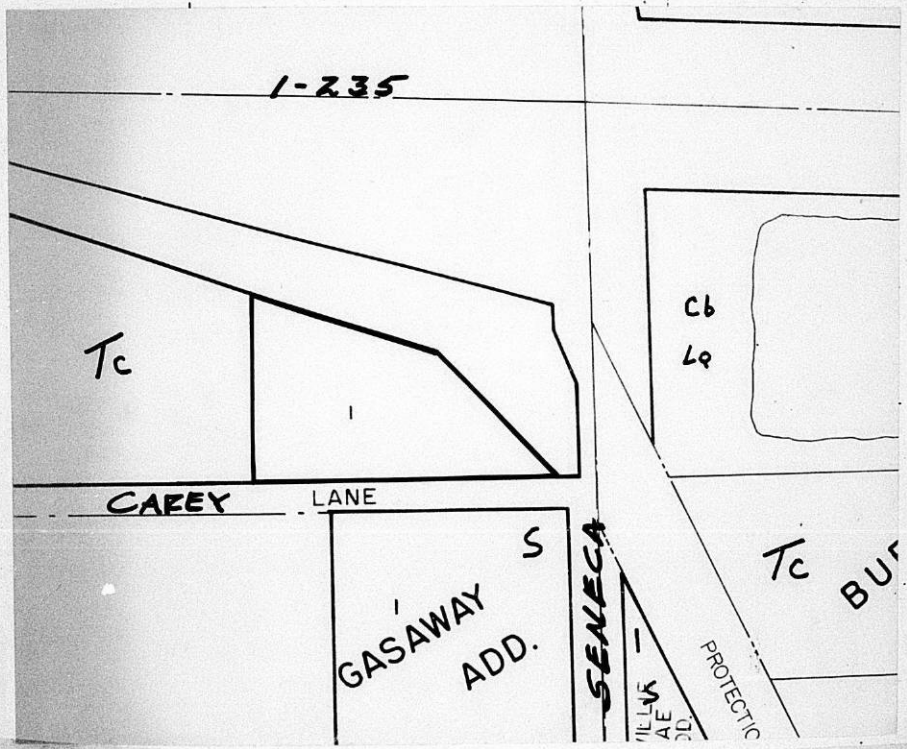
BZA 9-72 - Seneca Construction
requests Exception to permit mobile
home sales at NW corner of Seneca
and Carey Lane

J3
Map No. 5343
Sec. 7
Twp. 20
Range 1E

BZA- 9-72
SCZ- _____
CU- _____
Filed _____

- AREA DATA:
1. Acres: 2.3 (325 ft. by 430 ft.)
 2. Adjoining Zoning: E _____ S _____ W _____ N _____
 3. Land Use: East PRIVATE CLUB South SERVICE STATION
West MOBILE HOME COURT North 1-235
 4. Sketch Plan Land Use is for: _____
 5. Present Land Use if for: UNDEVELOPED
 6. Area (is) (is not) platted.

PHOTO DATA:
Taken by _____ Date _____ Time _____



RESOLUTION NO. BZA 9-72

WHEREAS, C. J. Mendenhall, Seneca Construction Co., Inc., 1915 West MacArthur Road, Wichita, Kansas, by Frank C. McMaster, 420 R. H. Garvey Building, Wichita, Kansas, requests an exception as provided in Section 2.12.590.C, Code of the City of Wichita, to permit the installation of a mobile home sales lot, on property zoned "LC" Light Commercial, and legally described as follows:

Lot 1, Silver Spur 3rd Addition to Wichita, Sedgwick County, Kansas. Generally located at the northwest corner of Seneca and Carey Lane.

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 April 25, 1972, 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 a mobile home sales lot, on property zoned "LC" Light Commercial, subject 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 of a mobile home sales lot, on property zoned "LC" Light Commercial, and legally described as follows:

Lot 1, Silver Spur 3rd Addition to Wichita, Sedgwick County, Kansas. Generally located at the northwest corner of Seneca and Carey Lane.

subject to the following conditions:

1. All storage and display areas shall be paved with concrete, asphalt, or other comparable material.
2. All lights shall be shielded to direct light away from adjoining property. No string type lighting or banners shall be permitted.
3. No sign shall exceed 30 feet in height or shall be placed so as to project over any public right-of-way.
4. No sound projecting devices or loudspeakers shall be used (so as to be heard outside of any structure).
5. The area shall be properly policed through inspections by the owner or operator for the proper maintenance and removal of trash.
6. All parking spaces abutting property lines shall have adequate guards, to prevent the extension or overhanging of vehicles or mobile homes beyond property lines. All parking areas shall have adequate markings for channelization and movement of vehicles.

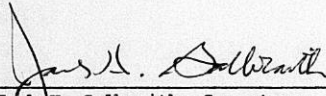
7. No mobile home on subject property shall be occupied as a residence as long as the site is utilized for mobile home sales.
8. No repair work of mobile homes shall be conducted as a part of the mobile home sales operation.
9. Trees and shrubs, not less than 10 feet in width, shall be planted along the west 10 feet of the application area so as to provide a buffer separating the mobile home sales lot from the mobile home park to the west.
10. The applicant shall install all of the required improvements prior to occupancy of the site for a mobile home sales lot.

ADOPTED AT WICHITA, KANSAS, this 25th day of April, 1972.



Kenneth M. Cusick, Jr., Chairman

ATTEST:



Jack H. Galbraith, Secretary

May 24, 1972

Mr. Frank C. McMaster
420 R. H. Garvey Building
Wichita, Kansas 67202

Subject: Case No. BEA 9-72
Request for Exception

Dear Mr. McMaster:

Enclosed is a signed copy of the Resolution adopted by the Board of Zoning Appeals on April 25, 1972, in connection with your request for an exception to permit the installation of a mobile home sales lot, on property zoned "LC" Light Commercial, and generally located at the northwest corner of Seneca and Carey Lane.

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.

Sincerely,

Jack H. Galbraith
Secretary

JHG:ls

Enclosure

cc C. J. Mendenhall, Seneca Construction Co., Inc., 1915 West
MacArthur Road 67217

Robert Feldner, Superintendent of Central Inspection

Joe Donnelly, Central Inspection

Ralph Eberly, City Clerk

April 26, 1972

Mr. Frank C. McMaster
420 R. H. Garvey Building
Wichita, Kansas 67202

Re: Case No. BEA 9-72
Request for Exception

Dear Mr. McMaster:

At the regular meeting of the Board of Zoning Appeals on April 25, 1972, your request for an exception to permit the installation of a mobile home sales lot, on property zoned "LC" Light Commercial, and generally located at the northwest corner of Seneca and Carey Lane, was considered.

It was the action of the Board to approve this request, subject to the 10 conditions set out in the Secretary's Report.

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 concerning this matter, please call.

Sincerely,

Jack H. Galbraith
Secretary

JHG:ls
cc C. J. Mendenhall, Seneca Construction Co., Inc., 1915 West
McArthur Road, 67217
Robert Feldner, Superintendent of Central Inspection
Joe Donnelly, Central Inspection
Ralph Eberly, City Clerk

SECRETARY'S REPORT
CASE NO. BZA 9-72

APPLICANT: Seneca Construction Co., Inc., 1915 West MacArthur,
Wichita, Kansas 67217

AGENT: C. J. Mendenhall, 1915 West MacArthur, Wichita, Kansas 67217

REQUEST: Exception pursuant to Section 2.12.590.C, Code of the
City of Wichita, to permit the installation of a
mobile home sales lot

GENERAL LOCATION: At the northwest corner of Seneca and Carey Lane

LAND USE: Subject property is undeveloped; north is protection
drainage ditch and I-235; east is protection drainage
ditch, private club and recreation; south is service
station and undeveloped; west is mobile home park

ZONING: Subject property is zoned "LC" Light Commercial; east is
"AA" Single Family and "C" Commercial; south is "AA"
Single Family and "LC"; west is "G" Mobile home; north is
"AA".

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, Code of the City of
Wichita, can be complied with.

COMMENTS BY THE SECRETARY:

On February 24, 1972, the Planning Commission considered a
request for a change of zoning from "G" to "C" (Z-1368) for the
area contained in this application. At that time the applicant
indicated he desired the change of zoning for the stated purpose
of establishing a mobile home sales lot on subject property, which
is first permitted in the "C" Commercial zoning district. Action
of the Planning Commission was to recommend that the "C" zoning not
be approved, and that the "LC" zoning classification be approved
recognizing that the applicant would be required to file an
exception case before the Board of Zoning Appeals to permit the
mobile home sales operation. This recommendation was concurred
in by the Board of City Commissioners.

The applicant is now requesting an exception to the Zoning
Ordinance to permit the installation of a mobile home sales lot
on the property zoned "LC" Light Commercial. Although the
Board has jurisdiction and may grant an exception for mobile

home sales in the light commercial district, it is recognized that this use is not logical or proper in all light commercial districts or the use would be permitted outright without the Board's approval. Mobile home sales lots have been considered as highway oriented uses, however, extreme care has been used in selecting appropriate sites as overuse could easily produce commercial blight.

It is the opinion of the Secretary that this is a logical and proper use for this area inasmuch as subject property is located adjacent to a major highway although the only means of egress and ingress is from a collector street.

RECOMMENDATION:

It is the recommendation of the Secretary that the application to permit the installation of a mobile home sales lot be approved subject to the following conditions:

1. All storage and display areas shall be paved with concrete, asphalt, or other comparable material.
2. All lights shall be shielded to direct light away from adjoining property. No string type lighting or banners shall be permitted.
3. No sign shall exceed 30 feet in height or shall be placed so as to project over any public right-of-way.
4. No sound projecting devices or loudspeakers shall be used (so as to be heard outside of any structure).
5. The area shall be properly policed through inspections by the owner or operator for the proper maintenance and removal of trash.
6. All parking spaces abutting property lines shall have adequate guards, to prevent the extension or overhanging of vehicles or mobile homes beyond property lines. All parking areas shall have adequate markings for channelization and movement of vehicles.
7. No mobile home on subject property shall be occupied as a residence as long as the site is utilized for mobile home sales.
8. No repair work of mobile homes shall be conducted as a part of the mobile home sales operation.

Page 3 - Secretary's Report
Case No. BZA 9-72

9. Trees and shrubs, not less than ten (10) feet in width, shall be planted along the west ten (10) feet of the application area so as to provide a buffer separating the mobile home sales lot from the mobile home park to the west.
10. The applicant shall install all of the required improvements prior to occupancy of the site for a mobile home sales lot.

5

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

April 5, 1972

NOTICE TO ADJOINING PROPERTY OWNERS:

Case No. BZA 9-72

An application has been filed by Seneca Construction Company, Inc., 1915 West MacArthur Road, Wichita, Kansas, pursuant to Section 2.12.590.C, Code of the City of Wichita, requesting an exception to permit the installation of a mobile home sales lot, on property zoned "LC" Light Commercial, and legally described as follows:

Lot 1, Silver Spur 3rd Addition to Wichita, Sedgwick County, Kansas. Generally located at the northwest corner of Seneca and Carey Lane.

This application has been assigned Case No. BZA 9-72, and will be considered by the Board of Zoning Appeals at its meeting on Tuesday, April 25, 1972, 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

5 notices mailed 4-5-72 for Bza 4-25-72

BOARD OF ZONING APPEALS

CASE NO. 9-72

CITY OF WICHITA, KANSAS

FILED 3-28-72

APPLICATION FOR EXCEPTION

I. Name of Applicant Seneca Const Co. Inc.
 Mailing Address 1915 W. McArthur Phone JA 47961
 Name of Authorized Agent C. J. Mendenhall Pres.
 Mailing Address Same 67217 Phone Same
 Relationship of applicant to property is that of owner
 (Owner, Tenant, Lessee, Other).

II. Application is made for an exception as provided in Section
29.04.183.2, Code of the City of Wichita, Kansas
 (Zoning Ordinance); to permit the installation or construction
 of Mobile Home Sales

_____ on property zoned
LC, located 3825 So. Seneca
 and legally described as: Lot 1 Silver Spur
Part of the 7 1/2 of the S 1/4 of Sec 2 Twp.
28-8, R 16 lying south of the southerly right of
Wayline Subdiv 235, in the City of Wichita.
Wichita, Kan.

- III. The applicant herein, or his authorized agent, acknowledges:
- That he has received an instruction sheet concerning the filing and hearing of this matter;
 - 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;
 - That all documents are attached hereto as noted in paragraphs 2, 3, and 4 of the instructions.
 - That he has been advised of his right to bring action in the District Court of Sedgewick County to appeal the decision of the Board.

Applicant Seneca Const Co.
 Authorized Agent C. J. Mendenhall

OFFICE USE ONLY: Received in office of Secretary, Board of Zoning Appeals, 10 (a.m. ~~p.m.~~), March 28, 1972, together with appropriate fee of \$50.00.

T9-403

Signed James H. Salter

1 customer space per 7000 sq ft lot area
1 space for every 250 sq ft of floor area

Lin Shickey -

Customer parking - 1 park - for every 3000 sq ft of lot area -

(33 off street parking -)

OWNERSHIP LIST

Lot	Addition	Property Owner
1	Silver Spur 3rd Add	Seneca Construction Company, Inc. 1915 W. McArthur Road Wichita, Kansas, 67217
2	"	"
1 except N 160' of E 140'	Gasway Addition <i>ret 4-5-72</i>	David J. Cohen and Reba Jean Cohen Address unknown <i>c/o 8188 E. Kellogg 67207</i>
N 160' of E 140' of 1	"	Vickers Petroleum Corporation Vickers-Kansas State Bank and Trust Building, Wichita, Kansas, 67202
W 380' of 1	Burnworth-Sampson Addition <i>ret 4-7-72 none found</i>	Lakeshore Resorts, Inc. 626 N. Broadway, Wichita, Kansas 67214 Sampson 914 Brown through lane <i>67212</i> Wichita, Kansas, 67204
Beginning 625 feet East of the Southwest corner of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 7, Tp. 28 South, Range 1 East, thence North 300 feet, thence West 130 feet, thence North 1020 feet, thence East 358.31 feet, thence South 1320 feet, thence West 228.31 feet to beginning		

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 Lot 1 Silver Spur 3rd Addition to Wichita, Sedgwick County, Kansas, as shown by the last deeds of record in the Office of the Register of Deeds of Sedgwick County, Kansas, on this 24th day of January, 1972 at 7:00 o'clock A. M.

THE SECURITY ABSTRACT AND TITLE COMPANY, INC.

By _____
Vice-President

Order No. 185979

Form 223

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
BZA	\$ 50.00

Name Seneca Contractor Co, Inc
 Address C. J. Manshall
3825 South Seneca
 Type AA-407103 Due Date _____
 Comments: _____

Date 3-28-72 BY ime

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

April 5, 1972

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Jack H. Galbraith
Secretary

THE CITY OF WICHITA



BOARD OF ZONING APPEALS
CITY BUILDING ANNEX
104 S. MAIN ST.
WICHITA, KANSAS 67202



Bza 9-72

Unclaimed Refused
Unknown
Insufficient address
Moved, left no address
No such post office in state
Do not re-mail in this envelope



David J. Cohen & Reba Jean Cohen
c/o 8188 East Kellogg
Wichita, Kansas 67207



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

April 5, 1972

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Jack H. Galbraith
Secretary

THE CITY OF WICHITA



BOARD OF ZONING APPEALS
CITY BUILDING ANNEX
104 S. MAIN ST.
WICHITA, KANSAS 67202



- 9-72
- Moved, left no address
 - No such number
 - Moved, not forwarded
 - Addressee unknown
- 1213

From Wichita, Kans.
POSTAGE DUE



Lakeshore Resorts, Inc./Sampson
914 Brown Thrush Lane
Wichita, Kansas 67212

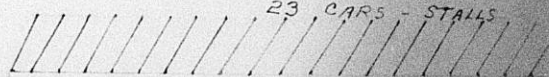
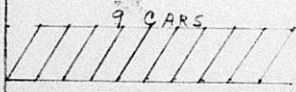
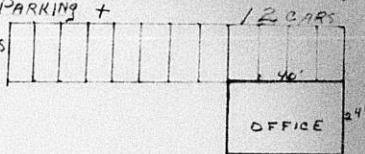
339.4'

MOBILE HOME PARKING

305'

MOBILE HOME PARKING

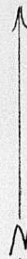
TOTAL SQ FT. 108,000
31,000 SQ FT PARKING +
FOR 44 CARS



DRIVE

548'

CAREY LANE



CJ'S MOBILE HOME SALES

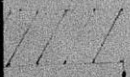
5" 100'
SILVE SPUR THIRD ADD.

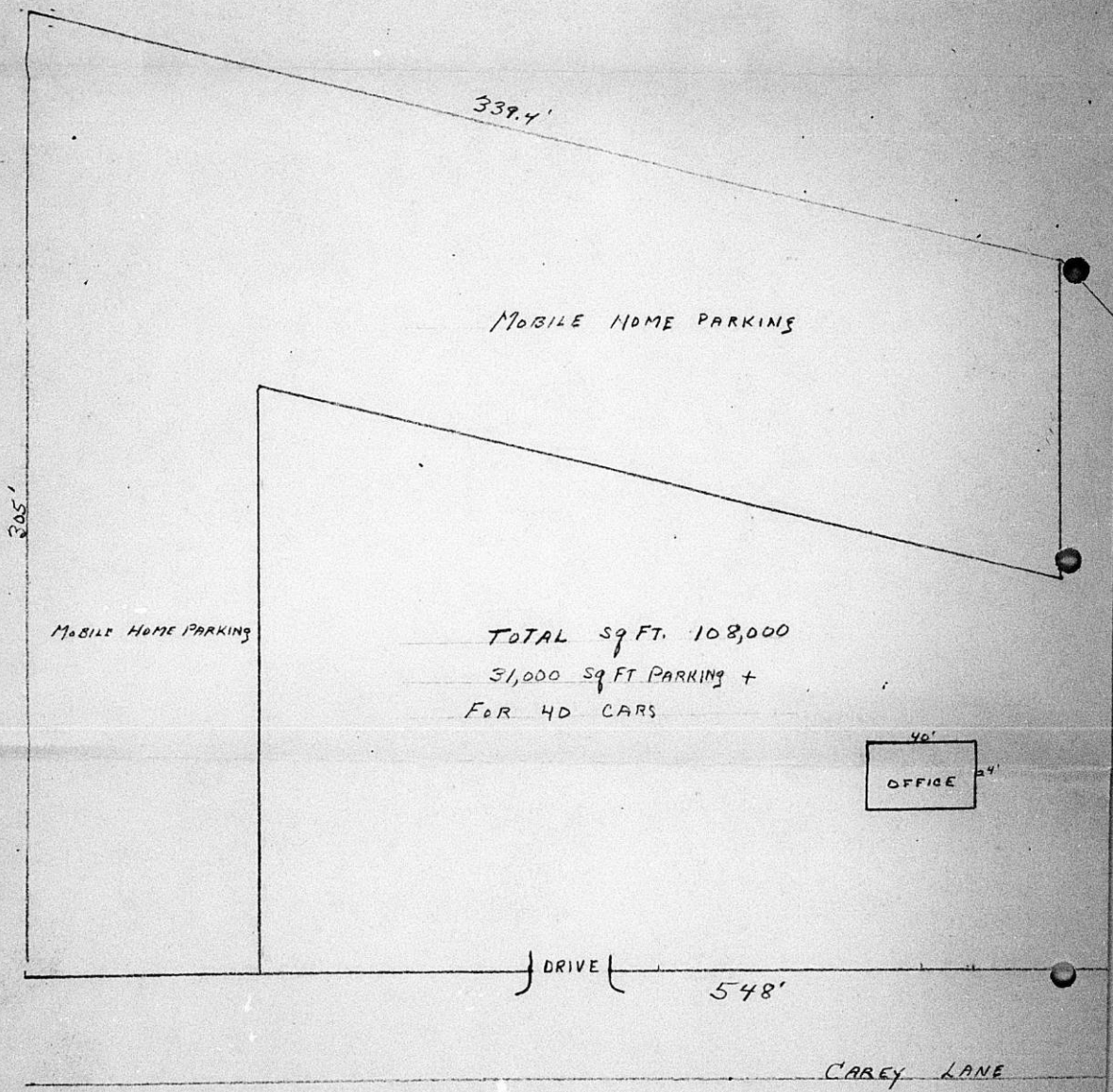
SENECA

306'

DISPLAY PARKING

↑
DRIVE





339.4'

MOBILE HOME PARKING

305'

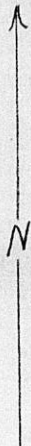
MOBILE HOME PARKING

TOTAL SQ FT. 108,000
31,000 SQ FT PARKING +
FOR 40 CARS

40'
OFFICE 24'

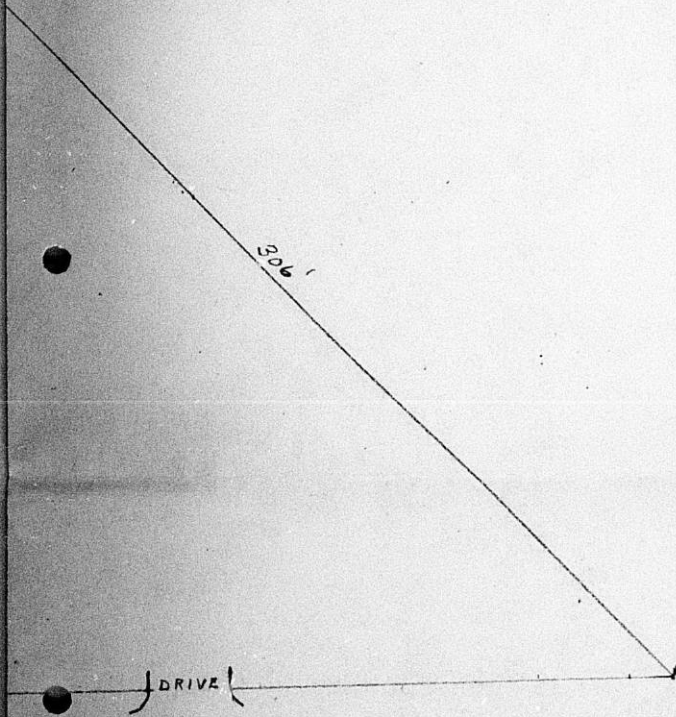
DRIVE 548'

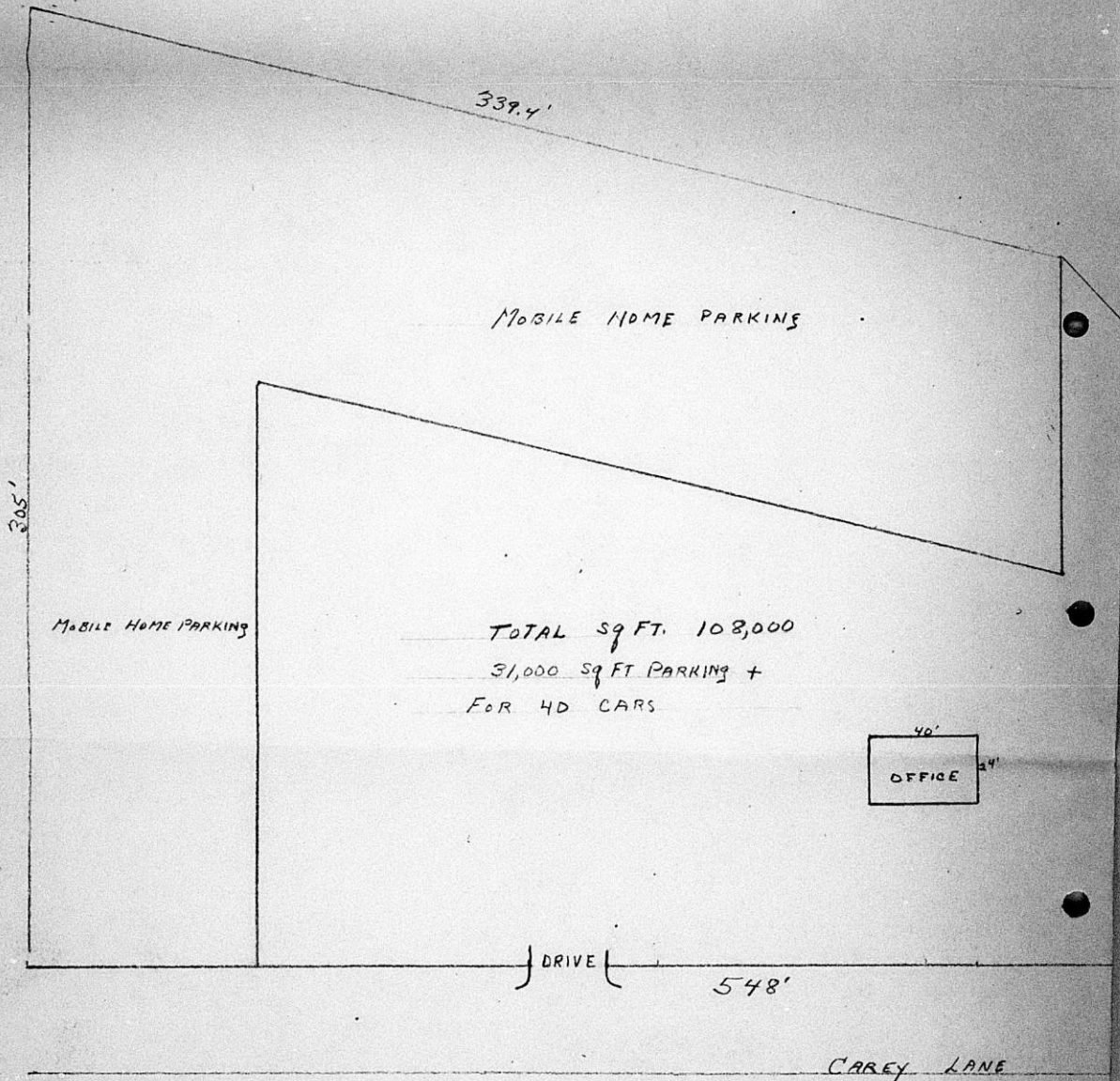
CAREY LANE



3" 100'
SILVE SPUR THIRD ADD.

SENECA





339.4'

MOBILE HOME PARKING

205'

MOBILE HOME PARKING

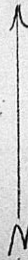
TOTAL SQ FT. 108,000
31,000 SQ FT PARKING +
FOR 40 CARS

40'
OFFICE 24'

DRIVE

548'

CAREY LANE



3" 100'
SILVE SPUR THIRD ADD.

SENECA

306'

DRIVE

