

Case No. BZA 10-84 - H. R. & Shirley
Hutchison - Requests an exception to
permit the expansion of an equipment,
truck & trailer rental business on
property zoned the "LC" Light Commercial
District & generally located on the
north side of Central & 1/2 mile east of

POSTED
2-24-84
G.B.L.

ACTION

B.Z.A. 10-84 *APPROVED*

3-27-84
DATE

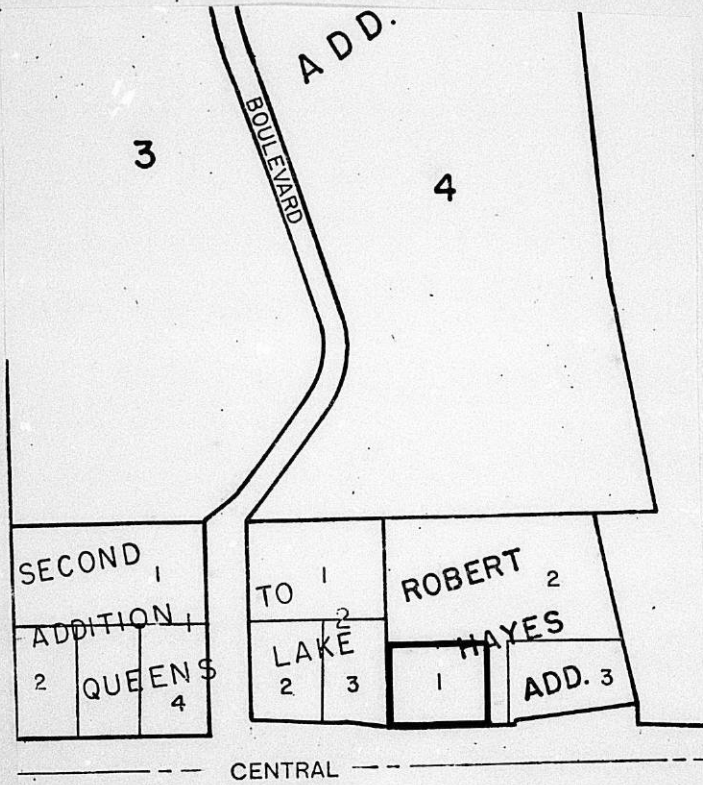
POSTED 5-7-84
~~SENT~~ 5-22
Record

Map No. 5048

BZA 10-84
Filed _____

AREA DATA:

1. Acres: _____ (_____ ft. by _____ ft.)
2. Adjoining Zoning: E LC S _____ W LC N LC
3. Land Use: East off. South Vacant
West Comm. North Vacant
4. Area (is) (~~is not~~) platted.



Shirley
No. 2153C
HASTINGS, MN
LOS ANGELES, CHICAGO, LOAN, OH
MCKINNON, TX, COLLEGE ST. DR. IN
U.S.A.

April 2, 1984

H. R. & Shirley Hutchinson
2813 North Edwards
Wichita, Kansas 67204

Re: BZA 10-84 - Request for Exception

Dear Mr. & Mrs. Hutchinson:

Enclosed is a signed copy of the Resolution adopted by the Board of Zoning Appeals on March 27, 1984.

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 questions concerning this matter, please call our office.

Sincerely,

Glen E. Lytle
Assistant Secretary

GEL:sad
Encl.

cc: Robert Feldner, Superintendent of Central Inspection (2)
Don Gisick, City Clerk

RESOLUTION NO. BZA 10-84

WHEREAS, H. R. & Shirley Hutchinson, 2813 North Edwards, Wichita, Kansas, requests an exception as provided in Section 2.12.590.C, Code of the City of Wichita, to permit the expansion of an equipment, truck and trailer rental business on property zoned the "LC" Light Commercial District and legally described as follows:

Lot 1, Robert Hayes Addition to Wichita, Sedgwick County Kansas. Generally located on the north side of Central and ¼ mile east of Ridge Road (6730 West Central).

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 March 27, 1984, 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 expansion of an equipment, truck and trailer rental business on property zoned the "LC" Light Commercial District 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 expansion of an equipment, truck and trailer rental business on property zoned the "LC" Light Commercial District and legally described as follows:

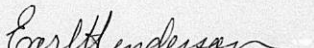
Lot 1, Robert Hayes Addition to Wichita, Sedgwick County Kansas. Generally located on the north side of Central and ¼ mile east of Ridge Road (6730 West Central).

subject to the following conditions:

1. All storage and display areas shall be paved with concrete or asphalt.
2. All lights shall be shielded to reflect or direct light away from adjoining property. No string-type lighting shall be permitted.
3. Signs shall comply with the sign limitations of the zoning ordinance for the "LC" Light Commercial district.
4. No sound projecting devices or loudspeakers shall be used so as to be heard beyond the property lines.
5. No repair work shall be conducted except in an enclosed building, and further provided that no body or fender work is done.
6. There shall be no display or storage of trucks, trailers or equipment within 20 feet of street right-of-way of Central.
7. Outdoor storage and display shall be limited to equipment, trucks and trailers, which shall be arranged in a neat and orderly manner and located within areas designated as display areas or outside storage areas.
8. Parking areas shall be striped and marked in accordance with a plan approved by the Traffic Engineer. Barriers shall be provided to protect the use of unauthorized, unsurfaced areas by vehicles.
9. Areas not surfaced shall be landscaped and maintained free of debris and weeds.

10. Any future expansion shall comply with all conditions as set forth herein, and prior to such expansion a revised site plan approved by the Superintendent of Central Inspection shall be furnished to the Secretary for the file.

ADOPTED AT WICHITA, KANSAS, this 27th day of March, 1984.


Earl Henderson, Vice President

ATTEST:


Glen E. Lytle, Assistant Secretary

THE CITY OF WICHITA

OFFICE OF CITIZEN PARTICIPATION

March 22, 1984

TO Glen Lytle, Special Assistant for Zoning

FROM Cindy Entriiken, Administrative Aide III

SUBJECT BZA 10-84 Generally location on
the north side of Central and $\frac{1}{4}$
mile east of Ridge Road (6730
West Central)

CPO Neighborhood Council "A" considered the captioned case at its March 22 meeting and voted 6-0 to recommend approval of the request for exception subject to the conditions specified in the staff comments on this case.

H.R. Hutchinson, the applicant, appeared before the Council to explain his request and show the Council a map of the area. No area residents or adjoining property owners were present to speak concerning the case.

Please present the Council's recommendation to the Board of Zoning Appeals when it considers the case on March 27.

Cindy Entriiken
Cindy Entriiken
Administrative Aide III

CE:sm

SECRETARY'S REPORT
CASE NO. BZA 10-84

APPLICANT: H. R. & Shirley Hutchinson, 2813 North Edwards,
Wichita, Kansas.

AGENT: None

REQUEST: Exception pursuant to Section 28.04.183.2,
Code of the City of Wichita to permit the
establishment of a truck, trailer and equip-
ment rental business in the "LC" Light
Commercial District.

GENERAL LOCATION: On the north side of Central and 1/4 mile east
of Ridge Road (6730 West Central).

ZONING: Subject property is zoned the "LC" Light Com-
mercial District as are all adjacent properties.

LAND USE: Subject property is presently occupied by a
small building operated as a tool and equipment
rental business. Property to the east is being
developed with offices and to the north and
south is vacant. To the west is a restaurant.

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 can be complied with.

COMMENTS BY THE SECRETARY:

The applicant is requesting an exception to establish a truck, trailer and equipment rental business with outside storage of same in the "LC" Light Commercial District. The applicant presently runs a small rental business within an enclosed building on the property.

The property is surrounded by other light commercial properties and is located contiguous to a major street (Central) and would qualify for such use as an exception. The applicant owns all of the lot, but does not indicate that the entire property will be developed at this time. As the business grows, there will be a need to increase the amount of area for truck and equipment storage and additional off-street parking.

It is the Secretary's opinion that the use is an appropriate use under the ordinance and the proposed use of the property to the north is residential storage warehouses. It should be noted that the three lots in this addition must share one common driveway approach to Central. At the present time, there is no development on the property to the north in this addition.

RECOMMENDATION:

Should the Board determine that the proposed use is appropriate at this location, then it is the Secretary's recommendation that the exception be approved subject to the following conditions:

1. All storage and display areas shall be paved with concrete or asphalt.
2. All lights shall be shielded to reflect or direct light away from adjoining property. No string-type lighting shall be permitted.

3. Signs shall comply with the sign limitations of the zoning ordinance for the "LC" Light Commercial district.
 4. No sound projecting devices or loudspeakers shall be used so as to be heard beyond the property lines.
 5. No repair work shall be conducted except in an enclosed building, and further provided that no body or fender work is done.
 6. There shall be no display or storage of trucks, trailers or equipment within 20 feet of street right-of-way of Central.
 7. Outdoor storage and display shall be limited to equipment, trucks and trailers, which shall be arranged in a neat and orderly manner and located within areas designated as display areas or outside storage areas.
 8. Parking areas shall be striped and marked in accordance with a plan approved by the Traffic Engineer. Barriers shall be provided to protect the use of unauthorized, unsurfaced areas by vehicles.
 9. Areas not surfaced shall be landscaped and maintained free of debris and weeds.
 10. Any future expansion shall comply with all conditions as set forth herein, and prior to such expansion a revised site plan approved by the Superintendent of Central Inspection shall be furnished to the Secretary for the file.
-

BZA CASE NO. 10-84

1 NOTICES SENT TO APPLICANT/AGENT

10 LEGAL ADVERTISEMENT
~~NOTICES~~ SENT TO MAPC

1 NOTICES SENT TO CPO

6 NOTICES SENT TO ADJOINING PROPERTY OWNERS

8 TOTAL NOTICES SENT 3-7-84

BOARD OF ZONING APPEALS
Tenth Floor - City Hall
455 North Main, Wichita, Kansas 67202

March 7, 1984

NOTICE TO ADJOINING PROPERTY OWNERS:

CASE NO. BZA 10-84

As required by law, all property owners of record, within 200 feet of a property to be considered for an exception or variance by the Board of Zoning Appeals, are to be notified of the public hearing. An application has been filed by H. R. and Shirley Hutchison, 2813 North Edwards, Wichita, Kansas requesting an exception.

Pursuant to Section 2.12.590.C, of the Code of the City of Wichita, the applicant is requesting an exception to permit the expansion of an equipment, truck and trailer rental business on property zoned "LC" Light Commercial District. A legal description of the applicant's property is as follows:

Lot 1, Robert Hayes Addition to Wichita, Sedgwick County, Kansas. Generally located on the north side of Central and $\frac{1}{4}$ mile east of Ridge Road (6730 West Central).

This application has been assigned Case BZA 10-84. It will be considered by the Board of Zoning Appeals on March 27, 1984 at 1:30 p.m. in the Board Room, First Floor of City Hall, 455 North Main Street, Wichita, Kansas. If you have no interest or objections regarding the requested exception, you have no obligation to appear or comment. If you desire to appear at the Board meeting, you are invited to do so, either in person or by agent or attorney.

It should be noted that the Citizen Participation Organization Area Council may consider this case at its next meeting. Additional information about such a meeting may be obtained by calling the CPO Office, 268-4516.

If you have any questions about the application, please feel free to call the Wichita-Sedgwick County Metropolitan Area Planning Department at 268-4421.

Jack H. Galbreith
Secretary

BOARD OF ZONING APPEALS

CASE NO. 10-84

CITY OF WICHITA, KANSAS

FILED 3-24-84

APPLICATION FOR EXCEPTION

I. Name of Applicant H. R. Hutchison and Shirley Hutchison

Mailing Address 2813 N. Edwards Phone 838-7490

Name of Authorized Agent _____

Mailing Address _____ Phone _____

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

II. Application is made for an exception as provided in Section 2.12.590.C,

Code of the City of Wichita, Kansas, to permit the establishment of

Equipment and Truck Rental

on property zoned Light commercial,

located North side of West Central 1/4 mile east of Ridge Road

and legally described as: Lot 1 Robert Hayes addition to Wichita

Sedgwick Co. Kansas (6730 W. Central)

_____, 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. 36-596); 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 H. R. Hutchison

Authorized Agent _____

OFFICE USE ONLY: Received in Office of Secretary, Board of Zoning Appeals, 11:07 (a.m./p.m.), FEB 24, 1984, together with appropriate fee of 200.00.

Signed [Signature]

STATEMENT OF OWNERSHIP

STATE OF KANSAS)
) SS
SEDGWICK COUNTY)

The undersigned duly bonded and qualified abstractor within and for the County and State aforesaid, does hereby certify:

That we have examined the records in the office of the Register of Deeds of Sedgwick County, Kansas, with reference to the ownership of the following property in Sedgwick County, Kansas viz:

Record Owners within 200 feet of: Lot 1, ROBERT HAYES ADDITION, Wichita, Sedgwick County, Kansas.



And from such examination find that the owners thereof are as set opposite the description of the property below, viz: (Addresses as given are furnished as a service and not certified.)

<u>DESCRIPTIONS</u>	<u>RECORD OWNERS</u>
Lot 1, ROBERT HAYES ADDITION,	H. R. & Shirley Hutchison 2813 N. Edwards Wichita, Kansas 67204
Lot 2, ROBERT HAYES ADDITION,	Square-One 6606 W. Central Wichita, Kansas 67212
Lot 3, ROBERT HAYES ADDITION,	James D. & Lelia M. Miner 517 N. Westfield Wichita, Kansas 67212
Lots 1, 2, and 3, Block 2, 2ND ADDITION TO QUEENS LAKE,	Sunbelt Restaurant of Wichita, LTD. Corporation Co., Inc. First National Bank Building 534 Kansas Avenue Topeka, Kansas 66603
Lot 1, Block 5, FARMINGTON SQUARE 2ND ADDITION,	125, Inc. Marvin Niedens 125 S. West St. Wichita, Kansas 67213

(Cont'd, page 2)



DESCRIPTIONS

A tract of land in Lot 1, Block 1, CENTRAL-RIDGE ADDITION, described as: Beginning at the Northeast corner of said Lot 1, thence along the East line of said Lot 1, a distance of 317.28 feet to a point common to Lots 1 and 7, in said Central-Ridge Addition; thence along the South line of said Lot 1, a distance of 434.25 feet; thence North perpendicular to said South line a distance of 315.00 feet to a point in the North line of said Lot 1; thence East along said North line a distance of 411.00 feet to the point of beginning.

RECORD OWNERS

✓ Car-Ree Enterprises Inc.
%Ronald L. Nieto
612 Douglas Building
104 S. Broadway
Wichita, Kansas 67202

✓ Falley's Inc. Profit Sharing
Plan Trust
3120 S. Kansas Avenue
Topeka, Kansas 66611



Dated in Wichita, Kansas, this 23rd day of February, 1984
at 7:00 A.M.

FIDELITY TITLE COMPANY, INC.




By *Melina S. Suttle*
Assistant Secretary

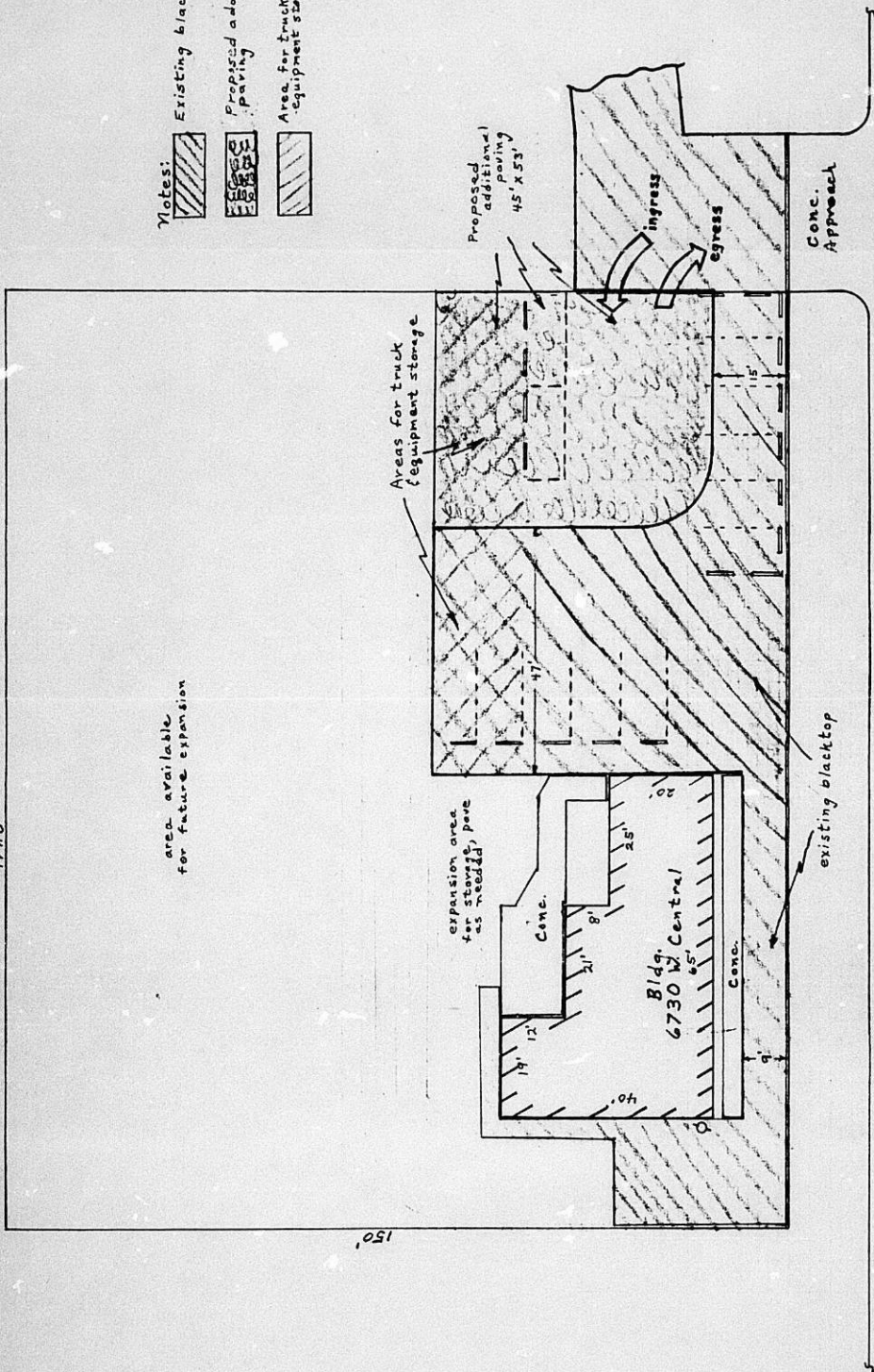
Tracer No. 65389



177.8'

area available
for future expansion

- Notes:
-  Existing blacktop
 -  Proposed additional paving
 -  Area for truck and equipment storage






Scale
1 inch = 20 ft

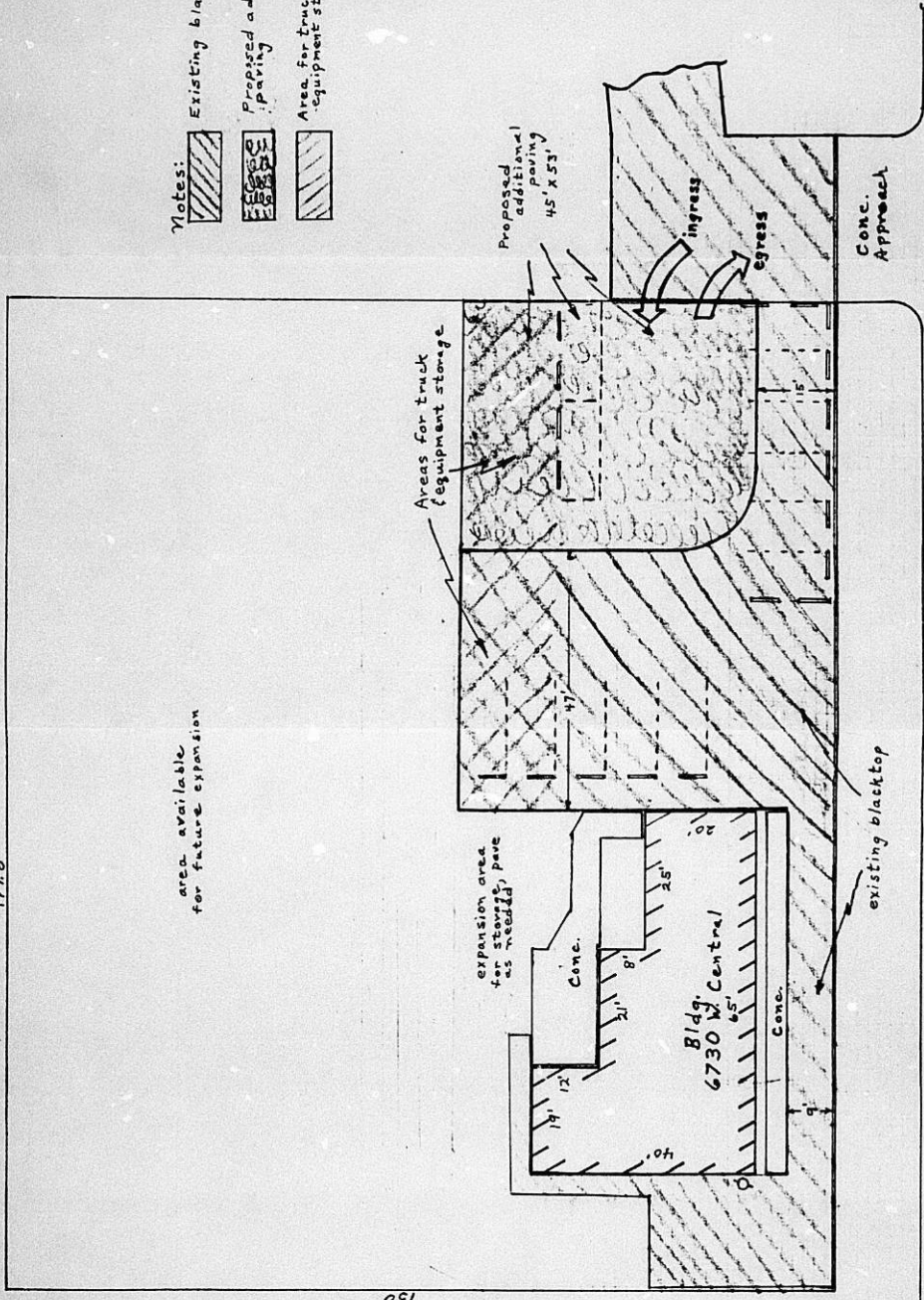
CENTRAL

Detailed Plot Plan
Lot 1 Robert Hayes Addition

177.8'

area available
for future expansion

- Notes:
-  Existing blacktop
 -  Proposed additional paving
 -  Area for truck and equipment storage



Scale $\frac{1}{4}'' = 20'$

CENTRAL

Detailed Plot Plan
Lot 1 Robert Hayes Addition