

Foster  
4-9-75  
[Signature]  
M.A.P.C.  
C.I.  
C 6-2-75

5946

ACTION

DATE 4-22-75

BZA COMMITTEE - Approval

M.A.P.C. \_\_\_\_\_

B.C.C./B. CO. C. \_\_\_\_\_

BZA 12-75 - Leslie W. Griffith requests exception to permit storage units in area between Rock Road and Ks. Turnpike in an area north of Harry.



November 13, 1975

John Riddell, Plans Examiner

Jack H. Galbraith, Chief Planner

Case No's. BZA 12-75 and V-0742

On April 22, 1975, the Board of Zoning Appeals approved an exception to permit the installation of residential storage warehouses on property generally located on the west side of Rock Road in an area north of Harry (Case No. BZA 12-75). The approval was subject to several conditions, with condition # 2 being worded in such a way so that in the event the "AA" Single Family zoned property adjacent to the south should ever receive a change of zoning to a zoning district other than residential, the applicant would be permitted to build up to the 10 foot sanitary sewer easement along the south property line.

The applicant subsequently purchased the property to the south and was successful in obtaining "LC" Light Commercial zoning on that property. He was also successful in vacating the north four feet of the sanitary sewer easement on subject property, (Case No. V-0742).

I feel that the intent of the Board in the wording of condition # 2 was to provide the applicant, in the event of a zoning change, the flexibility of constructing a building or buildings as close to the south property line as would be allowed by the area regulations of the "LC" District, but to not permit the encroachment of the structure on the utility easement, whether it be six feet or ten feet.

If you have any questions, please call.

Sincerely,

Jack H. Galbraith  
Chief Planner

JHG:LD:bh  
cc: Leslie W. Griffith

June 2, 1975

Mr. Leslie W. Griffith  
P. O. Box 18147  
Wichita, Kansas 67218

Subject: Case No. BZA 12-75  
Request for Exception

Dear Mr. Griffith:

Enclosed is a signed copy of the Resolution adopted by the Board of Zoning Appeals on April, 22, 1975, in connection with your request for an exception to permit the installation of Residential Storage Warehouses on property zoned "B" Multiple Family Dwelling District and the "LC" Light Commercial District and generally located on the west side of Rock Road in an area north of Harry.

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,

Larry Dobson  
Assistant Secretary

LD:mb  
cc: Robert Feldner, Supt. of Central Inspection  
Don C. Gisick, City Clerk  
Joe Donnelly, Central Inspection

Enclosure

RESOLUTION NO. BZA 12-75

WHEREAS, Leslie W. Griffith, P. O. Box 18147, Wichita, Kansas requests an exception as provided in Section 2.12.590.C, Code of the City of Wichita, to permit the installation of Residential Storage Warehouses on property zoned the "B" Multiple Family and "LC" Light Commercial District, and legally described as follows:

Lot 5, Captain's First Addition, Wichita, Kansas. Generally located on the west side of Rock Road in an area north of Harry.

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 22, 1975, 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 Residential Storage Warehouses on property zoned the "B" Multiple Family and "LC" Light Commercial Districts subject to the conditions outlined in Section 28.04.183.5, 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 Residential Storage Warehouses on property zoned the "B" Multiple Family and "LC" Light Commercial Districts and legally described as follows:

Lot 5, Captain's First Addition, Wichita, Kansas. Generally located on the west side of Rock Road in an area north of Harry.

subject to the following conditions:


1. A 35-foot building setback shall be maintained from Rock Road and a 20-foot building setback shall be maintained from Boston Avenue.
2. A 25-foot landscaped yard shall be provided along that portion of the south property line that is adjacent to the "AA" Single Family Dwelling District. However, in the event that the adjoining property to the south would receive a change of zoning to a district other than a residential district, this provision shall be altered to the extent of permitting the applicant to build up to the 10-foot sanitary sewer easement adjacent to the property zoned other than residential. Along the remainder of the south property line, that lies across the street from the "AA" zoning district, a 20-foot landscaped yard shall be provided.

3. A five to eight foot solid or semi-solid fence, constructed to prevent the passage of debris or light and constructed of either brick, stone, architectural tile, masonry units, wood or other similar material (not including woven wire) shall be erected along the landscaped yard setback adjacent to the south property line, for that portion of the property that is zoned the "B" Multiple Family Dwelling District.
4. Any side of the building providing doorways to storage areas shall be set back from the property line not less than 35 feet, with the exception of Building J as shown on the applicant's plot plan, where due to being adjacent to turnpike right-of-way, a 30-foot setback from the property line shall be sufficient.
5. Off-street parking shall be provided on the basis of one space for each 2,000 square feet of floor area in the facility.
6. All driveways, parking, loading and vehicle circulation areas shall be paved with concrete, asphalt or asphaltic concrete. Adequate bumper guards or fences shall be provided to prevent the extension of vehicles beyond property lines.
7. All lights shall be shielded to direct light onto the uses established and directed away from adjacent property.
8. All storage on the property shall be kept within an enclosed building.
9. No activities such as miscellaneous or garage sales shall be conducted on the premises.
10. The servicing or repair of motor vehicles, boats, trailers, lawn mowers and other similar equipment shall not be conducted on the premises.
11. Signs shall be limited to one per arterial street frontage, in this case, one sign would be permitted. This sign shall not exceed twenty feet in height nor exceed fifty feet in gross surface area and shall not project over any public right-of-way.
12. The area shall be property policed by the owner or operator for removal of trash and debris.
13. The operation of this facility shall in no way be deemed to include a transfer and storage business where the use of vehicles are part of such business.
14. A resident manager shall be required on the site and shall be responsible for maintaining the operation of the facility in conformance with the conditions of approval.
15. Only one point of ingress/egress shall be permitted to/from subject property. That access being from Rock Road.

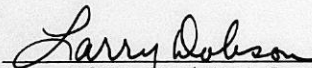
Case No. BZA 12-75  
Page Three

16. All areas not paved as required by Condition of Approval #6 shall be landscaped with deciduous and coniferous plant materials. Two copies of a landscaping plan shall be submitted to the Planning Department for approval. Maintenance of the landscaping shall be sufficient to maintain it in good condition.
17. Setback requirements of the "B" and "LC" zoning districts shall be observed or a variance obtained for those situations not specifically covered by one of the preceding conditions.
18. All improvements as outlined above shall be installed prior to the occupancy of the site for a Residential Storage Warehouse facility.

ADOPTED AT WICHITA, KANSAS, this 22nd day of April, 1975.

  
James Richardson, Vice Chairman

ATTEST:

  
Larry Dobson, Assistant Secretary

May 1, 1975

Mr. Leslie W. Griffith  
P. O. Box 18147  
Wichita, Kansas 67218

Subject: Case No. BZA 12-75 -  
Landscape Sideyard  
Requirement

Dear Mr. Griffith:

This is to advise you that we have reviewed the proposed plantings for the 25-foot landscaped sideyard of Lot 5, Captains Addition with the Superintendent of Forestry of the City of Wichita, John Firsching. Mr. Firsching indicated that the proposed plantings were generally acceptable although the Pin Oaks suggested for this location may be affected by iron chlorosis in the heavy clay soil of the area. A Red Oak variety would be less susceptible to chlorosis and still achieve the same basic size, shape and effect. Should the developer desire to stay with the Pin Oaks, Mr. Firsching suggests preparing tree planting pits with adequate underground drainage, backfilling with low PH soil, and immediate treatment of any subsequent symptoms of chlorosis (yellowing leaves, stunted and irregular growth).

Based on the preceding comments, we are, by copy of this letter, advising Mr. Robert Feldner, Superintendent of Central Inspection of the City of Wichita, that the Plan for the landscaped sideyard required as a condition of BZA approval is hereby approved.

Sincerely,

Jack H. Galbraith  
Chief Planner

JHG:RLY:js

cc: Robert Feldner, Superintendent of Central Inspection  
John Riddel, Plans Examiner, Central Inspection Division

April 22, 1975

Mr. Leslie W. Griffith  
P. O. Box 18147  
Wichita, Kansas 67218

Subject: Case No. BZA 12-75  
Request for Exception

Dear Mr. Griffith:

At the regular meeting of the Board of Zoning Appeals on April 22, 1975, your request for an exception to permit the installation of Residential Storage Warehouses on property zoned "B" Multiple Family Dwelling District and the "LC" Light Commercial District and generally located on the west side of Rock Road in an area north of Harry, was considered.

It was the action of the Board to approve this request subject to the conditions as listed 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, please call our office.

Sincerely,

Larry Dobson  
Assistant Secretary

LD:js

cc: Robert Feldner, Supt. of Central Inspection  
Don C. Gisick, City Clerk  
Joe Donnelly, Central Inspection

SECRETARY'S REPORT

CASE NO. BZA 12-75

APPLICANT: Leslie W. Griffith, P. O. Box 18147, Wichita, Kansas

AGENT: None

REQUEST: Exception pursuant to Section 2.12.590.C, Code of the City of Wichita to permit the installation of Residential Storage Warehouses.

GENERAL LOCATION: West side of Pock Road in an area north of Harry.

LAND USE: Subject property has a single family home located thereon and is otherwise undeveloped. North is drainage right-of-way and undeveloped. West is undeveloped turnpike right-of-way. South and east are both undeveloped.

ZONING: Subject property is zoned the "B" Multiple Family Dwelling District and the "LC" Light Commercial District. Property to the east is zoned "LC". Properties to the north, south and west are all zoned the "AA" Single Family Dwelling District.

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 28.04.183.5 can be complied with.

COMMENTS BY THE SECRETARY

The applicant is requesting an exception to permit the installation of Residential Storage Warehouses on property zoned the "B" Multiple Family Dwelling District and "LC" Light Commercial District. The property has frontage along Rock Road and is an approximate 4½ acre irregular shaped parcel situated between Rock Road on the east and the Kansas Turnpike on the west. Subject property has a single family residence located thereon, which would be removed for the proposed development. All surrounding properties are undeveloped. The applicant has submitted a plot plan of his proposed development, showing a variety of storage unit sizes, totaling 398 storage units situated in nine separate buildings. The plot plan shows one

Secretary's Report  
Case No. BZA 12-75  
Page Two

point of ingress/egress from Rock Road to the site. The plan has been approved by the Division of Traffic Engineering. The west approximately one-half of the application area is zoned the "B" Multiple Family District and as such requires the applicant to maintain a 15 foot rear yard and a 5 foot side yard setback. The plot plan shows two of the proposed buildings to be in violation of one or both of these requirements. The following case BZA 13-75, is a variance request of these requirements. The property to the east, across Rock Road, is zoned "LC" and is undeveloped. To the north and west, respectively, is undeveloped drainage right-of-way and turnpike right-of-way. The property to the south, although zoned the "AA" Single Family Dwelling District, has been discussed and proposed for future Light Commercial use for a depth of approximately 450 feet west of Rock Road.

This is not a use we would encourage at random in the "LC" District throughout the city. However, in this case with the proximity of Turnpike and drainage right-of-ways, "LC" zoning and undeveloped land all in McConnell's flight pattern, this use would appear to be appropriate for this location.

RECOMMENDATION

Should the Board concur that this use would be appropriate for this location, it is the recommendation of the Secretary that this request for an exception to permit the installation of Residential Storage Warehouses on property zoned the "B" Multiple Family Dwelling District and the "LC" Light Commercial, be approved subject to the following conditions:

1. A 35 foot building setback shall be maintained from Rock Road and a 20 foot building setback shall be maintained from Boston Avenue.
2. A 25-foot landscaped yard shall be provided along that portion of the south property line that is adjacent to the "AA" Single Family Dwelling District. However, in the event that the adjoining property to the south would receive a change of zoning to a district other than a residential district, this provision shall be altered to the extent of permitting the applicant to build up to the 10-foot sanitary sewer easement adjacent to the property zoned other than residential. Along the remainder of the south property line, that lies across the street from the "AA" zoning district, a 20-foot landscaped yard shall be provided.

3. A five to eight foot solid or semi-solid fence constructed to prevent the passage of debris or light and constructed of either brick, stone, architectural tile, masonry units, wood or other similar material (not including woven wire) shall be erected along the landscaped yard setback adjacent to the south property line, for that portion of the property that is zoned the "B" Multiple Family Dwelling District.
4. Any side of the building providing doorways to storage areas shall be set back from the property line not less than 35 feet, with the exception of Building J as shown on the applicant's plot plan, where due to being adjacent to turnpike right-of-way, a 30-foot setback from the property line shall be sufficient.
5. Off-street parking shall be provided on the basis of one space for each 2,000 square feet of floor area in the facility.
6. All driveways, parking, loading and vehicle circulation areas shall be paved with concrete, asphalt or asphaltic concrete. Adequate bumper guards or fences shall be provided to prevent the extension of vehicles beyond property lines.
7. All lights shall be shielded to direct light onto the uses established and directed away from adjacent property.
8. All storage on the property shall be kept within an enclosed building.
9. No activities such as miscellaneous or garage sales shall be conducted on the premises.
10. The servicing or repair of motor vehicles, boats, trailers, lawn mowers and other similar equipment shall not be conducted on the premises.
11. Signs shall be limited to one per arterial street frontage in this case one sign would be permitted. This sign shall not exceed twenty feet in height nor exceed fifty feet in gross surface area and shall not project over any public right-of-way.

Secretary's Report  
Case No. BZA 12-75  
Page Four

12. The area shall be properly policed by the owner or operator for removal of trash and debris.
13. The operation of this facility shall in no way be deemed to include a transfer and storage business where the use of vehicles are part of such business.
14. A resident manager shall be required on the site and shall be responsible for maintaining the operation of the facility in conformance with the conditions of approval.
15. Only one point of ingress/egress shall be permitted to/ from subject property. That access being from Rock Road.
16. All areas not paved as required by Condition of approval #6 shall be landscaped with deciduous and coniferous plant materials. Two copies of a landscaping plan shall be submitted to the Planning Department for approval. Maintenance of the landscaping shall be sufficient to maintain it in good condition.
17. Setback requirements of the "B" and "LC" zoning districts shall be observed or a variance obtained for those situations not specifically covered by one of the preceding conditions.
18. All improvements as outlined above shall be installed prior to the occupancy of the site for a Residential Storage Warehouse facility.

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

March 31, 1975

NOTICE TO ADJOINING PROPERTY OWNERS:

Case No. BZA 12-75

An application has been filed by Leslie W. Griffith, P. O. Box 18147, Wichita, Kansas, pursuant to Section 2.12.590.C, Code of the City of Wichita, requesting an exception to permit the installation of Residential Storage Warehouses on property tha has been approved for "B" Multiple Family and "LC" Light Commercial zoning, and legally described as follows:

Lot 5, Captain's First Addition, Wichita, Kansas. Generally located on the west side of Rock Road in an area north of Harry.

This application has been assigned Case No. BZA 12-75, and will be considered by the Board of Zoning Appeals at its meeting on Tuesday, April 22, 1975, 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

3/31/75 19 Notices sent to ady prop. owners  
10 " " M A P C Members

BOARD OF ZONING APPEALS

CASE NO. BZA 12-75

CITY OF WICHITA, KANSAS

FILED 3-24-75

APPLICATION FOR EXCEPTION

I. Name of Applicant Leslie W. Griffith ✓

Mailing Address P.O. Box 18147 Phone 685-8700  
Wichita, Kansas 67218 682-7247

Name of Authorized Agent Same as applicant

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 Storage Units

\_\_\_\_\_ on property zoned

A and B, located A triangular piece of land lying between a  
drainage easement and turnpike at Boston and Rock Road.

\_\_\_\_\_ and legally described as: Lot 5, Captain's 1st.  
Addr.

\_\_\_\_\_, 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. 24-606); 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 Leslie W. Griffith

Authorized Agent \_\_\_\_\_

OFFICE USE ONLY: Received in the office of the Secretary, Board of Zoning Appeals, 11:00 (a.m. - p.m.), 3/24, 1975, together with appropriate fee of \$50.00

Signed Larry Nelson

Leslie W. Griffith  
P.O. Box 18147  
Wichita, Kansas 67218

March 24, 1975

City of Wichita  
Board of Zoning Appeals  
Wichita, Kansas

Attention Mr. Larry Dobson

Dear Mr. Dobson:

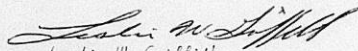
Due to the proximity of the property to the Kansas Turnpike, a large drainage easement adjacent to a major street, and being located directly under the McConnell Air Base flight pattern, we do not feel that this would be a suitable residential development. Also, due to the size and configuration and the access off Rock Road, we do not feel that a typical U or BB usage would be suitable at this location.

We have designed storage units to be built on this partial. The exterior will be brick, and the entire area will be fenced and landscaped. We do not feel that it will be distracting to any of the adjoining properties.

We have also given a letter of credit for an excel-decel lane on Rock Road. Due to no density with the exception of the resident manager, we will not be adding to the traffic problem of Rock Road.

At this time, we do have plans and financing to proceed with development if this board would grant the exception that we have asked for.

Sincerely,



Leslie W. Griffith

LWG/jgb

CERTIFICATE OF OWNERSHIP

GUARANTEE TITLE CO., INC., hereby certifies the following to be a true and correct list of the property owners as shown by the last deed of record in the Office of the Register of Deeds of Sedgwick County, Kansas, within a 200 foot radius of and including the following described property, viz:

Property to be platted as Lot 5, in  
Captain's First Addition, Wichita,  
Kansas.

<u>DESCRIPTION</u>	<u>OWNER/OWNERS/ADDRESS</u>	
<u>BROADMOOR ADDITION</u>		
<u>Block H</u>		
Lots 3-4-5-6-7-8-9-10	✓ Leslie W. Griffith 1645 S. Cypress	67202
<u>Block I</u>		
Lot 2 (N½)	✓ Reid Parker 1347 S. Washington	67211
Lot 2 (S½)	✓ Arnold & June Balke 12102 E. Douglas	67206
Lots 3-4-5-6	∅ Leslie W. Griffith 1645 S. Cypress	67207
Lot 7 (S 65')	✓ Ward Clements, Jr. 800 Farmington Derby, Ks.	67037
Lot 1 & Lot 7 exc S 65'	✓ Kansas Turnpike Authority 4401 E. Kellogg	∅
<u>Block J</u>		
Lot 1, N½ of Lot 2 & all of Lot 3	∅ Kansas Turnpike Authority	
Lot 2 (S½)	∅ Leslie W. Griffith 1645 S. Cypress	67206
<u>Block G</u>		
Lots 8-9-10-11-12	∅ Kansas Turnpike Authority	
<u>Block K</u>		
Lot 1	∅ Kansas Turnpike Authority	
<u>Block L</u>		
Lot 1 (N½)	✓ Leonard M. & Leona M. Hanks 6700 E. Zimmerly	67207
Lot 1 (S½)	✓ Raymond B. Trotter 736 N. Broadway	67214

BROADMOOR ADDITION Cont'd

Block L

Lot 2 (N $\frac{1}{2}$ ) ✓ Bernard R. Leickteig 67208  
402 N. Bluff

Lot 7 (N $\frac{1}{2}$ ) & All of Lot 8 D Bernard R. Leickteig 67208  
402 N. Bluff

Block M

Lot 1 & N $\frac{1}{2}$  of Lot 2 ✓ Joan Hurst Branson 67230  
221 Hillsdale Dr.

Lot 8 & N $\frac{1}{2}$  of Lot 7 ✓ J. Jerald & Jewel Joan Branson 67230  
221 Hillsdale Dr.

Block N

Lots 1 & 2 D Joan Hurst Branson 67230  
221 Hillsdale Dr.

Lot 8 & N $\frac{1}{2}$  of Lot 7 D Joan Branson 67230  
221 Hillsdale Dr.

SUNNY BROOK 2ND ADDITION

Block 1

Lot 1 ✓ Charles Ivan & Marion Ruth Johnson 67207  
8002 Levitt

Lot 2 ✓ Marvin J. & Betty J. Gutzner 67207  
8006 Levitt

LYNNCREST HEIGHTS

Block 1

Lot 1 ✓ Kenneth L. Wilson & Margaret Hancock 67202  
c/o Mid Kansas Federal Svcs & Loan  
230 S. Market

Lot 2 Jimmie G. & Blanche E. Freese 67207  
8005 E. Zimmerly

Lot 3 St. Joseph Hospital & Rehabilitation 67218  
Center. 3400 Grand

Lot 14 Leonardo Traverzo & Angelita Ramos 67216  
4712 Brookhaven

Lot 15 James R. & Kathryn A. Frey 67207  
8006 Grail

Lot 16 Donald R. & Setsuko Keating 67207  
8002 Grail

TRIPLE J ADDITION

Lots 1 & 2 James C. Thompson

Johnny W. Stevens  
d/b/a Double J., a partnership  
Suite 430 - 200 W Douglas 67202

Dated this 21st day of March, 1975 at 7:00 o'clock A. M.

GUARANTEE TITLE CO., INC.

No. xxxx

By

*Wm. B. [Signature]*  
Vice-Pres.



\*

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