

BZA 15-74 - Dwayne J. Unrain re-
quests exception for trailer rental
ES of Seneca & N of MacArthur Road

POSTED
6-26-74
E.I.V.
MAD
6-2-74

ACTION

BZA COMMITTEE _____
M.A.P.C. _____
B.C.C./B. CO. C. _____

DATE *7-23-74*
Appand subject to condition

Subj = "Lc"
 NFW = LC
 S & E = "AA"

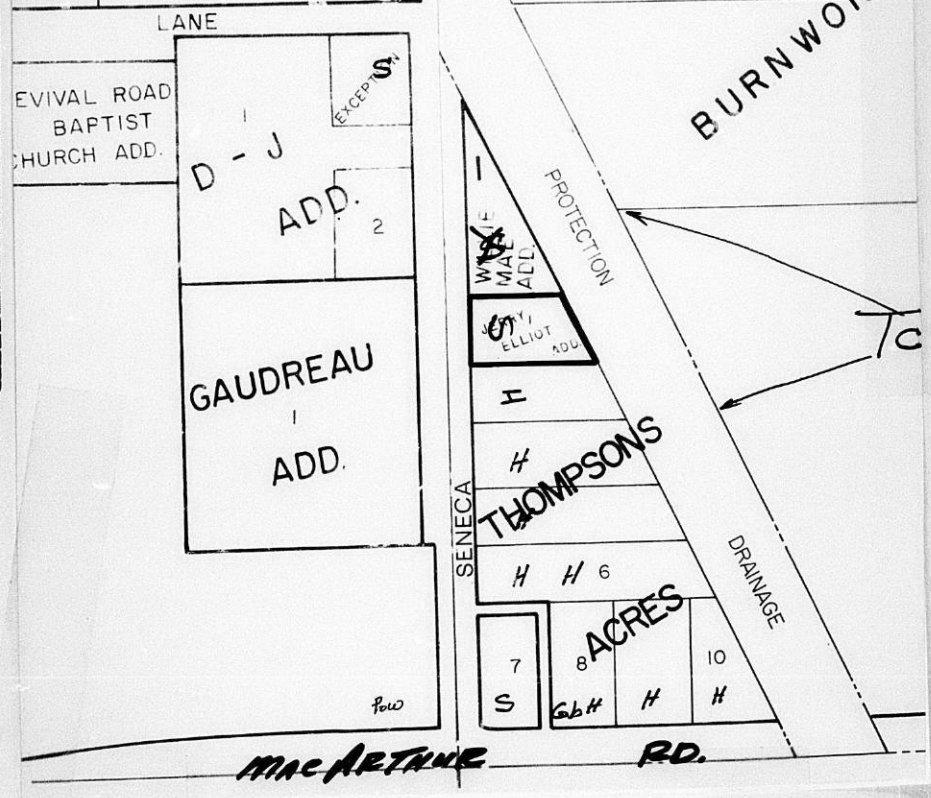
7-23-74.

Map No. 5443
 Sec. B
 Twp. 28
 Range 1E

BZA- 17-74
 SCZ- _____
 CU- _____
 Filed _____

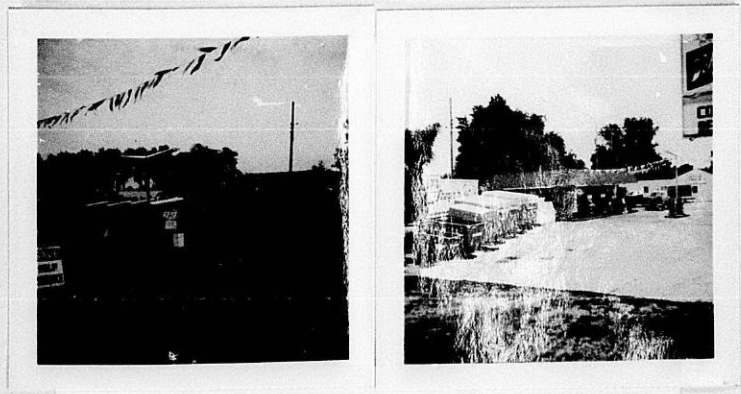
AREA DATA:
 1. Acres: 0.53 (120 ft. by 210 ft.)
 2. Adjoining Zoning: E _____ S _____ W _____ N _____
 3. Land Use: East _____ South SINGLE FAM
 West UNDEVELOPED North SERVICE STAT.
 4. Sketch Plan Land Use is for: _____
 5. Present Land Use if for: _____
 6. Area (is) (is not) platted. Yes

PHOTO DATA:
 Taken by _____ Date _____ Time _____



HVA 19-74 - Duwayne J. Unrain re-
quests exception for trailer rental
ES of Seneca & N of MacArthur Road

Smead[®]
No. 2-153C
HASTINGS, MN - LOS ANGELES
LOGAN, OH - MCGREGOR, TX U. S. A.



July 31, 1974

Mr. Bob L. Crahan
7038 East Orma
Wichita, Kansas 67207

Subject: Case No. BZA 17-74
Request for Exception

Dear Mr. Crahan:

Enclosed is a signed copy of the Resolution adopted by the Board of Zoning Appeals on July 23, 1974, in connection with your request for an exception to permit the establishment of a trailer rental agency for U-Haul trailers on property zoned the "LC" Light Commercial District and generally located on the east side of Seneca in an area between Interstate Highway 235 and MacArthur Road.

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.

Sincerely,

Jack H. Galbraith
Secretary

JHG:js

Encl.

cc: Duewane J. Unrein, 3850 S. Seneca 67217
Robert Feldner, Superintendent of Central Inspection
Ralph Eberly, City Clerk
Joe Donnelly, Central Inspection

RESOLUTION NO. BZA 17-74

WHEREAS, Duewane J. Unrein, 3850 South Seneca, Wichita, Kansas, 67217, by Bob L. Crahan, 7038 East Orme, Wichita, Kansas, 67207, requests an exception as provided in Section 2.12.590.C, Code of the City of Wichita, to permit the establishment of a U-Haul trailer rental agency on property zoned the "LC" Light Commercial District, and legally described as follows:

Lot 1, Jerry Elliott Addition, Wichita, Sedgwick County, Kansas. Generally located on the east side of Seneca in an area between Interstate Highway 235 and MacArthur Road.

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 July 23, 1974, 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 establishment of a U-Haul trailer rental agency 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 establishment of a U-Haul trailer rental agency on property zoned the "LC" Light Commercial District and legally described as follows:

Lot 1, Jerry Elliott Addition, Wichita, Sedgwick County, Kansas. Generally located on the east side of Seneca in an area between Interstate Highway 235 and MacArthur Road.

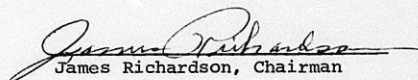
subject to the following conditions:

1. Approval shall apply only to that 15 foot by 40 foot area designated on the applicant's plot plan as trailer parking.
2. Trailer display shall be limited to not more than six trailers at any time, and they shall be arranged in a neat and orderly manner.
3. All storage and display area shall be paved with concrete, asphalt or other comparable material.
4. No signs shall be permitted to project over public right-of-way.

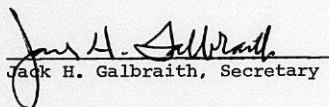
Resolution No. BZA 17-74
Page Two

5. All lights shall be shielded to direct light away from adjoining property. No string type lighting or banners shall be permitted.
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 23rd day of July, 1974.


James Richardson, Chairman

ATTEST:


Jack H. Galbraith, Secretary

July 24, 1974

Mr. Bob L. Crahan
7038 East Orme
Wichita, Kansas 67207

Subject: Case No. BZA 17-74
Request for Exception

Dear Mr. Crahan:

At the regular meeting of the Board of Zoning Appeals on July 23, 1974, your request for an exception to permit the establishment of a trailer rental agency for U-Haul trailers on property zoned the "LC" Light Commercial District and generally located on the east side of Seneca in an area between Interstate Highway 235 and MacArthur Road, 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,

Jack H. Galbraith
Secretary

JHG:js

cc: Dueswane J. Unrein, 3850 S. Seneca 67217
Robert Feldner, Supt. of Central Inspection
Ralph Eberly, City Clerk
Joe Donnelly, Central Inspection

SECRETARY'S REPORT

CASE NO. BFA 17-74

APPLICANT: Duewane J. Unrein, 3850 S. Seneca, Wichita, Kansas 67217.

AGENT: Bob L. Crahan, 7038 E. Orme Wichita, Kansas 67207.

REQUEST: Exception pursuant to Section 2.12.590.C, Code of the City of Wichita to permit the establishment of a trailer rental agency for U-Haul trailers.

GENERAL LOCATION: East side of Seneca in an area between Interstate Highway 235 and MacArthur Road.

LAND USE: Subject property is occupied by a service station, properties to the north and east are vacant; south is a single family home which houses a rug and furniture cleaning home occupation; west is a small multi-business shopping center.

ZONING: Subject property is zoned the "LC" Light Commercial District as are those properties to the north and west. Properties to the south and east are 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 22.04.183.2 can be complied with.

COMMENTS BY THE SECRETARY

The applicant is requesting an exception to permit the installation of a U-Haul trailer rental agency, providing limited trailer display, on property zoned the "LC" Light Commercial District. In his statement of justification, the applicant states that the display of trailers would be limited to no more than six trailers and would be confined to a 15 foot by 40 foot area as indicated on the plot plan submitted with his application.

Secretary's Report
Case No. BZA 17-74
Page Two

Subject property is located on the east side of the major street Seneca south of the I-235 By-Pass and is occupied by a service station which will continue as the primary use of the property. Property to the south is occupied by a single family home which houses a rug and furniture cleaning business being operated as a home occupation. Property to the west is developed as a small multi-business shopping center. Properties to the north and east are vacant. A 150 foot drainage easement separates subject property from the vacant property to the east. It should also be noted that in the general area, on the west side of Seneca there is a residential storage warehouse facility on property zoned commercial and a mobile home sales operation on property zoned light commercial. The Board of Zoning Appeals granted an exception for the establishment of the mobile home sales operation in the "LC" district on April 25, 1972 (BZA 9-72). Also in the general area is a mobile home park, located northeast of subject property.

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, but that in this case it would appear that the use would be appropriate in view of the existing land use and zoning in the general area.

RECOMMENDATION

It is the recommendation of the Secretary that the exception to permit the installation of a U-Haul trailer rental agency on property zoned the "LC" Light Commercial District be approved subject to the following conditions:

1. Approval shall apply only to that 15 foot by 40 foot area designated on the applicants plot plan as trailer parking.
2. Trailer display shall be limited to not more than six trailers at any time, and they shall be arranged in a neat and orderly manner.
3. All storage and display area shall be paved with concrete, asphalt or other comparable material.

Secretary's Report
Case No. BZA 17-74
Page Three

4. No signs shall be permitted to project over public right-of-way.
5. All lights shall be shielded to direct light away from adjoining property. No string type lighting or banners shall be permitted.
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

July 1, 1974

NOTICE TO ADJOINING PROPERTY OWNERS

Case No. BZA 17-74

An application has been filed by Duewane J. Unrein, 3850 South Seneca, Wichita, Kansas, pursuant to Section 2.12.590.C, Code of the City of Wichita, requesting an exception to permit the establishment of a trailer rental agency for U-Haul trailers on property zoned the "LC" Light Commercial District, and legally described as follows:

Lot 1, Jerry Elliott Addition, Wichita,
Sedgwick County, Kansas. Generally located
on the east side of Seneca in an area between
Interstate Highway 235 and MacArthur Road.

This application has been assigned Case No. BZA 17-74, and will be considered by the Board of Zoning Appeals at its meeting on Tuesday, July 23, 1974, 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

*17 Notices mailed to
Adjoining Property Owners
& 10 notices mailed to
mapc on 7-2-74*

BOARD OF ZONING APPEALS
CITY OF WICHITA, KANSAS

CASE NO. B2A 16-74
FILED 6-14-74

APPLICATION FOR EXCEPTION

I. Name of Applicant Duane J. Unrein ✓
Mailing Address 3850 S. Seneca 67217 Phone 524-9238
Name of Authorized Agent Bob L. Crahan % U-Haul Co. ✓
Mailing Address 7038 E. Orma 67207 Phone 685-6615
Relationship of applicant to property is that of Lessee
(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 a U-Haul trailer rental dealer as outlined in Letter of Justification and Intent. on property zoned L.C., located 3850 S. Seneca, just south of I 235 hi-pass on east side of Seneca and legally described as: Lot #1 Jerry Elliott Addition, Sedgwick county, Kansas, as described in attached Certificate of Ownership.

- _____ , in the City of Wichita.
- 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 Sedgwick County to appeal the decision of the Board.

Applicant Duane J. Unrein

Authorized Agent Bob L. Crahan

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

Signed Larry Nelson - JH

CERTIFICATE OF OWNERSHIP

LAWYERS TITLE INSURANCE CORPORATION, Guarantee Title Division, 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:

Lot 1, Jerry Elliott Addition
Sedgwick County, Kansas.

<u>DESCRIPTION</u>	<u>OWNER/OWNERS/ADDRESS</u>	
<u>D-J ADDITION</u>		
Lot 2	Progress Builders, Inc. 7426 Warren St.	67212
<u>GAUDREAU ADDITION</u>		
Lot 1	Millie M. Dye 146 N. Battin Murray Regier (Not available) L.D. Murray (Not available) Robert F. Gaudreau 144 N. Oliver William B. Gaudreau 323 N. Belmont	67208 67208 67208 67208
<u>WILLIE MAE ADDITION</u>		
Lot 1	Apco Oil Corporation 1115 E. Waterman	67211
<u>JERRY ELLIOTT ADDITION</u>		
Lot 1	Jerry L. & Lois J. Elliott 3860 S. Seneca	67217
<u>THOMPSON ACRES</u>		
Lot 3	Clell E. & Janet Bontrager 3904 S. Seneca	67217
Lot 4	Glenn & Clara Summey 4222 E. Central	67208
The S/2 of SW/4 of Sec. 8-28-1E, Except ROW & Exc. Drainage Ditch & Exc. Gas Property & Except part West of Ditch & Exc. Beg. SE cor. W 840', N 321.24' E 840', S. to Beg.	Halford E. & Zattie O. Moody 700 W. MacArthur	67217

Dated this 10th day of June, 1974, at 7:00 o'clock A.M.

LAWYERS TITLE INSURANCE CORPORATION
Guarantee Title Division

By Frank R. Hawkins
Title Officer

No. 481/f



U-HAUL CO. OF KANSAS CITY, INC.
401 SOUTH 42ND STREET • KANSAS CITY, KANSAS 66106 • PHONE: (913) 621-4040

Board of Zoning Appeals
City Building Annex
Wichita, Kansas 67202

June 14, 1974

Subject: Application for Exception
Letter of Justification &
Intent:

Dear Sir,

As authorized agent for the applicant Mr. Duesane J. Unrein, and on behalf of U-Haul Co. and Apco Oil Co., I am able to justify this application for the following reasons, as previously required for such an exception under section 28.04.183.2 of Wichita Zoning Ordinances.

U-Haul Co. and Apco Oil Co., along with applicant Mr. Unrein have clearly outlined an understanding with one another, that the U-Haul trailer rental operation would be only an added accessory or sideline to help supplement the applicants income, and would in no way interfere with the primary purpose of this business location being first and foremost an Apco Service Station, identifying with the public and their needs in this manner, and not as a rental lot.

Once established, this location will be a small trailer dealer with the following restrictions agreed upon by applicant, Apco Oil Co. and U-Haul Co. These restrictions will be enforced by myself, city zoning officials or (field inspectors), all co. officials, U-Haul Co. traffic controller & Marketing Co. president.

#1. No more than six trailers will be displayed at any time, with sizes varying from 4 by 6 up to 6 by 14 as illustrated in photos submitted with application.

#2. All trailers on display will be lined up in the designated area on plat plan according to size, and will at all times be kept neat and clean.

#3. To comply with any additional restrictions not outlined in this letter of justification that the Board may deem necessary, with the exception of screening.

This location is also just south of I 235 bi-pass on Seneca. To the west facing applicant is a small multi business shopping center, a Vickers service station, a U-Store Mini Storage facility, (zoned commercial) along with a Mobile Home sales operation also in a commercial zone. To the east behind applicant is a Mobile Home Park separated from applicant by a drainage ditch and a heavy row of trees. To the south is an office building. The general proximity of this location and surround seem to be appropriate for the limited trailer display we are requesting.

In view of subject location and the overall prevailing picture as outlined, I feel this exception should be granted by the secretary and approved by the Board of Zoning Appeals.

Sincerely, *Bob L. Cravan*

A TRANSPORTATION SERVICE COMPANY OF AMERCO 

FORM 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	Plan.	Plbg. Cert.
Sanitation	Sewer	Signs	Sidewalk
Street	Trailer		50.00

DESCRIPTION	AMOUNT
BZA EXCEPTION	50.00

Name BOB CRANDS (FOR D.J. HREIN)

Address 3850 S. SQUIFA

Type AA-407103 Due Date

Comments:

Date 6/14/74 BY [Signature]

*

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