

5845

P.C.  
B.I.

DATE 7-26-66

# ACTION

*Sza* COMMITTEE *Approved*

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

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

BZA 21-66 - Dale E. Wood requests exception to permit motorbike rental in "LC" on the east side of Oliver in an area between Larry Lane & Mt. Vernon

R E S O L U T I O N NO. BZA 21-66

WHEREAS, Dale E. Wood, 2014 South Oliver, Wichita, Kansas, by Frederick Aurbach, 413 Courtleigh, Wichita, Kansas, requests an exception to permit the installation of outdoor display of a motor bike rental operation, as provided in Section 28.04.183.2, Code of the City of Wichita; and

WHEREAS, the above request applies to property zoned "LC" Light Commercial, and legally described as follows:

A part of Reserve A, in Edgewood Addition described as follows: Beginning 130 feet south of northwest corner of Reserve A, thence south 134.92 feet; east 141.5 feet to east line of Reserve A; north 135.13 feet to a point 130 feet south of northeast corner of Reserve A; west to beginning, except west 10 feet for street, generally located on the east side of Oliver in an area between Mt. Vernon and Larry Lane; and

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 26, 1966, consider said application; and

WHEREAS, the Board of Zoning Appeals determined that it had proper jurisdiction to consider said request for an exception under the provisions of Section 2.12.590.2, Code of the City of Wichita, Kansas; and

WHEREAS, the Board of Zoning Appeals determined that the location is contiguous to a major street as designated in the Transportation Plan Element of the Comprehensive Plan, adopted May 19, 1966, and amendments thereto; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Zoning Appeals of the City of Wichita, Kansas, that the request for an exception as described above, for property legally described as:

A part of Reserve A, in Edgewood Addition described as follows: Beginning 130 feet south of northwest corner of Reserve A, thence south 134.92 feet; east 141.5 feet to east line of Reserve A; north 135.13 feet to a point 130 feet south of northeast corner of Reserve A; west to beginning, except west 10 feet for street, generally located on the east side of Oliver in an area between Mt. Vernon and Larry Lane,

be approved, subject to the following:

1. The motor bikes shall be confined to an area immediately in front of the hobby shop, more specifically described as beginning at the northwest corner of the building, thence south 35 feet, thence west 8 feet, thence north 35 feet, thence east 8 feet to the point of beginning; however, in no event shall the motor bikes be displayed in such a manner as to utilize any required off-street parking or interfere with the traffic circulation of the parking lot.
2. All storage and display areas shall be paved with concrete, asphalt or other comparable material.

3. All lights shall be shielded to reflect or direct light away from adjoining property. No string-type lighting shall be permitted.
4. No signs shall be placed so as to project over public right-of-way.
5. No sound-projecting devices or loudspeakers shall be used so as to be heard outside of any structure.
6. No repair work shall be conducted except from within an enclosed building.
7. Any violation of the above conditions shall deem the exception null and void.

ADOPTED AT WICHITA, KANSAS, this 26th day of July, 1966.

Harold Bauer  
Harold Bauer, Chairman

ATTEST:

Jack H. Galbraith  
Jack H. Galbraith, Secretary

August 17, 1966

Mr. Dale E. Wood  
2014 South Oliver  
Wichita, Kansas

Dear Mr. Wood:

Re: SEA Case No. 21-66 - Request for  
Exception

Enclosed is a signed copy of the Resolution adopted by the Board of zoning Appeals on July 26, 1966, in connection with your application for an exception to permit the outside display of rental motor bikes, on property zoned "LC" and generally located on the east side of Oliver in an area between Mt. Vernon and Larry Lane. This Resolution reflects the official action of the Board and sets out the conditions of approval.

If you have any questions concerning this matter, please call.

Very truly yours,

Jack H. Galbraith  
Secretary

JMS:br  
Attachment

cc: Frederick Aurbach, 413 Courtleigh  
Glen Lytle, Superintendent of Central Inspection  
L. L. Binkley, Maintenance Inspection Supervisor  
Ralph Eberly, City Clerk  
John Birch, 2019 South Glendale  
Luman Sherman, 2025 South Glendale

July 29, 1966

Mr. Dale E. Wood  
2014 South Oliver  
Wichita, Kansas

Dear Mr. Wood:

Re: BEA Case #21-66 - Request for  
exception

At the regular meeting of the Board of Zoning Appeals on July 26, 1966, your request for an exception to permit the outdoor display of rental motor bikes, on property zoned "LC" and generally located on the east side of Oliver in an area between Mt. Vernon and Larry Lane, was considered.

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

1. The motor bikes shall be confined to an area immediately in front of the hobby shop, more specifically described as beginning at the northwest corner of the building, thence south 35 feet, thence west 8 feet, thence north 35 feet, thence east 8 feet to the point of beginning; however, in no event shall the motor bikes be displayed in such a manner as to utilize any required off-street parking or interfere with the traffic circulation of the parking lot.
2. All storage and display areas shall be paved with concrete, asphalt or other comparable material.
3. All lights shall be shielded to reflect or direct light away from adjoining property. No strong type lighting shall be permitted.

Mr. Dale E. Wood  
Page 2  
July 29, 1966

4. No signs shall be placed so as to project over public right of way.
5. No sound projecting devices or loudspeakers shall be used so as to be heard outside of any structure.
6. No repair work shall be conducted except from within an enclosed building.
7. Any violation of the above conditions shall deem the exception null and void.

A Resolution setting forth the official action of the Board is being prepared and you will be mailed a copy thereof as soon as the Chairman and Secretary of the Board have signed it. If you have any questions, please call.

Very truly yours,

Ronald A. Williamson  
Secretary pro-tem

RAW:kkj

cc: Frederick Aurbach  
Glen Lytle  
Ralph Eberly  
John Birch  
Luman Sherman

SECRETARY'S REPORT

CASE NO. BZA 21-66

APPLICANT: Dale E. Wood, 2014 South Oliver

AGENT: Frederick Aurbach, 413 Courtleigh

REQUEST: Exception pursuant to Section 28.04.183.2, Code of the City of Wichita, to permit the outdoor display of a motor bike rental operation.

GENERAL LOCATION: East side of Oliver in an area between Mt. Vernon and Larry Lane

LAND USE: Subject property is utilized for several commercial businesses. To the north and south are service stations; to the east is single family and to the west is a liquor store and drive-in restaurant.

ZONING: Subject property is "LC"; to the north, south and west is "LC" and to the east is "A".

JURISDICTION

The Board has jurisdiction to consider this request under Section 2.12.590, Code of the City of Wichita and the Board may grant the exception providing that all the conditions outlined under Section 28.04.183.2 can be met.

COMMENTS BY THE SECRETARY

The applicant points out in his statement of justification that he operates a hobby shop and slot car racing center and that in order to counteract the slack summer season he desires to rent motor bikes. This, according to the applicant, necessitates outdoor display and the intent is to display the motor bikes in the parking lot area immediately in front of the hobby shop.

In viewing subject property in the field, it was noted that the motor bikes are being displayed outdoors at this time; however, they are parked in such a manner so as to not interfere with the normal circulation of the parking lot.

It is the opinion of the Secretary that the outdoor display of the motor bikes is not objectionable in this area inasmuch as the surrounding uses consist primarily of service stations and drive-ins and no residential development directly faces the facility.

RECOMMENDATION

In view of the surrounding development, it is the opinion of the Secretary that the motor bike rental operation can be developed compatibly with the existing area and, therefore, it is the recommendation of the Secretary that the exception be approved to permit the outdoor display of motor bikes only, subject to the following conditions:

1. The motor bikes shall be confined to an area immediately in front of the hobby shop, more specifically described as beginning at the northwest corner of the building, thence south 35 feet, thence west 8 feet, thence north 35 feet, thence east 8 feet to the point of beginning; however, in no event shall the motor bikes be displayed in such a manner as to utilize any required off-street parking or interfere with the traffic circulation of the parking lot.
2. All storage and display areas shall be paved with concrete, asphalt or other comparable material.
3. All lights shall be shielded to reflect or direct light away from adjoining property. No string type lighting shall be permitted.
4. No signs shall be placed so as to project over public right of way.
5. No sound projecting devices or loudspeakers shall be used so as to be heard outside of any structure.
6. No repair work shall be conducted except from within an enclosed building.
7. Any violation of the above conditions shall deem the exception null and void.

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

July 1, 1966

NOTICE TO ADJOINING PROPERTY OWNERS

Case No. 12A 21-66

An application has been filed by Dale E. Wood, 2014 South Oliver, Wichita, Kansas, pursuant to Section 2.12.590, Code of the City of Wichita, requesting an exception as provided in Section 28.04.183.2, Code of the City of Wichita, to permit the installation of a motor bike rental operation on property zoned Light Commercial and legally described as follows:

A part of Reserve A, in Edgewood Addition described as follows: Beginning 130 feet south of northwest corner of Reserve A; thence south 134.92 feet; east 141.5 feet to east line of Reserve A; north 135.13 feet to a point 130 feet south of northeast corner of Reserve A; west to beginning, except west 10 feet for street. Generally located on the east side of Oliver in an area between Mt. Vernon and Larry Lane.

This application has been assigned Case No. B2A 21-66, and will be considered by the Board of Zoning Appeals at its meeting on Tuesday, July 28, 1966, at 2 p.m. in Room 401 of the City Building Annex, 104 South Main, Wichita, Kansas, at which time you may appear, if you so desire, either in person or by agent or attorney.

Jack H. Galbraith  
Secretary

June 27, 1966

TO WHOM IT MAY CONCERN:

I operate a slot racing center and hobby shop and to counteract the summer slump I rent motor bikes, thus enabling me to stay in business the year-round. I am requesting permission to park the bikes in the parking lot in front of my store, zoned light commercial. They will be parked in an orderly manner and kept in good repair and will in no way serve to deface the neighborhood.

*Dale E. Wood*

BOARD OF ZONING APPEALS  
CITY OF WICHITA, KANSAS

CASE NO. Byz 21-66  
FILED 6-28-66

APPLICATION FOR EXCEPTION

I. Name of Applicant Dale E. Wood  
Mailing Address 2014 S. Oliver Phone MTS-9672  
Name of Authorized Agent Frederick Aurbach  no answer  
Mailing Address 113 Courtlidge Phone MTI 2-9283  
Relationship of applicant to property is that of lessee  
(owner, tenant, lessee, other). 5845

II. Application is made for an exception as provided in Section 28.04, 183.2, Code of the City of Wichita, Kansas *East side of Oliver in an area between mt Vernon & Larry Lane*  
(Zoning Ordinance); to permit the installation or construction of parking of ten (10) motor bikes on property zoned "LC", located 2014 S. Oliver

and legally described as: A part of Reserve A, in Edgewood Addition described as fol: Beg 130 ft S of NW cor Res A; th S 134.92 ft; E 141.5 ft to E line Res A; N 135.13 ft to a pt 130 ft S of NE cor Res A; W to beg., exc W 10 ft for street., 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 Dale E. Wood

Authorized Agent Frederick Aurbach

OFFICE USE ONLY: Received in Office of Secretary, Board of Zoning Appeals, 1:00 (a.m. - P.M.), June 28, 1966, together with appropriate fee of \$50.00.

Signed Ronald G. Williamson *PI*


STATEMENT OF RECORD OWNERSHIP

STATE OF KANSAS )  
                          )  
SEDGWICK COUNTY )

The undersigned duly bonded and qualified abstractor withip 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:

Property lying within a radius of 200 ft of:  
A part of Reserve A, in Edgewood Addition described as fol: Beg 130 ft S of NW cor Res A; th S 134.92 ft; E 141.5 ft to E line Res A; N 135.13 ft to a pt 130 ft S of NE cor Res A; W to beg., exc W 10 ft for Street.

  
**Fidelity  
Title  
Company  
inc.**

And from such examination find that the record owners thereof are as set opposite the description of the property below, viz:

N 130 ft of Res A, in Edgewood Add., exc  
W 10 ft for Oliver St.

✓ Sinclair Refining Company.  
Kansas City, Mo.

S 125 ft of Res A, in Edgewood Add., exc  
W 10 ft for Oliver Street.

✓ W. H. Rex  
P. O. Box 334, Eldorado, Ks.

Beg 130' S of NW cor Res A; S 134.92';  
E 141.5'; N 135.13'; W to beg., exc W  
10' for Oliver St.

✓ Gertrude & Frederick Aurbach, vir.  
413 Courtleigh

Lot 1, Blk 14, Edgewood Add.

✓ Joseph R. & Edna F. Hampton, ux  
440 N. Dellrose  
MU 3-7525

Lot 2, Blk 14, Edgewood Add.

✓ Franklin L. & M. Virginia Hirling, ux  
2007 S. Glendale  
MU 3-6839



N 53.25 ft of Lot 3, Blk 14, Edgewood Add.

✓ Eldon K. & Marjorie E. Deputy, ux  
2015 S. Glendale

MU 6-8100  
*no answer*

Lot 3, exc N 53.25', all Lot 4 & N 2.25'  
of Lot 5, Blk 14, Edgewood Add.

✓ John W. & Younne M. Burch, ux  
2019 S. Glendale

MU 4-4695

Lot 5, exc N 2.25', in Blk 14, Edgewood  
Addition.

✓ Luman F. & Eva H. Sherman, ux  
2025 S. Glendale

*no phone*

Lot 6, Blk 14, Edgewood Addition.

✓ Joseph & Anna Kegoles, ux  
2031 S. Glendale

MU 3-6137

Lot 7, Blk 14, Edgewood Addition.

✓ James E. & Dorothy J. Slaughter, ux  
2037 S. Glendale

MU 3-9646

Lot 1, Blk 1, Edgewood Addition.

✓ Herman & Florence E. Wunsch, ux  
2001 S. Glendale

*no phone*

Lot 2, Blk 1, Edgewood Addition.

✓ Samuel J. & Donna L. Simpson, ux  
2008 S. Glendale

MU 4-7148

*no answer*

Lot 3, Blk 1, Edgewood Addition.

✓ Bert E. & Vera F. Goodpaster, ux  
2014 S. Glendale

MU 4-2014

Lot 4, Blk 1, Edgewood Addition.

✓ Maurine Mohr, sgle &  
Lela B. Mohr, sgle.  
2020 S. Glendale

*no phone*

Lot 5, Blk 1, Edgewood Addition.

✓ James & LaDonna J. Sanders, ux  
2026 S. Glendale

MU 3-3322

*no answer*

Lot 6, Blk 1, Edgewood Addition.

✓ Ross B. & M. Charlene Smith, ux  
2032 S. Glendale

*no phone*

Lot 7, Blk 1, Edgewood Addition.

✓ James C. & Alice E. Ballinger, ux  
2038 S. Glendale

MU 6-8120

Reg 30 ft E & 626.13 ft N of SW  
cor N<sub>2</sub> SW<sub>4</sub> Sec 36, Twp 27, R 1E;  
th E 208.71 ft; N 208.71 ft; W  
208.71 ft; S 208.71 ft to beg., exc  
S 104.35 ft.

✓ Henry C. & Lois G. Richert, ux  
2102 S. Oliver

MU 2-0433

Lot 1, Edgedale Addition.

✓ James E. & Nova T. Ashley, ux  
2101 S. Glendale

*MU 24039 no answer*

E 64 ft of Lot 1, Oliver St., in  
Edgetown Park Addition.

✓ Harpool Bros., Inc.  
447 N. Rock Island

*AM 5-0658*

W 71 ft of Lots 1, 3 & all Lot 5,  
exc N 30 ft of E 64 ft, Oliver St.,  
Edgetown Park Add.

✓ Harpool Bros., Inc.

E 64 ft of Lot 3, Oliver St., Edge-  
town Park Add.

✓ Harpool Bros., Inc.

N 30 ft of E 64 ft of Lot 5, Oliver  
St., Edgetown Park Add.

✓ Harpool Bros., Inc.

Lots 7 & 9 & N 45 ft Lot 11, Oliver  
St., Edgetown Park Add.

✓ Gloria Eddie Farha  
4601 E. Douglas

S 15 ft Lot 11, all Lot 13, Oliver St.,  
Edgetown Park Add.

Oscar L. & Marietta F. Runyon, ux  
No Address Available

*no address found*

Lot 15, Oliver St., Edgetown Park Add.

✓ C. G. & E. Eloise Parkhurst, ux  
2039 S. Oliver

*MU 6-1930*

Dated at Wichita, Kansas, this 17th  
day of June, 1966 at 7:00 A. M.

FIDELITY TITLE COMPANY, INC.

By Eloise M Farrell  
Sec. OEM

Tracer # 76408

20' ALLEY

130'

135.13'

5.16'

40'

131.5'

86.5'

29.5'

22.5'

131.5'

125'

BIKE PARKING AREA  
20' x 35'

PARKING FOR 30 CARS

20' 25' 20' 20' 25' 20'

90° 52' 30"

134.92

90° 12' 30"

(E. OF OLIVER AVE.

PLOT PLAN

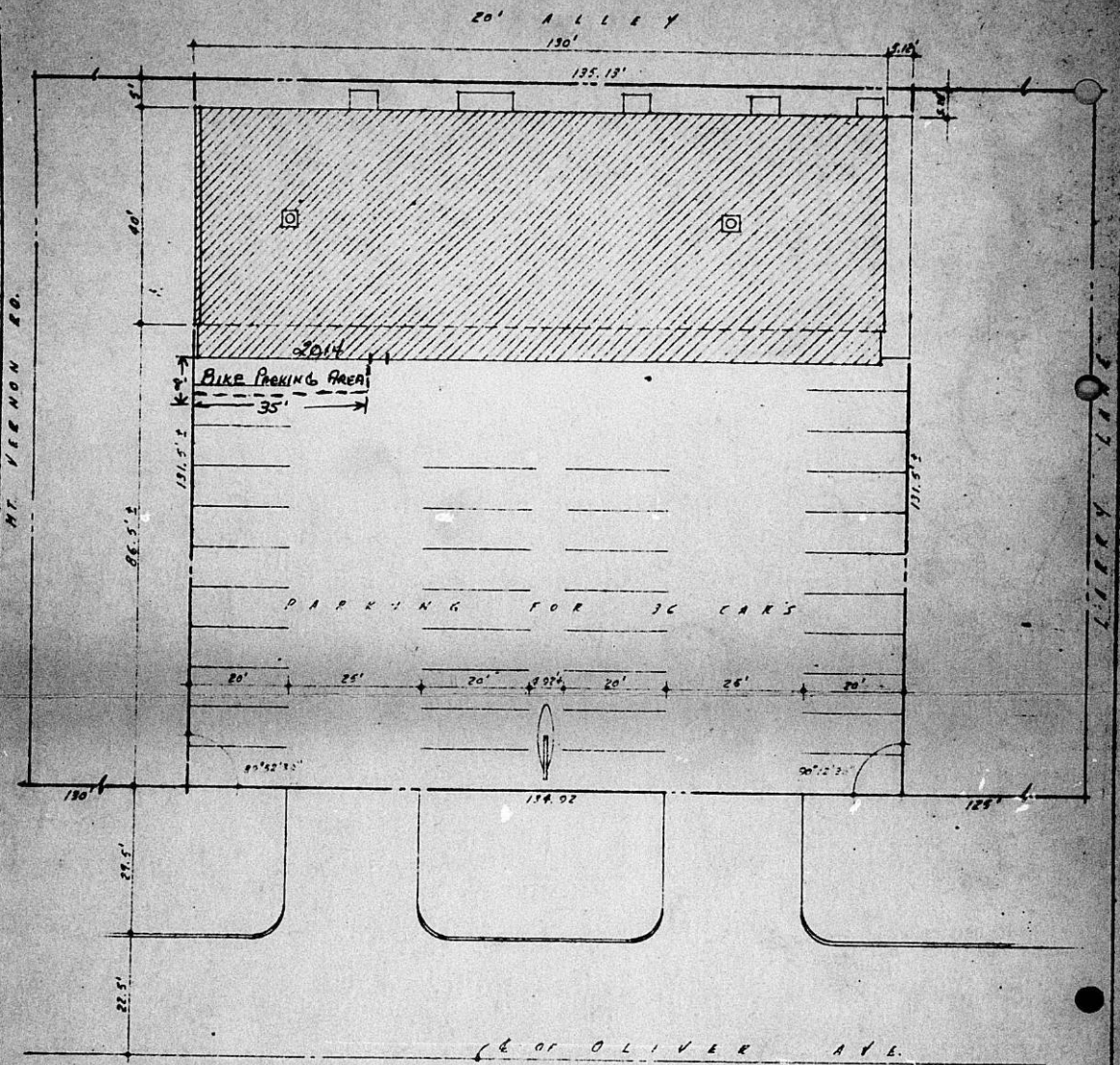
SCALE 1" = 20'-0"



*Don  
Wright*



125  
135  
130  
890



PLOT PLAN  
SCALE 1" = 20' 0"



125  
135  
130  
490

*Don Walker*

