

Case No. BZA 24-86 - H I. White Corp.
Requests an exception to permit the
establishment of a vehicle leasing
agency (truck rental business) on pro-
perty zoned the "LC" Light Commercial
District generally located on the NW
corner of Pawnee & Hillside.

POSTED
6-24-86 GEL

ACTION

BZA 24-86 Approved 10-22-87
DATE

5645B

Rec'd Sec 12-16-87

Slot 1-27-88

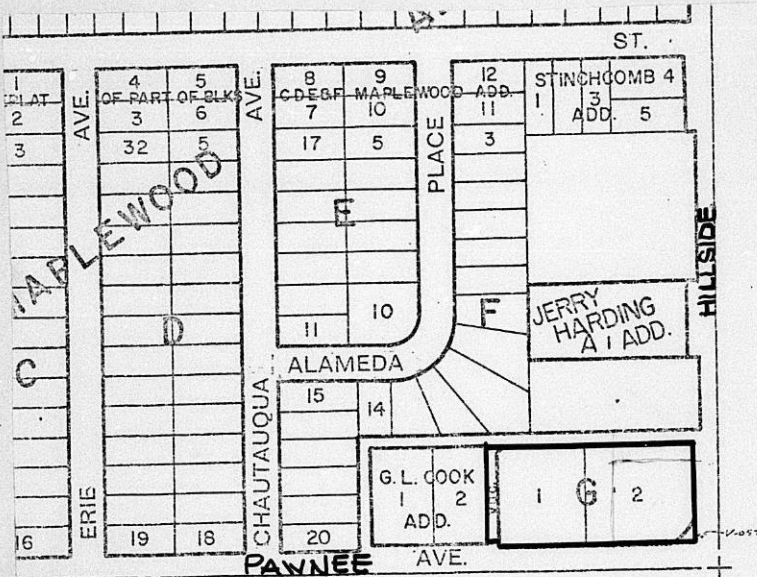
Record ✓

Map No. 5645 B

BZA 24-86
Filed _____

AREA DATA:

1. Acres: _____ (_____ ft. by _____ ft.)
2. Adjoining Zoning: E "LC" S "LC" W "LC" N "B" & "A"
3. Land Use: East Comm. South Comm.
West Comm. North I-F
4. Area (is) (~~to be~~) platted.



LOS ANGELES-CHICAGO-LOGAN, OH
HOBBSBORN, TX - BOSTON, MA
U.S.A.

Shoemaker
No. 2-153C
HARTING, MN

7-7-86

Zverett called and
wants Rider Trucks case
set over for one
month.

JLS

Wants to get you a site plan.

October 29, 1987

Everett C. Fettis
120 South Market, Suite 504
Wichita, Kansas 67202

FILE COPY

Re: BZA 24-86 - Exception to permit the establishment of a vehicle (truck) rental and leasing business. On the northwest corner of Pawnee and Hillside.

Dear Mr. Fettis:

Enclosed is a signed copy of the above-referenced BZA Resolution adopted by the Board of Zoning Appeals on October 28, 1986. This Resolution reflects the official action of the Board to grant your request and sets out the conditions of approval. It is forwarded to you for your information and files now that condition #1 has been complied with.

If you have questions concerning this matter, please call our office.

Sincerely,

Louise Olivarez
Assistant Secretary

JHG/lw

Enclosure

cc: H. I. White Corporation, c/o Howard White, 1030 Vincent Lane,
Wichita, KS 67206
Monty Robson, Superintendent of Central Inspection (2 w/site plan)
Dale Rea, Deputy City Clerk

RESOLUTION NO. BZA 24-86

WHEREAS, H. I. White Corporation, c/o Howard White, 1030 Vincent Lane, Wichita, Kansas, pursuant to Section 2.12.590.C, Code of the City of Wichita, requests an exception to permit the establishment of a vehicle (truck) rental and leasing business on property zoned the "LC" Light Commercial District and legally described as follows:

The south 160 feet of the east 160 feet of Lot 2, Block G, Maplewood Addition to Sedgwick County, Kansas and that part of vacated street adjoining said Lot 2 at the SE corner, except the South 10 feet and the East 10 feet of the above dedicated for street. Generally located on the northwest corner of Pawnee and Hillside.

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 October 28, 1985, 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 vehicle (truck) rental and leasing 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.

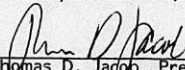
NOW, THEREFORE, BE IT RESOLVED by the Board of Zoning Appeals of the City of Wichita, that this application be approved to permit the establishment of a vehicle (truck) rental and leasing business on property zoned the "LC" Light Commercial District and legally described as follows:

The south 160 feet of the east 160 feet of Lot 2, Block G, Maplewood Addition to Sedgwick County, Kansas and that part of vacated street adjoining said Lot 2 at the SE corner, except the South 10 feet and the East 10 feet of the above dedicated for street. Generally located on the northwest corner of Pawnee and Hillside.

subject to the following conditions:

1. Prior to the release of the resolution authorizing the use of the property as a truck rental business, the applicant shall furnish a revised site plan showing the location of the trucks on site with adequate circulation and maneuvering space to not interfere with the other uses on site. Said plan shall be in accordance with the standards and approved by the Traffic Engineer.
2. All driveways, circulation aisles and parking spaces shall be surfaced with asphalt, asphaltic concrete and maintained in good condition.
3. A screening fence, not less than six feet high, constructed of wood, metal or masonry shall be constructed along the north property line of the application area.
4. Appropriate barricades shall be provided to prevent the use of unsurfaced property from being utilized in violation of the code.
5. No additional lighting shall be installed on the property that will shine on the adjacent residential properties.
6. Only such signs as authorized by the "LC" Light Commercial District for one business shall be permitted.
7. The number of rental trucks located on the site shall not exceed five (5) at any time.

ADOPTED AT WICHITA, KANSAS, this 28th day of October, 1986.


Thomas D. Jacob, President

ATTEST:


Jack H. Galbraith, Secretary

LAW OFFICES
FETTIS & MCCLURE
120 SOUTH MARKET
SUITE 504
WICHITA, KANSAS 67202
316-267-7251

EVERETT C. FETTIS
DAVID R. MCCLURE

KEITH M. CURFMAN
OF COUNSEL

October 5, 1987

Louise Olivarez
Metropolitan Area Planning Department
455 North Main
Wichita, Kansas 67202

RE: BZA 24-86 (Exception)
NW Corner Hillside and Pawnee

Dear Louise:

This will confirm our conversation had last week to verify the fact that we did correct the site plan and filed it with your office.

You advised me that the description on the application was in error, and you are correct. The original description was given to me erroneously. The property is on the northwest corner of Pawnee and Hillside, and the basic dimensions of the property are 150' X 150'. I think your drawings probably indicate that the property line actually extends beyond the 150' into the right-of-way, but the actual enclosed property being used and basically under lease is 150' X 150'.

If you need any further information on this, please let me know.

Very truly yours,


EVERETT C. FETTIS

ECF/dbs

RECEIVED

OCT 06 1987

METROPOLITAN PLANNING
ROUTE _____

May 12, 1987

Mr. Everett Fettis
120 South Market, Suite 504
Wichita, Kansas 67202

RE: BZA 24-86 (Exception - NW corner Hillside and Pawnee)

Dear Mr. Fettis:

On October 29, 1986, you were notified of the action taken by the Board of Zoning Appeals on the application for a truck rental business to be located on the northwest corner of Hillside and Pawnee. As of this date, the Resolution authorizing said use has not been released as you have not furnished this office a copy of an approved site plan and the corrected legal description of the application area.

Please see that matter is taken care of at the earliest possible date. If you have any questions, please give me a call.

Sincerely,

Glen E. Lytle
Special Assistant for Zoning

GEL/lw

PL/0150/1

October 29, 1986

Everett C. Fettis
120 South Market
Wichita, Kansas 67202

Re: BZA 24-86 - Request for Exception (On the northwest corner of
Pawnee and Hillside)

Dear Mr. Fettis:

At the regular meeting of the Board of Zoning Appeals on October 28, 1986, your request for an exception was considered. It was the action of the Board to grant the exception subject to the following conditions:

1. Prior to the release of the resolution authorizing the use of the property as a truck rental business, the applicant shall furnish a revised site plan showing the location of the trucks on site with adequate circulation and maneuvering space to not interfere with the other uses on site. Said plan shall be in accordance with the standards and approved by the Traffic Engineer.
2. All driveways, circulation aisles and parking spaces shall be surfaced with asphalt, asphaltic concrete and maintained in good condition.
3. A screening fence, not less than six feet high, constructed of wood, metal or masonry shall be constructed along the north property line of the application area.
4. Appropriate barricades shall be provided to prevent the use of unsurfaced property from being utilized in violation of the code.
5. No additional lighting shall be installed on the property that will shine on the adjacent residential properties.
6. Only such signs as authorized by the "LC" Light Commercial District for one business shall be permitted.

October 29, 1986

7. The number of rental trucks located on the site shall not exceed five (5) at any time.

The release of the resolution authorizing the use is subject to the submission and approval of a revised site plan in conformance with all conditions.

If you have any questions, please call our office.

Sincerely yours,

Glen E. Lytle
Assistant Secretary

GEL:lw

cc: H. I. White Corporation, c/o Howard White, 1030 Vincent Lane,
Wichita, KS 67206
Monty Robson, Superintendent of Central Inspection (2)
Don Gisick, City Clerk

LAW OFFICES
FETTIS & MCCLURE
120 SOUTH MARKET
SUITE 504
WICHITA, KANSAS 67202
316-267-7251

EVERETT C. FETTIS
DAVID R. MCCLURE

KEITH M. CURFMAN
OF COUNSEL

October 17, 1986

Sandy Duncan
2355 S. Hillside
Wichita, KS 67211

Dear Sandy:

I wish to express my appreciation for your taking time to visit with me and my client Clyde Williams with regard to his request for a zoning modification at his station next door to your home.

As I told you, we wish to state for your information and assurance, as well as for the benefit of your neighbors, the conditions which Mr. Williams will meet with this approval.

It is a request that he be permitted to operate a Ryder rental pick up station which mainly benefits the people who live in your section of the city.

Vehicles will be ordered by the customer and the company will deliver the vehicle to the station for pick up. When the use is completed the vehicle will be returned to the station and will be promptly picked up by the company and returned to their storage area.

The authority will be limited to no more than five vehicles on the premises at any given time. It is unlikely that there will be more than two on location at most times.

There will be no service work performed on the vehicles at the station, only gas and oil will be provided for the vehicles.

Station hours are such that there is no late nights, the station seeks to close at 7:00 P.M.

Sandy Duncan
October 17, 1986
Page 2

There will seldom be traffic in or out of the station of more than one vehicle per day and probably less on an average basis. Therefore, it is respectfully suggested that to raise the question of traffic congestion is really not relevant. From my observation of this intersection there are many times that many trucks making deliveries to the various businesses on a daily basis.

It is intended and expected that the vehicles will generally enter and exit from one of the drives on Hillside. Of course when people bring back the vehicles they may choose to enter from one of the drives on Pawnee. With the limited number we fail to see any problem from this.

Mr. Lytle has pointed out to me that my description is too large. This mistake is entirely mine. Mr. Williams has leased only the corner service station. He is the one seeking the allowance. It was necessarily made in the name of the owner of the property, Mr. White. However, he was assured that Mr. William was paying for this application and was totally responsible for it.

We will make clear before the Board of Zoning Appeals the exact limits of the property and will make certain that vehicles will not be permitted to be stored in the alley or surrounding properties.

As you know this is a fairly large location and there is ample room for the storage of these vehicles to the north of the building improvements. As you have observed, also, there are no gas-line pumps east of the building and there obviously will be no congestion caused.

If you have any more questions, please speak either to me or your neighbor, Clyde Williams. We very much appreciate your interest and your expressed interest in being available to speak to your neighbors.

Very truly yours,


EVERETT C. FETTIS

ECF/jr

cc: Clyde Williams

THE CITY OF WICHITA

OFFICE OF Citizen Participation DATE October 17, 1986

TO Glen Lytle, Special Assistant for Zoning

FROM Shirley Mast, Administrative Aide III

SUBJECT BZA 24-86: Northwest corner of
Pawnee and Hillside

CPO Council "E" considered the captioned case at its October 8th meeting and voted 5-0 to recommend that the exception to permit the establishment of a vehicle (truck) rental and leasing business be denied for the following reasons:

- 1) Neighborhood concerns, i.e., a) traffic is already heavy and often congested at the Pawnee and Hillside intersection, the truck rental traffic will only compound the existing problems; b) the applicant is known throughout the neighborhood as an owner who does not maintain his properties, a truck rental business which is not maintained becomes an eyesore to the neighborhood and creates problems for adjoining residential owners wanting to sell their properties.
- 2) Although the applicant's agent made a commitment at the October 8th meeting that the application area will be limited to the paved portion of the filling station and that no trucks will park off the paved area or in the alley, Council's members are skeptical about this commitment being kept especially over an extended period of time, such as five years from now.

Everett Fettis, agent, was present to describe the request and respond to questions. Mr. Fettis requested that record reflect that he would ask the applicant to limit the application area to the paved portion of the filling station and to ban trucks from parking off the paved area or in the alley.

Two adjoining property owners were present and voiced opposition to the exception. Also, State Representative Sandy Ducan, 2355 South Hillside, telephoned the CPO office prior to the meeting and expressed opposition to the zoning exception.

Please provide the Council's recommendation to the Board of Zoning Appeals when the case is considered at the October 28th meeting.


Shirley Mast
Administrative Aide III

SM:dm
Noted


Annie K. Montgomery
CRS Director

SECRETARY'S REPORT
CASE NO. BZA 24-86

APPLICANT: H. I. White Corporation, 1030 Vincent Lane, Wichita, KS

AGENT: Everett C. Fettis, 120 S. Market, Wichita, KS

REQUEST: Exception pursuant to Section 28.04.183.2 Code of the City of Wichita to permit the establishment of a vehicle (truck) rental and leasing business.

GENERAL LOCATION: On the northwest corner of Hillside and Pawnee.

ZONING: Subject property is zoned the "LC" Light Commercial District as are the properties to the west, south and east. To the north is the "A" Two-family and "B" Multiple-family Dwelling District.

LAND USE: Subject property is occupied by two service stations. To the east and south is commercial development. To the west and north are one-family dwellings.

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 permit one of the tenants on the property to operate a truck rental business in conjunction with operation of a service station. This application was filed after the tenant was cited on June 2, 1986 for the operation of the truck rental business in violation of the "LC" Light Commercial District. This case was advertised for hearing before the Board at the July 22, 1986 meeting but the case was deferred so that a site plan and additional information on the operation could be furnished.

It should be noted that the information setting forth the number of vehicles to be located on the property was not furnished to the Secretary until October 9, 1986. In accordance with the site plan, the trucks will be parked along the north of the service station in a very limited space on the property. The grade of the property is such that a retaining wall is located at the edge of the drive at the north and west limits of the paving.

For this type of business and for all other uses where off-street parking is required, all areas must be surfaced. There appears to be areas on the applicants property that are being utilized for circulation and parking that are not in conformance with the code. It should be noted that the legal description furnished with the application includes a much greater area than is shown by the site plan furnished to the Secretary, so it is difficult to ascertain exactly what area is to be utilized by the tenant.

Central Inspection has advised the Secretary that they have issued several notices to the applicant relative to a dwelling located on the rear of the property that has numerous code violations. As indicated by several adjacent property owners, these conditions still exist even though notices had been issued beginning more than three years ago. Central Inspection has verified that the property is still in violation.

RECOMMENDATION:

Although the Board has jurisdiction to authorize this exception, if it is determined that the use is appropriate at this location, it is the Secretary's opinion that the introduction of this use is not compatible with the adjacent properties to the north and the application should be denied. However, should the Board determine after the public hearing that the use could be

located on the property in full compliance with the appropriate regulations, then the following conditions are suggested for consideration of approval:

1. Prior to the release of the resolution authorizing the use of the property as a truck rental business, the applicant shall furnish a revised site plan showing the location of the trucks on site with adequate circulation and maneuvering space to not interfere with the other uses on site. Said plan shall be in accordance with the standards and approved by the Traffic Engineer.
2. Prior to the release of the resolution authorizing this exception, the applicant shall remove, or bring into compliance with the city codes, the residential structure on the property and the removal of all trash and debris.
3. All driveways, circulation aisles and parking spaces shall be surfaced with asphalt, asphaltic concrete and maintained in good condition.
4. A screening fence, not less than six feet high, constructed of wood, metal or masonry shall be constructed along the north property line of the application area.
5. Appropriate barricades shall be provided to prevent the use of unsurfaced property from being utilized in violation of the code.
6. No additional lighting shall be installed on the property that will shine on the adjacent residential properties.
7. Only such signs as authorized by the "LC" Light Commercial District for one business shall be permitted.

THE CITY OF WICHITA

OFFICE OF Central Inspection Division

DATE October 8, 1986

TO Glen Lytle, Special Assistant for Zoning

FROM Jim Roths, Chief Housing Inspector

SUBJECT 3102 E. Pawnee
H. I. White Corporation

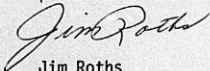
On September 2, 1983, Central Inspection initiated a Housing Code file on the vacant structure located at 3102 E. Pawnee. At the time the structure was secured, however, there were exterior code violations and premise conditions that needed correction. A notice was issued.

According to our case file, the premises have been cleaned twice by the Health Department.

On September 19, 1984, a pre-condemnation letter was issued, however, due to budget deficiencies condemnation has not been initiated.

On August 1, 1985, a notice to secure this structure was issued, the notice was complied with.

An inspection on October 8, 1986, revealed the back door was not secured, the premises need mowing, and no repairs have been made except some exterior painting.



Jim Roths
Chief Housing Inspector

JR:bg

LAW OFFICES
FETTIS & MCCLURE
120 SOUTH MARKET
SUITE 504
WICHITA, KANSAS 67202
316-267-7251

EVERETT C. FETTIS
DAVID R. MCCLURE

KEITH M. CURFMAN
OF COUNSEL

October 8, 1986

Glen E. Lytle
Special Assistant for Zoning
455 North Main
Wichita, Kansas 67202

RE: BZA 24-86 Request for Exception
Northwest corner of Pawnee and Hillside

Dear Mr. Lytle:

The site plan which was furnished in connection with the above application needs the following further explanation.

This location will be used as a pickup station for Ryder rental vehicles. The vehicles will be delivered to this location to fill specific orders. Vehicles will be returned to this station and taken back to the Ryder storage facilities. This location will not serve as a storage area.

The number of vehicles on location will be limited to five at any one time and will rarely reach that number.

The vehicles will be stored in the area north of the improvements where there is more than ample storage area. Generally, the vehicles will enter and exit through the drives located on the east side of the property which is on Hillside.

No service work will be performed on these vehicles at this location. The only service may be providing gas and oil.

There will be no late night traffic as the station generally is closed by about 7:00 p.m.

These provisions and directions have been discussed with a representative of the neighborhood, and it is believed that these plans are acceptable to them.

Very truly yours,



EVERETT C. FETTIS

ECF/dbs

RECEIVED

OCT 09 1986

METROPOLITAN PLANNING
ROUTE _____

BZA CASE NO. 24-86

<u>2</u>	NOTICES SENT TO APPLICANT/AGENT
<u>14</u>	LEGAL ADVERTISEMENT SENT TO MAPC & BZA
<u>1</u>	NOTICES SENT TO CPO
<u>16</u>	NOTICES SENT TO ADJOINING PROPERTY OWNERS
<u>19</u>	TOTAL NOTICES SENT <u>10/6/86</u>

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

October 6, 1986

NOTICE TO ADJOINING PROPERTY OWNERS:

CASE NO. BZA 24-86

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. I. White Corporation, c/o Howard White, 1030 Vincent Lane, 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 establishment of a vehicle (truck) rental and leasing business on property zoned the "LC" Light Commercial District. A legal description of the applicant's property is as follows:

All of Lots 1 and 2 and all of the vacated alley adjoining said Lot 1 on the West in Block G, Maplewood Addition to Sedgwick County, Kansas and that part of vacated street adjoining said Lot 2 at the SE Corner, except the South 10 feet and the East 10 feet of the above dedicated for street. Generally located on the northwest corner of Pawnee and Hillside.

This application has been assigned Case No. BZA 24-86. It will be considered by the Board of Zoning Appeals on October 28, 1986 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.

Glen E. Lytle
Assistant Secretary

October 2, 1986

Everett C. Fettis, Attorney
120 South Market
Wichita, Kansas 67202

RE: BZA 24-86 Request for Exception (Hillside and Pawnee, NW corner)

Dear Everett:

On June 13, 1986, I advised you of the need for a site plan and a description of the manner in which the applicant is proposing to use the property as a truck rental or leasing business. I have recently received a site plan showing the existing improvements on the property and some possible expansion of the parking.

As I previously stated, your client should provide the number and size of trucks to be stored on the property and their location. The vehicles should be parked so that adequate ingress and egress can be provided without interference with other vehicular movements. I would also point out that all circulation of vehicles should be on paved driveways. It appears that this is not adhered to at the present time, so the paving will more than likely be required to be expanded if the application is approved.

I would appreciate receiving this information on or before October 10, 1986 so that I can prepare a staff report for the Board. If you have any questions, please give me a call.

Sincerely,

Glen E. Lytle
Special Assistant for Zoning

GEL/lw

THE CITY OF WICHITA



BOARD OF ZONING APPEALS
CITY HALL — TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202
(316) 668-4461

June 13, 1986

Mr. Everett C. Fettis, Attorney
120 South Market
Wichita, Kansas 67202

RE: BZA 24-86 Request for Exception

Dear Everett:

At the time I accepted the application on June 12, 1986 for the Truck and Vehicle rental business on the northwest corner of Pawnee and Hillside, you indicated that you would furnish a site plan of the property. As per the instructions furnished with the application, this site plan shall show all the existing structures and uses on the property and the location and number of trucks to be stored and displayed on the property. It shall also include all required off-street parking spaces, all points of ingress and egress and dimensions of all driveways, property lines, etc.

I would point out that the legal description furnished with the application does not coincide with the drawing shown to me the day you filed the application. I would appreciate you furnishing three copies of the site plan along with a correct legal description on or before July 10, 1986 or this case will be deferred until this information is furnished.

If you have any questions on this, please give me a call.

Sincerely,

Glen E. Lytle
Special Assistant for Zoning

GEL/lw

BZA CASE NO. 24-86

<u>2</u>	NOTICES SENT TO APPLICANT/AGENT
<u>14</u>	LEGAL ADVERTISEMENT SENT TO MAPC & BZA
<u>1</u>	NOTICES SENT TO CPO
<u>15</u>	NOTICES SENT TO ADJOINING PROPERTY OWNERS
<u>18</u>	TOTAL NOTICES SENT <u>6-30-86</u>

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

June 30, 1986

NOTICE TO ADJOINING PROPERTY OWNERS:

CASE NO. BZA 24-86

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 Howard I. White Corporation, 1030 Vincent Lane, 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 establishment of a vehicle leasing agency (truck rental business) on property zoned the "LC" Light Commercial District. A legal description of the applicant's property is as follows:

All of Lots 1 and 2, and all of the vacated alley adjoining Lot 1 on the west in Block C, Maplewood Addition, an addition to Wichita, Sedgwick County, Kansas and that part of vacated street adjoining said Lot 2 at the southeast Corner, except the South 10 feet and the East 10 feet of the above dedicated for street. Generally located on the northwest corner of Pawnee and Hillside.

This application has been assigned Case No. BZA 24-86. It will be considered by the Board of Zoning Appeals on July 22, 1986 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.

Glen E. Lytle
Assistant Secretary

BOARD OF ZONING APPEALS

CASE NO. 24-86

CITY OF WICHITA, KANSAS

FILED _____

APPLICATION FOR EXCEPTION

I. Name of Applicant H.I. WHITE CORPORATION, %Howard I. White

Mailing Address 1030 Vincent Lane Phone 685-9695

Name of Authorized Agent Everett C. Fettis

Mailing Address 120 S. Market Phone 267-7251

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 a vehicle leasing agency

_____ on property zoned LC,

located 3126 East Pawnee and legally

described as: _____

see attached

_____, 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. 39-285); 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 HOWARD WHITE

Authorized Agent Everett C. Fettis
Everett C. Fettis

OFFICE USE ONLY: Received in Office of Secretary, Board of Zoning Appeals, 10:00 (a.m.p.m.), JUNE 12, 1986 together with appropriate fee of 40.00.

Signed _____

All of Lots 1 and 2 and all of the vacated alley adjoining said Lot 1 on the West in Block G, Maplewood Addition, an Addition to Sedgwick County, Kansas and that part of vacated street adjoining said Lot 2 at the SE Corner, except the South 10 ft and the East 10 feet of the above dedicated for street.

H.I. White Corporation

OWNERSHIP LIST

<u>Lot</u>	<u>Block</u>	<u>Addition</u>	<u>Property Owner</u>
Lot 9	Block F	Maplewood Addition	✓ Clyde L. Andrews ✓ Jacquelyn T. Andrews 2350 Alameda Wichita, KS 67211
Lot 10	Block F	"	✓ Robert D. Ball ✓ Diana G. Ball 2356 Alameda Wichita, KS 67211
Lot 11	Block F	"	✓ Dean A. Millspaugh ✓ Leah Grace Millspaugh 2362 Alameda Wichita, KS 67211
Lot 12	Block F	"	✓ Irene Mary Rudd ✓ 2368 Alameda Wichita, KS 67211
Lot 13	Block F	"	✓ Milton Maynard ✓ Brinkman ✓ Vlema D. Brinkman 2374 Alameda Wichita, KS 67211
Lot 14	Block F	"	✓ Robert T. Groszek ✓ Carolyn L. Groszek 2380 Alameda Wichita, KS 67211
All of Lots 1 & 2 and all of the vacated alley adjoining said Lot 1 on the West in Blk. G, and that part of vacated street adjoining said Lot 2 at the SE/c, exc. the South 10 feet and the East 10 feet of the above dedicated for street.		"	✓ H. I. White ✓ Corporation 3126 E. Pawnee Wichita, KS 67211
Lot 1	Block A	Jerry Harding Addition	✓ Jerry R. Harding ✓ Charlett M. Harding 2328 S. Hillside Wichita, KS 67211
Lots 1 & 2		G. L. Cook Addition	✓ G. L. Cook ✓ Ruby A. Cook 3040 E. Pawnee Wichita, KS 67211
Lot 2 & the West 50 feet of Lot 3		Burgardt Addition	✓ Boulevard State Bank 2300 E. Lincoln Wichita, KS 67211
The East 50 feet of Lot 3		"	✓ Thomas Cleta Burgardt ✓ Viola Marie Burgardt 125 Penrose Dr. Wichita, KS 67206

Lot	Block	Addition	Property Owner
Lot 1		Park Pawnee Trust Second Addition	Trustees of Parker Real Estate Trust Agreement 2808 Glen Oaks Dr. Wichita, KS 67216
Lot 38		Elmwood Addition	Danny H. Spoonhour 2318 S. Hillside Wichita, KS 67211
All of Lot 1 and Lot 2, except the South 125 feet		Elmwood 2nd Addition	Jerry R. Harding Charlett M. Harding 2328 S. Hillside Wichita, KS 67211
The South 125 feet of the West 111 feet of Lot 2		"	Jerry R. Harding Charlett M. Harding 2328 S. Hillside Wichita, KS 67211 AND Michael A. Harding 2328 S. Hillside Wichita, KS 67211
Beginning 239 feet North of the SE/c of Section 34, Township 27, Range 1 West; thence West 332.51 feet; th. North 132 feet; th. East 332.53 feet; th. South 132 feet to the p.o.b.			J. Sanford Duncan Cathy S. Duncan 2355 S. Hillside Wichita, KS 67211
Lot 8	Block A	Planeview Subdivision #1	Floyd D. DeWitt Marie J. DeWitt Suite 200, 505 S.Bdwy. Wichita, KS 67202 Notice of Interest filed 1-18-85: Commercial Develppers Inc. Address Unknown

We hereby certify the foregoing to be a true and correct list of the property owners of the hereinbefore described lots and tract within a 200 foot radius of:

All of Lots 1 and 2 and all of the vacated alley adjoining said Lot 1 on the West in Block "G", Maplewood Addition, an Addition in Sedgwick County, Kansas, and that part of vacated street adjoining said Lot 2 at the southeast corner, except the South 10 feet and the East 10 feet of the above described for street.

as shown by the last deed of record on file in the Office of the Register of Deeds, Sedgwick County, Kansas, on the 16th day of June, 1986, at 7:00 o'clock A.M.

THE SECURITY ABSTRACT AND TITLE COMPANY, INC.

Mary Cable

By
Sr. Vice-President

Order No: 362339
nj

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AVAILABLE COPY**

FORM 021

PAYMENT NOTICE
City of Wichita

Bldg.	Use of Str.	Code Bks	Copies
Elec	Elev. Insp.	Hse Moving	Lic.
Mech	Boiler Insp.	Fav. Cuts	Cert.
Plbg	Exam Fees	Sewer	Elev.
Signs	Plan Rev. (F.W.)	Cement	M.S.P.

Planning

DESCRIPTION	AMOUNT
City 624 6100	\$400.00

NAME *Edward S. Farris*

ADDRESS *120 S. Market*

FUND *95-4070-000* DUE DATE

COMMENTS

DATE *10-17-61* BY *[Signature]*

*

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

Roll # 3