

Case No. BZA 29-83 - U-Haul Company  
of K.C., Inc., 401 South 42nd, Kansas  
City, Kansas, requests an exception to  
permit the establishment of a trailer,  
vehicle and equipment rental business  
on property zoned the "LC" Light  
Commercial District and generally

Posted  
6-8-83  
G.E.L.

**ACTION**

BZA. 29-83 APPROVED 6-28-83  
DATE

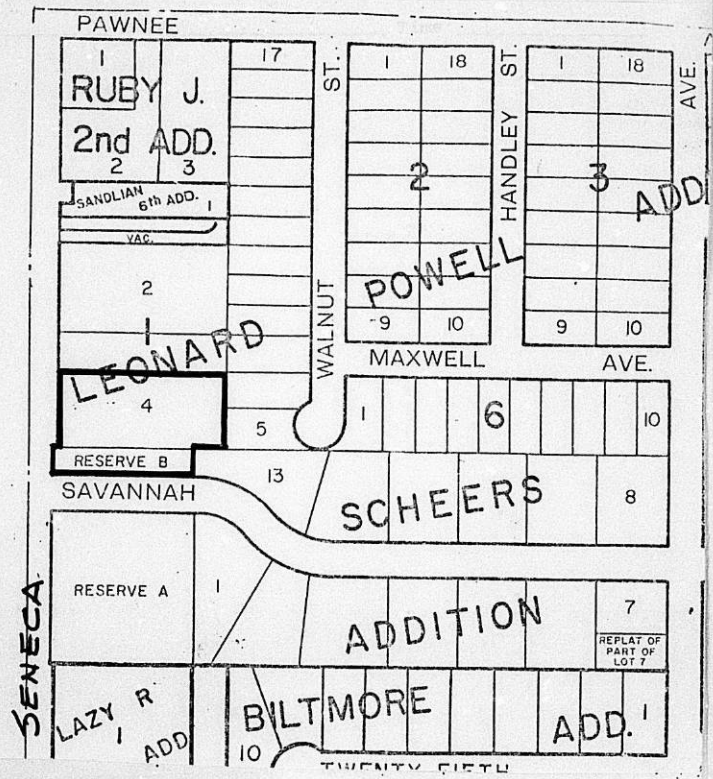
SAMP  
300 Sec 11-8-83  
Checked 11-29  
Saw 12-1-83  
Record 12-6-83

Map No. 5444D  
 Sec. \_\_\_\_\_  
 Twp. \_\_\_\_\_  
 Range \_\_\_\_\_

BZA- 29-83  
 SCZ- \_\_\_\_\_  
 CU- \_\_\_\_\_  
 Filed \_\_\_\_\_

AREA DATA:

1. Acres: \_\_\_\_\_ ( \_\_\_\_\_ ft. by \_\_\_\_\_ ft.)
2. Adjoining Zoning: E \_\_\_\_\_ S LC W LC N LC
3. Land Use: East Resid South Comm  
 West Strip Cents North Comm
4. Sketch Plan Land Use is for: \_\_\_\_\_
5. Present Land Use if for: \_\_\_\_\_
6. Area (is) (is not) platted.



LOS ANGELES COUNTY ADD LOGAN, OH  
 MCDONOUGH, TX, IL, IN, OH, PA, VA  
 U.S.A.

**S**  
 No. 2153C

September 29, 1983

U-Haul Company of K.C., Inc.  
401 South 42nd  
Kansas City, Ks. 66106

Re: BZA-29-83 - Request for Variance

Gentlemen:

Enclosed is a signed copy of the Resolution adopted by the Board of Zoning Appeals on June 28, 1983.

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.

After conversation Tuesday, September 27th, with a gentleman in the office, it appears that the dedication of right-of-way requested for Seneca Street has been acquired by condemnation. It should be noted, however, the west 60 feet of Lot 13 of Scheer's Addition is not zoned "LC", and to be included as part of your operation, it would be necessary to request the zoning be changed, or that an exception be granted for off-street parking.

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

Sincerely,

Glen E. Lytle  
Assistant Secretary

GEL:sad  
Encl.

cc: Jerry Malerick, 4710 McCormick, Wichita, Kansas  
Robert Feldner, Superintendent of Central Inspection (2)  
Don Gisick, City Clerk

RESOLUTION NO. BZA 29-83

WHEREAS, U-Haul Co. of K.C. Inc., 401 South 42nd, Kansas City, Kansas, requests an exception as provided in Section 2.12.590.C, Code of the City of Wichita, to permit the expansion of a truck, trailer and equipment rental business on property zoned the "LC" Light Commercial District and legally described as follows:

Lot 4, Block 1 in Leonard Powell Addition and Reserve "B", Scheer's Addition to Wichita, Sedgwick County, Kansas. Generally located on the northeast corner of Seneca and Savannah Streets (2460 South Seneca).

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 June 28, 1983, 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 truck, trailer and equipment rental business on property zoned the "LC" Light Commercial District subject to the conditions outlined in Section 28.04.183.2, Code of the City of Wichita; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Zoning Appeals of the City of Wichita, that this application be approved to expand a truck, trailer and equipment rental business on property zoned the "LC" Light commercial District legally described as follows:

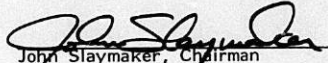
Lot 4, Block 1 in Leonard Powell Addition and Reserve "B", Scheer's Addition to Wichita, Sedgwick County, Kansas. Generally located on the northeast corner of Seneca and Savannah Streets (2460 South Seneca).

subject to the following conditions:

1. All storage and display areas shall be paved with concrete or asphalt.
2. All lights shall be shielded to reflect or direct light away from adjoining property. No string-type lighting shall be permitted.
3. Signs shall comply with the sign limitations of the zoning ordinance for the "LC" Light Commercial District.
4. No sound projecting devices or loudspeakers shall be used so as to be heard beyond the property lines.
5. No repair work shall be conducted except in an enclosed building, and further provided that no body or fender work is done.
6. A six to eight foot high solid wall constructed of masonry, architectural tile or wood shall be erected along the entire east property line.
7. There shall be no display or storage of trucks, trailers or equipment within 35 feet of street right-of-way lines.
8. Outdoor storage and display shall be limited to trucks and trailers, which shall be arranged in a neat and orderly manner and generally located on Lot 4, Block 1, of Leonard Powell Addition.
9. Prior to the release of the resolution authorizing the use of the entire property for a truck, trailer and equipment rental business, the applicant shall dedicate 10 feet of additional street right-of-way for Seneca Street by separate instrument.

10. The applicant shall maintain a copy of the approved site plan and Resolution in the manager's office for use by the management and any representative of Central Inspection when deemed necessary.
11. Upon release of this Resolution, Resolution No. BZA 44-75 shall become null and void.

ADOPTED AT WICHITA, KANSAS, this 28th day of June, 1983.

  
John Slaymaker, Chairman

ATTEST:

  
Glen E. Lytle, Assistant Secretary

June 29, 1983

U-Haul Company of K.C., Inc.  
401 South 42nd  
Kansas City, Kansas 66106

Re: BZA 29-83 - Request for Variance

Gentlemen:

At the regular meeting of the Board of Zoning Appeals on June 28, 1983, your request for an exception was considered. It was the action of the Board to approve your request subject to the following conditions:

1. All storage and display areas shall be paved with concrete or asphalt.
2. All lights shall be shielded to reflect or direct light away from adjoining property. No string-type lighting shall be permitted.
3. Signs shall comply with the sign limitations of the zoning ordinance for the "LC" Light Commercial District.
4. No sound projecting devices or loudspeakers shall be used so as to be heard beyond the property lines.
5. No repair work shall be conducted except in an enclosed building, and further provided that no body or fender work is done.
6. A six to eight foot high solid wall constructed of masonry, architectural tile or wood shall be erected along the entire east property line.
7. There shall be no display or storage of trucks, trailers or equipment within 35 feet of street right-of-way lines.
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BZA 29-83  
Page 2

9. Prior to the release of the resolution authorizing the use of the entire property for a truck, trailer and equipment rental business, the applicant shall dedicate 10 feet of additional street right-of-way for Seneca Street by separate instrument.
10. The applicant shall maintain a copy of the approved site plan and Resolution in the manager's office for use by the management and any representative of Central Inspection when deemed necessary.
11. Upon release of this Resolution, Resolution No. BZA 44-75 shall become null and void.

A Resolution setting forth the official action of the Board will be mailed to you upon dedication of the additional right-of-way as set forth in condition number nine above.

If you have any questions, please call our office.

Sincerely yours,

Glen E. Lytle  
Assistant Secretary

GEL:sad

cc Jerry Malerick, 3710 McCormick, Wichita, Kansas  
Robert Feldner, Superintendent of Central Inspection (2)  
Don Gisick, City Clerk

**THE CITY OF WICHITA**

OFFICE OF CITIZEN PARTICIPATION

DATE June 22, 1983

TO Glen Lytle, Special Assistant for Zoning

FROM Stan Scott, Administrative Aide III

SUBJECT BZA 29-83: Northeast Corner of  
Seneca and Savannah Streets  
(2460 South Seneca)

On Tuesday, June 21st, CPO Neighborhood Council "B" considered the captioned case, a request for a zoning exception to permit the establishment of a trailer, vehicle, and equipment rental business on property zoned "LC" Light Commercial. The Council voted 6-0 to recommend approval of the requested exception, subject to staff comments.

Jerry Malerick, U-Haul Company of K.C. Inc., was present to describe the request and respond to questions from the Council. No area residents or property owners were present. Council members were provided the notice to adjoining property owners, a map of the area, and MAPD staff comments.

Please provide the Council's recommendation to the Board of Zoning Appeals when BZA 29-83 is considered on Tuesday, June 28th.



Stan Scott  
Administrative Aide III

**RECEIVED**

JUN 22 1983

METROPOLITAN PLANNING

ROUTE

SECRETARY'S REPORT  
CASE NO. BZA 29-83

APPLICANT: U-Haul Company of K.C., Inc., 401 South 42nd, Kansas City, Kansas.

AGENT: Jerry Malerick, 3710 McCormick, Wichita, Kansas.

REQUEST: Exception pursuant to Section 28.04.183.2 Code of the City of Wichita to permit the establishment of a Truck, Trailer and Equipment Rental business in the "LC" Light Commercial District.

GENERAL LOCATION: On the northeast corner of Seneca and Savannah Streets (2460 South Seneca).

ZONING: Subject property is "LC" Light Commercial as are the properties to the north, west and south. Property to the east is zoned the "AA" One-family Dwelling District.

LAND USE: Subject property is a vacant building and the remainder of the property is occupied by a rental business. Property to the north, west and south are developed commercially.

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 in order to expand an existing truck, trailer and equipment rental business onto the adjacent property. The present location was first approved in October 1975. The applicant is acquiring the adjacent property and proposes to use the existing building as the office facility. The existing building on the present rental facility will be removed. This building was formerly a fast food restaurant and with its removal should provide a better appearance to the area.

The additional property being acquired was originally platted as a Reserve of the residential plat to the east. It is narrow, and ideal for the expansion of the use to the north. It will be used primarily for off-street parking and not display or storage. It is the only tract in the block that has not dedicated 50 feet of half-street right-of-way for Seneca Street. An additional 10 feet of right-of-way is necessary from this parcel as shown by the applicant's site plan.

RECOMMENDATION:

Should the Board determine that the expansion of a Truck, Trailer and Equipment rental business is appropriate at this location, then it is the recommendation of the Secretary that this application be approved subject to the following conditions:

1. All storage and display areas shall be paved with concrete or asphalt.
2. All lights shall be shielded to reflect or direct light away from adjoining property. No string-type lighting shall be permitted.
3. Signs shall comply with the sign limitations of the zoning ordinance for the "LC" Light Commercial District.

4. No sound projecting devices or loudspeakers shall be used so as to be heard beyond the property lines.
5. No repair work shall be conducted except in an enclosed building, and further provided that no body or fender work is done.
6. A six to eight foot high solid wall constructed of masonry, architectural tile or wood shall be erected along the entire east property line.
7. There shall be no display or storage of trucks, trailers or equipment within 35 feet of street right-of-way lines.
8. Outdoor storage and display shall be limited to trucks and trailers, which shall be arranged in a neat and orderly manner and generally located on Lot 4, Block 1, of Leonard Powell Addition.
9. Prior to the release of the resolution authorizing the use of the entire property for a truck, trailer and equipment rental business, the applicant shall dedicate 10 feet of additional street right-of-way for Seneca Street by separate instrument.
10. The applicant shall maintain a copy of the approved site plan and Resolution in the manager's office for use by the management and any representative of Central Inspection when deemed necessary.
11. Upon release of this Resolution, Resolution No. BZA 44-75 shall become null and void.

BZA CASE NO. 29-83

2 NOTICES SENT TO APPLICANT/AGENT

9 NOTICES SENT TO MAPC

1 NOTICES SENT TO CPO

17 NOTICES SENT TO ADJOINING PROPERTY OWNERS

29 TOTAL NOTICES SENT 6-8-83

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

June 8, 1983

NOTICE TO ADJOINING PROPERTY OWNERS:

CASE NO. BZA 29-83

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 U-Haul Company of K.C., Inc., 401 South 42nd, Kansas City, 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 trailer, vehicle and equipment rental business on property zoned "LC" Light Commercial District. A legal description of the applicant's property is as follows:

Lot 4, Block 1 in Leonard Powell Addition and Reserve "B", Scheer's Addition to Wichita, Sedgwick County, Kansas. Generally located on the northeast corner of Seneca and Savannah Streets (2460 South Seneca).

This application has been assigned Case BZA 29-83. It will be considered by the Board of Zoning Appeals on June 28, 1983 at 1:30 p.m. in the Board Room, First Floor of City Hall, 455 North Main Street, Wichita, Kansas. If you have no interest or objections regarding the requested exception you have no obligation to appear or comment. If you desire to appear at the Board meeting, you are invited to do so, either in person or by agent or attorney.

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

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

Jack H. Galbraith  
Secretary

BOARD OF ZONING APPEALS  
CITY OF WICHITA, KANSAS

CASE NO. 2983  
FILED 5-27-83

APPLICATION FOR EXCEPTION

I. Name of Applicant U-Haul Co. of K.C. Inc.  
Mailing Address 401 N. 42 K.C. Mo. 64106 Phone 1-800-232-4074  
Name of Authorized Agent JERRY MALERICH  
Mailing Address 3710 McCORMICK AVE Phone 948-9605  
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 TRAILER AND VEHICLE RENTAL AGENCY  
on property zone "LC",  
located on the east side of Seneca, north of Savannah.  
and legally described as: Lot 4, Block 1, in Leonard Powell Addition AND Reserve B, Scheer's Addition Sedgwick County, Kansas, 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. 36-596); 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.

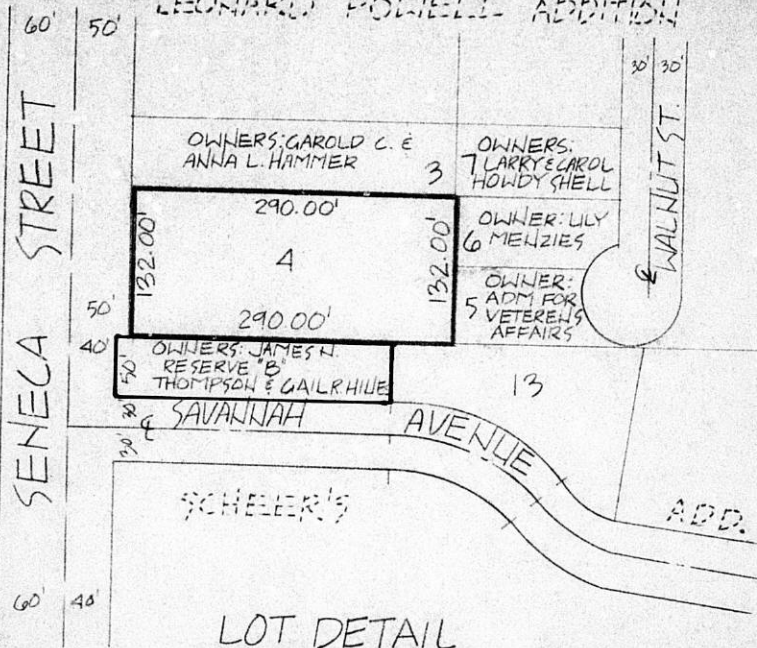
Applicant Sonny Rawlings, President

Authorized Agent Jerry Malerich

OFFICE USE ONLY: Received in Office of Secretary, Board of Zoning Appeals, 2:30 (a.m.-p.m.), MAY 27, 1983, together with appropriate fee of 200.00.

Signed L. Lytle

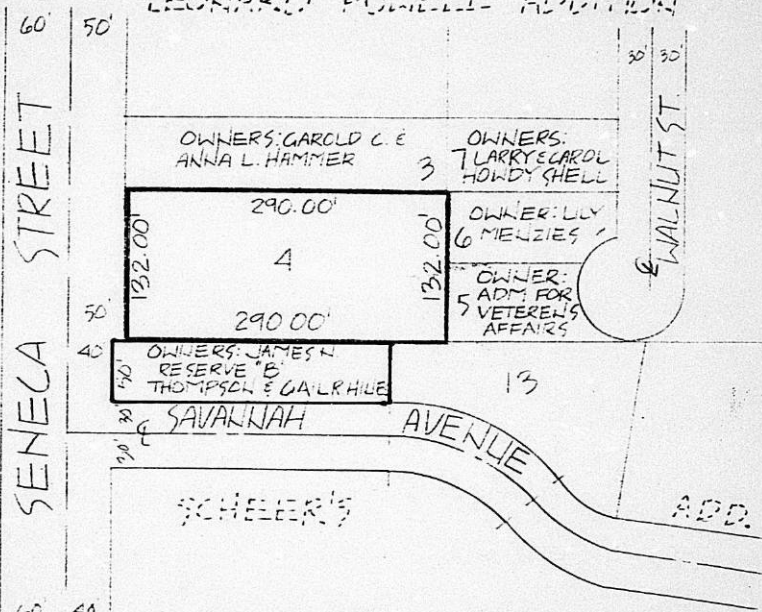
LEONARD POWELL ADDITION



LOT DETAIL

SCALE: 1" = 100' 0"

LEONARD POWELL ADDITION



LOT DETAIL

SCALE: 1"=100'0"

OWNERSHIP LIST

<u>Property Description</u>	<u>Property Owner</u>
Lot 2, Block 1, Leonard Powell Addition	X Garold C. Hammer Anna L. Hammer <u>Address unknown</u>
Lot 3, Block 1, Leonard Powell Addition	Same as above
Lot 4, Block 1, Leonard Powell Addition	U-Haul Co. of Kansas City, Inc. 3710 McCormick Wichita, Kansas 67213
Lot 5, Block 1, Leonard Powell Addition	Administrator of Veterans Affairs 901 George Washington Blvd. Wichita, Kansas 67211
Lot 6, Block 1, Leonard Powell Addition	Lily Menzies 2467 S. Walnut Wichita, Kansas 67217
Lot 7, Block 1, Leonard Powell Addition	Larry Gene Houdyshell Carol A. Houdyshell 2461 S. Walnut Wichita, Kansas 67217
Lot 8, Block 1, Leonard Powell Addition	Roger D. Pinnell 2455 S. Walnut Wichita, Kansas 67217
Lot 9, Block 1, Leonard Powell Addition	Rodney L. Dowell Rebecca J. Dowell 2451 S. Walnut Wichita, Kansas 67217 <i>same all. in phonebook returned 6-9-83</i>
Lot 10, Block 1, Leonard Powell Addition	Roy S. Pierce Theresa A. Pierce 2445 S. Walnut Wichita, Kansas 67217
Lot 1, Block 6, Leonard Powell Addition	Doris I. Phillips <u>Address unknown</u> <i>704 3451 DA AVE. 67216</i>
Reserve B, Scheers Addition	James W. Thompson <u>212 Landmark</u> <i>212 Landmark returned 6-9-83</i> <i>Sq Rm 507 Resent</i> Augusta, Kansas <i>1513 Parklane</i> 67010
Lot 1, Scheers Addition	X Gail R. Hines <u>Address unknown</u> Charles L. Renollet Jimmy Renollet 1015 Savannah St. Wichita, Kansas 67217

Property Description

Property Owner

Lot 2, except that part lying east of a line drawn 18 feet west of the northeast corner & 37 feet west of the southeast corner, Scheers Addition

✓ Robert L. Smith  
Mary C. Smith  
1009 Savannah St.  
Wichita, Kansas  
67217

Lot 12, Scheers Addition

✓ Normand V. Protheroe  
922 Savannah St.  
Wichita, Kansas  
67217

West 60 feet of lot 13, Scheers Addition

D James W. Thompson  
212 Landmark  
Sq Rm 507  
Augusta, Kansas  
67010

Lot 13, except the west 60 feet, Scheers Addition

D Gail P. Hines  
Address unknown

That part of Reserve A described as: Beginning 160 feet east of the northwest corner, thence south 150 feet; thence east 50 feet; thence north 150 feet; thence west 50 feet to point of beginning, Scheers Addition

Ted G. Scheer  
~~Eleanor G. Scheer (deceased)~~  
1002 Savannah St.  
Wichita, Kansas  
67217

The north 150 feet of the west 160 feet of Reserve A, Scheers Addition, except the west 10 feet.

✓ Wendy's of Wichita Inc.  
420 Bonnie Brae  
Wichita, Kansas  
67207

Reserve A, except the north 150 feet of the west 210 feet & except the west 10 feet of the south 117.82 feet taken by City for street, A-77429, Scheers Addition

Same as above

Lot 26, Block 1, Westway Park Addition

✓ PAR Enterprises Inc.  
Address unknown  
ITM: 330 S TYLER RD.  
67209

Lot 25, Block 1, Westway Park Addition

✓ Phil G. Ruffin  
1725 E. Douglas  
Wichita, Kansas  
67211

Lot 12, Block 4, Westway Park Addition

Same as above

Lot 24, Block 1, Westway Park Addition

Same as above

Lot 13, Block 4, Westway Park Addition

Same as above

Same as above

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

Lot 4, Block 1, Leonard Powell Addition to  
Wichita, Kansas; and Reserve B, Scheer's  
Addition, all in Sedgwick County, Kansas.

as shown by the last deed of record on file in the Office of the  
Register of Deeds of Sedgwick County, Kansas, on the 24th day of  
May, 1983, at 7:00 o'clock A.M.

SECURITY ABSTRACT & TITLE CO. INC.

By

*Mary Hable*  
Vice President

ORDER NO: 319970  
cf

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

June 8, 1983

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

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

Jack H. Galbraith  
Secretary

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Jack H. Galbraith  
Secretary

WICHITA - SEDGWICK COUNTY



BOARD OF ZONING APPEALS  
CITY HALL - TENTH FLOOR  
455 NORTH MAIN STREET  
WICHITA, KANSAS 67202

*BZA 29-83*

RECEIVED

JUN 10 1983  
METROPOLITAN PLANNING  
ROUTE  *Shelley*

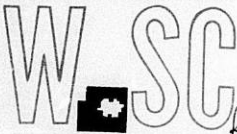
DDW 51  05072831 06709/83

RETURN TO SENDER  
MOVED LEFT NO ADDRESS



*Home phone book*  
~~RODNEY L & REBECCA J DOWELL  
245 S WALNUT  
WICHITA KS 67217~~

WICHITA - SEDGWICK COUNTY



BOARD OF ZONING APPEALS  
CITY HALL - TENTH FLOOR  
455 NORTH MAIN STREET  
WICHITA, KANSAS 67202

*Returned  
6-13-83  
BZA 29-83  
resent to:  
1513 Parklane  
Augusta  
67010*



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Addressee unknown   
Insufficient Address   
No such street  number   
No such office in state   
Do not remove from this envelope

JAMES W THOMPSON  
SQ RM 507  
212 LANDMARK  
AUGUSTA KS 67010



RECEIVED

JUN 13 1983  
METROPOLITAN PLANNING  
ROUTE  *Shelley*

WICHITA - SEDGWICK COUNTY



BOARD OF ZONING APPEALS  
CITY HALL - TENTH FLOOR  
455 NORTH MAIN STREET  
WICHITA, KANSAS 67202

RECEIVED

OCT 7 1983  
METROPOLITAN PLANNING  
ROUTE  \_\_\_\_\_  
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*29-83*

*3710*

Jerry Malerick  
4710 McCormick  
Wichita, Kansas

Returned For Better Address

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FORM 29-1

**PAYMENT NOTICE**  
City of Wichita

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Elec	Elev. Insp.	Hse Moving	Lic.
Mech	Boiler Insp.	Pav. Cuts	Cert.
Plbg	Exam Fees	Sewer	Elev.
Signs	Plan Rev. (P.W.) Cement		M.S.P.

Planning

DESCRIPTION		AMOUNT
[Handwritten Description]		[Handwritten Amount]
NAME		
ADDRESS		
FUND	DUE DATE	
COMMENTS		
DATE	BY	

\*

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

Roll # 2