

BZA 32-69 - G. M. Groendycke requests  
an Exception to permit a truck &  
trailer rental operation at 4701  
West U.S. 54 Highway

Checked at the request of the attorney  
for this applicant 1-23-70  
BZA 32-69

EMMET A. BLAES  
ROETZEL JOCHEMS  
ROBERT G. BRADEN  
JAMES W. SARGENT  
STAN E. WISDOM  
BRUCE W. ZUERCHER  
L.D. KLEND  
CHARLES M. CLINE  
RICHARD A. LOYD

GERALD E. WELLS  
PAUL H. HUMANN  
LAWRENCE MEDDNOUGH  
TERRY G. PAUP  
GERALD D. HAAG

JOCHEMS, SARGENT & BLAES  
ATTORNEYS AT LAW  
FARMERS & BANKERS BUILDING  
200 EAST FIRST STREET  
POST OFFICE BOX 2134  
WICHITA, KANSAS 67201

(316) 262-8443

W. D. JOCHEMS  
(1888-1960)  
J. WIRTH SARGENT  
(1894-1965)

HARRY L. HOBSON  
J. FRANCIS HESSE  
LEONARD A. LEVAND  
COUNSEL

January 23, 1970

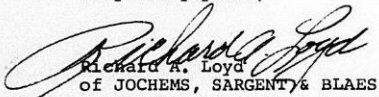
Metropolitan Area Planning Commission  
City Building Annex  
104 South Main  
Wichita, Kansas 67202

Re: BZA Application - G. M. Groendycke  
(see legal description attached)

Gentlemen:

This is to advise you that the property for which the  
BZA Application was filed for permission to rent trailers  
has been sold. It, therefore, is no longer necessary to  
process the Application, and we do withdraw the Application  
at the present time.

Very truly yours,

  
Richard A. Loyd  
of JOCHEMS, SARGENT & BLAES

RAL:bw



A tract in the SE/4 of Sec. 26, Twp 27 South, Range 1 West, Sedgwick County, Kansas, described as follows:

Beginning at a point on the north line of the Southeast Quarter, Section 26, Township 27 South, Range 1 West, such point being 754.66 feet east of the NW Corner of said Southeast Quarter, thence East 363.14 feet, to a point where the North line of the A. T. & S. F. Railroad right of way intersects the north line of said quarter section, thence westerly 359.65 feet along the north line of said railroad right of way, thence northerly 38.76 feet to the place of beginning.

And a tract located in the Northeast Quarter of Section 26, Township 27 South, Range 1 West of the 6th P.M., Sedgwick County, Kansas, described as follows: Commencing at a point on the south line of said Northeast Quarter section, such point being 754.66 feet east of the Southwest Corner of said quarter section, thence east along said quarter section to a point on the South line of said quarter section which is 116.5 feet west of the intersection of said quarter section line with the north right of way line of the A.T.&S.F. Railway, thence north at an exterior angle of  $89^{\circ}42'$  12 feet, thence west at an interior angle of  $89^{\circ}42'$  246.64 feet, thence south 12.08 feet at an interior angle  $83^{\circ}27'$  to the point of beginning.

SECRETARY'S REPORT

CASE NO. BZA 32-69

APPLICANT: G. M. Groendycke, 4701 West Highway 54, Wichita, Kansas

AGENT: Richard A. Loyd, Jochems, Sargent & Blaes, 500 Farmers  
and Bankers Building, Wichita, Kansas

REQUEST: Exception pursuant to Section 2.12.590.C Code  
of the City of Wichita to permit a truck and trailer  
rental operation

GENERAL LOCATION:

LAND USE:

ZONING: "LC" - Light Commercial

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

COMMENTS BY THE SECRETARY

Mail no later  
than 20 days  
before meeting.

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

November 26, 1969  
(date)

NOTICE TO ADJOINING PROPERTY OWNERS

Case No. BZA 32-69

An application has been filed by G. M. Groendycke, 4701 West  
Highway 54, Wichita, Kansas

\_\_\_\_\_ , pursuant to Section 2.12.590, C, Code of  
the City of Wichita, requesting an exception to permit the operation  
of a truck and trailer rental operation

on property zoned "LC" - Light Commercial

and legally described as follows:

*attached*

This application has been assigned Case No. BZA 32-69, and will  
be considered by the Board of Zoning Appeals at its meeting on Tuesday,  
December 16, 1969, 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

A tract in the SE/4 of Sec. 26, Twp 27 South, Range 1 West, Sedgwick County, Kansas, described as follows:

Beginning at a point on the north line of the Southeast Quarter, Section 26, Township 27 South, Range 1 West, such point being 754.66 feet east of the NW Corner of said Southeast Quarter, thence East 363.14 feet, to a point where the North line of the A.T. & S.F. Railroad right of way intersects the north line of said quarter section, thence westerly 359.65 feet along the north line of said railroad right of way, thence northerly 38.76 feet to the place of beginning.

And a tract located in the Northeast Quarter of Section 26, Township 27 South, Range 1 West of the 6th P.M., Sedgwick County, Kansas, described as follows: Commencing at a point on the south line of said Northeast Quarter section, such point being 754.66 feet east of the Southwest Corner of said quarter section, thence east along said quarter section to a point on the South line of said quarter section which is 116.5 feet west of the intersection of said quarter section line with the north right of way line of the A.T. & S.F. Railway, thence north at an exterior angle of  $89^{\circ}42'$  12 feet, thence west at an interior angle of  $89^{\circ}42'$  246.64 feet, thence south 12.08 feet at an interior angle  $83^{\circ}27'$  to the point of beginning.

December 24, 1969

Mr. Richard A. Loyd  
Jochems, Sargent & Blaes  
500 Farmers & Bankers Building  
Wichita, Kansas 67202

Dear Richard:

After our discussion yesterday by phone, I talked with the Traffic Engineers Office to see if the plans associated with your three BZA exception applications had been submitted to their office. None of the traffic engineers were aware of the plans and neither was the Department of Engineering. Finally, I found the plans in Tom Burns' office, who is in Central Inspection and he commented that the plans had been left there while he was on vacation.

I called to your attention that the instruction sheet for exceptions states that a detailed plot plan shall be submitted in duplicate, approved by the Office of the Traffic Engineer. The instructions continue that the plan is to be drawn to scale showing all existing and proposed structures, off-street parking spaces, all points of ingress and egress, width of driveways, markings for traffic channelization and any other appropriate dimensions or information which would be helpful to the Board of Zoning Appeals in consideration of the application.

Two of the sets of plans appear to have the necessary information; however, the one on West 54 highway is still not adequate. As you are probably aware, the legal description of that property is unique as it lies between the AT & SF Railroad and U. S. 54 frontage road. The plans, although drawn to scale, still reflect

Richard A. Loyd  
December 24, 1969

a greater area than that legally described. Since this is such a small triangle of property, we would recommend that the applicant have the land surveyed accurately, locating the service station and the proposed areas to be utilized for storage of trailers and customer parking. The plans as submitted include part of the area that must be frontage road right-of-way. Part of the legal description indicates that the north-south dimension is 38 feet; however, the included plans reflect a dimension of 70 feet.

Enclosed are the submitted plans which should be redrawn to accurately reflect the legal description of the property. At such time that these plans are submitted, they should be given to the Traffic Engineering Division for approval and then forwarded to our office.

If you have any questions concerning this matter, please contact us.

Very truly yours,

Jack H. Galbraith  
Secretary

JHG:ls  
Enclosures 2  
cc G. M. Groendycke  
4701 West Highway 54

APPLICATION FOR EXCEPTION

I. Name of Applicant G. M. Groendycke  
Mailing Address 4701 West Highway 54 Phone \_\_\_\_\_  
Name of Authorized Agent Richard A. Loyd of Jochems, Sargent & Blaes  
Mailing Address 500 Farmers & Bankers Bldg. Phone AM 2-8443  
Relationship of applicant to property is that of \_\_\_\_\_  
(owner, tenant, lessee, other).

II. Application is made for an exception as provided in Section  
28.04.090 (A) (1,2d), Code of the City of Wichita, Kansas  
(Zoning Ordinance); to permit the installation or construction  
of truck and trailer rental  
\_\_\_\_\_ on property zoned  
"LC", located \_\_\_\_\_  
\_\_\_\_\_ and legally described as: \_\_\_\_\_  
--see attached legal description--  
\_\_\_\_\_, 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 G. M. Groendycke

Authorized Agent Richard A. Loyd

OFFICE USE ONLY: Received in office of Secretary, Board of Zoning Appeals, 7:30 (a.m. - p.m.), November 17, 1969, together with appropriate fee of \$50.00.

Signed Laura Scott

A tract in the SE/4 of Sec. 26, Twp 27 South, Range 1 West, Sedgwick County, Kansas, described as follows:

Beginning at a point on the north line of the Southeast Quarter, Section 26, Township 27 South, Range 1 West, such point being 754.66 feet east of the NW Corner of said Southeast Quarter, thence East 363.14 feet, to a point where the North line of the A.T. & S.F. Railroad right of way intersects the north line of said quarter section, thence westerly 359.65 feet along the north line of said railroad right of way, thence northerly 38.76 feet to the place of beginning.

And a tract located in the Northeast Quarter of Section 26, Township 27 South, Range 1 West of the 6th P.M., Sedgwick County, Kansas, described as follows: Commencing at a point on the south line of said Northeast Quarter section, such point being 754.66 feet east of the Southwest Corner of said quarter section, thence east along said quarter section to a point on the South line of said quarter section which is 116.5 feet west of the intersection of said quarter section line with the north right of way line of the A.T.&S.F. Railway, thence north at an exterior angle of  $89^{\circ}42'$  12 feet, thence west at an interior angle of  $89^{\circ}42'$  246.64 feet, thence south 12.08 feet at an interior angle  $83^{\circ}27'$  to the point of beginning.

EMMET A. BLAES  
ROETZEL JOCHEMS  
ROBERT G. BRADEN  
JAMES W. SARGENT  
STAN E. WISDOM  
BRUCE W. ZUERCHER  
L. D. KLEND  
CHARLES M. CLINE  
RICHARD A. LOYD  
STEPHEN H. BLAES

GERALD E. WELLS  
PAUL H. HUMANN  
LAWRENCE MIDGONOUGH  
TERRY G. PAUP

JOCHEMS, SARGENT & BLAES  
ATTORNEYS AT LAW  
500 FARMERS & BANKERS LIFE BUILDING  
WICHITA, KANSAS 67202

(310) 262-8443

W. D. JOCHEMS  
(1888-1960)  
J. WIRTH SARGENT  
(1894-1965)

J. FRANCIS HESSE  
HARRY L. HOBSON  
LEONARD A. LEVAND  
COUNSEL

November 17, 1969

Metropolitan Area Planning Commission  
104 South Main  
Wichita, Kansas 67202

Gentlemen:

The property in connection with the attached Application for Exception is presently zoned LC and is used as a filling station. An Application for Exception is filed in order to permit rentals of trucks and trailers. It is felt by the applicant that it is desirable to furnish this type of additional service to its customers. The rental of trucks and trailers as requested will be of benefit to the surrounding area, and will provide additional income to the applicant.

Very truly yours,

  
Richard A. Loyd  
of JOCHEMS, SARGENT & BLAES

RAL:bw

STATEMENT OF OWNERSHIP

STATE OF KANSAS )  
                  ) SS  
SEDGWICK COUNTY )

The undersigned duly bonded and qualified abstractor within 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:

A tract in the SE/4 of Sec. 26, Twp 27 South, Range 1 West, Sedgwick County, Kansas, described as follows:

Beginning at a point on the north line of the Southeast Quarter, Section 26, Township 27 South, Range 1 West, such point being 754.66 feet east of the NW Corner of said Southeast Quarter, thence East 363.14 feet, to a point where the North line of the A.T. & S.F. Railroad right of way intersects the north line of said quarter section, thence westerly 359.65 feet along the north line of said railroad right of way, thence northerly 38.76 feet to the place of beginning.

And a tract located in the Northeast Quarter of Section 26, Township 27 South, Range 1 West of the 6th P.M., Sedgwick County, Kansas, described as follows: Commencing at a point on the south line of said Northeast Quarter section, such point being 754.66 feet east of the Southwest Corner of said quarter section, thence east along said quarter section to a point on the South line of said quarter section which is 116.5 feet west of the intersection of said quarter section line with the north right of way line of the A.T.&S.F. Railway, thence north at an exterior angle of 89°42' 12 feet, thence west at an interior angle of 89°42' 246.64 feet, thence south 12.08 feet at an interior angle 83°27' to the point of beginning.

And from such examination find that the owners thereof are as set opposite the description of the property below, viz: (Addresses as given are furnished as a service and not certified.)

Caption of this Certificate

*map*  
G. M. Groendycke  
4701 West Highway 54  
67215

Lot 3 exc. W 63.4 feet Blk 1  
West 54 Industrial Add.

✓ Lewis J. Rau  
Ellen M. Rau  
4424 W. Irving 67209

  
Fidelity  
Title  
Company,  
inc.



W 63.4 feet Lot 3 Blk 1 & E  
17 ft Lot 4 Blk 1 West 54  
Industrial Add.

✓ Board of County  
Commissioners  
*330 S. 4th St. Courthouse*

Lot 4 exc. E 17 feet Blk 1  
West 54 Industrial Add.

✓ Annplyco Properties Inc.  
c/o U.S. Plywood Co. Inc.  
777 3rd Ave.  
New York, New York

Lots 5 & 6 Blk 1 West 54  
Industrial Add.

✓ Martin Roofing Co. Inc.  
1346 S. Mosley 67211

Dated at Wichita, Kansas this 26th day of Sept., 1969.

FIDELITY TITLE COMPANY INC.

By \_\_\_\_\_  
VP

  
Fidelity  
Title  
Company  
inc.

No. 2804



FORM 223-C

**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	<u>Plan.</u>	Plbg. Cert.
Sanitation	Sewer	Signs	Sidewalk
Street	Trailer		

DESCRIPTION	AMOUNT
<i>2 B2A</i> <i>Sanitation</i>	<i>150.00</i>
<i>Truck &amp; Trailer</i>	
Name	
Address	
Type	Due Date
<i>R-11-C</i>	<i>11-18-69</i>
Comments:	
Date	By
<i>11-17-69</i>	<i>ls</i>