

BZA42-64 - Chester Farrow & Maryrose  
Bauslaugh request exception to permit  
New & used car lot at the SW corner  
of Kellogg & Gouverneur Road

POSTED  
9-22-64  
G-9

ACTION

DATE  
*Bya* COMMITTEE *Approved* *10-27-64*

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

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

Resolution null and void by  
Resolution BZA 30-85 on 5-24-85  
G.E.L.

November 9, 1964

Mr. Robert H. Nelson, Attorney  
511 Union Center Building  
Wichita, Kansas

Dear Mr. Nelson:

Re: Case No. BZA 42-64

On October 30, 1964, we advised you that the Board of Zoning Appeals had approved the above application for an exception to permit the installation or construction of a new and used car lot on property generally located at the southwest corner of Kellogg and Gouverneur Road, subject to certain conditions set forth in that letter.

We also advised that the Board's decision might be appealed to the City Commission provided that such appeal was filed on or before Friday, November 6, 1964. The City Clerk has advised that no appeal was filed on or before that date and the decision of the Board of Zoning Appeals is, therefore, final.

A copy of the resolution setting forth the action of the Board is attached for your information and files.

Very truly yours,

Jack H. Galbraith  
Secretary

JHG:JWH:ber  
Attachment

cc: Chester F. Farrow & Maryrose N. Bauslaugh  
511 Union Center Building

Glen Lytle, Superintendent of  
Central Inspection

R E S O L U T I O N N O . B Z A 4 2 - 6 4

WHEREAS, Chester F. Farrow and Maryrose N. Bauslaugh, 511 Union Center Building, Wichita, Kansas, by Robert H. Nelson, Attorney, 511 Union Center Building, Wichita, Kansas, requests an Exception to permit the installation or construction of a new and used car lot, as provided in Section 28.04.180.A.14, Code of the City of Wichita, Kansas; and

WHEREAS, the above request applies to property legally described as:

Lots 1, 2 and 3, Block A, except the west 50 feet of the north 140 feet of Lot 1, in Bridwell's Addition, in the City of Wichita, Sedgwick County, Kansas,

and generally located at the southwest corner of Kellogg and Gouverneur Road; 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 October 27, 1964, 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 Pattern for Thorofares, Wichita, Kansas, 1955, and amendments thereto, and that the area is zoned "LC" Light Commercial.

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 described legally as:

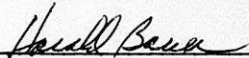
Lots 1, 2 and 3, Block A, except the west 50 feet of the north 140 feet of Lot 1, in Bridwell's Addition, in the City of Wichita, Sedgwick County, Kansas,

generally located at the southwest corner of Kellogg and Gouverneur Road, be approved, subject to the following:

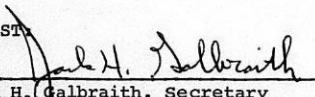
1. The new and used car sales lot shall not be conducted in addition to or in conjunction with any other use. Example: The sale of new and used cars on the same lot with a gasoline service station, garage, restaurant, etc. However, minor repair work on those vehicles for sale may be conducted within an enclosed building provided that no body or fender work is done.
2. There shall be a front yard building setback for any new structure of not less than 35 feet from both Kellogg and Gouverneur Road and a side yard building setback of not less than 10 feet.
3. All storage and display areas shall be paved with concrete, asphalt or asphaltic concrete.

4. All lights shall be shielded to reflect or direct light away from adjoining property. No string type lighting shall be permitted.
5. No sign shall exceed 25 feet in height or be placed so as to project over any public right of way.
6. No sound projecting devices or loudspeakers shall be used so as to be heard outside of any structure.
7. A plot plan showing points of ingress and egress, width of driveways, off-street parking spaces and interior traffic circulation shall be submitted to the Traffic Engineering Division of the Department of Public Works for approval prior to the time a permit is issued for the new and used car sales operation.
8. Parking areas shall have adequate guards to prevent the extension or overhanging of vehicles beyond property lines, required setbacks, or parking spaces; and off-street customer parking areas shall have adequate markings for channelization and movement of vehicles.
9. A six-foot high solid wall, masonry, louvered wood or architectural tile fence shall be constructed along the south property line (north line of the east-west alley). However, in the event the attorney for the applicant can work out a satisfactory arrangement with the adjoining property owners to the south, the fence may be constructed along the south line of the east-west alley.
10. A performance bond in the amount of \$2,500 shall be submitted to the City Clerk within 60 days from the effective date of the approval of this resolution to guarantee that the lot will be paved and that the fence will be constructed. The form of the bond is to be approved by legal counsel for the Board. At such time as the Central Inspection Division of the Department of Public Works notifies the City Clerk that all of the requirements as set out in this resolution have been complied with, the performance bond may be released.
11. All requirements as set out in this resolution shall be complied with within 24 months from the date of the effective date of the approval of this resolution or the permit shall be null and void. In any event, all of the above conditions shall be complied with within six months from the date of issuance of a permit or the permit shall be null and void.

ADOPTED AT WICHITA, KANSAS, this 27th day of October, 1964.

  
Harold Bauer, Chairman

ATTEST

  
Jack H. Galbraith, Secretary

SECRETARY'S REPORT

CASE NO. BZA 42-64

APPLICANT: Chester F. Farrow and Maryrose N. Bauslaugh

AGENT: Robert H. Nelson

REQUEST: Exception pursuant to Section 28.04.180 of the Code of the City of Wichita, to allow the property generally located at the southwest corner of Gouverneur Road and Kellogg to be used for a new and used car sales lot.

ZONING: Property in question - "LC" Light Commercial  
North - "LC" Light Commercial  
East - "LC" Light Commercial  
South - "A" Two family  
West - "LC" Light Commercial

LAND USE: Property in question - Office building and vacant  
North - Vacant  
East - Restaurant  
South - Single family  
West - Bowling alley

JURISDICTION: The Board has jurisdiction to consider the variance request pursuant to Section 28.04.180 of the Code of the City of Wichita.

COMMENTS BY THE SECRETARY

The applicant has submitted a plot plan which will be available for review at the hearing.

Adjacent to the south and west property lines of this property there is a 20 foot unpaved alley. Since a use such as a new and used car sales lot is often times considered a transitional use, it would probably be desirable to retain the alley and not have it vacated at this time. If the alley is not vacated, it will probably be necessary that a fence be constructed along the north side of the alley which would leave a 20 foot strip of ground between the fence and the adjacent residential lots to the south, which would be very difficult to maintain. To eliminate this problem, it might be possible for the attorney for the applicant to work out some arrangement with the adjacent property owners to the south so that the fence could be constructed along the south property line. It is the Secretary's opinion that an arrangement of this type would be desirable.

The attorney for the applicant, in conversations with the Secretary, has indicated that it is possible that the lot may not be developed as indicated on the plot plan. However, it is the

Secretary's opinion that the lot does not have to be developed as indicated on the plot plan as long as all of the requirements of the ordinance are complied with. Before a permit can be issued for the operation of the lot, the applicant will have to submit a plot plan to the Traffic Engineer and to the Central Inspection office for their approval.

As the Board will recall, an amendment to the Zoning Ordinance relative to new and used car sales lots has been submitted to and approved by the Planning Commission. However, when the City Commission considered the proposed amendment, they took action to refer the amendment to the Traffic Commission for its comments. As of the present time, the proposed amendment has not been considered by the Traffic Commission.

It should be pointed out that this application does meet all of the requirements as outlined in the proposed amendment.

Recommendation

In view of the fact that this request does comply with the existing and proposed ordinance, it is the recommendation of the Secretary that this application be approved subject to the following conditions:

1. The new and used car sales lot shall not be conducted in addition to or in conjunction with any other use. (Example: The sale of new and used cars on the same lot with a gasoline service station, garage, restaurant, etc.) However, minor repair work on these vehicles for sale may be conducted within an enclosed building provided that no body or fender work is done.
2. There shall be a front yard building setback for any new structure of not less than 35 feet from both Kellogg and Gouverneur Road and a side yard building setback of not less than 10 feet.
3. All storage and display areas shall be paved with concrete, asphalt or asphaltic concrete.
4. All lights shall be shielded to reflect or direct light away from adjoining property. No string type lighting shall be permitted.
5. No sign shall exceed 25 feet in height or be placed so as to project over any public right of way.
6. No sound projecting devices or loudspeakers shall be used so as to be heard outside of any structure.

7. A plot plan showing points of ingress and egress, width of driveways, off-street parking spaces and interior traffic circulation shall be submitted to the Traffic Engineering Division of the Department of Public Works for approval prior to the time a permit is issued for the new and used car sales operation.
8. Parking areas shall have adequate guards to prevent the extension or overhanging of vehicles beyond property lines, required setbacks, or parking spaces; and off-street customer parking areas shall have adequate markings for channelization and movement of vehicles.
9. A six-foot high solid wall masonry, louvered wood or architectural tile fence shall be constructed along the south property line (north line of the east-west alley). However, in the event the attorney for the applicant can work out a satisfactory arrangement with the adjoining property owners to the south, the fence may be constructed along the south line of the east-west alley.
10. A performance bond in the amount of \$\_\_\_\_\_ shall be submitted to the City Clerk within 60 days from the effective date of the approval of this resolution to guarantee that the lot will be paved and that the fence will be constructed. The form of the bond is to be approved by Legal Counsel for the Board. At such time as the Central Inspection Division of the Department of Public Works notifies the City Clerk that all of the requirements as set out in this resolution have been complied with, the performance bond may be released.
11. All requirements as set out in this resolution shall be complied with within 24 months from the date of the effective date of the approval of this resolution or the permit shall be null and void. In any event, all of the above conditions shall be complied with within six months from the date of issuance of a permit or the permit shall be null and void.

Board of Zoning Appeals

November 9, 1964

Robert G. Finch, City Clerk

Jack H. Galbraith, Secretary

Case No. BZA 42-64

Attached is a copy of Resolution No. BZA 42-64, covering action taken by the Board of Zoning Appeals in connection with the above-numbered case; which case was heard by the Board on October 27, 1964. An appeal may be filed in your office on or before November 6, 1964. If an appeal is filed, please advise.

JHG:JWH:ber

Attachment

October 30, 1964

Mr. Robert H. Nelson, Attorney  
511 Union Center Building  
Wichita, Kansas

Dear Mr. Nelson:

Re: Case No. BZA 42-64

This is to advise you that at its regular meeting of October 27, 1964, the Board of Zoning Appeals of the City of Wichita considered your request for an Exception to permit the installation or construction of a new and used car lot on property generally located at the southwest corner of Kellogg and Gouverneur Road.

It was the decision of the Board of Zoning Appeals to approve this request, subject to the following conditions:

1. The new and used car sales lot shall not be conducted in addition to or in conjunction with any other use.  
Example: The sale of new and used cars on the same lot with a gasoline service station, garage, restaurant, etc. However, minor repair work on those vehicles for sale may be conducted within an enclosed building provided that no body or fender work is done.
2. There shall be a front yard building setback for any new structure of not less than 35 feet from both Kellogg and Gouverneur Road and a side yard building setback of not less than 10 feet.
3. All storage and display areas shall be paved with concrete, asphalt or asphaltic concrete.
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5. No sign shall exceed 25 feet in height or be placed so as to project over any public right of way.

6. No sound projecting devices or loudspeakers shall be used so as to be heard outside of any structure.
7. A plot plan showing points of ingress and egress, width of driveways, off-street parking spaces and interior traffic circulation shall be submitted to the Traffic Engineering Division of the Department of Public Works for approval prior to the time a permit is issued for the new and used car sales operation.
8. Parking areas shall have adequate guards to prevent the extension or overhanging of vehicles beyond property lines, required setbacks, or parking spaces; and off-street customer parking areas shall have adequate markings for channelization and movement of vehicles.
9. A six foot high solid wall masonry, louvered wood or architectural tile fence shall be constructed along the south property line (north line of the east-west alley). However, in the event the attorney for the applicant can work out a satisfactory arrangement with the adjoining property owners to the south, the fence may be constructed along the south line of the east-west alley.
10. A performance bond in the amount of \$2,500 shall be submitted to the City Clerk within 60 days from the effective date of the approval of this resolution to guarantee that the lot will be paved and that the fence will be constructed. The form of the bond is to be approved by Legal Counsel for the Board. At such time as the Central Inspection Division of the Department of Public Works notifies the City Clerk that all of the requirements as set out in this resolution have been complied with, the performance bond may be released.
11. All requirements as set out in this resolution shall be complied with within 24 months from the date of the effective date of the approval of this resolution or the permit shall be null and void. In any event, all of the above conditions shall be complied with within six months from the date of issuance of a permit or the permit shall be null and void.

Section 2.12.610 of the Code of the City of Wichita provides that the decision of the Board of Zoning Appeals shall be final unless it is appealed to the Board of City Commissioners within ten days of the date of the Board's action. Accordingly, an appeal could be filed in this case on or before November 6, 1964.

Page 3 - Robert H. Nelson  
October 30, 1964

Subsequent to the expiration of the appeal period, you will be advised whether or not an appeal has been filed. If none has been filed on or before November 6, 1964, the decision of the Board will be final and the Superintendent of Central Inspection will be in a position to issue the appropriate permit.

Very truly yours,

Jack H. Galbraith  
Secretary

JHG:JWH:ber

cc: Chester F. Farrow & Maryrose N. Bauslaugh  
511 Union Center Building

Glen Lytle, Superintendent  
of Central Inspection

Robert G. Finch  
City Clerk

SECRETARY'S REPORT

CASE NO. BZA 42-64

APPLICANT: Chester F. Farrow and Maryrose N. Bauslaugh

AGENT: Robert H. Nelson

REQUEST: Exception pursuant to Section 28.04.180 of the Code of the City of Wichita, to allow the property generally located at the southwest corner of Gouverneur Road and Kellogg to be used for a new and used car sales lot.

ZONING: Property in question - "LC" Light Commercial  
North - "LC" Light Commercial  
East - "LC" Light Commercial  
South - "A" Two family  
West - "LC" Light Commercial

LAND USE: Property in question - Office building and vacant  
North - Vacant  
East - Restaurant  
South - Single family  
West - Bowling alley

JURISDICTION: The Board has jurisdiction to consider the variance request pursuant to Section 28.04.180 of the Code of the City of Wichita.

COMMENTS BY THE SECRETARY

The applicant has submitted a plot plan which will be available for review at the hearing.

Adjacent to the south and west property lines of this property there is a 20 foot unpaved alley. Since a use such as a new and used car sales lot is often times considered a transitional use, it would probably be desirable to retain the alley and not have it vacated at this time. If the alley is not vacated, it will probably be necessary that a fence be constructed along the north side of the alley which would leave a 20 foot strip of ground between the fence and the adjacent residential lots to the south, which would be very difficult to maintain. To eliminate this problem, it might be possible for the attorney for the applicant to work out some arrangement with the adjacent property owners to the south, so that the fence could be constructed along the south property line. It is the Secretary's opinion that an arrangement of this type would be desirable.

The attorney for the applicant, in conversations with the Secretary, has indicated that it is possible that the lot may not be developed as indicated on the plot plan. However, it is the

Secretary's opinion that the lot does not have to be developed as indicated on the plot plan as long as all of the requirements of the ordinance are complied with. Before a permit can be issued for the operation of the lot, the applicant will have to submit a plot plan to the Traffic Engineer and to the Central Inspection office for their approval.

As the Board will recall, an amendment to the Zoning Ordinance relative to new and used car sales lots has been submitted to and approved by the Planning Commission. However, when the City Commission considered the proposed amendment, they took action to refer the amendment to the Traffic Commission for its comments. As of the present time, the proposed amendment has not been considered by the Traffic Commission.

It should be pointed out that this application does meet all of the requirements as outlined in the proposed amendment.

Recommendation

In view of the fact that this request does comply with the existing and proposed ordinance, it is the recommendation of the Secretary that this application be approved subject to the following conditions:

1. The new and used car sales lot shall not be conducted in addition to or in conjunction with any other use. (Example: The sale of new and used cars on the same lot with a gasoline service station, garage, restaurant, etc.) However, minor repair work on these vehicles for sale may be conducted within an enclosed building provided that no body or fender work is done.
2. There shall be a front yard building setback for any new structure of not less than 35 feet from both Kellogg and Gouverneur Road and a side yard building setback of not less than 10 feet.
3. All storage and display areas shall be paved with concrete, asphalt or asphaltic concrete.
4. All lights shall be shielded to reflect or direct light away from adjoining property. No string type lighting shall be permitted.
5. No sign shall exceed 25 feet in height or be placed so as to project over any public right of way.
6. No sound projecting devices or loudspeakers shall be used so as to be heard outside of any structure.

7. A plot plan showing points of ingress and egress, width of driveways, off-street parking spaces and interior traffic circulation shall be submitted to the Traffic Engineering Division of the Department of Public Works for approval prior to the time a permit is issued for the new and used car sales operation.
8. Parking areas shall have adequate guards to prevent the extension or overhanging of vehicles beyond property lines, required setbacks, or parking spaces; and off-street customer parking areas shall have adequate markings for channelization and movement of vehicles.
9. A six-foot high solid wall masonry, louvered wood or architectural tile fence shall be constructed along the south property line (north line of the east-west alley). However, in the event the attorney for the applicant can work out a satisfactory arrangement with the adjoining property owners to the south, the fence may be constructed along the south line of the east-west alley.
10. A performance bond in the amount of \$\_\_\_\_\_ shall be submitted to the City Clerk within 60 days from the effective date of the approval of this resolution to guarantee that the lot will be paved and that the fence will be constructed. The form of the bond is to be approved by Legal Counsel for the Board. At such time as the Central Inspection Division of the Department of Public Works notifies the City Clerk that all of the requirements as set out in this resolution have been complied with, the performance bond may be released.
11. All requirements as set out in this resolution shall be complied with within 24 months from the date of the effective date of the approval of this resolution or the permit shall be null and void. In any event, all of the above conditions shall be complied with within six months from the date of issuance of a permit or the permit shall be null and void.

CASE NO. BZA 42-64

APPLICANT: Chester F. Farrow and Maryrose N. Bauslaugh

AGENT: Robert H. Nelson

REQUEST: Exception pursuant to Section 28.04.180 of the Code of the City of Wichita, to allow the property generally located at the southwest corner of Gouverneur Road and Kellogg to be used for a new and used car sales lot.

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West - "LC" Light Commercial

PAST USE: Property in question - Office building and vacant  
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East - Restaurant  
South - Single family  
West - Bowling alley

JURISDICTION: The Board has jurisdiction to consider the variance request pursuant to Section 28.04.180 of the Code of the City of Wichita.

COMMENTS BY THE SECRETARY

The applicant has submitted a plot plan which will be available for review at the hearing.

Adjacent to the south and west property lines of this property there is a 20 foot unpaved alley. Since a use such as a new and used car sales lot is often times considered a transitional use, it would probably be desirable to retain the alley and not have it vacated at this time. If the alley is not vacated, it will probably be necessary that a fence be constructed along the north side of the alley which would leave a 20 foot strip of ground between the fence and the adjacent residential lots to the south, which would be very difficult to maintain. To eliminate this problem, it might be possible for the attorney for the applicant to work out some arrangement with the adjacent property owners to the south so that the fence could be constructed along the south property line. It is the Secretary's opinion that an arrangement of this type would be desirable.

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**Page 2 - Secretary's Report**  
**Case No. BZA 42-64**

Secretary's opinion that the lot does not have to be developed as indicated on the plot plan as long as all of the requirements of the ordinance are complied with. Before a permit can be issued for the operation of the lot, the applicant will have to submit a plot plan to the Traffic Engineer and to the Central Inspection office for their approval.

As the Board will recall, an amendment to the Zoning Ordinance relative to new and used car sales lots has been submitted to and approved by the Planning Commission. However, when the City Commission considered the proposed amendment, they took action to refer the amendment to the Traffic Commission for its comments. As of the present time, the proposed amendment has not been considered by the Traffic Commission.

It should be pointed out that this application does meet all of the requirements as outlined in the proposed amendment.

Recommendation

In view of the fact that this request does comply with the existing and proposed ordinance, it is the recommendation of the Secretary that this application be approved subject to the following conditions:

1. The new and used car sales lot shall not be conducted in addition to or in conjunction with any other use. (Example: The sale of new and used cars on the same lot with a gasoline service station, garage, restaurant, etc.) However, minor repair work on these vehicles for sale may be conducted within an enclosed building provided that no body or fender work is done.
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**Page 3 - Secretary's Report**  
**Case No. BZA 42-64**

7. A plot plan showing points of ingress and egress, width of driveways, off-street parking spaces and interior traffic circulation shall be submitted to the Traffic Engineering Division of the Department of Public Works for approval prior to the time a permit is issued for the new and used car sales operation.
8. Parking areas shall have adequate guards to prevent the extension or overhanging of vehicles beyond property lines, required setbacks, or parking spaces; and off-street customer parking areas shall have adequate markings for channelization and movement of vehicles.
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CASE NO. BZA 42-64

14 NOTICES MAILED OCTOBER 8, 1964 FOR MEETING OCTOBER 27, 1964

Charles F. Farrow and  
Maryrose N. Bauslaugh  
511 Union Center Bldg.

Robert H. Nelson, Attorney  
511 Union Center Bldg.

Town & Country Estates, Inc.  
309 South Market

J. G. & Hazel A. Ripstra  
#61 Stratford

E. J. and Corinne B. Squire  
6932 East Orme

Clint & Viola H. Miller  
6938 East Orme

V. L. & Wanda L. Durrington  
2261 McAdam

Mildred Jane Mills  
1545 North Market

Woodrow E. & Jeanette M. James  
8112 East Zimmerly

Joyce E. Martin  
924 South Mission

Rexwood R. & Ruth Mary Robertson  
5222 East Orme

Philip F. and Gloria E. Farha  
4601 East Douglas

Rock Road Improvement, Inc.  
309 South Market

John A. & Faye S. Mencher  
400 Slade  
Derby, Kansas

*Ret 10-12-64  
Resent to 400 Slade  
Hayville, Kans.*

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

October 9, 1964

NOTICE TO ADJOINING PROPERTY OWNERS

Case No. BZA 42-64

An application has been filed by Chester F. Farrow and Maryrose N. Bauslaugh, 511 Union Center Building, Wichita, Kansas, by Robert H. Nelson, Attorney, 511 Union Center Building, Wichita, Kansas, requesting an EXCEPTION, pursuant to Section 28.04.180, Code of the City of Wichita, Kansas, to permit the installation or construction of a new and used car lot on property zoned "LC" and legally described as follows:

Lots 1, 2 and 3, Block A, except the west 50 feet of the north 140 feet of Lot 1, in Bridwell's Addition, in the City of Wichita, Sedgwick County, Kansas, and generally located at the southwest corner of Kellogg and Gouverneur Road.

This application has been assigned Case No. BZA 42-64, and will be considered by the Board of Zoning Appeals on Tuesday, October 27, 1964, at 2 P.M. in Room 401 City Building Annex, 104 South Main, Wichita, Kansas, at which time you may appear, if you desire, either in person or by agent or attorney.

Jack E. Galbraith  
Secretary

20  
BOARD OF ZONING APPEALS  
Room 402 City Building Annex  
104 South Main  
Wichita, Kansas

October 9, 1964

NOTICE TO ADJOINING PROPERTY OWNERS

Case No. BZA 42-64

An application has been filed by Chester F. Farrow and Maryrose N. Bauslaugh, 511 Union Center Building, Wichita, Kansas, by Robert H. Nelson, Attorney, 511 Union Center Building, Wichita, Kansas, requesting an EXCEPTION, pursuant to Section 28.04.180, Code of the City of Wichita, Kansas, to permit the installation or construction of a new and used car lot on property zoned "LC" and legally described as follows:

Lots 1, 2 and 3, Block A, except the west 50 feet of the north 140 feet of Lot 1, in Bridwell's Addition, in the City of Wichita, Sedgwick County, Kansas, and generally located at the southwest corner of Kellogg and Gouverneur Road.

This application has been assigned Case No. BZA 42-64, and will be considered by the Board of Zoning Appeals on Tuesday, October 27, 1964, at 2 p.m. in Room 401 City Building Annex, 104 South Main, Wichita, Kansas, at which time you may appear, if you desire, either in person or by agent or attorney.

Jack H. Galbraith  
Secretary

KAHRS, NELSON, FANNING & HITE

ATTORNEYS AT LAW

UNION CENTER BUILDING

WICHITA, KANSAS 67202

AUSTIN M. COWAN (1885-1948)

W. A. KAHRS

ROBERT H. NELSON

H. W. FANNING

RICHARD C. HITE

DARRELL D. KELLOGG

ROGER M. SHERWOOD

TELEPHONES  
AMHERST 2-3441  
AMHERST 2-3442

September 16, 1964

Board of Zoning Appeals  
City of Wichita  
City Annex Building  
Wichita, Kansas

Re: BZA request of Chester F. Farrow  
and Maryrose N. Bauslaugh  
Lots 1, 2 & 3, Blk. A, Bidwell  
Addition, Wichita, Kansas, except  
W 50 feet of the north 140 feet  
of lot 1.

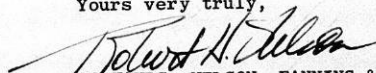
Gentlemen:

Enclosed herewith is an application for an exception which is directed to the Board of Zoning Appeals for authority to operate a new and used car sales lot on the property involved. Also enclosed is the abstract of certificate of the ownership of property within the radius of 200 feet together with a check in the sum of \$50.00 payable to the City of Wichita.

Will you please advise the date that this is expected to be heard before the Board of Zoning Appeals.

Thanking you, I am

Yours very truly,

  
OF KAHRS, NELSON, FANNING & HITE

RHN:dmn

Encl. (3)



HW 223-021

**PAYMENT NOTICE** *Bga 42-64*  
 City of Wichita

PAY AT TREASURER'S OFFICE - FIRST FL.

Bldg & Elev.	Elec.	Elev. Insp.	Exam. Fees
Hse. Nvr.	Hse. Moving	Licse.	Mech.
Oil Well	Pav. Cuts	Plan.	Plbg. Cert.
Sanitation	Sewer	Signs	Sidewalk
Street	Trailer		

DESCRIPTION	AMOUNT
<i>Plan Application</i>	<i>50.00</i>

Name *Robert H. Nelson*

Address *511 Union Center Bldg*

Type *C-712* Due Date

Comments:

Date *7-17-64* By *L. Showers*

BOARD OF ZONING APPEALS

CASE NO. \_\_\_\_\_

CITY OF WICHITA, KANSAS

FILED \_\_\_\_\_

APPLICATION FOR EXCEPTION

I. Name of Applicant Chester F. Farrow and Maryrose N. Bauslaugh

Mailing Address 511 Union Center Building Phone \_\_\_\_\_

Name of Authorized Agent Robert H. Nelson

Mailing Address 511 Union Center Building Phone AM 2-3441

Relationship of applicant to property is that of \_\_\_\_\_  
(owner, tenant, lessee, other).

II. Application is made for an exception as provided in Section  
28.04180 (14), Code of the City of Wichita, Kansas

(Zoning Ordinance); to permit the installation or construction  
of a new and used car lot on

\_\_\_\_\_ on property zoned

LC, located on East Kellogg at the SW

corner of Kellogg & Doverman St and legally described as: Lots 1, 2

& 3, Block A, except the west 50 feet of the north 140 of lot

in Bridwell's Addition, 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 Chester F. Farrow &

Maryrose N. Bauslaugh

Authorized Agent Robert H. Nelson

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

Signed \_\_\_\_\_



This property is now being purchased by the applicants under contract. The property is presently zoned LC and the request for the exception is in connection with the use of said property for a new and used car sales lot. The applicants proposed to build a structure on said property which together with other improvements on said property will be in the approximate cost of \$8,500. to \$9,500. This property is immediately contiguous to and abutts upon East Kellogg avenue which has been designated as a major street in the pattern for thoroughfares in Wichita, Kansas.

STATEMENT OF RECORD OWNERSHIP

STATE OF KANSAS )  
 )  
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:

Property lying within a radius of 200 ft. of Lots 1, 2, & 3, Block A, except the West 50 ft. of the North 140 ft. of Lot 1, in Bridwell's Add., City of Wichita, Kansas.

**3**  
**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:

- Lots 1, 2, & 3, Block A, Bridwell's Add. ✓ Town & Country Estates, Inc.  
309 S. Market
- Lot 1, Ripstra Addition ✓ J. G. & Hazel A. Ripstra, ux  
# 61 Stratford
- W 33 ft Lot 5, Blk 10, Eastridge Add. ✓ E. J. & Corinne B. Squire, ux  
6932 E. Orme
- E 47 ft Lot 5 & W 9 ft Lot 6, Blk 10, Eastridge Add. ✓ Clint & Viola H. Miller, ux  
6938 E. Orme
- E 56 ft of W 65 ft of Lot 6, Blk 10, Eastridge Add. ✓ John A. & Faye S. Mencher, ux  
No Address Available 400 Slade
- E 15 ft Lot 6 & W 41 ft Lot 7, Blk 10, Eastridge Add. ✓ Lloyd N. Shenk, sgle. <sup>Hampville</sup> <sup>Derby</sup>  
No Address Available
- E 39 ft Lot 7 & W 17 ft Lot 8, Blk 10, Eastridge Addition. ✓ V. L. & Wanda L. Durrington, ux  
2261 McAdam



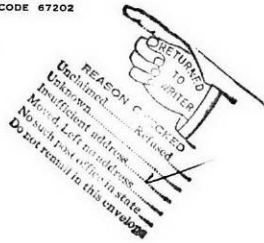
- E 56 ft of W 73 ft of Lot 8, Block 10, Eastridge Addition. ✓ Mildred Jane Mills  
1545 N. Market
- E 7 ft Lot 8 & W 49 ft of Lot 9, Blk 10, Eastridge Add. *no address* ✓ Charles Irvin & Joan Wills, ux  
No Address Available
- E 31 ft of Lot 9 & W 25 ft Lot 10, Blk 10, Eastridge Add. ✓ Woodrow E. & Jeanette M. James, ux  
8112 E. Zimmerly
- Lot 10, exc W 25 ft., Blk 10, Eastridge Add. ✓ Joyce E. Martin  
924 S. Mission
- Lots 2 & 3, Replet of Leoffler Addition *no address* ✓ S. G. Leoffler Operating Co., Inc.  
of Dist. of Columbia  
No Address Available
- Lot 9, exc S 25 ft., Blk EZ, Eastborough Third Add. ✓ Rexwood R. & Ruth Mary Robertson, ux  
5222 E. Orme
- A tr in SE $\frac{1}{4}$  SW $\frac{1}{4}$  Sec 19-27-2E desc as fol: ✓ Philip F. & Gloria E. Farha, ux  
Beg at SE cor SE $\frac{1}{4}$  SW $\frac{1}{4}$ ; th N 80 rds; W 20  
rds; S 80 rds; E 20 rds to beg., exc prt  
condemned for Hwy Purposes # 17549. 4601 E. Douglas
- Lot 1, Rockwood South First Add. ✓ Rock Road Improvement, Inc.  
*309 So Market*

Dated at Wichita, Kansas this 8th day  
of September, 1964 at 7:00 A. M.

FIDELITY TITLE COMPANY, INC.

By Echie M. Zarreal  
Sec. OEM

THE CITY OF WICHITA, KANSAS  
BOARD OF ZONING APPEALS  
104 SOUTH MAIN  
WICHITA, KANSAS  
ZIP CODE 67202



42-64

John A. & Faye S. Menoher

~~400 Slade~~  
*Haysville*  
~~Derby, Kansas~~



*Resent to Haysville*  
*10-12-64*

\*

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

BZA Case

No.

42-64