

200 1/4 Sec. 3-13-83

Shot 3:00

Record ✓

Case No. BZA 64-83 - Advantage  
Leasing, 7005 East Kellogg - requests  
an exception to permit the expansion  
of an existing new and used car sales  
and leasing business on property  
zoned the "LC" Light Commercial  
District and generally located on the

PATED  
11-29-83  
G.E.L.

# ACTION

BZA. ~~64-83~~ **APPROVED** ~~1-3-84~~  
DATE

Resolution null and void

by Resolution BZA 30-85 5-28-85  
G.E.L.

200<sup>1</sup>/<sub>4</sub> Sec. 3-13-83

Shot 3-80

Record

Case No. BZA 64-83 - Advantage  
Leasing, 7005 East Kellogg - requests  
an exception to permit the expansion  
of an existing new and used car sales  
and leasing business on property  
zoned the "C" Light Commercial  
District and generally located on the

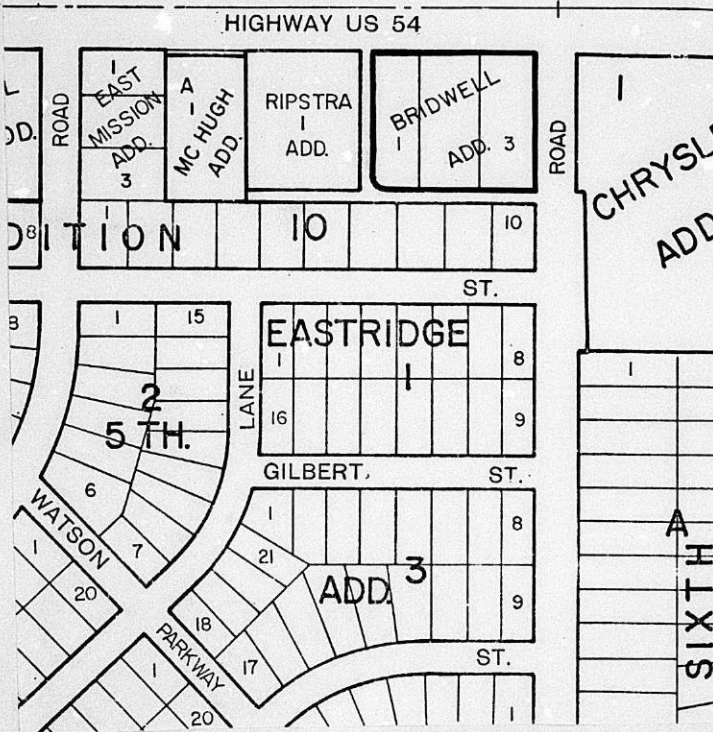
5947 CB

Map No. 5946 A-D

BZA 64-83  
Filed \_\_\_\_\_

AREA DATA:

1. Acres: \_\_\_\_\_ (\_\_\_\_\_ ft. by \_\_\_\_\_ ft.)
2. Adjoining Zoning: E LC S \_\_\_\_\_ W LC N LC
3. Land Use: East Auto Agency South Resid.  
West Bowling Alley North Commercial
4. Area (is) (~~is not~~) platted.



LOS ANGELES, CHICAGO, LOGAN, OH  
MCGREGOR, TX, OCELOT GROVE, GA  
U.S.A.

**Standard**  
No. 2-153C

GARY M. AUSTERMAN  
ATTORNEY AT LAW

SAHOENT, KLENDIA, HAAG & MITCHELL  
SUITE 1000-ONE MAIN PLACE  
400 NORTH MAIN STREET  
WICHITA, KANSAS 67202

(316) 267-0331

March 12, 1984

Advantage Leasing  
7005 East Kellogg  
Wichita, Ks.

Re: BZA 64-83 - Request for Exception

Gentlemen:

Enclosed is a signed copy of the Resolution adopted by the Board of Zoning Appeals on January 3, 1984.

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.

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

Sincerely,

Glen E. Lyus  
Assistant Secretary

GEL:sad

Encl.

cc: Gary Austerman, Suite 1000, 100 North Main, Wichita  
Robert Feldner, Superintendent of Central Inspection (2)  
Don Gisick, City Clerk

RESOLUTION NO. BZA.64-83

WHEREAS, Advantage Leasing, 7005 East Kellogg, Wichita, Kansas, requests an exception as provided in Section 2.12.590.C, Code of the City of Wichita, to permit the expansion of a new and used automobile sales and leasing business on property zoned the "LC" Light Commercial District and legally described as follows:

Lots 1, 2 and 3, Block A, Bridwell's Addition to  
Wichita, Sedgwick County, Kansas. Generally located  
on the southwest corner of Gouverneur Road and Kellogg  
(7005-7017 East Kellogg).

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 January 3, 1984, 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 a new and used automobile sales 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 expansion of a new and used automobile sales and leasing business on property zoned the "LC" Light Commercial District legally described as follows:

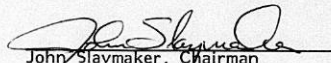
Lots 1, 2 and 3, Block A, Bridwell's Addition to  
Wichita, Sedgwick County, Kansas. Generally located  
on the southwest corner of Gouverneur Road and Kellogg  
(7005-7017 East Kellogg).

subject to the following conditions:

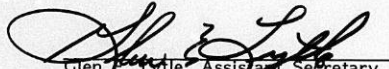
1. The new and used car sales and leasing business shall not be conducted in conjunction with any use not directly related to such a business, nor shall the business include any body or fender work.
2. All motor repair work shall be conducted entirely within an enclosed building.
3. All storage and display areas shall be paved with concrete, asphalt or asphaltic concrete.
4. Off-street parking spaces shall be provided on the property as required by the zoning ordinance and in conformance to the standards established by the Traffic Engineers office. Parking spaces shall be marked and designated for customers and not used for display and storage of company vehicles.
5. No buildings shall be located closer than 25 feet to Kellogg right-of-way or closer than 35 feet to Gouverneur Road right-of-way.
6. All driveway approaches not approved by the Traffic Engineer shall be removed and the curb replaced.
7. All lights shall be shielded to direct light away from adjoining property. No string type lighting or banners shall be permitted.
8. Ground or pole signs shall not exceed the height, area or number permitted by the zoning regulations for the "LC" Light Commercial District.

9. No sound projecting devices or loudspeakers shall be used so as to be heard beyond the property lines.
10. A six-foot high screening fence of wood, metal or masonry shall be constructed along the south property line. In the event the east-west alley is vacated, the fence shall be erected along the south line of the existing alley.
11. Prior to the release of the resolution authorizing the expansion of the new and used car sales and leasing business, the applicant shall furnish a new site plan in triplicate to the Secretary showing the areas to be designated for display, storage and the required number of off-street parking spaces in compliance with the standards of the City and approved by the Traffic Engineer. Should the applicant at a later date vacate the alleys, a revised site plan shall be submitted as set forth herein.
12. All requirements as set forth in this resolution shall be complied with within 120 days from the approval by the Board or the resolution shall become null and void.
13. Resolution No. BZA 42-64 shall become null and void upon the release of this resolution.

ADOPTED AT WICHITA, KANSAS, this 3rd day of January 1984.

  
John Slaymaker, Chairman

ATTEST:

  
Glen E. Lytle, Assistant Secretary

January 9, 1984

Advantage Leasing  
7005 East Kellogg  
Wichita, Kansas

Re: BZA 64-83 - Request for Exception

Gentlemen:

At the regular meeting of the Board of Zoning Appeals on January 3, 1984, your request for an exception to permit the expansion of an automobile sales and leasing business was considered. It was the action of the Board to approve your request subject to the following conditions:

1. The new and used car sales and leasing business shall not be conducted in conjunction with any use not directly related to such a business, nor shall the business include any body or fender work.
2. All motor repair work shall be conducted entirely within an enclosed building.
3. All storage and display areas shall be paved with concrete, asphalt or asphaltic concrete.
4. Off-street parking spaces shall be provided on the property as required by the zoning ordinance and in conformance to the standards established by the Traffic Engineers office. Parking spaces shall be marked and designated for customers and not used for display and storage of company vehicles.
5. No buildings shall be located closer than 25 feet to Kellogg right-of-way or closer than 35 feet to Gouverneur Road right-of-way.
6. All driveway approaches not approved by the Traffic Engineer shall be removed and the curb replaced.
7. All lights shall be shielded to direct light away from adjoining property. No string type lighting or banners shall be permitted.

8. Ground or pole signs shall not exceed the height, area or number permitted by the zoning regulations for the "LC" Light Commercial District.
9. No sound projecting devices or loudspeakers shall be used so as to be heard beyond the property lines.
10. A six-foot high screening fence of wood, metal or masonry shall be constructed along the south property line. In the event the east-west alley is vacated, the fence shall be erected along the south line of the existing alley.
11. Prior to the release of the resolution authorizing the expansion of the new and used car sales and leasing business, the applicant shall furnish a new site plan in triplicate to the Secretary showing the areas to be designated for display, storage and the required number of off-street parking spaces in compliance with the standards of the City and approved by the Traffic Engineer. Should the applicant at a later date vacate the alleys, a revised site plan shall be submitted as set forth herein.
12. All requirements as set forth in this resolution shall be complied with within 120 days from the approval by the Board or the resolution shall become null and void.
13. Resolution No. BZA 42-64 shall become null and void upon the release of this resolution.

A Resolution setting forth the official action of the Board is being prepared and you will be mailed a copy as soon as you have complied with condition number 11 above.

If you have any questions, please call our office.

Sincerely yours,

Glen E. Lytle  
Assistant Secretary

GEL:sad

cc Gary M. Austerman, Suite 1000, 100 North Main, Wichita  
Robert Feldner, Superintendent of Central Inspection (2)  
Don Gisick, City Clerk

**THE CITY OF WICHITA**

**OFFICE OF CITIZEN PARTICIPATION**

**DATE** December 22, 1983

**TO** Glen Lytle, Special Assistant for Zoning

**FROM** David Greer, CRS Management Intern

**SUBJECT** BZA 64-83, Southwest corner of  
Keologg and Govenour Road

CPO Council Area "G" considered the captioned case at its December 19th meeting and voted 6-0 to recommend approval of the requested exception.

The applicant, and one area resident were present and spoke in support of the request. No one was present to speak in opposition.

Please provide the Board of Zoning Appeals with the Council's recommendation when the case is considered on January 3rd.

*David Greer*

David Greer  
CRS Management

DG:sm

**RECEIVED**

**DEC 23 1983**

**METROPOLITAN PLANNING**

**ROUTE**

SECRETARY'S REPORT  
CASE NO. BZA 64-83

APPLICANT: Advantage Leasing, 7005 East Kellogg, Wichita, Kansas.

AGENT: Gary M. Austerman, Suite 1000, 100 North Main, Wichita, Kansas.

REQUEST: Exception pursuant to Section 28.04.183.2, Code of the city of Wichita to permit the expansion of an automobile sales and leasing business in the "LC" Light Commercial District.

GENERAL LOCATION: On the southwest corner of Kellogg and Gouverneur Road.

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

LAND USE: Subject property is an automobile sales and leasing business as is the property to the east. Property to the west is a bowling alley and to the south is residential. To the north are restaurants.

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 enlarge an existing new and used car sales lot that was approved in 1964. The additional area is for the leasing business that was established on the property that was not a part of the application in 1964. Central Inspection had given a notice for the violation and the present owner has filed the application to become conforming to all regulations.

In reviewing the previous BZA Resolution No. 42-64, the previous applicant failed to comply with the 35 foot building setback adjacent to Kellogg and constructed the major building at a line 25 feet from the Kellogg right-of-way. The sign height limitation also restricts the height of any sign to 25 feet in height. The adoption of a new resolution on the original BZA application area plus the new area will permit the Board to establish new conditions providing they are in compliance with the requirements of the zoning ordinance.

Also, in conversations with the applicants agent, there is a possibility that the owners will attempt to vacate the remaining alleys in the block. If they are successful in this vacation, the majority of the alley will revert to this property owner and the zoning will be extended to include all of the vacated alleys. In this case, the applicant would be required to erect a screening fence along the south line of the existing east-west alley.

It is the Secretary's opinion that the inclusion of the additional parcel to the west as a part of the new and used car sales and leasing business is an appropriate use of the property and should be approved. It is also recommended that should the applicant be successful in the vacation of the alley, that the use of that portion of the east-west alley adjacent to the application area be included in the Resolution and improved as part of the automobile sales and leasing business.

RECOMMENDATION

Should the Board determine that the use is appropriate and the area be expanded, then it is the Secretary's recommendation that the following conditions of approval be established:

1. The new and used car sales and leasing business shall not be conducted in conjunction with any use not directly related to such a business, nor shall the business include any body or fender work.
  2. All motor repair work shall be conducted entirely within an enclosed building.
  3. All storage and display areas shall be paved with concrete, asphalt or asphaltic concrete.
  4. Off-street parking spaces shall be provided on the property as required by the zoning ordinance and in conformance to the standards established by the Traffic Engineers office. Parking spaces shall be marked and designated for customers and not used for display and storage of company vehicles.
  5. No buildings shall be located closer than 25 feet to Kellogg right-of-way or closer than 35 feet to Gouverneur Road right-of-way.
  6. All driveway approaches not approved by the Traffic Engineer shall be removed and the curb replaced.
  7. All lights shall be shielded to direct light away from adjoining property. No string type lighting or banners shall be permitted.
  8. Ground or pole signs shall not exceed the height, area or number permitted by the zoning regulations for the "LC" Light Commercial District.
  9. No sound projecting devices or loudspeakers shall be used so as to be heard beyond the property lines.
  10. A six-foot high screening fence of wood, metal or masonry shall be constructed along the south property line. In the event the east-west alley is vacated, the fence shall be erected along the south line of the existing alley.
  11. Prior to the release of the resolution authorizing the expansion of the new and used car sales and leasing business, the applicant shall furnish a new site plan in triplicate to the Secretary showing the areas to be designated for display, storage and the required number of off-street parking spaces in compliance with the standards of the City and approved by the Traffic Engineer. Should the applicant at a later date vacate the alleys, a revised site plan shall be submitted as set forth herein.
  12. All requirements as set forth in this resolution shall be complied with within 120 days from the approval by the Board or the resolution shall become null and void.
  13. Resolution No. BZA 42-64 shall become null and void upon the release of this resolution.
-

BZA CASE NO. 64-83

2 NOTICES SENT TO APPLICANT/AGENT

10 ~~NOTICES~~ LEGAL ADV. SENT TO MAPC

- 1 NOTICES SENT TO CPO

18 NOTICES SENT TO ADJOINING PROPERTY OWNERS

21 TOTAL NOTICES SENT 12-14-83

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

December 12, 1983

NOTICE TO ADJOINING PROPERTY OWNERS:

CASE NO. BZA 64-83

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 Advantage Leasing, 7005 East Kellogg, 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 expansion of an existing new and used car sales and lesing business on property zoned "LC" Light Commercial District. A legal description of the applicant's property is as follows:

Lots 1, 2 and 3, Block A, Bridwell's Addition to  
Wichita, Sedgwick County, Kansas. Generally located  
on the southwest corner of Gouverneur Road and Kellogg  
(7005-7017 East Kellogg).

This application has been assigned Case BZA 64-83. It will be considered by the Board of Zoning Appeals on January 3, 1984 at 1:30 p.m. in the Metropolitan Area Planning Department Conference Room, 10th Floor, 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

November 29, 1983

Mr. Gary Austermann, Attorney  
Suite 1000, One Main Place  
100 North Main  
Wichita, Ks. 67202

Re: BZA 64-83 - Request for Exception

Dear Mr. Austerman:

I am in receipt of the application for Advantage Leasing, 7005 East Kellogg, Wichita, Kansas to increase the area to be used for new and used car sales and leasing at this location. The application did not include a site plan showing all information as set forth in the instructions to the applicant.

As stated on the instructions "a new and used car sales lot" requires the submission of a detailed plot plan. This site plan shall be drawn to scale and show all existing and proposed structures, off-street parking spaces, all points of ingress and egress, width of driveway approaches and should designate the display and storage area for vehicles.

Please furnish this site plan in triplicate to this office no later than Tuesday, December 6, 1983 so that this case may be advertised for the next Board of Zoning Appeals meeting now scheduled for January 3, 1984.

If you have any questions, please give me a call at 268-4421.

Sincerely,

Glen E. Lytle  
Special Assistant for Zoning

GEL:sad

BOARD OF ZONING APPEALS  
CITY OF WICHITA, KANSAS

CASE NO. 64-83  
FILED 11-28-83

APPLICATION FOR EXCEPTION

I. Name of Applicant Advantage Leasing  
Mailing Address 7005 E. Kellogg Phone 316/687-5436  
Name of Authorized Agent Gary M. Austerman  
Mailing Address Suite 1000, 100 N. Main Phone 316/267-0331  
Wichita, Kansas 67202  
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 new and used car sales lot  
and leasing business

on property zoned the "LC" Light Commercial,  
located on the southwest corner of Kellogg & Gouverneur  
and legally described as: Lots 1, 2 and 3, Block A,  
Bridwell's Addition to Wichita, Sedgewick  
County, Kansas.  
\_\_\_\_\_ , 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 hearings 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. 36-596); 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 Sedgewick County to appeal the decision of the Board.

Applicant Frederick Simon  
Frederick Simon

Authorized Agent Gary M. Austerman  
Gary M. Austerman

OFFICE USE ONLY: Received in Office of Secretary, Board of Zoning Appeals, 4:40 ~~4:40~~ p.m., Nov 28, 1983, together with appropriate fee of 200.

Signed S. Lytle

SARGENT, KLEND, HAAG & MITCHELL

ATTORNEYS AT LAW

SUITE 1000  
ONE MAIN PLACE  
100 NORTH MAIN STREET  
WICHITA, KANSAS 67202-1387

OF COUNSEL  
CAROLYN SWAIN SKAER

TELEPHONE  
(316) 267-0331

TELECOPY  
(316) 267-0333

JAMES W. SARGENT  
L. D. KLEND  
GERALD D. HAAG  
ALEXANDER B. MITCHELL II  
GARY M. AUSTERMAN

LAWRENCE J. BEILMAN  
MICHAEL R. BIGGS  
DAVID D. BROOMFIELD  
MARK A. DICKERSON  
JOHN A. HAGEMAN  
JACQUELINE K. LEVINGS  
JENNIS J. MOLAMPHY  
J. B. MORRIS  
J. MICHAEL MORRIS  
JEFFREY D. PEIER

November 28, 1983

Board of Zoning Appeals  
City of Wichita, City Hall  
455 North Main  
Wichita, Kansas 67202

Dear Gentlemen:

This statement is being made in conjunction with an Application for Exception which is being filed by Advantage Leasing partnership. It is necessary that Advantage Leasing have an exception from LC Zoning to allow it to operate a new and used car lot and a vehicle leasing business on the premises legally described as Lots 1, 2 and 3, Bridwell Addition, Wichita, Sedgwick County, Kansas.

The Application for Exception is being made pursuant to Section 2.12.590.C, Code of the City of Wichita, Kansas.

Advantage Leasing operates its business in conjunction with the operation of Gorges Volkswagen, Inc. which has its place of business on the above-described property. At the time Advantage Leasing began to operate its business at 7005 E. Kellogg, it understood that the property was properly zoned. However, it has been advised that the property is not properly zoned and it would work a substantial hardship on the Company to not receive such an exception.

It is respectfully requested that an exception be granted as more specifically requested in the application enclosed herewith. Also, a detailed plot plan in duplicate is attached hereto as required by the appropriate City Code provision.

Yours very truly,

  
GARY M. AUSTERMAN  
FOR THE FIRM

GMA:bh  
Encls.

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:

Record Owners within 200 feet of:  
Lots 1, 2 and 3, BRIDWELL ADDITION,  
Wichita, Sedgwick County, Kansas.



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.)

DESCRIPTIONS

RECORD OWNERS

Lots 1, 2 and 3, BRIDWELL ADDITION,

Walter Morris Investment  
Co.  
128 S. Dellrose Avenue  
Wichita, Kansas 67218

Lot 9 except the South 25 feet of  
Block EZ, EASTBOROUGH 3RD ADDITION,

Richard L. & Beverly  
Holstead  
#20 Drury Lane  
Wichita, Kansas 67207

South 25 feet of Lot 9, Block EZ,  
EASTBOROUGH 3RD ADDITION,

Eastborough Estates Co.  
4511 E. Morris  
Wichita, Kansas 67218

South 180 feet of the East 19.5 feet  
of Lot 1 and the South 180 feet of  
Lot 2, CLAYTON ADDITION,

W. R. Azim  
%Craig Steven,  
Coney Island #3  
7092 E. Kellogg  
Wichita, Kansas 67207



DESCRIPTIONS

RECORD OWNERS

Lot 1 except the East 19.5 feet and except the West 30 feet, CLAYTON ADDITION,	Gloria E. & Philip F. Farha ✓ P.O. Box 18146 Wichita, Kansas 67218
West 30 feet of Lot 1, CLAYTON ADDITION,	Windsor at Eastborough ✓ 7030 E. Kellogg Wichita, Kansas 67207
East 23 feet of Lot 4 and the West 33 feet of Lot 5, Block 10, EASTRIDGE & REPLAT OF PART OF EASTRIDGE ADDITION,	✓ Corrine Blanch Squire 4032 Harvard Lane, #106 Kansas City, Missouri 64133
East 47 feet of Lot 5 and West 9 feet of Lot 6, Block 10, EASTRIDGE & REPLAT OF PART OF EASTRIDGE ADDITION,	✓ Amber & E. Louise Dial 6938 E. Orme Street Wichita, Kansas 67207
East 56 feet of the West 65 feet of Lot 6, Block 10, EASTRIDGE & REPLAT OF PART OF EASTRIDGE ADDITION,	✓ David L. & Deborah L. Eakes 7002 E. Orme Wichita, Kansas 67207
East 15 feet of Lot 6 and the West 41 feet of Lot 7, Block 10, EASTRIDGE & REPLAT OF PART OF EASTRIDGE ADDITION,	✓ Lloyd N. & E. Sue Shenk 7008 E. Orme Wichita, Kansas 67207
East 39 feet of Lot 7 and West 17 feet of Lot 8, Block 10, EASTRIDGE & REPLAT OF PART OF EASTRIDGE ADDITION,	✓ V. L. & Wanda Durrington 6805 E. Bayley Wichita, Kansas 67207
East 56 feet of the West 73 feet of Lot 8, Block 10, EASTRIDGE & REPLAT OF PART OF EASTRIDGE ADDITION,	✓ Larry & Virginia Klaus 650 Lancaster Wichita, Kansas 67230
East 7 feet of Lot 8 and the West 49 feet of Lot 9, Block 10, EASTRIDGE & REPLAT OF PART OF EASTRIDGE ADDITION,	✓ Curtis L. & Louise Jeff 1130 Royal Road Wichita, Kansas 67207
East 31 feet of Lot 9 and the West 25 feet of Lot 10, Block 10, EASTRIDGE & REPLAT OF PART OF EASTRIDGE ADDITION,	✓ Hazel Quick and John D. & Juanita J. Quick 806 Eastmoor Street Wichita, Kansas 67207
Lot 10 except the West 25 feet, Block 10, EASTRIDGE & REPLAT OF PART OF EASTRIDGE ADDITION,	✓ Joyce E. Martin 6407 Rockwood Road Wichita, Kansas 67206
Lot 1, RIPSTRA ADDITION,	✓ J. G. & Hazel A. Ripstra 1015 E. Douglas Wichita, Kansas 67211
Lot 1, ROCKWOOD SOUTH FIRST ADDITION,	✓ M. & N. Investment American Oil Co. P.O. Box 2920 Shawnee Mission, Kansas 66201



DESCRIPTIONS

Lot 1, CHRYSLER ADDITION,

Dated in Wichita, Kansas, this 7th day of November,  
1983 at 7:00 A.M.

RECORD OWNERS

Abko Properties Inc.  
One Northfield Plaza  
Troy, Michigan 40098

*Returned 12-21-83*

FIDELITY TITLE COMPANY, INC.

*Medina A. Sutto*  
By

Assistant Secretary

Tracer No. 65150



RESOLUTION NO. BZA 42-64

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:

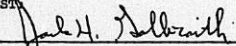
1. The new and used car sales lot shall not be conducted in addition to or in conjunction with any other use.  
Example: The sale of new and used cars on the same lot with a gasoline service station, garage, restaurant, etc. However, minor repair work on those vehicles for sale may be conducted within 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.

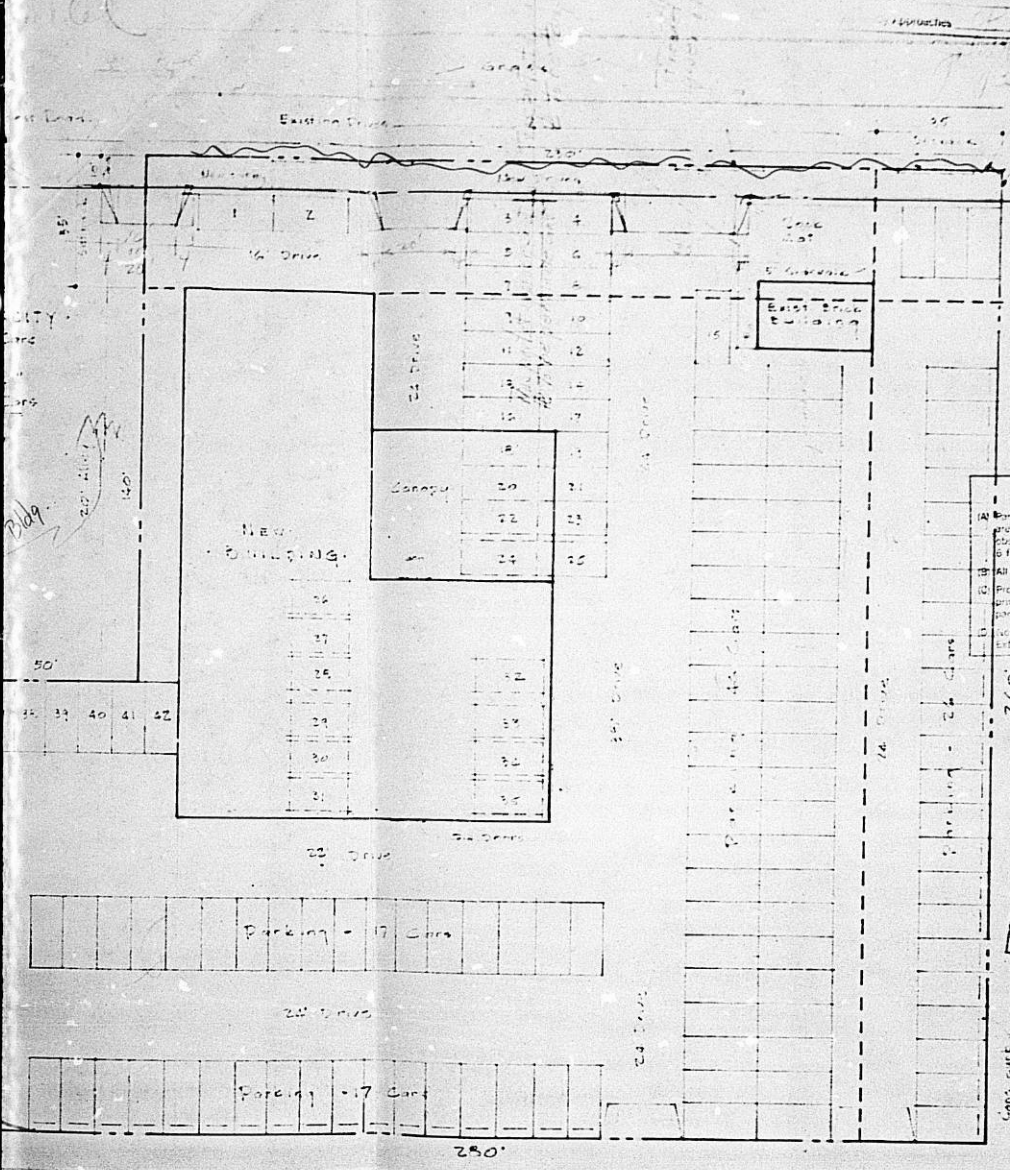
  
Harold Bauer, Chairman

ATTEST

  
Jack H. Galbraith, Secretary.



East 2nd St



NOTICE

- (A) Parking barriers shall be installed at all locations that are adjacent to public property so that vehicles will not obstruct public property and have a minimum length of 6 feet and a minimum cross section of 4" x 4".
- (B) All painted stall lines shall be not less than 4" wide.
- (C) Proper ingress and egress signs shall be installed on private property at the entrances and exits of the parking facility.
- (D) City Traffic Engineering Division (AM 28211, ext. 274) for final inspection of parking facility.

APPROVED AS NOTED  
 By CITY TRAFFIC ENGINEER  
 Off Street Parking  
 Design must only  
 between 9:00 P.M. and  
 4:00 A.M.  
 Date: 25 Jan 65

PROPOSED PARKING AREA  
 NEW VOLKSWAGEN AGENCY BLDG  
 TRACK #1 SEC A BIRDWELL ADD  
 WICHITA, KANSAS  
 Jan 15, 65

Scale 1" = 20'  
 1" = 30' Approx

**MICROFILMED  
FROM THE BEST  
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.	Pav. Cuts	Cert.
Plbg	Exam Fees	Sewer	Elev.
Signs	Plan Rev. (P.W.)	Cement	M.S.P.
	Planning		

DESCRIPTION	AMOUNT
CITY OF WICHITA EXCEPT	200.00

NAME *City of Wichita*

ADDRESS *155-41071-11024*

FUND *155-41071-11024* DUE DATE

COMMENTS

DATE *Nov 25 1965* BY *H. J. [Signature]*

\*

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

Roll # 2