

6. No repair work shall be conducted except in an enclosed building.
7. All parking spaces abutting property lines shall have adequate guards to prevent the extension or overhanging of vehicles, equipment, or trailers beyond property lines of parking spaces. All parking areas shall have adequate markings for channelization and movement of vehicles.
8. The applicant shall install all of the required improvements prior to the occupancy of the site for a bicycle and motorcycle sales lot.

ADOPTED AT WICHITA, KANSAS, this 22nd day of August, 1972.

SS/Kenneth M. Cusick, Jr.
Kenneth M. Cusick, Jr.
Chairman

ATTEST:

SS/Jack H. Galbraith
Jack H. Galbraith
Secretary

7. Case No. BZA-24-72 - Scholfield Winnebago, Inc., 11129 East Kellogg, pursuant to Section 2.12.590.C, Code of the City of Wichita, requests an exception to permit the installation of a sales and rental lot for mobile homes, travel trailers, motor homes and motor vehicles on property zoned "LC" Light Commercial and legally described as Lots 67, 68, 69, and 70, Linwood Acres Addition, Sedgwick County, Kansas. Generally located at the northwest corner of Kellogg Drive and Ellson Street.

GALBRAITH pointed out the area on the map and reviewed the following Secretary's report:

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, Code of the City of Wichita, can be complied with.

COMMENTS BY THE SECRETARY:

The applicant is requesting an exception to the Zoning Ordinance to permit the installation of a sales and rental lot for mobile homes, travel trailers, motor homes and motor vehicles on property zoned "LC" Light Commercial at the north-west corner of Kellogg Drive and Ellson Street.

On July 22, 1969, the Board of Zoning Appeals considered a request for an exception to permit the installation of a mobile home sales lot on the east 383 feet of the area contained in this request. Action of the Board was to approve the request subject to the 9 conditions recommended in the Secretary's Report.

The uses proposed by the applicant are highway oriented uses and usually other similar uses such as boat and marina sales, equipment rental operations, etc. congregate in the same area. The majority of these uses are located on North and South Broadway and East and West Kellogg which are two of the major highways of the City.

It is the opinion of the Secretary that this is a logical and proper use for the area inasmuch as subject property is located adjacent to a highway.

RECOMMENDATION:

It is the recommendation of the Secretary that the application to permit the installation of a sales and rental lot for mobile homes, travel trailers, motor homes and motor vehicles be approved subject to the following conditions:

1. All storage and display areas shall be paved with concrete, asphalt, or other comparable material.
2. All lights shall be shielded to direct light away from adjoining property. No string type lighting or banners shall be permitted.
3. No sign shall exceed 30 feet in height or shall be placed so as to project over any public right-of-way.
4. No sound projecting devices or loudspeakers shall be used (so as to be heard outside any structure).
5. The area shall be properly policed through inspections by the owner or operator for the proper maintenance and removal of trash.

6. All parking spaces abutting property lines shall have adequate guards to prevent the extension or overhanging of vehicles, travel trailer or mobile homes beyond property lines. All parking areas shall have adequate markings for channelization and movement of vehicles.
7. No repair work shall be conducted except in an enclosed building, and further provided that no body or fender work is done.
8. No mobile home on subject property shall be occupied as a residence.
9. The applicant shall install all of the required improvements prior to the occupancy of the site for a sales and rental lot for mobile homes, travel trailers, motor homes and motor vehicles.

GALBRAITH said the exception approved by the Board in 1969 for a portion of the area was used only a short time and that the property has been vacant much of the time since such approval. It was his belief that the Winnebago operation at the southwest corner of Kellogg and Greenwich Road would be moved to subject site. He said the applicant had chosen to request an exception rather than "C" Commercial zoning, and it was his opinion that the use proposed would be reasonable in this area.

EVERETT FETTIS, attorney for the applicant, was present in support of this request. No one appeared in opposition.

MOTION: KAMEN moved, DOKE seconded and it carried unanimously that this application be approved, subject to the nine conditions as recommended in the Secretary's report, and as shown by the adoption of the following Resolution:

RESOLUTION NO. BZA 24-72

WHEREAS, Scholfield Winnebago, Inc., 11129 East Kellogg, requests an exception as provided in Section 2.12.590.C, Code of the City of Wichita, to permit the installation of a sales and rental lot for mobile homes, travel trailers, motor homes and motor vehicles, on property zoned "LC" Light Commercial, and legally described as follows:

Lots 67, 68, 69, and 70, Linwood Acres Addition, Sedgwick County, Kansas. Generally located at the Northwest corner of Kellogg Drive and Ellson Street.

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 August 22, 1972, 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 installation of a sales and rental lot for mobile homes, travel trailers, motor homes, and motor vehicles on property zoned "LC" Light Commercial, 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 installation of a sales and rental lot for mobile homes, travel trailers, motor homes, and motor vehicles on property zoned "LC" Light Commercial, and legally described as follows:

Lots 67, 68, 69, and 70, Linwood Acres Addition, Sedgwick County, Kansas. Generally located at the Northwest corner of Kellogg Drive and Ellson Street.

subject to the following conditions:

1. All storage and display areas shall be paved with concrete, asphalt, or other comparable material.
2. All lights shall be shielded to direct light away from adjoining property. No string type lighting or banners shall be permitted.
3. No sign shall exceed 30 feet in height or shall be placed so as to project over any public right-of-way.
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5. The area shall be properly policed through inspections by the owner or operator for the proper maintenance and removal of trash.
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8. No mobile home on subject property shall be occupied as a residence.
9. The applicant shall install all of the required improvements prior to the occupancy of the site for a sales and rental lot for mobile homes, travel trailers, motor homes and motor vehicles.

ADOPTED AT WICHITA, KANSAS, this 22nd day of August, 1972.

SS/Kenneth M. Cusick, Jr.
Kenneth M. Cusick, Jr.
Chairman

ATTEST:

SS/Jack H. Galbraith
Jack H. Galbraith
Secretary

The Secretary submitted a list of the names and addresses of the members of the Board to each member present, which he had been requested to do by the City Clerk. He also stated that a reprint of the Board of Zoning Appeals manual and Rules and Regulations under which the Board operates had been mailed to the members, the reprint including the amendment recently made.

The meeting adjourned at 2:30 p.m., on motion made and seconded.

Jack H. Galbraith
Secretary