



Wichita-Sedgwick County Metropolitan Area Planning Department

December 17, 2021

Jeremiah Leathers
4027 N Friar Ln
Wichita, KS 67204

RE: CON2021-00053: City Conditional Use to permit Vehicle and Equipment Sales on property zoned LC Limited Commercial; generally located on the west side of North Amidon Avenue, one-half mile north of West 29th Street North (3357 N Amidon Ave).

Dear Applicant;

At its regular meeting on **December 2, 2021**, the Wichita - Sedgwick County Metropolitan Area Planning Commission considered the above captioned request. The action of the MAPC was to recommend **APPROVAL** the request subject to the enclosed conditions.

There were no protests filed against this application. Therefore, the decision of the Planning Commission is final.

If you have any questions concerning this application, please contact our office at 268 4421.

Sincerely,

Philip Zevenbergen, AICP
Senior Planner

Copies to: MABCD
Cindy Claycomb, City Council District VI
Ana Lopez, CSR District VI
Joan M Aboud, 1308 N. Armour St., Wichita, KS 67206
Daniel Ochs 1717 W 33rd Street North, Wichita, KS 67204
Leslie Hicks, 2230 N Cardinal Dr. Wichita, KS 67204
Benjamin Zickefoose, 825 Canyon Ct., Abilene, TX 79601

CON2021-00053
PZ



Beaufort Gazette
Belleville News-Democrat
Bellingham Herald
Bradenton Herald
Centre Daily Times
Charlotte Observer
Columbus Ledger-Enquirer
Fresno Bee

The Herald - Rock Hill
Herald Sun - Durham
Idaho Statesman
Island Packet
Kansas City Star
Lexington Herald-Leader
Merced Sun-Star
Miami Herald

el Nuevo Herald - Miami
Modesto Bee
Raleigh News & Observer
The Olympian
Sacramento Bee
Fort Worth Star-Telegram
The State - Columbia
Sun Herald - Biloxi

Sun News - Myrtle Beach
The News Tribune Tacoma
The Telegraph - Macon
San Luis Obispo Tribune
Tri-City Herald
Wichita Eagle

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
16399	168364	WIC-11-11-21	OCA 150004	\$126.00	1	15.00 in

Attention: Betsy Pagán
CITY OF WICHITA/PLANNING DEPT
271 WEST THIRD ST., 2ND FL, SU 203
WICHITA, KS 67202

Copy of ad content
is on the next page

In The STATE OF KANSAS
In and for the County of Sedgwick

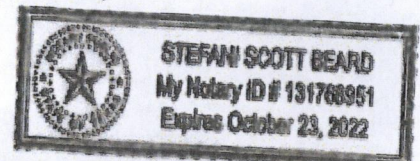
No. of Insertions: 1
Beginning Issue of: 11/11/2021
Ending Issue of: 11/11/2021

STATE OF KANSAS)
SS
County of Sedgwick)

Hayley Martin, of lawful age, being first duly sworn, deposeseth and saith: That he is Record Clerk of The Wichita Eagle, a daily newspaper published in the City of Wichita, County of Sedgwick, State of Kansas, and having a general paid circulation on a daily basis in said County, which said newspaper has been continuously and uninterruptedly published in said County for more than one year prior to the first publication of the notice hereinafter mentioned, and which said newspaper has been entered as second class mail matter at the United States Post Office in Wichita, Kansas, and which said newspaper is not a trade, religious or fraternal publication and that a notice of a true copy is hereto attached was published in the regular and entire Morning issue of said The Wichita Eagle from 11/11/2021 to 11/11/2021.

I certify (or declare) under penalty of perjury that the foregoing is true and correct.
DATED: 12/20/2021

Notary Public in and for the state of Texas, residing in Dallas County



Extra charge for lost or duplicate affidavits.
Legal document please do not destroy!

LEGAL PUBLICATION

LEGAL NOTICE
PUBLISHED IN THE OFFICIAL GAZETTE
OF THE PROVINCE OF ONTARIO
ON MONDAY, FEBRUARY 11, 1980

NOTICE OF INTENTION TO TAKE LAND
The Ontario Land Surveyors Act, R.S.O. 1970, c. 244, s. 10, requires that notice of intention to take land be published in the Official Gazette. The following is a list of the lands to be taken and the names of the persons who own or claim an interest in them.

1. Township of ...
The following lands are to be taken for the purpose of ...

2. Township of ...
The following lands are to be taken for the purpose of ...

3. Township of ...
The following lands are to be taken for the purpose of ...

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17. Township of ...
The following lands are to be taken for the purpose of ...

18. Township of ...
The following lands are to be taken for the purpose of ...

19. Township of ...
The following lands are to be taken for the purpose of ...

20. Township of ...
The following lands are to be taken for the purpose of ...

Name	...
Address	...
City	...
Province	...
Postal Code	...

FOR FURTHER INFORMATION
Contact the Ontario Land Surveyors Association
100 Queen Street West, Toronto, Ontario M5H 2R2
Telephone: (416) 593-1111
Telex: 5000-1111

FROM PAGE 1A VETERANS DAY

ministration from North-eastern State University and works at the Wichita Workforce Center as a Veterans Employment Representative, where he helps veterans find employment.

JAMES H. BORING, ARMY AIR FORCE
Served: 1943 to 1946
World War II (1941-1945)

From: Wichita, KS
My dad was a B-17 waist gunner in the Army Air Force. He was a member of the 368th Bomb Squad of the 306th Bomb Group.

Their plane was named the "Raptured Duck." He was stationed in Thurligh, England, during World War II. He is the only member of his squad that is still living. He never talked a lot about his time in the war until about the last 10 years. I have asked questions, trying not to bring up the horrible memories he still has.

When he was in training, they picked him to be waist gunner because he was thin and not real tall so he could fit in the waist. They trained them how to put together and take apart the gun blindfolded because their missions were mostly in the dark. He would talk about when they would go on a mission that his fellow servicemen would send a case of beer up with them to get it chilled. The beer was hot on the ground.

He will be 97 years old on Nov. 29, 2021. His mother died when he was 2, and his two sisters and he were raised by their grandma and grandpa. They were very poor. He ate in the soup lines during the Depression. His grandpa also died young. After he was discharged, he married my mom and had two girls, and then my mom went into labor early with their third child, a boy. He died while Dad was rushing him to the hospital. Then my mom died at 45 and left him with two girls to raise as a single dad. He has had a lot of sadness and heartache during his life, but he never let it show.

Dad, I am so very proud of you. I am so lucky to be your daughter. Not only did you serve our country bravely and proudly, you also took care of our family. You have always taken care of everyone - from your grandmother, to our mom, to us girls, grandchildren and great-grandchildren. You take care of all God's creatures including bugs and mice - yuck! It is a privilege to honor you today. You are my hero. - Debra Vossen, daughter

SGT. MORRIS P. COCKING, ARMY
Served: 1942 to 1945
World War II (1941-1945)

From: Wichita, KS
Morris was in the fighting war from D-Day to Berlin. He had become an aide to an officer in Berlin.

He had become an aide to an officer in Berlin. Morris carried a bottle of Coca-Cola throughout the war in his backpack, thinking he would drink it after the U.S. victory. While he was in Berlin working as an aide, the officer he worked for came and asked if he still had the bottle of Coke. He told Morris that Gen. Eisenhower was looking for a Coke, but they didn't have any at the officer's club. Morris offered to give his Coke for free. The attached picture is the General thanking Morris (at left) with his

officer looking on. We are truly blessed with young Americans giving up their lives and service throughout our history to preserve and defend our freedoms by service in the military. My uncle represents how a young man from Kansas can be called on to serve our country, which was the case in times of need for the defense of our freedoms, and repeated by hundreds of thousands of young men who have been called on by our country for that purpose. We need to stop and ponder the great sacrifices members of the military make for each of us and give thanks for their service! - Jim Beasley, nephew

STAFF SGT. JOSEPH FABER, AIR FORCE
Served: 1952 to 1956
Korean War (1950-1953)

From: Wichita, KS
Joe Faber was born in Iowa in 1932. He married Barbara Verma in 1952 and has four children. The same year as his marriage, Joe enlisted in the Air Force, serving until 1956. He was last stationed at Elmendorf Air Force Base in Anchorage, Alaska, in the 6981st Radio Group as a Morse Code Radio Instructor. After the Air Force, he moved to Wichita with his family and worked at Beach Aircraft until his retirement in 1996. He has enjoyed a retirement of golf, music and time spent with Barbara until her death in 2020. Joe continues to live in Wichita with his dogs, Sadie, Dad, Grampa, Great-papa: We know how hard you worked to protect and to serve our country. The pride you have in that service is well deserved. We are grateful for your service to your country and to your family. We love you (ditto). Don't take any wooden nickels! - Kelsey Faber, granddaughter

SGT. WAYNE E. FAHRBACH, ARMY
Served: 1941 to 1945
World War II (1941-1945)

From: Abilene, KS
Died: May 23, 2017
Wayne Eugene Fahrbach served in the Army during World War II. He was proud of his service and enjoyed sharing stories about his service. He was one of the brave soldiers who landed on Omaha Beach on D-Day. In a story, he said that as they were approaching the beach in an amphibious tank, he was scared to death. He asked his commander, "What if I don't get off?" His commander told him, "You can either get shot in the back, or you can take your chance on the beach, but you are getting off one way or the other." He said he jumped off when they hit the beach and ran like hell! He was one of the lucky soldiers to survive the battle on Omaha Beach and lived until he was 96.

MAJ. ROBERT W. FIZER, AIR FORCE
Served: 1951 to 1971
Korean War (1950-1953) and 16 months of combat missions in Vietnam in 1966 and 1967

From: Wichita, KS
Robert W. Fizer left Staten Island at age 18 to join the Air Force. After initial training, his first assignment was a B-29 tall gunner, but through the Aviation Cadet program, he was able to go to flight training and become a fighter pilot. He flew the F-84, F-86, and his favorite, the F-100 Super Sabre. During his career, he spent a year in Korea and 16 months in combat in Vietnam where he received a Distinguished Flying Commendation.

Maj. Fizer's peace time assignments included training other fighter pilots at Luke Air Force Base in Phoenix and tours in the Philippines and Tripoli, Libya. Military life was not all work, and Bob has a wonderful story about the time he got to fly in a movie, "The Hunters," starring Robert Mitchem. Unfortunately, he was playing a bad pilot and ended in a blazing crash in the movie.

Retirement after twenty years in the Air Force did not end Bob's flying career. He was hired by Cessna early in the development of the Citation program as a demonstration pilot. He advanced to manager of flight operations for the Citation Division and flew to over 120 countries around the world. In 1983, he and another pilot set a speed record flying a Citation 650 from Gander to Paris for the Paris Air Show. His retirement from Cessna after 19 years left him to spin flying stories to his golf buddies at Terradyne Golf Club, where he has had four holes in one.

Bob Fizer has given his wife and three children an interesting life, living in a variety of places, visiting many countries, and creating wonderful memories despite the hardships of a military life. He has the appreciation of many young pilots for the quality of his instruction, as well as other pilots with whom he has worked. Most of all, like all military personnel, he should have the gratitude of our country for his willingness to place his life at the service of his country. - Barbara Fizer, wife

LEROY FREEMAN, ARMY
From: Wichita, KS
Died: Jan. 9, 2021
Thank you for your service from your daughter, Gina Freeman.

MASTER SGT. DAN GEHMAN, AIR FORCE
Served: 1966 to 1986
Vietnam War (1962-1973)

From: Wichita, KS
Thank you for your service from your spouse, Nelma Gehman.

STAFF SGT. CLIFTON W. GILLENWATER, AIR FORCE
Served: 1948 to 1955
From: Wichita, KS

Staff Sgt. Clifton W. Gillenwater began his military service in 1948 (while still a student at the University of Wichita) as a member of the Air Guard's 127th Fighter Squadron at Wichita Municipal Airport. After graduation he enlisted in the United States Air Force. He completed basic training in the winter of 1952 at Sampson Air Force Base in Geneva, New York, and was assigned to Reese Air Force Base in Lubbock, Texas, home of the 3500th Pilot Training

Wing. During the summer of 1953, he relocated to Lowry Air Force Base in Denver, where he completed a course of study at the Air Training Command in accounting.

He returned to Reese Air Force Base before being ordered overseas the following spring. He reported to Camp Kilmer, New Jersey, and boarded the USNS General H. F. Hodges in May of 1954 for a 20-day voyage to Tripoli, Libya. During his time in Tripoli, he was stationed at Wheelus Air Base, a 20-square-mile facility that hosted over 15,000 military personnel and their dependents. He continued his accounting training while on TDY at Wiesbaden, Germany, in 1954 and received a promotion to Airman 1st class in August of that year. He remained overseas for the duration of his 18-month assignment, returning to the states via Manhattan Beach AFS in Brooklyn, New York, in November of 1955. He was honorably discharged from the Armed Forces of the United States of America, with the rank of Staff Sergeant, later that same year. - Jeffrey Gillenwater, son

AVIATION/FLIGHT INSTRUCTOR LAURA M. GRUBBS, NAVY
Served: 1943 to 1945
World War II (1941-1945)

From: Meade, KS
Died: 2008
Laura was born in a rock house in Meade County, Kansas, in 1910. After surviving the Great Depression and the Dust Bowl days in 1910, she enrolled in one-room schools, she enlisted in the Navy in 1943 to become part of WAVES (Women Accepted for Voluntary Emergency Service). After training, Laura was assigned to the largest Naval Air Station in the world in Corpus Christi, Texas, where she taught pilots, co-pilots and navigators how to use radio navigation and instrument flight using the Link Trainer. Her students included U.S. Naval personnel from all 48 states, as well as cadets from Latin American allies and Great Britain.

The young women who served in the WAVES left their homes and families, underwent rigorous military training, endured housing accommodations which were less than comfortable and sometimes experienced a hostile work environment because they were women who were trained and assumed jobs previously held by men.

Even though these women never served on the front lines, their contributions to the war effort should be remembered and honored. So it was that a young woman from the Kansas prairies became a true pioneer as part of the Greatest Generation who sacrificed so much to serve in the military of the great nation during very uncertain times. Laura completed her military service in 1945 as WWII ended. She returned to Kansas to teach school until she moved to Oregon in 1947, where she continued her teaching career and education.

Laura Grubbs was 'Aunt Laura' to my three siblings and me. We loved her deeply, and she was a blessing to so many people during her 97-year journey through life on earth. We were always very excited to have an 'Aunt Laura' visit each summer since she lived in far away Oregon, brought unusual surprises for each of us and entertained us with stories about her teacher friends, students, many church-related activities and adventures on Oregon's coast and mountains. - Roger Kopley, nephew

PVT. ROBERT E. JOHNSON, ARMY AND MARINE CORPS
Served: 1941 to 1944
World War II (1941-1945)

From: Mt. Hope, KS
Died: May 3, 1982
Robert started his military service with the Army, Company B, 137th Infantry, then transferred to the 167th Infantry. He was on a ship with the Army and had the opportunity to transfer to the Marine Corps. He did this and was part of combat at Guadalcanal, with the 1st Marine Division. He was wounded in combat while with the Marines. After his service, he farmed and custom harvested until his death, raising eight children with his wife, Alvera. Bob and Alvera are in the Custom Harvester's Hall of Fame, too.

Thank you, Dad. You taught each of us to be patriotic, love our country and to support veterans. - Mary K Aycock, daughter

ROBERT R. MARTIN, AIR FORCE
Served: Vietnam War (1962-1973)

From: Wichita, KS
Died: July 17, 2019
My father came to the U.S. at 12 years old. He enlisted prior to the draft and served throughout the Vietnam War. Unfortunately, he was injured while on duty on an air base and was medically discharged.

Years of mental and physical health problems took their toll on my father. His marriage didn't survive, his mental health meds eventually precluded him from working, and he was homeless for a little while. PTSD and depression treatment along with pain management from knee and back injuries were his whole life. The VA was the only place he found community.

I will always appreciate the staff and doctors that took care of him right up until the end. Our veterans need more than just a thank you on Nov. 11 or a discount. They have suffered, and some have lost. We need to be compassionate for our houseless, struggling with substance abuse or mental health issues. There's a good chance that they are a veteran and deserve better. - Faith Martin, daughter

SEAMAN 1ST CLASS WALTER A. MCKAIN, NAVY
Served: 1944 to 1946
World War II (1941-1945)

From: Wichita, KS
Died: Dec. 1, 2017
Walter McKain served as an enlisted sailor in WWII. His duties as a Fire Controlman included servicing and maintaining the weapons on board ship. He served on two ships, both Landing Ship-Tank (LST) type. His missions included laying smoke screens near shore to support air raids and delivering supplies and troops to islands throughout the region.

Walter (AKA Daddy and Poppy) was an extremely proud man who was very humble about his service years. After returning from the war, he married his high school sweetheart - a union that lasted 54 years. He never met a stranger and would mention anyone who expressed an interest. He was loved by many and always had a kind word for anyone he knew. His family carries on his legacy of honesty, loyalty and trying to see the best in any situation. For that, we will always be

grateful. - Brenda Kuhrs, daughter

JERRY D. PAPPAN, ARMY
Served: 1965 to 1967
Vietnam War (1962-1973)

From: Derby, KS
Jerry made it home safe, but he had a brother, Bobby, who was 13 months younger and was drafted after Jerry came home. He was wounded in Vietnam and died on his way to Denver for prosthetics. We should all thank our Vietnam veterans because they were not appreciated or thanked when they came home from that war. - Linda Pappan, wife

MASTER SGT. PAUL D. WARD, AIR FORCE
Served: 1955 to 1975
Vietnam War (1962-1973)

From: Wichita, KS
Paul Ward is a Vietnam veteran who was awarded the Bronze Star Medal for acts of heroism while

SEE VETERANS DAY, 5A

LEGAL PUBLICATION

DCA 10000
PUBLISHED BY THE WICHITA EAGLE
ONE TIME ON NOVEMBER 11, 2021 (08/2021)
MAYOR/CLERK OF DISTRICT COURT
SPECIAL PROBATION NOTICE
NOTICE IS HEREBY GIVEN that the District Court, in and for the County of Sedgewick, Kansas, has appointed the undersigned as Special Probation Officer for the County of Sedgewick, Kansas, to supervise the probation of all persons placed on probation in the County of Sedgewick, Kansas, who are sentenced to probation by the District Court, in and for the County of Sedgewick, Kansas, on or after the date of this notice. The undersigned shall have the same powers and authority as a Special Probation Officer as provided in the Kansas Statutes Annotated, Chapter 22, Article 35, Sections 22-3501 through 22-3510, and shall be subject to the supervision of the District Court, in and for the County of Sedgewick, Kansas.

COMMISSIONER OF THE DISTRICT COURT
The undersigned is a resident of the County of Sedgewick, Kansas, and is duly qualified to perform the duties of a Special Probation Officer as provided in the Kansas Statutes Annotated, Chapter 22, Article 35, Sections 22-3501 through 22-3510, and shall be subject to the supervision of the District Court, in and for the County of Sedgewick, Kansas.

COMMISSIONER OF THE DISTRICT COURT
The undersigned is a resident of the County of Sedgewick, Kansas, and is duly qualified to perform the duties of a Special Probation Officer as provided in the Kansas Statutes Annotated, Chapter 22, Article 35, Sections 22-3501 through 22-3510, and shall be subject to the supervision of the District Court, in and for the County of Sedgewick, Kansas.

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CONDITIONAL USE RESOLUTION NO. CON2021-00053

WHEREAS, Joan M. Aboud Revocable Trust, Owner, pursuant to Section V-D of the Wichita-Sedgwick County Unified Zoning Code (herein referred to as Unified Zoning Code), request a Conditional Use to allow Vehicle and Equipment Sales on property zoned LC Limited Commercial located at 3357 North Amidon Avenue, legally described as:

The North 2 acres of Lot 12, EXCEPT the West 260 feet thereof, Russell Tracts Addition, Sedgwick County, Kansas

AND

Beginning at the Southeast Corner of the Amidon Acres Addition (30016498 +/- 87 feet Southeasterly; thence West +/- 292 feet; thence North +/- 26 feet; thence East +/- 92 feet; thence Northeasterly +/- 162.29 feet to Point of Beginning in Section 31, Township 26 South, Range 1 East of the 6th P.M. in Wichita, Sedgwick County, Kansas

WHEREAS, proper notice as required by the Unified Zoning Code and by the policy of the Metropolitan Area Planning Commission (hereinafter referred to as MAPC) has been given; and

WHEREAS, the MAPC did, at the meeting of December 2, 2021, consider said application; and

WHEREAS, the MAPC has authority to permit a Conditional Use, subject to any special conditions deemed appropriate in order to assure full compliance with the criteria of the Unified Zoning Code.

NOW, THEREFORE, BE IT RESOLVED by the Metropolitan Area Planning Commission that this application be approved to allow a Conditional Use for Vehicle and Equipment Sales on property zoned LC Limited Commercial located at 3357 North Amidon Avenue, legally described as:

The North 2 acres of Lot 12, EXCEPT the West 260 feet thereof, Russell Tracts Addition, Sedgwick County, Kansas

AND

Beginning at the Southeast Corner of the Amidon Acres Addition (30016498 +/- 87 feet Southeasterly; thence West +/- 292 feet; thence North +/- 26 feet; thence East +/- 92 feet; thence Northeasterly +/- 162.29 feet to Point of Beginning in Section 31, Township 26 South, Range 1 East of the 6th P.M. in Wichita, Sedgwick County, Kansas.

Approved subject to the following conditions:

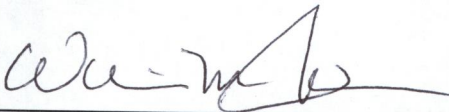
- 1) The Conditional Use shall be limited to the sales of cars and pick-up (light) trucks. No sale or rental of trailers, boats, motorcycles/scooters, recreational vehicles or trucks larger than pick-ups are permitted. All conditions of the Unified Zoning Code, Section III-D.6.x, outdoor vehicle and equipment sales shall be in effect.
- 2) Because the UZC's definition of "vehicle repair limited" does not allow the outside repair or maintenance services of vehicles, none shall be conducted on the site, unless a building is provided for this activity; UZC. Art. II, Sec.II-B.14.i. No outside storage of salvaged vehicles or vehicles waiting for repair shall be permitted in association with this use. No outside storage of parts, including tires, oil containers or any similar type of receptacles for new or used petroleum products.
- 3) The applicant shall provide solid screening along the south and west property lines with a minimum of a six-foot solid screening fence.
- 4) The applicant shall provide a landscape buffer along the south property line per the Wichita Landscape Ordinance with a minimum of one tree per 40 linear feet.

- 5) Light sources shall be limited to 15 feet in height within 200 feet of residential zoning districts and uses.
- 6) The applicant shall submit a revised site plan for review and approval by the Planning Director, prior to the selling of any cars or light trucks. The site plan will include, but not be limited to, internal circulation that will remain open during hours of operation to allow access, screening along the south and west property lines, all required landscaping, area designated for display of cars, customer and employee parking, any existing or proposed signs, existing or proposed lighting, and location of a fenced trash receptacle. The site will be developed according to the revised site plan.
- 7) All improvements to the property must be finished before car sales is permitted. Those improvements shall include, but not limited to, clearly marked customer and employee parking and the display area, solid screening, required landscaping, proposed lighting and a solid fenced trash receptacle area.
- 8) The selling of vehicles is subject to the Supplementary Use Regulations of UZC Section III D. 6. X. pertaining to vehicle and equipment sales in the LC zoning district.
- 9) A Conditional Use amendment shall be required for any changes to these conditions.
- 10) Off-street parking spaces shall be provided in accordance with Article IV, Sec. IV-A of the UZC. No vehicles for sale shall be displayed in required off-street parking spaces. No parking, display, or storage is allowed on unpaved surfaces on the lot.
- 11) The site shall be developed and operated in compliance with all federal, state, and local rules and regulations.
- 12) If the Zoning Administrator finds that there is a violation of any of the conditions of the conditional use, the Zoning Administrator, in addition to enforcing the other remedies set forth in Article VIII of the Unified Zoning Code, may, with the concurrence of the Planning Director, declare that the conditional use is null and void.

Adopted this 16th Day of December 2021.

METROPOLITAN AREA PLANNING COMMISSION

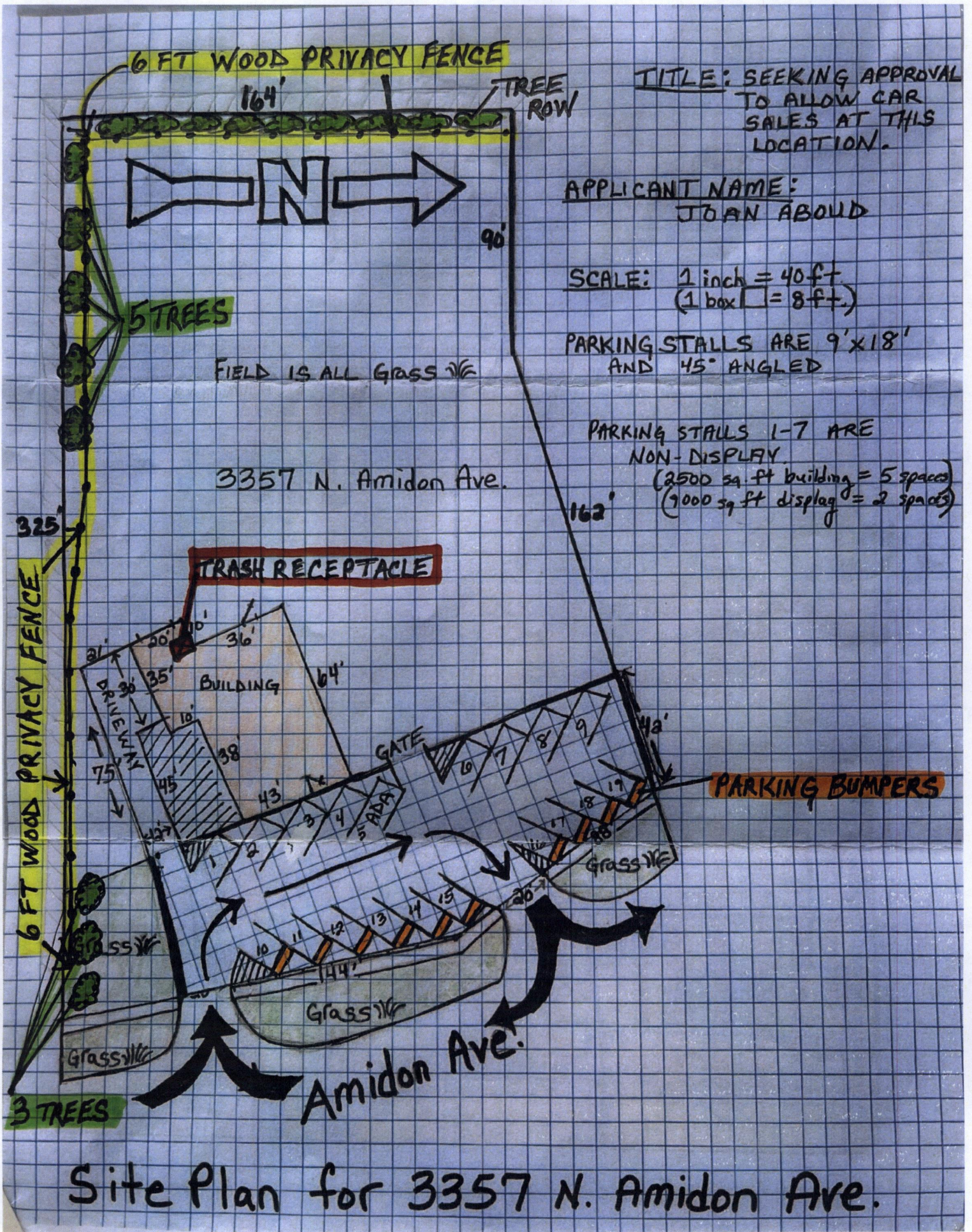
ATTEST:



William M. Johnson, Chairman



Scott Wadle, Secretary



TITLE: SEEKING APPROVAL TO ALLOW CAR SALES AT THIS LOCATION.

APPLICANT NAME:
JOAN ABOUD

SCALE: 1 inch = 40 ft
(1 box = 8 ft)

PARKING STALLS ARE 9' x 18' AND 45° ANGLED

PARKING STALLS 1-7 ARE NON-DISPLAY
(2500 sq. ft building = 5 spaces)
(1000 sq. ft display = 2 spaces)

Site Plan for 3357 N. Amidon Ave.

SITE PLAN

APPROVED 2/7/22 BY *[Signature]*
CON 2021-00053