

BZA 1-63 - JOHN R. BOUSE & BILL BETH
REQUEST EXCEPTION TO ALLOW USED CAR
LOT IN LC ON SE CORNER OF 21ST &
ARKANSAS

ACTION

DATE ²² 1-26-63
COMMITTEE App.

M.A.P.C. _____

B.C.C./B. CO. C. _____

R E S O L U T I O N N O . 1 - 6 3

WHEREAS, John R. Bouse and Bill Beth, 2111 Arkansas Avenue, by Robert C. Dauffenbach, 530 North Market, attorney, Wichita, Kansas, request an exception to permit the installation or construction of a used car lot, as provided in Section 28.04.180.A.14 of the Code of the City of Wichita, Kansas; and

WHEREAS, the above request applies to property legally described as the East 70 feet of Lots 2, 4, 6, 8, 10 and 12, on Arkansas Avenue, Brooks and Oldham Addition, in the City of Wichita, Kansas, which is generally located at the southeast corner of 21st Street and Arkansas Avenue; 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, in regular meeting consider said application on the 22nd day of January, 1963, at which time it was continued to February 26, 1963; and

WHEREAS, the said Board of Zoning Appeals did, in regular meeting, consider said application on February 26, 1963; and

WHEREAS, the Board of Zoning Appeals determined that it had proper jurisdiction to consider said request for an exception under the provision of Section 2.12.590 of the Code of the City of Wichita, Kansas; and

WHEREAS, the Board of Zoning Appeals determined 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 as

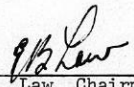
The east 70 feet of Lots 2, 4, 6, 8, 10, and 12, Brooks and Oldham Addition, in the City of Wichita, Kansas,

generally located on the southeast corner of 21st Street and Arkansas Avenue, is hereby approved, and the Superintendent of Central Inspection is hereby authorized to issue a permit for a new and used car sales area, subject to the following:

1. All storage and display areas shall be paved with asphalt concrete or other comparable material.
2. All lights shall be shielded to reflect or direct light away from adjoining property. No string type lighting shall be permitted.
3. No projecting signs (as defined in the Sign Ordinance) shall be permitted.
4. No sound projecting devices or loud speakers shall be used so as to be heard outside of any structure.
5. No repair work shall be conducted except in an enclosed building and further provided that no body or fender work is done.
6. Removal of the existing house and trailer that is located on the property.
7. The driveway abutting 21st Street shall be moved eastward and be widened to 20 feet to allow adequate access to the lot.

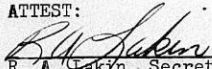
8. Off-street parking spaces shall be provided for the cafe as provided in Section 28.04.140.A.2.9 of the Zoning Ordinance.
9. The parking spaces on all four sides of the lot shall have adequate bumper guards to prevent the extension or overhang of vehicles beyond property lines or parking spaces.
10. Providing 5 foot high louvered redwood or architectural tile fence along entire south property line of the East 70 feet of Lots 2, 4, 6, 8, 10 and 12, Brooks and Oldham Addition, in the City of Wichita, Kansas.
11. Submission of an off-street parking plan to the Traffic Engineer for his approval. In addition, a new plot plan shall be submitted to the Department of Central Inspection, with copies to Traffic Engineer and Metropolitan Area Planning Department, showing the following items:
 - a) Bumper guards on all parking spaces (off-street parking spaces and used car spaces).
 - b) Five foot high louvered redwood or architectural tile fence along the entire south property line.
 - c) Location of all spaces for used cars.
 - d) Maximum number of spaces for used cars that can be placed on the lot.
 - e) Parking spaces that are to be reserved for the used car lot and cafe.
 - f) Location of the new 20 foot driveway abutting 21st Street.
 - g) All improvements, including the removal of existing house and trailer and dimension of the area that will be blacktopped.
 - h) Any other improvements not mentioned above that will be pertinent.
12. Any construction or relocation of utilities necessitated by the above noted conditions and requirements shall be at the sole expense of the applicants.
13. A corporate performance bond in the amount of \$1,500, or other similar security, shall be filed with the City Clerk to guarantee that the above mentioned improvements will be completed with.
14. The applicants shall comply with all the conditions and requirements of this case within 120 days or the approval shall be considered void.

ADOPTED at Wichita, Kansas, this 26th day of February,
1963.



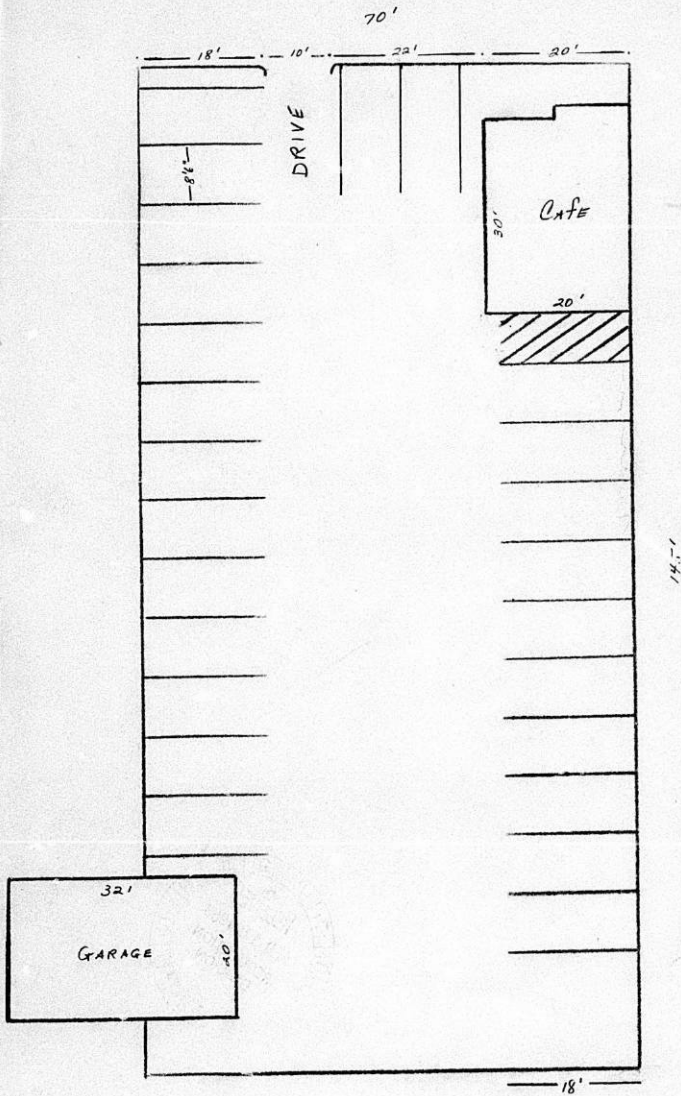
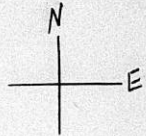
E. B. Law, Chairman

ATTEST:



R. A. Lakin, Secretary

THE KLEEN-SWEEP CO.
PARKING LOT MAINTENANCE
1621 LYNNHURST WH 3-0901



MARCH 4, 1963

MR. ROBERT C. DAUFFENBACH
ATTORNEY
530 NORTH MARKET
WICHITA, KANSAS

DEAR MR. DAUFFENBACH:

SUBJECT: BZA 1-63

THIS IS TO ADVISE YOU THAT AT ITS REGULAR MEETING OF FEBRUARY 26, 1963, THE BOARD OF ZONING APPEALS OF THE CITY OF WICHITA CONSIDERED YOUR REQUEST FOR AN EXCEPTION TO THE ZONING ORDINANCE TO PERMIT INSTALLATION OR CONSTRUCTION OF A USED CAR LOT ON PROPERTY LEGALLY DESCRIBED AS THE EAST 70 FEET OF LOTS 2, 4, 6, 8, 10 AND 12, ON ARKANSAS AVENUE, IN BROOKS AND OLDHAM ADDITION, AND GENERALLY LOCATED ON THE SOUTHEAST CORNER OF 21ST STREET AND ARKANSAS.

AFTER DISCUSSION, IT WAS THE ACTION OF THE BOARD OF ZONING APPEALS TO APPROVE YOUR REQUEST, SUCH APPROVAL BEING SUBJECT TO THE FOLLOWING CONDITIONS:

1. ALL STORAGE AND DISPLAY AREAS SHALL BE PAVED WITH ASPHALT CONCRETE OR OTHER COMPARABLE MATERIAL.
2. ALL LIGHTS SHALL BE SHIELDED TO REFLECT OR DIRECT LIGHT AWAY FROM ADJOINING PROPERTY. NO STRING TYPE LIGHTING SHALL BE PERMITTED.
3. NO PROJECTING SIGNS (AS DEFINED IN THE SIGN ORDINANCE) SHALL BE PERMITTED.
4. NO SOUND PROJECTING DEVICES OR LOUD SPEAKERS SHALL BE USED SO AS TO BE HEARD OUTSIDE OF ANY STRUCTURE.
5. NO REPAIR WORK SHALL BE CONDUCTED EXCEPT IN AN ENCLOSED BUILDING, AND FURTHER PROVIDED THAT NO BODY OR FENDER WORK IS DONE.
6. REMOVAL OF THE EXISTING HOUSE AND TRAILER THAT IS LOCATED ON THE PROPERTY.
7. THE DRIVEWAY ADJUTTING 21ST STREET SHALL BE MOVED EASTWARD AND BE WIDENED TO 20 FEET TO ALLOW ADEQUATE ACCESS TO THE LOT.

PAGE 2 - MR. ROBERT C. DAUFFENBACH
MARCH 4, 1963

8. OFF-STREET PARKING SPACES SHALL BE PROVIDED FOR THE CAFE AS PROVIDED IN SECTION 28.04.140.A.2.9 OF THE ZONING ORDINANCE.
9. THE PARKING SPACES ON ALL FOUR SIDES OF THE LOT SHALL HAVE ADEQUATE BUMPER GUARDS TO PREVENT THE EXTENSION OR OVERHANG OF VEHICLES BEYOND PROPERTY LINES OR PARKING SPACES.
10. PROVIDING 5 FOOT HIGH LOUVERED REDWOOD OR ARCHITECTURAL TILE FENCE ALONG ENTIRE SOUTH PROPERTY LINE OF THE EAST 70 FEET OF LOTS 2, 4, 6, 8, 10 AND 12, ON ARKANSAS AVENUE, BROOKS AND OLOHAN ADDITION, IN THE CITY OF WICHITA, KANSAS.
11. SUBMISSION OF AN OFF-STREET PARKING PLAN TO THE TRAFFIC ENGINEER FOR HIS APPROVAL. IN ADDITION, A NEW PLOT PLAN SHALL BE SUBMITTED TO THE DEPARTMENT OF CENTRAL INSPECTION, WITH COPIES TO THE TRAFFIC ENGINEER AND METROPOLITAN AREA PLANNING DEPARTMENT, SHOWING THE FOLLOWING ITEMS:
 - A) BUMPER GUARDS ON ALL PARKING SPACES (OFF-STREET PARKING SPACES AND USED CAR SPACES).
 - B) 5 FOOT HIGH LOUVERED REDWOOD OR ARCHITECTURAL TILE FENCE ALONG THE ENTIRE SOUTH PROPERTY LINE.
 - C) LOCATION OF ALL SPACES FOR USED CARS.
 - D) MAXIMUM NUMBER OF USED CARS THAT CAN BE PLACED ON THE LOT.
 - E) PARKING SPACES THAT ARE TO BE RESERVED FOR THE USED CAR LOT AND CAFE.
 - F) LOCATION OF THE NEW 20 FOOT DRIVEWAY ABUTTING 21ST STREET.
 - G) ALL IMPROVEMENTS, INCLUDING THE REMOVAL OF EXISTING HOUSE AND TRAILER AND DIMENSION OF THE AREA THAT WILL BE BLACKTOPPED.
 - H) ANY OTHER IMPROVEMENTS NOT MENTIONED ABOVE THAT WILL BE PERTINENT.
12. ANY CONSTRUCTION OR RELOCATION OF UTILITIES NECESSITATED BY THE ABOVE NOTED CONDITIONS AND REQUIREMENTS SHALL BE AT THE SOLE EXPENSE OF THE APPLICANTS.
13. A CORPORATE PERFORMANCE BOND IN THE AMOUNT \$1,500, OR OTHER SIMILAR SECURITY, SHALL BE FILED WITH THE CITY CLERK TO GUARANTEE THAT THE ABOVE MENTIONED IMPROVEMENTS WILL BE COMPLIED WITH.

PAGE 3 - MR. ROBERT C. DAUFFENBACH
MARCH 4, 1963

14. THE APPLICANTS SHALL COMPLY WITH ALL THE CONDITIONS AND REQUIREMENTS OF THIS CASE WITHIN 120 DAYS OR THE APPROVAL SHALL BE CONSIDERED VOID.

SECTION 2.12.610 OF THE CODES OF THE CITY OF WICHITA PROVIDED 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 MARCH 8, 1963.

SUBSEQUENT TO THE EXPIRATION OF THE APPEAL PERIOD, YOU WILL BE ADVISED WHETHER OR NOT AN APPEAL HAS BEEN FILED. IF NO APPEAL HAS BEEN FILED ON OR BEFORE MARCH 8, 1963, 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,

ROBERT A. LAKIN
SECRETARY

RALJ:HW:BER

CC: BILL BETH
2111 ARKANSAS AVENUE

JOHN R. BOUBE
2111 ARKANSAS AVENUE

GLEN LYTLE
SUPERINTENDENT OF CENTRAL INSPECTION

C. H. FUNK
CITY CLERK

March 11, 1963

Mr. Robert C. Dauffenbach
Attorney
530 North Market
Wichita, Kansas

Subject: BZA 1-6

Dear Mr. Dauffenbach:

On February 28, 1963, we advised you that the Board of Zoning Appeals had approved subject application for a new and used car lot to be established at the southeast corner of 21st Street and Arkansas. We also advised that the Board's decision might be appealed to the City Commission provided that such appeal was filed on or before March 6, 1963.

The City Clerk has advised that no appeal was filed on or before the date indicated, 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,

Robert A. Lakin
Secretary

RAJ:ber
Attachment

cc: John R. Bouse, 2111 Arkansas Avenue
Bill Both, 2111 Arkansas Avenue

Glen Lytle, Superintendent
Central Inspection

Board of Zoning Appeals

February 28, 1963

C. H. Funk, City Clerk

Robert A. Lakin, Secretary

BZA 1-63

Attached is a copy of BZA Resolution 1-63,
covering action taken by the Board of Zoning
Appeals on the above case.

This case was heard on February 26, 1963, and
an appeal may be filed in your office on or
before March 8, 1963.

If an appeal is filed, please advise.

Robert A. Lakin
Secretary

RAL:ber

Attachment

BOARD OF ZONING APPEALS
ROOM 402 CITY BUILDING ANNEX
104 SOUTH MAIN
WICHITA, KANSAS

February 6, 1963

NOTICE TO ADJOINING PROPERTY OWNERS

CASE No. BZA 1-63

AN APPLICATION HAS BEEN FILED BY JOHN R. BOUSE AND BILL BETH, 2111 ARKANSAS AVENUE, AS PROVIDED IN SECTION 28.04.180.A.14 OF THE CODE OF THE CITY OF WICHITA, KANSAS.

AN APPLICATION REQUESTS AN EXCEPTION TO PERMIT THE INSTALLATION OR CONSTRUCTION OF A USED CAR LOT ON PROPERTY ZONED "LC" AND LEGALLY DESCRIBED AS:

EAST 70 FEET OF LOTS 2, 4, 6, 8, 10, 12, ON
ARKANSAS AVENUE, BROOKS AND OLDHAM ADDITION,

GENERALLY LOCATED ON THE SOUTHEAST CORNER OF 21ST STREET AND ARKANSAS.

THE BOARD MAY GRANT APPROVAL, IF IT DESIRES, SUBJECT TO THE FOLLOWING CONDITIONS:

1. LOCATION CONTIGUOUS TO A MAJOR STREET AS DESIGNATED IN THE PATTERN FOR THOROPARES, WICHITA, KANSAS, 1955, OR AMENDMENTS THERETO.
2. SUCH SCREENING FOR AREAS CONTIGUOUS TO RESIDENTIAL ZONING DISTRICTS AS MAY BE DETERMINED APPROPRIATE AND NECESSARY TO PROTECT ADJACENT PROPERTIES FROM LIGHT, DEBRIS AND NOISE AND TO PRESERVE ADJACENT PROPERTY VALUES.
3. ALL STORAGE AND DISPLAY AREAS SHALL BE PAVED WITH CONCRETE, ASPHALT OR OTHER COMPARABLE MATERIAL.
4. ALL LIGHTS SHALL BE SHIELDED TO REFLECT OR DIRECT LIGHT AWAY FROM ADJOINING PROPERTY. NO STRING-TYPE LIGHTING SHALL BE PERMITTED.
5. NO PROJECTING SIGNS SHALL BE PERMITTED.
6. NO SOUND PROJECTING DEVICES OR LOUD SPEAKERS SHALL BE USED SO AS TO BE HEARD OUTSIDE OF ANY STRUCTURES.
7. SUCH OTHER CONDITIONS AS THE BOARD OF ZONING APPEALS SHALL DEEM NECESSARY TO INCLUDE, BUT NOT BE RESTRICTED, PROPER SETBACKS, LANDSCAPING, AND MAINTENANCE PROVISIONS.
8. NO REPAIR WORK SHALL BE CONDUCTED EXCEPT IN AN ENCLOSED BUILDING, AND FURTHER PROVIDED THAT NO BODY OR FENDER WORK IS DONE.

Page 2 - Notice to Adjoining Property Owners
February 6, 1963

This application has been assigned Case No. BZA
No. 1-63. A re-hearing will be held by the Board of Zoning
Appeals on Tuesday, February 26, 1963, at 2 p.m. in Room
401 City Building Annex, 104 South Main, Wichita, Kansas,
at which time you may appear, if you so desire, either in
person or by agent or attorney, to express your views and
wishes in this case.

Robert A. Lakin
Secretary

NOTICES MAILED FEBRUARY 7, 1963, FOR RE-HEARING ON
FEBRUARY 26, 1963

Ethelyn Nichols
2131 Arkansas

Zack F. Laughary
Minnie A. Laughary
2143 Arkansas

American Oil Company
810 West Douglas

Lee E. Neff
Thelma E. Neff
2216 Rosenthal

W. H. Smith
851 North Old Manor

Virginia H. Blase
1957 Ferrell

Universal Motor Fuels, Inc.
520 South Mead

Andrew S. Pyles
Mabel W. Pyles
2125 Jackson

Iva C. Brown
2129 Jackson

William Arch Conner
Willie Pearl Conner
2133 Jackson

Wayne C. Phillips
Pearl Phillips
545 Marceline Terrace

Edna L. Brown
2129 North Jackson

Adeline I. Nevins
115 South Rutan

N. E. DeWoody
Vivian DeWoody
2137 Jackson

Claude A. Langford
1120 West 22nd Street

F. L. Strauss
Pauline Strauss
2124 North Arkansas

Anna F. Faulkner
2132 Arkansas

Amortibanc Investment Co.
309 East 3rd Street

Henry H. Kraus
Susan Kraus
R. R.
Mt. Hope, Kansas

Sharon Rose Presley
Guilene Ann Presley
Barbara Lynn Presley
Charles Vernon Presley
2045 North Arkansas

Robert C. Dauffenbach, Attorney
530 North Market

Bill Beth
2111 Arkansas Avenue

John R. Bouse
2111 Arkansas Avenue

SECRETARY'S REPORT

BZA CASE NO. 1-63

GENERAL

THIS IS AN APPLICATION UNDER THE EXCEPTION CLAUSE OF THE ZONING ORDINANCE, FOR APPROVAL OF A USED CAR LOT IN AN "LC" ZONE. IT IS LOCATED JUST TO THE EAST OF ARKANSAS AVENUE ON THE SOUTH SIDE OF 21ST STREET. THE AREA ALONG 21ST STREET IN THIS GENERAL AREA IS ZONED FOR "LX" TO AN APPROXIMATE DEPTH OF 150 FEET. ALSO, 21ST STREET IS A "MAJOR TRAFFIC STREET" AS SET FORTH IN THE MAJOR PLAN FOR THOROFARES.

THE AREA IS DEVELOPED IN A STRIP MANNER WITH SMALL COMMERCIAL USES. THESE USES IN THIS GENERAL AREA ARE REPRESENTED BY SERVICE STATIONS, TAVERNS, LIQUOR STORES, DRY CLEANING SHOPS, REPAIR SHOPS, ETC. THERE IS ALSO A SCATTERING OF RESIDENCES AND A CHURCH IN THE IMMEDIATE VICINITY. TRAFFIC IN THIS GENERAL AREA IS SOMEWHAT CONGESTED DUE TO LACK OF ADEQUATE OFF-STREET PARKING FACILITIES AND ON-STREET PARKING.

JURISDICTION

ALL CONDITIONS PRECEDENT TO APPROVAL AS SET FORTH IN THE ORDINANCE ARE PRESENT AND IT IS THE RECOMMENDATION THAT THE BOARD TAKE JURISDICTION IN THIS CASE.

CONSIDERATIONS FOR APPROVAL

IT IS THE OPINION OF THE SECRETARY THAT INFORMATION SUBMITTED BY THE APPLICANT IS INADEQUATE TO PREPARE AN ADEQUATE EVALUATION OF THE PROPOSAL. THIS MATTER, INCLUDING THE BOARD'S NEW RULE THAT ADEQUATE SITE PLANS SHOWING SCREENING, OFF-STREET PARKING, ACCESS POINTS AND STRUCTURES PROPOSED BE SUBMITTED WITH THE APPLICATION, HAS BEEN DISCUSSED WITH THE APPLICANT. HOWEVER, IT IS EVIDENTLY

HIS OPINION THAT THE MATERIAL SUBMITTED WITH HIS APPLICATION IS ADEQUATE. THIS IS SUBMITTED AS AN ATTACHMENT "A" TO THIS REPORT.

THE TRACT IN QUESTION IS NOW OCCUPIED BY A SMALL CAFE AND TAVERN, A HOUSE, A TRAILER HOUSE AND A CONVERTED GARAGE NOW USED FOR REPAIRS. THE TRACT IS 70 BY 145 FEET. TO THE EAST IS A VACANT LOT SEPARATED BY AN UNIMPROVED ALLEY. IT IS THE SECRETARY'S UNDERSTANDING THAT THE HOUSE AND THE TRAILER WILL BE REMOVED IF THE APPLICATION IS APPROVED. IT IS FURTHER UNDERSTOOD THAT THE REPAIR GARAGE WILL HAVE ACCESS THROUGH THIS TRACT AND OFF-STREET PARKING WILL BE PROVIDED FOR THE GARAGE AND CAFE ALSO ON THIS TRACT, USING THE UNPAVED ALLEY FOR CIRCULATION. THE USED CAR LOT WILL BE RUN IN CONJUNCTION WITH THE SERVICE STATION.

IT IS THE RECOMMENDATION OF THE SECRETARY THAT THE PROPOSED USE, AS SUBMITTED, BE DENIED FOR THE FOLLOWING REASONS:

1. THERE IS NO INDICATION THAT THE DEVELOPMENT WILL IMPROVE THE GENERAL CHARACTER OF THE BUSINESS DEVELOPMENT IN THE AREA. IF THE CHARACTER OF DEVELOPMENT AT A HIGHER LEVEL IS NOT DESIRED, THEN CONSIDERATION FOR A CHANGE OF ZONING TO "C" SHOULD BE CONSIDERED.
2. NO PROVISION HAS BEEN MADE FOR ADEQUATE OFF-STREET PARKING (PROPERLY LAID OUT AND PAVED) HAS BEEN MADE FOR THE REMAINING USES.
3. THE ALLEY PROPOSED FOR INTERIOR CIRCULATION IS UNPAVED. ALLEYS SHOULD BE USED FOR SERVICE RATHER THAN ACCESS. HOWEVER, IF THE ALLEY WERE PAVED ACCESS TO AND FROM THIS TRACT WOULD BE IMPROVED.
4. THE TRACT IS TOO SMALL TO ADEQUATELY ACCOMMODATE TWO MAIN USES (USED CARS AND THE CAFE) AND A PORTION OF ONE (THE REPAIR GARAGE) TOGETHER WITH THEIR OFF-STREET PARKING.

NORTH STAR REAL ESTATE CO.

Sales — Appraisals — Exchanges

504 West 21st St.
Wichita, Kansas

JOHN R. BOUSE

Office TE 8-6741

Res. 448 4-6652

December 19, 1962

To the Planning Committee
Dear Sirs:

Reference application for used car lot license for 611 West 21st
Street.

I pledge to abide by the rules and regulations set by you in
Case 28.04.180.A14.

No strings of lights
No open air repair work
Repair work on autos inside of building
No outside sound equipment
Provide screening as required by city
Will provide hard surface on display lot
No protruding signs

This lot faces 21st Street near Arkansas Avenue.

Signed

John R. Bouse - W. L. Betts

Attachment A

1 Inch = 25'

Universal Oil N Company

Case # 28.04.180.A14

135'

ALLEY

Standard Service Station

ARKANSAS AVE

21ST STREET

103'

drive in

drive in

drive in

10'

20'

9'

20'

21ST STREET

10' drive way

20' x 32'

Room House

6' 11" W

6'

6' 11" W

6'

6' 11" W

6'

6' 11" W

6'

6' 11" W

6'

6' 11" W

6'

6' 11" W

6'

6' 11" W

6'

6' 11" W

6'

6' 11" W

6'

6' 11" W

6'

Cities Service Oil Co BLDG

LUNCH

Mailbox

House

Parking Lot

32'

15'

Repairs Garage

103

103'

10'

10'

10'

10'

10'

10'

10'

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10'

10'

10'

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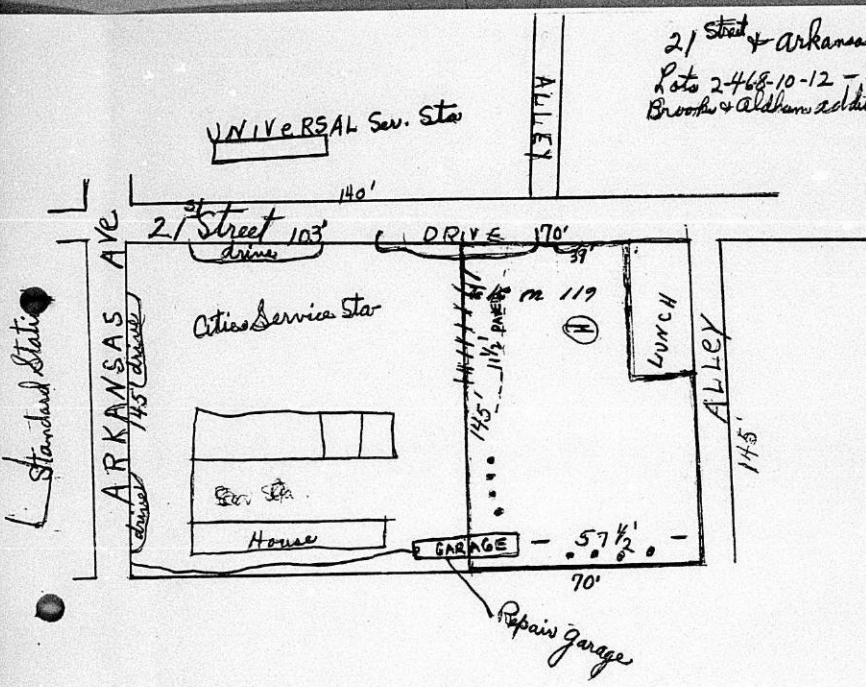
off Street Parking

ALLEY

E

LOTS 2-4-6-8-10-12 on S Arkansas Ave Brooks & Aldham Addition

21st Street + Arkansas
 Lots 2468, 10-12 - on Arkansas Ave
 Brooks + Aldham addition to City of Wichita



Page 2 - Mr. Robert C. Dauffenbach
January 23, 1963

It will be necessary to have this additional information
by February 18, 1963, in order that the case can be
properly evaluated for the February 26 meeting.

January 23, 1963

Mr. Robert C. Dauffenbach
Attorney
530 North Market
Wichita, Kansas

Sincerely yours,

Robert A. Lakin
Secretary

Dear Mr. Dauffenbach:

Subject: BZA 1-63

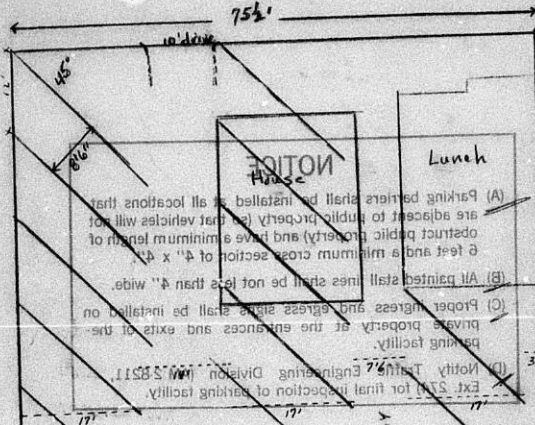
At its regular meeting on January 22, 1963, the Board of
Zoning Appeals deferred the above captioned Board of
Zoning Appeals case until its next regular meeting on
February 26, 1963.

This case was deferred to allow the applicant sufficient
time to prepare an adequate plot plan. It was the con-
sensus of the Board that a proper plot plan should include
the following:

1. Plot plan shall be drawn to scale.
2. Size, dimension and location of all off-street parking spaces. Section 28.04.140.A.212 requires that there be one off-street parking space for each 3,000 square feet of lot area. This plan shall be submitted to the Traffic Engineer for his approval.
3. The method of all interior circulation on the lot and dimensions of all driveways.
4. All means of ingress and egress to the lot.
5. All proposed improvements, including any dwellings, trailers, etc. that might be removed from the lot.
6. Dimensions of the proposed black-top area.
7. All physical characteristics of the lot.
8. Any other items not mentioned above that might be pertinent.

21st St.

75 1/2'



(A) Parking barriers shall be installed at all locations that are adjacent to public property (or that vehicles will obstruct public property) and have a minimum length of 6 feet and a minimum cross section of 4" x 4".

(B) All painted stalls shall be not less than 4" wide.

(C) Proper ingress and egress shall be installed on private property at the entrances and exits of the parking facility.

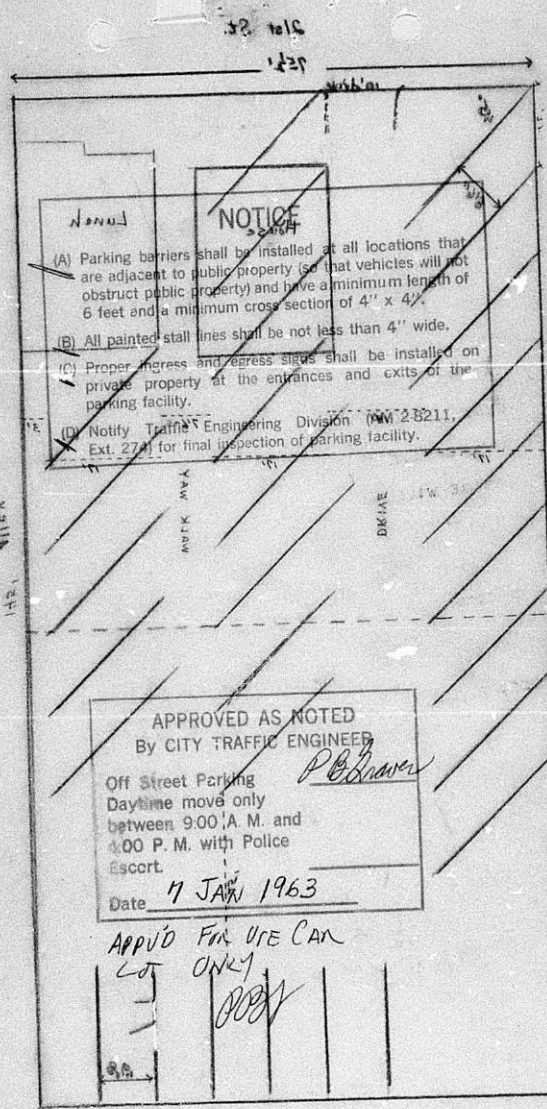
(D) Notify Traffic Engineering Division, 2111 Ark. Ext. 3211 for final inspection of parking facility.

APPROVED AS NOTED
By CITY TRAFFIC ENGINEER
John Bouse
Off Street Parking
Daytime move only
between 9:00 A.M. and
4:00 P.M. with Police
Escort.
Date 17 JAN 1963

APPROVED FOR THE CAR
Lot Only
BOUSE

NORTH

JOHN BOUSE
AM 4-6652
2111 ARKANJAI



- 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) Notify Traffic Engineering Division (MM 28211, Ext. 274) for final inspection of parking facility.

APPROVED AS NOTED
 By CITY TRAFFIC ENGINEER *P. B. Brown*
 Off Street Parking
 Daytime move only
 between 9:00 A. M. and
 4:00 P. M. with Police
 Escort
 Date 7 JAN 1963

APPROVED FOR USE CAN
 LOT ONLY
[Signature]

JOHN BONE
 AM 4-8825
 2111 ARKANA

APPROVED
 [Signature]

NORTH STAR REAL ESTATE CO.

Sales — Appraisals — Exchanges

~~507 North Star St.~~
Wichita, Kansas

JOHN R. BOUSE

~~Office Telephone~~

Res. 484-6652

1-63

B2A

December 19, 1962

To the Planning Committee
Dear Sirs:

Reference application for used car lot license for 611 West 21st
Street.

I pledge to abide by the rules and regulations set by you in
Case 28.04.180.A14.

- No strings of lights
- No open air repair work
- Repair work on autos inside of building
- No outside sound equipment
- Provide screening as required by city
- Will provide hard surface on display lot
- No protruding signs

This lot faces 21st Street near Arkansas Avenue.

Signed

John R. Bouse - W. L. Beth

1 Inch = 25'

Universal Oil Company

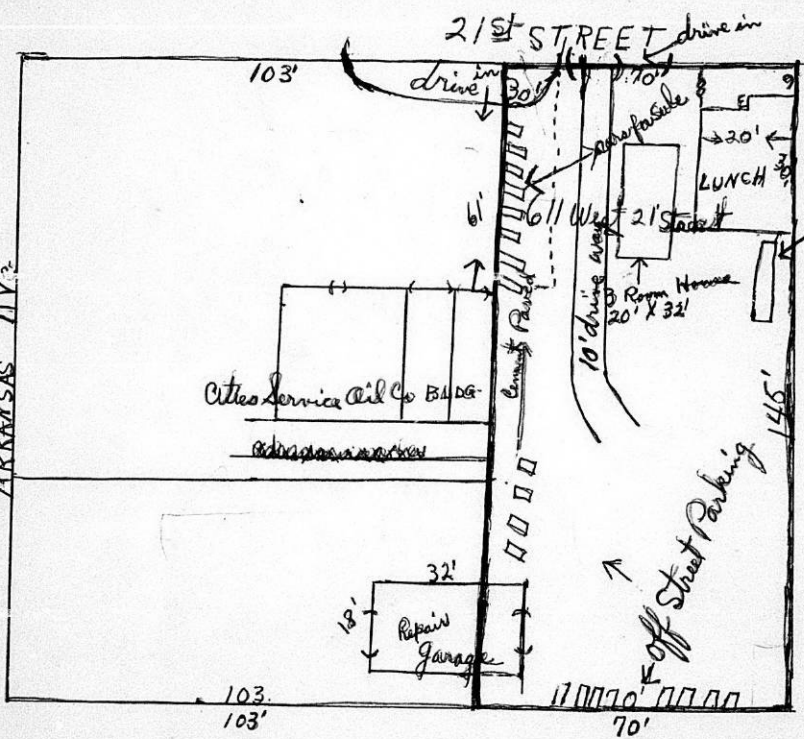
Case# 28.04.180.A14

135'

ALLEY

Standard Service Station

ARKANSAS AV.



Parking
Railroad
LOT
E

LOTS 2-4-6-8-10-12 on S Arkansas Ave Brooks + Aldham addition

21st Street & Arkansas
Lots 2468-10-12 on Arkansas Ave
Brook & Aldham addition to City of Wichita

UNIVERSAL Sev. Sta

ALLEY

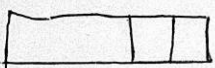
Standard Station

ARKANSAS AVE
145' (shown)

140'
21st Street 103'
drive

DRIVE 170'

City Service Sta



Car Sta.

House

GARAGE

Repair Garage

39'

119'

117'

145'

57 1/2'

70'

LUNCH

ALLEY

145'

BOARD OF ZONING APPEALS
ROOM 402 CITY BUILDING ANNEX
104 SOUTH MAIN
WICHITA, KANSAS

JANUARY 3, 1963

NOTICE TO ADJOINING PROPERTY OWNERS

CASE No. BZA 1-63

AN APPLICATION HAS BEEN FILED BY JOHN R. BOUSE AND BILL BETH, 2111 ARKANSAS AVENUE, AS PROVIDED IN SECTION 28.04.180.A.14 OF THE CODE OF THE CITY OF WICHITA, KANSAS.

AN APPLICATION REQUESTS AN EXCEPTION TO PERMIT THE INSTALLATION OR CONSTRUCTION OF A USED CAR LOT ON PROPERTY ZONED "LC" AND LEGALLY DESCRIBED AS:

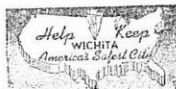
EAST 70 FEET OF LOTS 2, 4, 6, 8, 10, 12, ON
ARKANSAS AVENUE, BROOKS AND OLDFHAM ADDITION,

GENERALLY LOCATED ON THE SOUTHEAST CORNER OF 21ST STREET AND
ARKANSAS.

THE BOARD MAY GRANT APPROVAL, IF IT DESIRES, SUBJECT TO THE FOLLOWING CONDITIONS:

1. LOCATION CONTIGUOUS TO A MAJOR STREET AS DESIGNATED IN THE PATTERN FOR THOROFARES, WICHITA, KANSAS, 1955, OR AMENDMENTS THERETO.
2. SUCH SCREENING FOR AREAS CONTIGUOUS TO RESIDENTIAL ZONING DISTRICTS AS MAY BE DETERMINED APPROPRIATE AND NECESSARY TO PROTECT ADJACENT PROPERTIES FROM LIGHT, DEBRIS AND NOISE AND TO PRESERVE ADJACENT PROPERTY VALUES.
3. ALL STORAGE AND DISPLAY AREAS SHALL BE PAVED WITH CONCRETE, ASPHALT OR OTHER COMPARABLE MATERIAL.
4. ALL LIGHTS SHALL BE SHIELDED TO REFLECT OR DIRECT LIGHT AWAY FROM ADJOINING PROPERTY. NO STRING-TYPE LIGHTING SHALL BE PERMITTED.
5. NO PROJECTING SIGNS SHALL BE PERMITTED.
6. NO SOUND PROJECTING DEVICES OR LOUD SPEAKERS SHALL BE USED SO AS TO BE HEARD OUTSIDE OF ANY STRUCTURES.
7. SUCH OTHER CONDITIONS AS THE BOARD OF ZONING APPEALS SHALL DEEM NECESSARY TO INCLUDE, BUT NOT BE RESTRICTED, PROPER SETBACKS, LANDSCAPING, AND MAINTENANCE PROVISIONS.
8. NO REPAIR WORK SHALL BE CONDUCTED EXCEPT IN AN ENCLOSED BUILDING, AND FURTHER PROVIDED THAT NO BODY OR FENDER WORK IS DONE.

THE CITY OF WICHITA, KANSAS
BOARD OF ZONING APPEALS
104 SOUTH MAIN
WICHITA 2, KANSAS



BZA 163

EDNA L. BROWN

2129 NORTH JACKSON

WICHITA, KANSAS Moved, left no address

No such number

Moved, not forwardable

Addressee unknown

323



PAGE 2 - NOTICE TO ADJOINING PROPERTY OWNERS
JANUARY 3, 1963
CASE No. BZA 1-63

THIS APPLICATION HAS BEEN ASSIGNED CASE No. BZA No. 1-63.
A HEARING WILL BE HELD BY THE BOARD OF ZONING APPEALS ON TUESDAY,
JANUARY 22, 1963, AT 2 P.M. IN ROOM 401 CITY BUILDING ANNEX,
104 SOUTH MAIN, WICHITA, KANSAS, AT WHICH TIME YOU MAY APPEAR,
IF YOU SO DESIRE, EITHER IN PERSON OR BY AGENT OR ATTORNEY, TO
EXPRESS YOUR VIEWS AND WISHES IN THIS CASE.

ROBERT A. LAKIN
SECRETARY

THE CITY OF WICHITA, KANSAS
BOARD OF ZONING APPEALS
104 SOUTH MAIN
WICHITA 2, KANSAS



BZA 163

EDNA L. BROWN

2129 NORTH JACKSON

WICHITA, KANSAS

- Moved, left no address
 No such number
 Moved, not forwardable
 Addressee unknown

323-

RETURN
TO
WRITER



CASE NO. BZA 1-63 - 22 NOTICES MAILED JANUARY 4, 1963

BOARD OF ZONING APPEALS
ROOM 402 CITY BUILDING ANNEX
104 SOUTH MAIN
WICHITA, KANSAS

JANUARY 3, 1963

NOTICE TO ADJOINING PROPERTY OWNERS

CASE No. BZA 1-63

AN APPLICATION HAS BEEN FILED BY JOHN R. BOUSE AND BILL BETH, 2111 ARKANSAS AVENUE, AS PROVIDED IN SECTION 28.04.180.A.14 OF THE CODE OF THE CITY OF WICHITA, KANSAS.

AN APPLICATION REQUESTS AN EXCEPTION TO PERMIT THE INSTALLATION OR CONSTRUCTION OF A USED CAR LOT ON PROPERTY ZONED "RLC" AND LEGALLY DESCRIBED AS:

EAST 70 FEET OF LOTS 2, 4, 6, 8, 10, 12, ON
ARKANSAS AVENUE, BROOKS AND OLDHAM ADDITION,

GENERALLY LOCATED ON THE SOUTHEAST CORNER OF 21ST STREET AND ARKANSAS.

THE BOARD MAY GRANT APPROVAL, IF IT DESIRES, SUBJECT TO THE FOLLOWING CONDITIONS:

1. LOCATION CONTIGUOUS TO A MAJOR STREET AS DESIGNATED IN THE PATTERN FOR THOROPFARES, WICHITA, KANSAS, 1955, OR AMENDMENTS THERETO.
2. SUCH SCREENING FOR AREAS CONTIGUOUS TO RESIDENTIAL ZONING DISTRICTS AS MAY BE DETERMINED APPROPRIATE AND NECESSARY TO PROTECT ADJACENT PROPERTIES FROM LIGHT, DEBRIS AND NOISE AND TO PRESERVE ADJACENT PROPERTY VALUES.
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IF YOU SO DESIRE, EITHER IN PERSON OR BY AGENT OR ATTORNEY, TO
EXPRESS YOUR VIEWS AND WISHES IN THIS CASE.

ROBERT A. LAKIN
SECRETARY

809 Central Building
Wichita, Kansas
January 12, 1963.

Board of Zoning Appeals
Room 402 City Building Annex
104 South Main
Wichita, Kansas.

Gentlemen,

In re: Case No. BZA 1-63
John R. Bouse

Although an answer to your notice of hearing on the application of John R. Bouse for an Exception to permit installation of a used car lot on the Southeast corner of Arkansas and 21st Street appears unnecessary we deem it expedient to express to you our opinion relative thereto.

Mr. John R. Bouse has long been a leading citizen of that area. He formerly owned and managed a food store on the North side of 21st Street at Arkansas and served the people with consideration and efficiency. Through the years he has done much for North Wichita.

The business which he intends to place on the corner will do no damage to the residential area surrounding his establishment. It may tend to help other business men in the immediate business community by bringing more prospective customers and attention to a location which in general may presently be on the decline because of several degrading factors.

I present my viewpoint candidly and considerately. It is my wish that Mr. Bouse be granted the exception which he seeks. He has not discussed this proposition with me but I make this recommendation with the sincerest faith that this good citizen will carry on the record of service which he thus far has created.

Respectfully submitted,

Virginia H. Blase



THE AL BLASE INVESTMENT COMPANY

Founded 1896

WICHITA, KANSAS • SANTA MONICA, CALIFORNIA



Board of Zoning Appeals
Room 402 City Building Annex
104 South Main
Wichita, Kansas.

APPLICATION FOR EXCEPTION

I. NAME OF APPLICANT JOHN R. BOUSE^{jr} & BILL BETH
MAILING ADDRESS 2111 Arkansas ave PHONE _____
NAME OF AUTHORIZED AGENT _____
MAILING ADDRESS _____ PHONE _____

(RELATIONSHIP OF APPLICANT TO PROPERTY IS THAT OF OWNER
(OWNER, TENANT, LESSEE, OTHER)

II. APPLICATION IS MADE FOR AN EXCEPTION AS PROVIDED IN SECTION

28.04.180.A14, CODE OF THE CITY OF WICHITA, KANSAS,
(ZONING ORDINANCE); TO PERMIT THE INSTALLATION OR CONSTRUCTION OF used car lot

ON PROPERTY ZONED L.C-; LOCATED AT 611 West 21st
East 70' of 2-4-6-8-10-12, AND LEGALLY DESCRIBED AS LOT(S)
on Arkansas ave., Block(s) 21st Block at 21st
BROOKS AND OLDHAM ADDITION.

(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. DECLARES THAT ALL REQUIRED SUPPORTING DOCUMENTS OR INFORMATION ARE ATTACHED HERETO AND MADE A PART OF THIS APPLICATION;
- D. ACKNOWLEDGES THAT HE HAS BEEN ADVISED OF HIS RIGHT OF APPEAL OF THE DECISION OF THE BOARD OF ZONING APPEALS TO THE BOARD OF CITY COMMISSIONERS WITHIN TEN (10) DAYS OF THE DATE OF THAT DECISION.

John R. Bouse - W L Beth
APPLICANT

AUTHORIZED AGENT

OFFICE USE ONLY

RECEIVED IN OFFICE OF SECRETARY, BOARD OF ZONING APPEALS,
(A.M. - P.M.) _____, 19____, TOGETHER WITH APPROPRIATE
FEE OF \$30.00

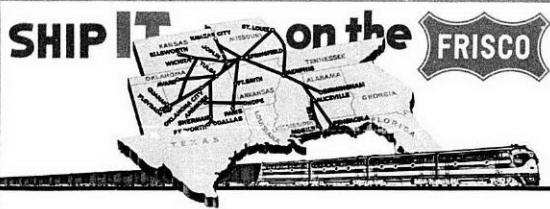
SIGNED

OWNERSHIP LIST

Lct	Street	Addition	Property Owner
W 115' of 2	Arkansas Ave.	Brooks & Oldham's Addition	Sharon Rose Presley Guilene Ann Presley Barbara Lynn Presley Charles Vernon Presley 2045 N. Arkansas
W 115' of 4	"	"	"
W 115' of 6	"	"	"
W 115' of 8	"	"	"
E 58' of 2	"	"	John R. Bouse Mattie M. Bouse 2111 N. Arkansas
E 58' of 4	"	"	"
E 58' of 6	"	"	"
E 58' of 8	"	"	"
10	"	"	<i>Mt. Hope RR</i> Henry H. Kraus Susan Kraus Address unknown
12	"	"	"
14	"	"	Amortibanc Investment Co. 309 E. 3rd St.
16	"	"	"
18	"	"	X Alice M. Brand Waller Address unknown
20	"	"	"
22	"	"	Anna F. Faulkner 2132 Arkansas
24	"	"	"
26	"	"	F. L. Strauss Pauline Strauss 2124 N. Arkansas
28	"	"	"
E 80' of 1	Jackson Ave.	"	Claude A. Langford Address unknown <i>1120 W. 22nd</i>
E 80' of 3	"	"	"
E 80' of 5	"	"	"

Continued page 2

Lot	Street	Addition	Property Owner
W 39 $\frac{1}{2}$ ' of E 119 $\frac{1}{2}$ ' of 1	Jackson Ave.	Brooks & Oldham's Addition	Ageline I. Nevins 115 S. Rutan
W39 $\frac{1}{2}$ ' of E 119 $\frac{1}{2}$ ' of 3	"	"	"
W 39 $\frac{1}{2}$ ' of E 119 $\frac{1}{2}$ ' of 5	"	"	"
W 53' of 1	"	"	Edna L. Brown 2129 N. Jackson
W 53' of 3	"	"	"
W 53' of 5	"	"	"
7	"	"	Wayne C. Phillips Pearl Phillips 545 Marceline Terrace
9	"	"	"
11	"	"	X Henry H. Kraus Susan N. Kraus Address unknown
13	"	"	"
15	"	"	N. E. DeWoody Vivian DeWoody 2137 Jackson
17	"	"	"
19	"	"	William Arch Conner Willie Pearl Conner 2133 Jackson
21	"	"	"
23	"	"	Iva C. Brown 2129 Jackson
25	"	"	"
27	"	"	Andrew S. Pyles Mabel W. Pyles 2125 Jackson
20	Arkansas Ave.	Crawford Addition	X Dunn Mercantile Co. Address unknown
22	"	"	"
24	"	"	"
1	"	Rosenthal's Sub- division	Universal Motor Fuels, Inc. 520 S. Mead
3	"	"	"
5	"	"	"
7	"	"	"



Use the W H Smith at
851 N. Old Manor

No property in the area
of Case B7A-1-63

This Smith is Wilbur
Hamilton Smith

Continued page 3

Lot	Street	Addition	Property Owner
9	Arkansas Ave.	Rosenthal's Sub- division	John R. Bouse Mattie M. Bouse 2111 N. Arkansas
11	"	"	"
2	Rosenthal	"	Virginia H. Blase 1957 Ferrell
4	"	"	"
6	"	"	"
8	"	"	"
10	"	"	W. H. Smith Address unknown
12	"	"	851 ^{1/2} No Old Manor
W 50' of 195	"	"	Lee E. Neff Thelma E. Neff 2216 Rosenthal
W 50' of 197	"	"	"
W 50' of 199	"	"	"
E 100' of 1	Block 1	Boyd's East Riverside Addition	American Oil Co. 810 W. Douglas
E 100' of 3	"	"	"
E 100' of 5	"	"	"
E 100' of 7	"	"	"
E 100' of N 2" of 9	"	"	"
9 exc. N 2" of E 100'	"	"	X Laurena Pennington Address unknown
11	"	"	"
13	"	"	Zack F. Laughary Minnie A. Laughary 2143 Arkansas
15	"	"	"
17	"	"	Ethelyn Nichols 2131 Arkansas
19	"	"	"

We, The Security Abstract and Title Company, Inc, hereby certify the foregoing to be a true and correct list of property owners within a 200 foot radius of the East 73½ feet of lots 2, 4, 6, 8, 10 & 12, on Arkansas Avenue, in Brooks and Oldham's Addition to Wichita, Sedgwick County, Kansas, as shown by the deeds on file in the Office of the Register of Deeds of Sedgwick County, Kansas, on this 18th day of December, 1962 at 7:00 A. M.

THE SECURITY ABSTRACT AND TITLE COMPANY, INC.

By

Logan N. Sull
Vice-President

Order No. 99669

PAYMENT NOTICE
 City of Wichita
 PAY AT TREASURER'S OFFICE — FIRST FLOOR

Bid'g & Elev. _____ Elec. _____ Elev. Insp. _____
 Exam Fees _____ Hse. Mvr. _____ Hse. Moving _____
 Licen. _____ Mech. _____ Oil Well _____ Pav. Cuts _____
 Plan. Pib'g. _____ Pib'g. Cert. _____
 Sanitation _____ Sewer _____ Signs _____ Sidewalk _____
 Street _____ Trailers _____

DESCRIPTION	AMOUNT
<i>As per [unclear]</i>	<i>5.00</i>
<i>R 112</i>	

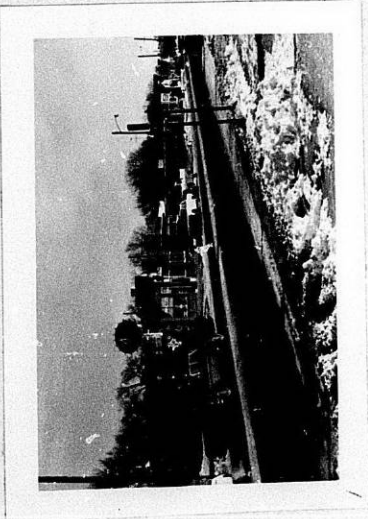
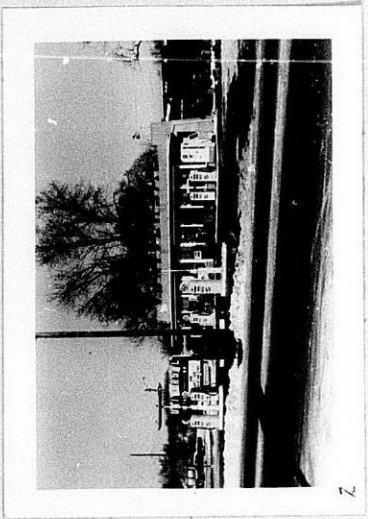
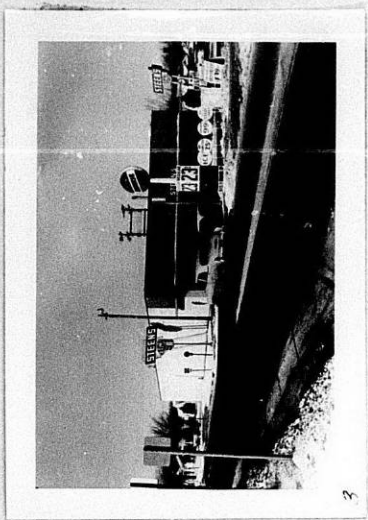
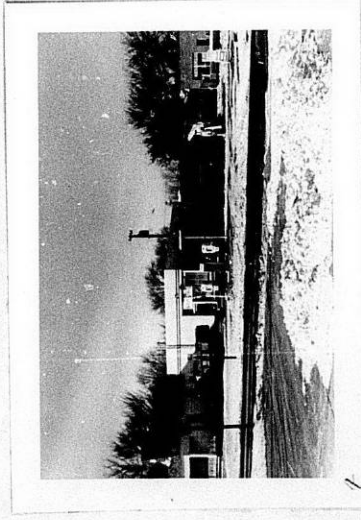
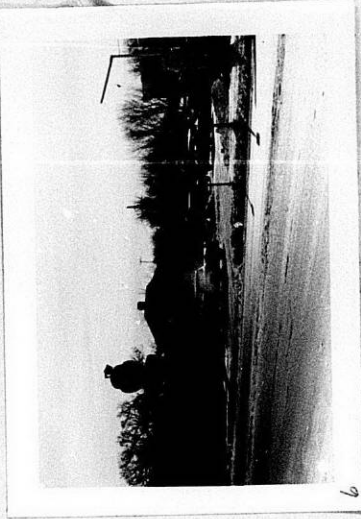
Name *J. P. [unclear]*

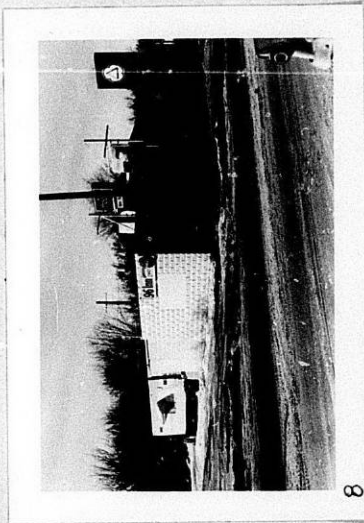
Address *1111 [unclear]*

Type _____ Due Date *1-1-60*

Comments _____

Date *1/1/60* By *[Signature]*





21 Street of Arkansas

*

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