

BZA 7-71 - Rentals Exchange Syst.  
requests Exception for trailer,  
vehicle & equip. rental operation  
at NE corner of Exposition & Lotus

BZA 8-24-71 Approved

1  
POSTED  
8-10-71

~~MAP-7-17-71~~  
C.I. ....  
Jph.

BZA 8-24-71 Approve

BZA 7-71 - Rentals Exchange Syst.  
requests Exception for trailer,  
vehicle & equip. rental operation  
at NE corner of Exposition & Lot 6

Map No. 5345  
 Sec. 31  
 Twp. 27  
 Range 1E

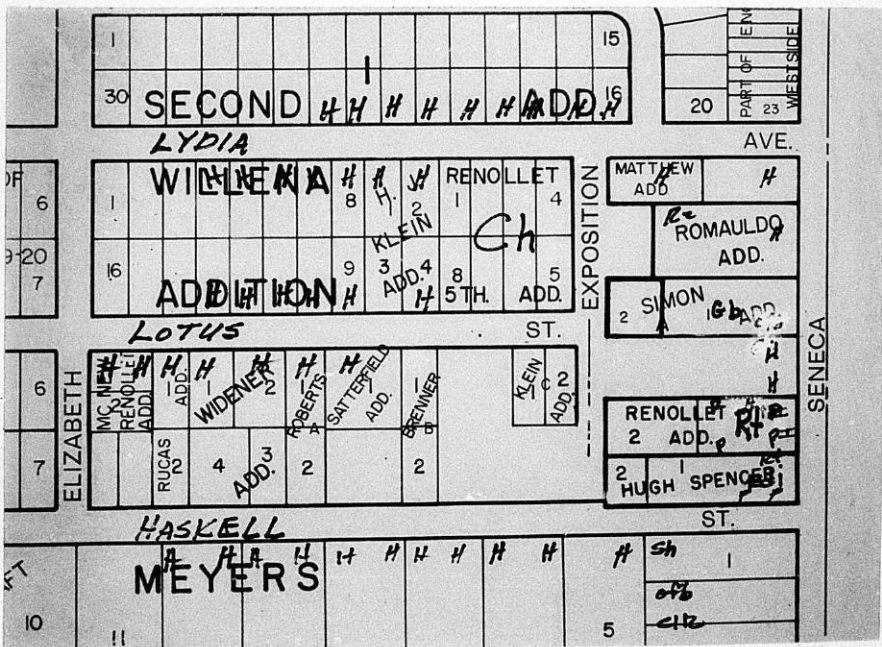
BZA 7-71  
 SCZ--  
 CU--  
 Filed

AREA DATA:

1. Acres: 0.22 ( 100 ft. by 100 ft.)
2. Adjoining Zoning: E \_\_\_\_\_ S \_\_\_\_\_ W \_\_\_\_\_ N \_\_\_\_\_
3. Land Use: East OFFICE South UNDEVELOPED  
 West CHURCH North UNDEVELOPED
4. Sketch Plan Land Use is for: \_\_\_\_\_
5. Present Land Use is for: UNDEVELOPED
6. Area (is) (is not) platted.

PHOTO DATA:

Taken by \_\_\_\_\_ Date \_\_\_\_\_ Time \_\_\_\_\_



RESOLUTION NO. BZA 7-71

WHEREAS, Rental Exchange System, Inc., 1501 East Kellogg, Wichita, Kansas, by James W. Sargent, 1400 Vickers KSB&T Building, Wichita, Kansas, requests an exception as provided in Section 2.12.590.C, Code of the City of Wichita, to permit a trailer, vehicle and equipment rental operation, on property zoned "LC" Light Commercial, and legally described as follows:

Lot 2, Block A, Simon Addition to the City of Wichita, Sedgwick County, Kansas. Generally located at the north-east corner of Exposition and Lotus.

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 24, 1971, 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 trailer, vehicle and equipment rental operation, 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 a trailer, vehicle and equipment rental operation, on property zoned "LC" Light Commercial, and legally described as follows:

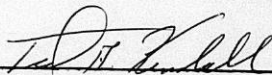
Lot 2, Block A, Simon Addition to the City of Wichita, Sedgwick County, Kansas. Generally located at the north-east corner of of Exposition and Lotus.

subject to the following conditions:

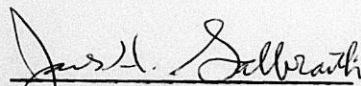
1. All storage and display areas shall be paved with concrete, asphalt, or other comparable material.
2. All lights shall be shielded to reflect or direct light away from adjoining property. No string-type lighting or banners shall be permitted.
3. No signs shall be permitted adjacent to Lotus or Exposition.
4. No sound-projecting devices or loudspeakers shall be used so as to be heard outside of any structure.
5. No repair work shall be conducted except in an enclosed building.

6. A 5 to 8 foot solid wall constructed of solid masonry, architectural tile, staggered or louvered redwood or rough sawed cedar, or a chain link fence with slats shall be constructed adjacent to the north, south and west property lines.
7. The area shall be properly policed through inspections by the owner or operator for the proper maintenance and removal of trash.
8. The applicant shall submit revised copies of the Development Plan to the Offices of Central Inspection and Traffic Engineering for their approval. Said plan shall indicate the location of the required ten (10) off-street parking spaces for customers and employees, the width and dimension of parking spaces, markings for channelization and the location and width of the driveways. The plan shall also indicate complete access control along the west property line and the location of the required fence. Three copies of the approved plan shall be submitted to the Secretary of the Board of Zoning Appeals.
9. Conditions 1, 6 and 8 shall be complied with prior to the utilization of the property for parking or storage of equipment.
10. Conditions 1, 6 and 8 shall be complied with in 120 days from the date of approval by the Board, or this case shall be null and void.

ADOPTED AT WICHITA, KANSAS, this 24th day of August, 1971.

  
\_\_\_\_\_  
Ted A. Kendall, Chairman

ATTEST:

  
\_\_\_\_\_  
Jack H. Galbraith, Secretary

September 7, 1971

Mr. James W. Sargent  
1400 Vickers KSB&T Building  
Wichita, Kansas 67202

Subject: Case No. BEA 7-71  
Request for Exception

Dear Mr. Sargent:

Enclosed is a signed copy of the Resolution adopted by the Board of Zoning Appeals on August 24, 1971, in connection with your request for an exception to permit a trailer, vehicle and equipment rental operation, on property zoned "LC" Light Commercial and generally located at the northeast corner of Exposition and Lotus.

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 any questions concerning this matter, please call.

Sincerely,

Jack H. Galbraith  
Secretary

JHG:ls

Enclosure

cc Rental Exchange System, Inc., 1501 East Kellogg 67211  
Robert Feldner, Supt. of Central Inspection  
Joe Donnelly, Central Inspection  
Ralph Eberly, City Clerk

JAMES W. SARGENT  
L. D. KLEND

**SARGENT & KLEND**  
ATTORNEYS AT LAW  
SUITE 1400  
VICKERS - K.S.B. & T BUILDING  
WICHITA, KANSAS 67202  
(316) 264-4649

August 24, 1971

Mr. Jack H. Galbraith  
Secretary  
Board of Zoning Appeals  
400 City Building Annex  
104 South Main  
Wichita, Kansas 67202

In re: Case No. BZA 7-71  
Rental Exchange System, Inc.  
1501 East Kellogg, Wichita, Kansas

Dear Jack:

Pursuant to the Board of Zoning Appeals hearing held today, August 24, 1971, and the numbered paragraph 8 under the recommendations of the Secretary's report, I am submitting to you three revised copies of the Development Plan concerning the subject land. The copies so submitted have been approved August 24, 1971 both by Mr. Thomas F. Burns of the Central Inspection Division, and Mr. W. G. McKinley of the Traffic Engineering Division.

I believe this completes all of our requirements as far as you are concerned.

Very truly yours,

*Jim*  
James W. Sargent

JWS:bjj

cc: Mr. Redburn

Encl.



August 25, 1971

Mr. James W. Sargent  
1400 Vickers-KSB&T Building  
Wichita, Kansas 67202

Subject: Case No. BZA 7-71  
Request for Exception

Dear Mr. Sargent:

At the regular meeting of the Board of Zoning Appeals on August 24, 1971, your request for an exception to permit a trailer, vehicle and equipment rental operation, on property zoned "LC" Light Commercial, and generally located at the northeast corner of Exposition and Lotus, was considered.

It was the action of the Board to approve this request subject to the conditions recommended in the Secretary's report, except that the use of a chain link fence with slats was accepted as a method of screening (Condition No. 6) and the 90 days recommended for completion of the requirements was extended to 120 days (Condition No. 10).

A Resolution setting forth the official action of the Board is being prepared and you will be mailed a copy as soon as the signatures of the Chairman and Secretary have been obtained.

As you requested, attached is a copy of the original BZA resolution approved on this property to the east of the application area.

If you have any questions, please call.

Sincerely,

Jack H. Galbraith  
Secretary

JHG:ls  
cc Alfred L. Redburn  
Robert Feldner, Joe Donnelly; Central Inspection  
Ralph Eberly, City Clerk

SECRETARY'S REPORT  
CASE NO. BZA 7-71

**APPLICANT:** Rental Exchange System, Inc., 1501 East Kellogg,  
Wichita, Kansas

**AGENT:** James W. Sargent, 1400 Vickers KSB&T Building, Wichita,  
Kansas

**REQUEST:** Exception pursuant to Section 2.12.590.C, Code of the  
City of Wichita, to permit a trailer, vehicle and  
equipment rental operation

**GENERAL LOCATION:** At the northeast corner of Exposition and  
Lotus.

**LAND USE:** Subject property is undeveloped as is that to the north  
and south; east is trailer, vehicle and equipment  
rental operation; and west is a church

**ZONING:** Subject property is zoned "LC" Light Commercial; north  
is "AA" Single Family and "LC"; east is "LC"; south and  
west is "AA".

**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 condi-  
tions set out in Section 28.04.183.2 can be complied with.

**COMMENTS BY THE SECRETARY:**

The applicant is requesting an exception to permit outdoor  
display for a trailer, vehicle and equipment rental operation  
on property zoned "LC" and located at the northeast corner of  
Exposition and Lotus. Section 28.04.183.2 of the ordinance  
permits the type of operation subject to certain conditions and  
approval by the Board of Zoning Appeals.

The applicant is now operating a trailer, vehicle and equip-  
ment rental operation on property zoned "LC" for which an  
exception was approved by the Board of Zoning Appeals at their  
meeting on October 28, 1968 (BZA Case No. 27-68) and which lies  
adjacent on the east of this request.

On May 13, 1971 the Planning Commission considered a request  
for a change of zoning from the "A" Two Family Dwelling District  
to the "LC" Light Commercial District for the area contained in  
this application. Action of the Planning Commission was to

recommend that the request be approved subject to certain condition one of which was the dedication of total access control to Exposition and Lotus. This action was concurred in by the Board of City Commissioners on July 13, 1971.

It is the opinion of the Secretary that inasmuch as the application area is under the same ownership as the property to the east and the only means of ingress and egress will be from Seneca, that the granting of the exception in this instance would be proper.

RECOMMENDATION:

It is the recommendation of the Secretary that the exception to permit the operation of a trailer, vehicle and equipment rental business, on property zoned "LC" Light Commercial, 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 reflect or direct light away from adjoining property. No string-type lighting or banners shall be permitted.
3. No signs shall be permitted adjacent to Lotus or Exposition.
4. No sound-projecting devices or loudspeakers shall be used so as to be heard outside of any structure.
5. No repair work shall be conducted except in an enclosed building.
6. A 5 to 8 foot solid wall constructed of solid masonry, architectural tile, staggered or louvered redwood or rough sawed cedar shall be constructed adjacent to the north, south and west property lines.
7. The area shall be properly policed through inspections by the owner or operator for the proper maintenance and removal of trash.
8. The applicant shall submit revised copies of the Development Plan to the Offices of Central Inspection and Traffic Engineering for their approval. Said plan shall indicate the location of the required ten (10) off-street parking spaces for customers and employees, the width and dimension

Page 3 - Secretary's Report  
Case No. BZA 7-71

of parking spaces, markings for channelization and the location and width of the driveways. The plan shall also indicate complete access control along the west property line and the location of the required fence. Three copies of the approved plan shall be submitted to the Secretary of the Board of Zoning Appeals.

9. Conditions 1, 6 and 8 shall be complied with prior to the utilization of the property for parking or storage of equipment.
10. Conditions 1, 6 and 8 shall be complied with in 90 days from the date of approval by the Board, or this case shall be null and void.

BOARD OF ZONING APPEALS  
Room 402 City Building Annex  
104 South Main Street  
Wichita, Kansas 67202

August 4, 1971

NOTICE TO ADJOINING PROPERTY OWNERS

Case No. BZA 7-71

An application has been filed by Rental Exchange System, Inc., 1501 East Kellogg, Wichita, Kansas, pursuant to Section 2.12.590.C, Code of the City of Wichita, requesting an exception to permit a trailer, vehicle and equipment rental operation, on property zoned "LC" Light Commercial, and legally described as follows:

Lot 2, Block A, Simon Addition to the City of Wichita, Sedgwick County, Kansas. Generally located at the northeast corner of Exposition and Lotus.

This application has been assigned Case No. BZA 7-71 and will be considered by the Board of Zoning Appeals at its meeting on Tuesday, August 24, 1971, at 1:30 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.

Jack H. Galbraith  
Secretary

*13 Notices mailed 8-4-71*

JAMES W. SARGENT  
L. D. KLENDIA

**SARGENT & KLENDIA**  
ATTORNEYS AT LAW  
SUITE 1400  
VICKERS - K.S.B. & T BUILDING  
WICHITA, KANSAS 67202  
(316) 264-4649

July 26, 1971

Mr. Jack H. Galbraith  
Chief Planner  
Metropolitan Area Planning Commission  
City Building Annex  
Wichita, Kansas 67202

Dear Mr. Galbraith:

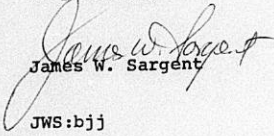
We submit herewith the application for the Board of Zoning Appeals covering the following described property:

Lots 1 and 2, Block A, Simon Addition to  
the City of Wichita, Sedgwick County, Kansas

along with our filing fee in the amount of \$50.00.

We request that you use the certified list of ownership previously furnished and use in connection with the application for zoning before the Metropolitan Area Planning Commission.

Very truly yours,

  
James W. Sargent

JWS:bjj

Encl.

BOARD OF ZONING APPEALS

CASE NO. 7-71

CITY OF WICHITA, KANSAS

FILED 7-26-71

APPLICATION FOR EXCEPTION

I. Name of Applicant  Rental Exchange System, Inc.

Mailing Address 1501 East Kellogg 67211 Phone 267-1258

Name of Authorized Agent  James W. Sargent

Mailing Address 1400 Vickers-KSB&T Building Phone 264-4649

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)  
28.04.183.2, Code of the City of Wichita, Kansas

(Zoning Ordinance); to permit the installation ~~of construction~~  
of personal property for storage purposes; black topping and the  
construction of appropriate fencing to enclose the storage area

LC, located at 2219 South Seneca, Wichita

and legally described as: \_\_\_\_\_

Lot 2, Block A, Simon Addition to the City of Wichita

\_\_\_\_\_, 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 hearing 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. 24-606); 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 Sedgwick County to appeal the decision of the Board.

Applicant RENTAL EXCHANGE SYSTEM, INC.

Authorized Agent James W. Sargent

OFFICE USE ONLY: Received in office of Secretary, Board of Zoning Appeals, 2:30 (a.m. - p.m.), July 26, 19 71, together with appropriate fee of \$50.00.

T9-403

Signed Laura Scott

MAP # 5345

OWNERSHIP LIST

| Lot   | Block | Addition                  | Property Owner  |
|-------|-------|---------------------------|---|
| 1     | B     | Lloyd E. Nichols          | John R. Kropf &<br>Maxine L. Kropf<br>2220 S. Seneca<br>Wichita, Kansas 67213   |
| 3     | "     | "                         | Lloyd E. Nichols &<br>Tressie E. Nichols<br>940 Meikle Road<br>Wichita, Kansas 67217  |
| 5     | "     | "                         | B. F. McAlester &<br>Imogene B. McAlester<br>2256 S. Seneca<br>Wichita, Kansas 67213  |
| 2     |       | Renollet 5th              | ✓ Board of Trustees of<br>Wichita West Side<br>Evangelical United<br>Brethern Church<br>2203 S. Exposition<br>Wichita, Kansas 67213 |
| 3     |       | "                         | Same  |
| 4     |       | "                         | Same  |
| 5     |       | "                         | Same  |
| 6     |       | "                         | Same  |
| 7     |       | "                         | Same  |
| 1     |       | Renollet 7th              | ✓ Taco Grande, Inc.<br>2255 S. Seneca<br>Wichita, Kansas 67213  |
| 2     |       | "                         | Same  |
| Block |       |                           |   |
| 1     | C     | Roberts-Brenner-<br>Klein | ✓ Madeline C. Brenner<br>1320 Haskell<br>Wichita, Kansas 67213  |
| 2     | "     | "                         | Same  |
| 1     |       | Romauldo                  | ✓ Romauldo H. Turner &<br>Wanda J. Turner<br>2326 Hiram<br>Wichita, Kansas 67213  |

| Lot        | Addition | Property Owner  |
|------------|----------|---|
| E 85' of 1 | Matthew  | ✓ George L. Goodwin &<br>Vera M. Goodwin<br>1233 Lydia<br>Wichita, Kansas 67213                                 |
| W ½ of 1   | "        | ▷ Trustees of West Side<br>Evangelical United<br>Brethern Church<br>2203 S. Exposition<br>Wichita, Kansas 67213 |
| 1 & 2      | Simon    | ▷ Rental Exchange Systems,<br>Inc.<br>1402 E. Mt. Vernon<br>Wichita, Kansas 67211                               |

Description

E 229 ft of: Beg 1088 ft North of SE/c  
SE ¼ 31-27-1E, th W 26 rods, th N to N  
ln SE ¼ SE ¼, th E 26 rods; th S to beg,  
exc S 130 ft, exc N 20 ft for street

M. Greta Long  
Address unknown  
*none found*

W 115 ft of tract: Beg 1088 ft N of  
SE/c SE ¼ 31-27-1E, th W 26 rods, th  
N 130 ft, th E 26 rods, th S to beg

▷ Trustees of West Side  
Evangelical United  
Brethern Church  
2203 S. Exposition  
Wichita, Kansas 67213

E 132 ft of tract beg 660 ft N & 561  
ft W of SE/c SE ¼ Sec. 31-27-1E, th N  
330 ft, th W 330 ft, th S 330 ft, th  
E to beg, exc S 20 ft for road

✓ Gretchen M. Brown &  
Robert L. Brown  
1328 Haskell  
Wichita, Kansas 67213

Beg 884 ft N of SE/c SE ¼ 31-27-1E, th  
W 429 ft, th N 102 ft, th E 429 ft,  
th S to beg

✓ Dorwyn H. Graham &  
Wynona Y. Graham  
1701 N. Nevada  
Wichita, Kansas 67212

Beg 660 ft N & 429 ft W of SE/c SE ¼  
31-27-1E, th N 165 ft, th W 132 ft,  
th S 165 ft, th E to beg, exc S  
20 ft for road

▷ Madeline C. Brenner  
1320 Haskell  
Wichita, Kansas 67213

Beg 819.82 ft N of SW/c 32-27-1E, th  
N 67 ft, th E 175 ft, th S 67 ft, th  
W 175 ft to beg

✓ William W. Dean &  
Bessie N. Dean  
2244 S. Seneca  
Wichita, Kansas 67213

Beg 953.82 ft N of SW/c 32-27-1E, th  
N 65 ft, th E 175 ft, th S 65 ft, th  
W to beg

✓ Dean L. Vanatta &  
Winifred Vanatta  
2330 S. Seneca  
Wichita, Kansas 67213

Description

Property Owner

W 175 ft of beg 1193 ft N of SW/c  
32-27-1E, th E 300 ft, th S 70 ft,  
th W 300 ft, th N 70 ft to beg,  
exc W 50 ft for street

✓Lee R. Cox &  
✓Norma A. Cox  
1021 Denker  
Wichita, Kansas 67216

W 175 ft of Beg 1263 ft N of SW/c  
32-27-1E, th E 300 ft, th S 70 ft,  
th W 300 ft, th N 70 ft to beg,  
exc W 50 ft for street

Same

Beg 1333 ft N of SW/c SW $\frac{1}{4}$  32-27-1E,  
th E 300 ft, th S 70 ft, th W 300 ft,  
th N to beg, exc the E 133.5 ft

✓Harvey W. Conyers &  
Bernice Conyers  
2154 S. Seneca  
Wichita, Kansas 67213

The Security Abstract and Title Company, Inc., hereby certifies the foregoing to be a true and correct list of property owners within a 200 foot radius of: Lots 1 and 2, Block A, Simon Addition to Wichita, Sedgwick County, Kansas, as shown by the last deeds on file in the Office of the Register of Deeds of Sedgwick County, Kansas, on this 24th day of March, 1971 at 7:00 A.M.

THE SECURITY ABSTRACT AND TITLE COMPANY, INC.

By

*Lucille Schubert*

Vice President

Order No. 177239  
ct-jwp

Form 273-0

**PAYMENT NOTICE**

City of Wichita

**PAY AT TREASURER'S OFFICE - FIRST FLOOR**

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

| DESCRIPTION                      | AMOUNT                      |
|----------------------------------|-----------------------------|
| <i>[Handwritten Description]</i> | <i>[Handwritten Amount]</i> |

Name *[Handwritten Name]*

Address *[Handwritten Address]*

Type *[Handwritten Type]*

Due Date *[Handwritten Due Date]*

Comments: *[Handwritten Comments]*

Date *[Handwritten Date]*

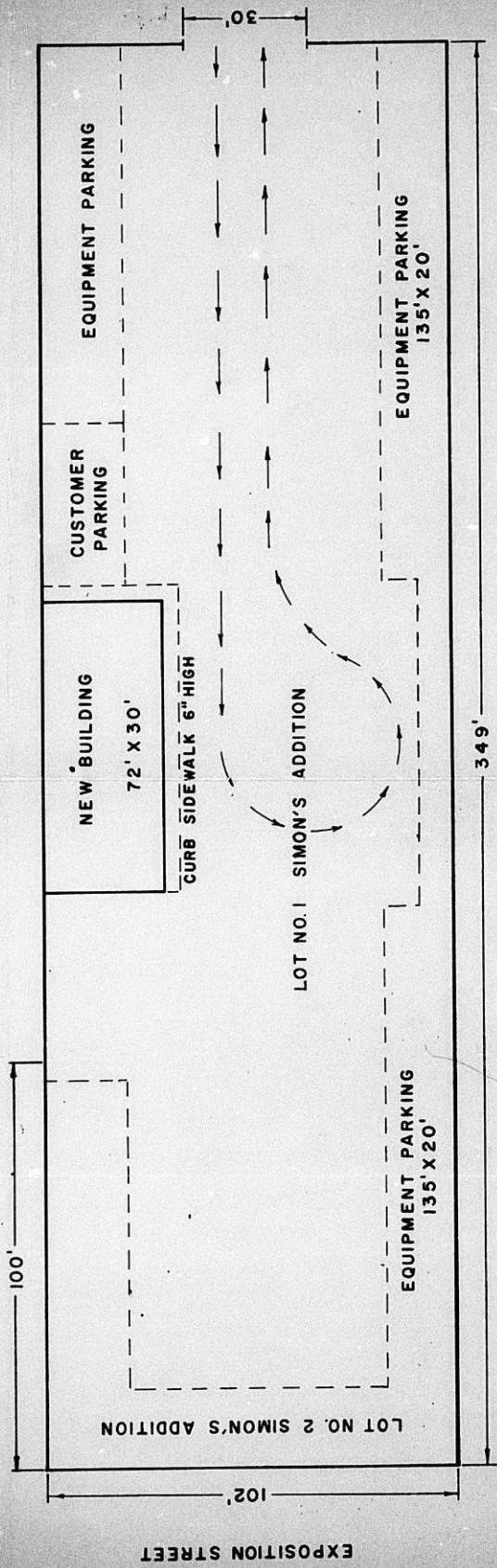
By *[Handwritten Signature]*

TRAFFIC ENGINEERING DIVISION APPROVED

Date: 7-20-79

- (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) Stall lines shall be painted and 4" or greater in width.
- (C) Proper ingress and egress signs shall be installed, on private property at the entrances and exits of the parking facility.

RENTAL EXCHANGE



EXPOSITION STREET

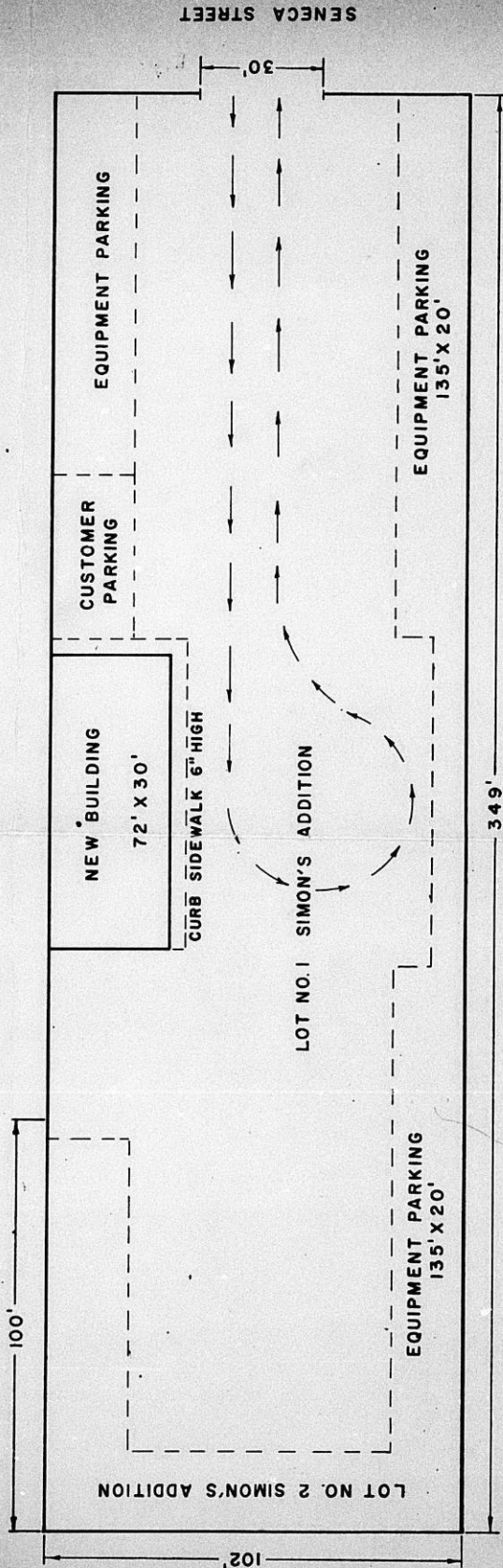
SENECA STREET

RENTAL  
EXCHANGE

TRAFFIC ENGINEERING DIVISION APPROVED

Date 7-20-77  
W. B. M. Kelly

- (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) Stall lines shall be painted and 4" or greater in width.
- (C) Proper ingress and egress signs shall be installed on private property at the entrances and exits of the parking facility.



**APPROVED**  
 CENTRAL INSPECTION DIVISION  
 CITY OF WICHITA

Date AUG 24 1971

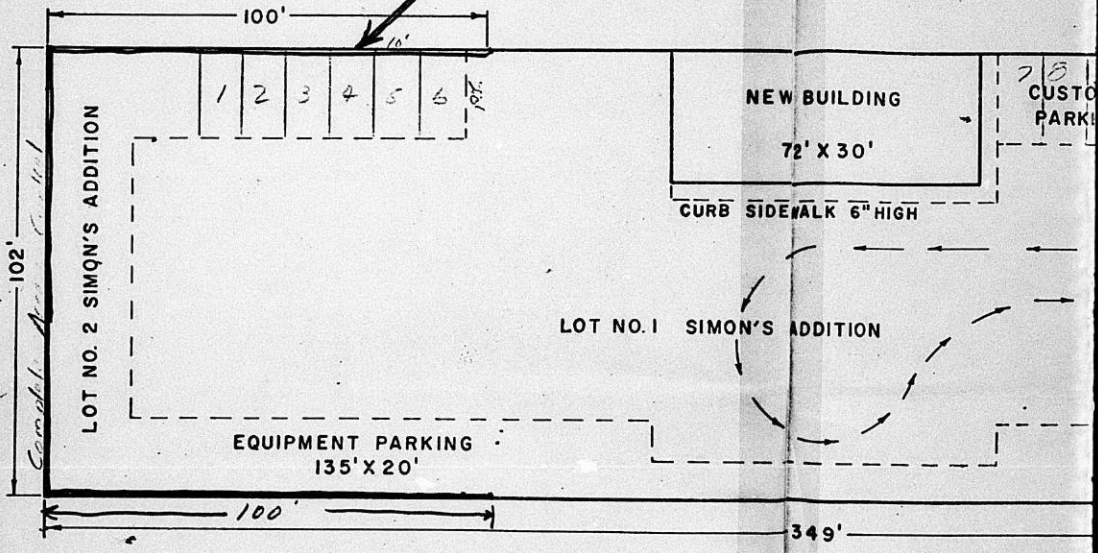
By *Thomas F. Byrnes III*

THOMAS F. BYRNES III

6' TO 9' CHAIN LINK FENCE WITH FLAY AROUND WEST 100' PERIMETER WILL BE INSTALLED. COMPLETE ACCESS CONTROL HAS BEEN INDICATED TO CITY

RENTAL EXCHANGE

EXPOSITION STREET

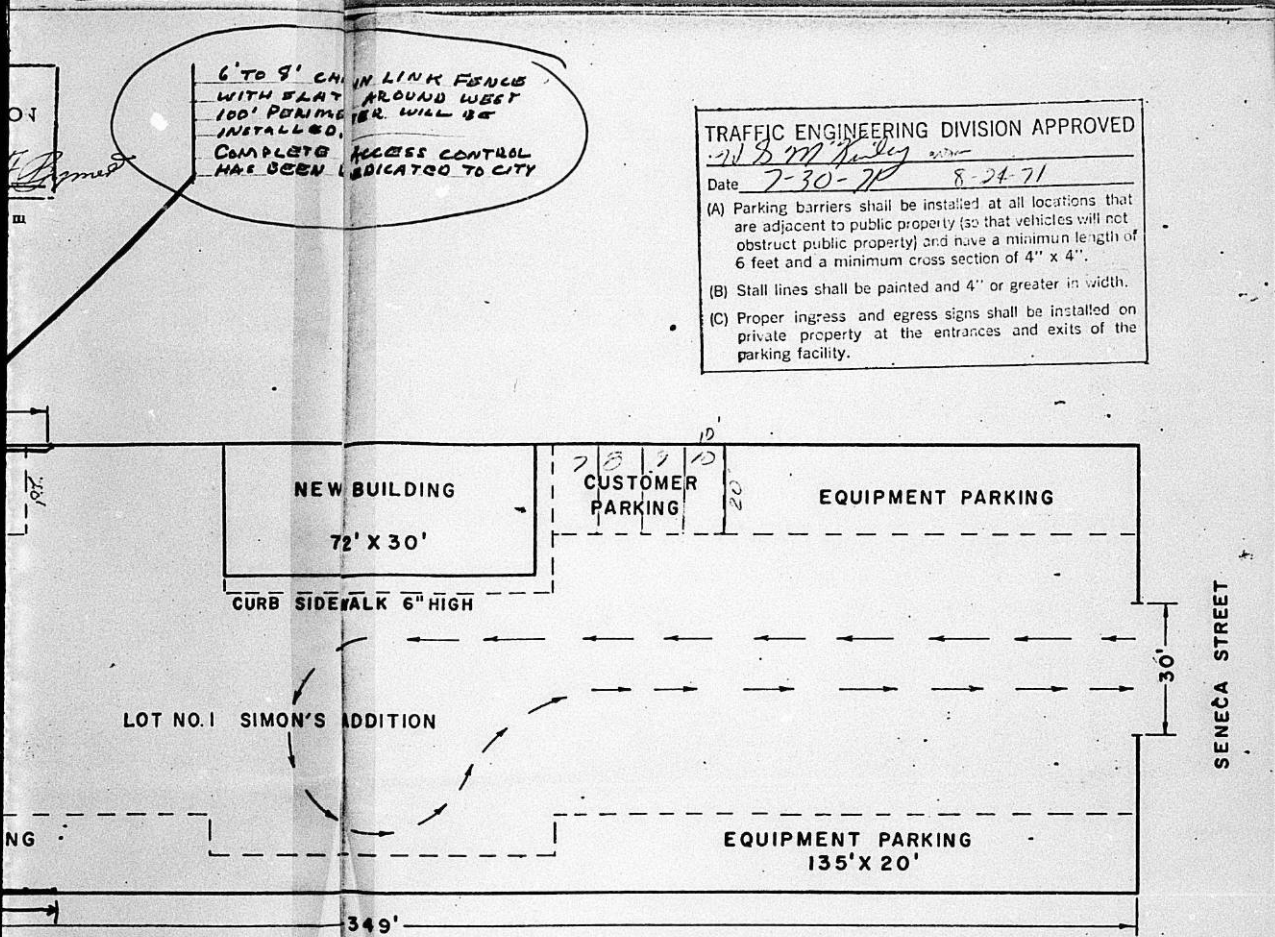


6' TO 9' CHAIN LINK FENCE WITH FLAT TOP AROUND WEST SIDE OF LOT. 100' PERIMETER WILL BE INSTALLED. COMPLETE ACCESS CONTROL HAS BEEN INDICATED TO CITY

TRAFFIC ENGINEERING DIVISION APPROVED

Date 7-30-71 8-24-71

- (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) Stall lines shall be painted and 4" or greater in width.
- (C) Proper ingress and egress signs shall be installed on private property at the entrances and exits of the parking facility.



Approved Plan  
8/25/71  
JHG.