

BZA 11-75 - Ralph Jobe requests exception to permit installation of U-Haul rental trailers at SE corner of Harry and Rock Road.

POSTED

3-6-76

PH

MAPC

C.I.

6-2-76

ACTION

DATE

BZA COMMITTEE *Approved* *3-25-75*

MAPC.

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

May 1, 1975

Mr. Bob L. Crahan
7038 East Orme
Wichita, Kansas 67207

Subject: Case No. BEA 11-75
Request for Exception

Dear Mr. Crahan:

Enclosed is a signed copy of the Resolution adopted by the Board of Zoning Appeals on March 25, 1975, in connection with your request for an exception to permit the establishment of a trailer rental agency for U-Haul Trailers on property zoned the "LC" Light Commercial District, and generally located at the southeast corner of Harry and Rock Road.

This Resolution reflects the official action of the Board and sets out the conditions of approval. It is forwarded to you for your information and files.

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

Sincerely,

Jack H. Galbraith
Secretary

JHG:js
Encl.

cc: Ralph Jobe, 8001 East Harry, 67207
Robert Feldner, Superintendent of Central Inspection
Don C. Gisick, City Clerk
Joe Donnell, Central Inspection

RESOLUTION NO. BZA 11-75

WHEREAS, Ralph Jobe, 8001 East Harry, Wichita, Kansas requests an exception as provided in Section 2.12.590.C, Code of the City of Wichita, to permit the establishment of a trailer rental agency for U-Haul trailers on property zoned the "LC" Light Commercial District, and legally described as follows:

Beginning at the northwest corner of the north-west quarter of Section 23, Township 27 South, Range 2 East, thence east 180 feet, thence south 350 feet, thence west 180 feet, thence north 350 feet to point of beginning, except the west 75 feet and north 75 feet thereof for road; also described as the north 275 feet of Lot 1, Silver Spur East, an addition to Wichita, Kansas. Generally located at the southeast corner of Harry and Rock Road.

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 March 25, 1975, 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 establishment of a trailer rental agency for U-Haul trailers on property zoned the "LC" Light Commercial District subject to the conditions outlined in Section 28.04.183.2, Code of the City of Wichita.

NOW, THEREFORE, BE IT RESOLVED by the Board of Zoning Appeals of the City of Wichita, that this application be approved to permit the establishment of a trailer rental agency for U-Haul trailers on property zoned the "LC" Light Commercial District and legally described as follows:

Beginning at the northwest corner of the north-west quarter of Section 23, Township 27 South, Range 2 East, thence east 180 feet, thence south 350 feet, thence west 180 feet, thence north 350 feet to point of beginning, except the west 75 feet and north 75 feet thereof for road; also described as the north 275 feet of Lot 1, Silver Spur East, an addition to Wichita, Kansas. Generally located at the southeast corner of Harry and Rock Road.

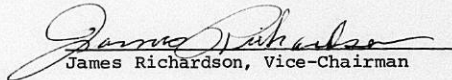
subject to the following conditions:

1. Approval shall apply only to that 15 foot by 40 foot area designated on the applicant's plot plan as "Limited Trailer Parking".

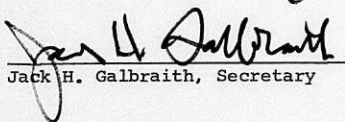
Resolution No. BZA 11-75
Page Two

2. Trailer display shall be limited to not more than six trailers at any time, and they shall be arranged in a neat and orderly manner.
3. A 6 foot by 12 foot size trailer shall be the largest trailer permitted to be displayed on subject property.
4. The storage and display area shall be paved with concrete, asphalt or other comparable material.
5. No signs shall be permitted to project over public right-of-way.
6. All lights shall be shielded to direct lights away from adjoining property. No string type lighting or banners shall be permitted.
7. No sound projecting devices or loudspeakers shall be used so as to be heard outside of any structure.
8. No repair work shall be conducted except in an enclosed building.

ADOPTED AT WICHITA, KANSAS, this 25th day of March, 1975.


James Richardson, Vice-Chairman

ATTEST:


Jack H. Galbraith, Secretary

March 31, 1975

Mr. Bob L. Crahan
7038 East Orme
Wichita, Kansas 67207

Subject: Case No. BEA 11-75
Request for Exception

Dear Mr. Crahan:

At the regular meeting of the Board of Zoning Appeals on March 25, 1975, your request for an exception to permit the establishment of a trailer rental agency for U-Haul Trailers on property zoned the "LC" Light Commercial District, and generally located at the southeast corner of Harry and Rock Road was considered.

It was the action of the Board to approve this request subject to the conditions listed in the Secretary's Report.

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.

If you have any questions, please call our office.

Very truly yours,

Jack H. Galbraith
Secretary

JHG:LD:rme

cc: Robert Feldner, Superintendent of Central Inspection
Don C. Gisick, City Clerk
Joe Donnelly, Central Inspection
Ralph Jobs, 8001 East Harry, 67207

SECRETARY'S REPORT

CASE NO. RZA 11-75

APPLICANT: Ralph Jobe, 8001 East Harry, Wichita, Kansas

AGENT: Bob L. Crahan, 7038 East Orme, Wichita, Kansas

REQUEST: Exception pursuant to Section 2.12.590.C, Code of the City of Wichita to permit the establishment of a trailer rental agency for U-Haul trailers.

GENERAL LOCATION: Southeast corner of Harry and Rock Road.

LAND USE: Subject property is developed as a service station as is the property to the north; west and south are vacant; east is drainage right-of-way and vacant.

ZONING: Subject property is zoned the "LC" Light Commercial District as is property to the north, east and south; to the west is the "E" Light Industrial District.

JURISDICTION

The Board has jurisdiction to consider this request under the provisions outlined under Section 2.12.590.C, Code of the City of Wichita. The Board may grant the exception provided the conditions set out in Section 28.04.183.2 can be complied with.

COMMENTS BY THE SECRETARY

The applicant is requesting an exception to permit the installation of a U-Haul trailer rental agency, providing limited trailer display, on property zoned the "LC" Light Commercial District. In his statement of justification, the applicant states that the display of trailers would be limited to no more than six trailers and would be confined to a 15-foot by 40-foot area as indicated on the plot plan submitted with his application. He further states that the largest trailer displayed would be 6x12 foot.

Subject property is located at the southeast corner of the major intersection of Harry and Rock Road. It is developed as a service station, which would continue as the primary use of the property. Property to the north is also developed as a service station. All other surrounding properties are vacant. A 130 foot drainage right-of-way adjoins subject property on the east. Across Rock Road to the west is a large tract of undeveloped land zoned

Secretary's Report
Case No. BZA 11-75
Page Two

the "E" Light Industrial District. The property to the south is undeveloped and zoned the "LC" District.

It is the opinion of the Secretary that the outdoor display and storage of trailers should not be encouraged at random throughout the City in the Light Commercial District. Although limitation of the numbers of trailers is often a condition of approval it is often observed that the maximum number is being exceeded. Because of the Light Industrial zoning district to the west, this location might be considered more appropriate than others.

RECOMMENDATION:

Should the Board find this use acceptable at this location, the approval of the request should be subject to the following conditions:

1. Approval shall apply only to that 15 foot by 40 foot area designated on the applicant's plot plan as "Limited Trailer Parking".
2. Trailer display shall be limited to not more than six trailers at any time, and they shall be arranged in a neat and orderly manner.
3. A 6 foot by 12 foot size trailer shall be the largest trailer permitted to be displayed on subject property.
4. The storage and display area shall be paved with concrete, asphalt or other comparable material.
5. No signs shall be permitted to project over public right-of way.
6. All lights shall be shielded to direct lights away from adjoining property. No string type lighting or banners shall be permitted.
7. No sound projecting devices or loudspeakers shall be used so as to be heard outside of any structure.
8. No repair work shall be conducted except in an enclosed building.

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

March 3, 1975

NOTICE TO ADJOINING PROPERTY OWNERS:

Case No. BZA 11-75

An application has been filed by Ralph Jobe, 8001 East Harry, Wichita, Kansas, pursuant to Section 2.12.590.C, Code of the City of Wichita, requesting an exception to permit the establishment of a trailer rental agency for U-Haul Trailers on property zoned the "LC" Light Commercial District and legally described as follows:

Beginning at the northwest corner of the northwest quarter of Section 23, Township 27 South, Range 2 East, thence east 180 feet, thence south 350 feet, thence west 180 feet, thence north 350 feet to point of beginning, except the west 75 feet and north 75 feet thereof for road; also described as the north 275 feet of Lot 1, Silver Spur East, an addition to Wichita, Kansas. Generally located at the southeast corner of Harry and Rock Road.

This application has been assigned Case No. BZA 11-75, and will be considered by the Board of Zoning Appeals at its meeting on Tuesday, March 25, 1975, at 1:30 p.m., in Room 401 City Building Annex, 104 South Main Street, Wichita, Kansas, at which time you may appear, if you so desire, either in person or by agent or attorney.

Jack H. Galbraith
Secretary

3-4-75 - 9 Notices mailed to Adjacent Property Owners
3-4-75 - 10 Notices mailed to MAPC

6045

BOARD OF ZONING APPEALS

CASE NO. 11-75

CITY OF WICHITA, KANSAS

FILED 2-25-75

APPLICATION FOR EXCEPTION

I. Name of Applicant Mr. Ralph Jobe
 Mailing Address 8001 E. Harry, Wichita Phone 682-0041
 Name of Authorized Agent Bob L. Crahan
 Mailing Address 7038 E. Orme, Wichita Phone 685-6615
 Relationship of applicant to property is that of Lessee
 (Owner, Tenant, Lessee, Other).

II. Application is made for an exception as provided in Section 28.04.183.2, Code of the City of Wichita, Kansas (Zoning Ordinance); to permit the installation or construction of a 41-Saul trailer rental dealer as outlined in letter of justification and intent on property zoned "K.C.", located at 8001 E. Harry, southeast corner of Rock & Harry and legally described as: see attached certificate of ownership

_____ 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 Ralph Jobe
 Authorized Agent Bob L. Crahan

OFFICE USE ONLY: Received in office of Secretary, Board of Zoning Appeals, 11:00 (a.m. - p.m.), 2/25, 1975, together with appropriate fee of \$50.00.

T9-403

Signed By Larry Dabson



U-HAUL CO. OF KANSAS, INC.

401 SOUTH 42ND STREET • KANSAS CITY, KANSAS 66106 • PHONE: (913) 621-4040

Board of Zoning Appeals
City Building Annex
104 S. Main
Wichita, Kansas 67202

February 24, 1975

Subject:
"Application for Exception"
Letter of Justification and
Intent:

Dear Sir,

As authorized agent for the applicant Mr. Ralph Jobs, and on behalf of U-Haul Co. and Texaco Oil Corporation, I am able to justify this application for the following reasons, as required for such an exception request under section 28.04.183.2 of Code of the City of Wichita, Zoning Ordinances.

#1 U-Haul Co. and Texaco Oil Corporation, along with applicant Mr. Ralph Jobs have clearly outlined an understanding with one another that the U-Haul trailer rental operation would be only an added accessory or sideline to help supplement the applicants income and would in no way interfere with the primary service objective of this business location, being first and foremost a Texaco Service Station Dealer, identifying with the public and their needs in this manner and not as a Rental Lot!!!

#2 Once established, this location would be a small trailer dealer with the following restrictions, agreed upon by applicant, Texaco Oil Corp. and U-Haul Company of Kansas, with strict enforcement of these the following restrictions.

- A. No more than six trailers will be on display at any time, with sizes varying from 4 by 6 to 6 by 12 as will be illustrated in photos forth coming.
- B. The six trailers on display will be lined up in the designated area on plot plan according to size, and will at all times be kept neat and clean within this 15' by 40' area.
- C. The Storage and display area will be paved with asphalt.
- D. All restrictions set forth by the Traffic Engineering Division are in compliance at subject location.
- E. All lights will be shielded to direct light away from adjoining property. No string type lighting or banners will be used.
- F. The area designated for trailer display will be properly policed through inspections by U-Haul Co. and the lessee, Mr. Ralph Jobs, for the proper maintenance and removal of trash.
- G. No permanent signs related to rental of trailers will be used on the premises, as well as free standing signs.

#3 To comply with any additional restrictions, upon the approval of Texaco Oil Corp., not outlined in this letter of justification and intent that the Board may deem necessary.



U-HAUL CO. OF KANSAS, INC.

401 SOUTH 42ND STREET • KANSAS CITY, KANSAS 66106 • PHONE: (913) 621-4040

Subject location is zoned "LC" Light Commercial District, at the south east corner of Rock Road and Harry. Adjacent subject property to the east is an drainage ditch and a large undeveloped land site for a future home addition. To the south is an undeveloped lot. On the south west corner of Rock Road and Harry lies another large undeveloped lot, generally located in an area surrounded by Commercial and Light Industrial Park zoning. A small restaurant and multi business complex exist on the north west corner of Harry and Rock with a Phillips "66" Service station on the north east corner.

Overlooking subject location to the west upon a slight hill is the International Headquarters of King Van Lines. Semi-tractor trailer rigs are visibly parked and stored at this 5 acer storage and warehouse facility.

The general proximity of this location and surrounding seem to be most appropriate for the limited trailer display we are requesting, in accordance with outlined restrictions on page one.

In view of subject location and overall prevailing picture as outlined, I sincerely feel this exception we have applied for should be justified by the secretary of the Board and approved by the Board of Zoning Appeals.

Please feel free to call on me at any time concerning this case or any previously approved case, where we may be in violation of a zoning ordinance or use condition. My Business phone is 800-232-4074 and my home 316-685-6615. Neighborhood U-Haul dealers provide an essential service in our community.

Thank you...

Sincerely,

Bob L. Crahan

Bob L. Crahan AFM 15-067
Agent for applicant

BLC:bc
Encl.

cc: Texaco Oil Corp. % Mr. Dave North & Mr. Chuck Stoltz (local sales rep.)
Mr. Ralph Jobs, 8001 E. Harry, (applicant, lessee)
All adjacent property owners within a 200' radius of subject property.
Mr. Jack Fore, President of U-Haul Co, of Kansas #733
Mr. Logan Frank, Regional Dist. V.P. of U-Haul International

CERTIFICATE OF OWNERSHIP

GUARANTEE TITLE CO., INC., hereby certifies the following to be a true and correct list of the property owners as shown by the last deed of record in the office of the Register of Deeds of Sedgwick County, Kansas, within a 200 foot radius of and including the following described property, viz:

Beginning at the Northwest Corner of the Northwest Quarter of Section 23, Township 27 South, Range 2 East, East 180 feet, South 350 feet, West 180 feet, North 350 feet to beginning, Except the West 75 feet and North 75 feet for Road.

DESCRIPTION	OWNER/OWNERS/ADDRESS	
<u>SILVER SPUR EAST</u>		
Lot 1	✓ Harriet Morris 1401 West River Blvd	67203
<u>CEDAR LAKES VILLAGE 3RD</u>		
Lot 1	○ Harriet Morris 1401 West River Blvd	67203
<u>LEVITT INDUSTRIAL PARK</u>		
<u>Block 1</u>		
Lot 1	✓ Levitt Jewlry Co., Inc. 7930 E. Harry	67207
<u>MORLEY SECOND ADDITION</u>		
Lot 1	✓ Boulevard State Bank 2300 East Lincoln	67211
<u>DULICK-KUTSCHER ADDITION</u>		
Lot 1 (E 150')	✓ George L. Hall 5901 S. Greenwich Rd. ✓ Daniel M. Carney 6838 East 14th	67210 67206

Dated this 20th day of February, 1975 at 7:00 o'clock A.M.

GUARANTEE TITLE CO., INC.

No. 795

By *Wm. R. Healy*
Vice-President

FORM 22-21

PAYMENT NOTICE
City of Wichita

PAY AT TREASURER'S OFFICE - FIRST FLOOR

Bldg & Elev.	Elec.	Elev. Insp.	Exam. Fees
Hse. Mvr.	Pse. Moving	Licse.	Mech.
Oil Well	Pav. Cuts	Plan.	Plbg. Cert.
Sanitation	Sewer	Signs	Sidewalk
Street	Trailer		\$50.00

DESCRIPTION	AMOUNT
BZA Replication	\$50.00

Name Bob Crabon

Address 7033 E Orange

Type AA 407103 Due Date 2/15/75

Comments:

Date 2/25/75 By ll

*

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