

BZA 16-66 - Glenn L. Richardson re-
quests an Exception to permit a re-
tail tool rental business in

57

POSTED
5-19-66
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ACTION

By COMMITTEE Opp DATE 6-28-66

M.A.P.C. _____

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

BZA 16-66 - Glenn L. Richardson re-
quests an Exception to permit a re-
tail tool rental business in "LC" at
the southwest corner of Lincoln and
Woodlawn

Vice-president Hartstein
presided at meeting
of 6-26-46

Joyce

R E S O L U T I O N No. BZA 16-66

WHEREAS, Glenn L. Richardson, 1202 South Washington, Wichita, Kansas, by Jack H. Greene, 206 Central Building, Wichita, Kansas requests an exception as provided in Section 2.12.590.C, Code of the City of Wichita, to permit outdoor display for a retail equipment rental business on property zoned "LC" Light Commercial, and legally described as follows:

The north 100 feet of Reserve A, in Replat of Trollope-Fallon Addition, in the City of Wichita, Sedgwick County, Kansas. Generally located at the southwest corner of Lincoln and Woodlawn.

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 June 28, 1966, 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 outdoor display for a retail equipment rental business 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 outdoor display for a retail equipment rental business on property zoned "LC" Light Commercial, and legally described as follows:

The north 100 feet of Reserve A, in Replat of Trollope-Fallon Addition, in the City of Wichita, Sedgwick County, Kansas. Generally located at the southwest corner of Lincoln and Woodlawn.

subject to the following conditions:

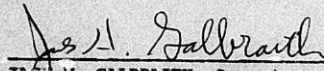
1. That all storage and display areas shall be paved with concrete, asphalt or other comparable material.
2. All lights shall be shielded to reflect or direct light away from adjoining property. No string-type lighting shall be permitted.
3. No signs shall be permitted to project over public right of way.
4. No sound-projecting devices or loudspeakers shall be used so as to be heard outside of any structure.

5. A three foot high fence of masonry, architectural tile, louvered or staggered redwood or rough sawed cedar, shall be erected along the west side of the vacated alley on the northeast corner of the existing garage on the adjacent property to the west, north to the right of way line of Lincoln Street.
6. No repair work shall be conducted except in an enclosed building.
7. Failure to comply with the above conditions prior to the occupancy of the site for the use granted shall declare the exception null and void.

ADOPTED AT WICHITA, KANSAS, this 28th day of June, 1966.


KENNETH HARTSTEIN, Vice-Chairman

ATTEST:


JACK H. GALBRAITH, Secretary

RESOLUTION No. BZA 16-66

WHEREAS, Glenn L. Richardson, 1202 South Washington, Wichita, Kansas, by Jack H. Greene, 206 Central Building, Wichita, Kansas requests an exception as provided in Section 2.12.590.C, Code of the City of Wichita, to permit outdoor display for a retail equipment rental business on property zoned "LC" Light Commercial, and legally described as follows:

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WHEREAS, the Board of Zoning Appeals did, at the meeting of June 28, 1966, 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 outdoor display for a retail equipment rental business 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 outdoor display for a retail equipment rental business on property zoned "LC" Light Commercial, and legally described as follows:

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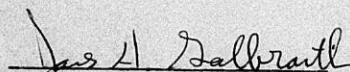
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6. No repair work shall be conducted except in an enclosed building.
7. Failure to comply with the above conditions prior to the occupancy of the site for the use granted shall declare the exception null and void.

ADOPTED AT WICHITA, KANSAS, this 28th day of June, 1966.


KENNETH HARTSTEIN, Vice-Chairman

ATTEST:


JACK H. GALBRAITH, Secretary

November 6, 1968

Mr. Kenneth A. Olson
6315 East Lincoln
Wichita, Kansas 67218

Subject: BZA Case No. 16-66
Request for an Exception

Dear Mr. Olson:

Enclosed is a signed copy of the Resolution adopted by the Board of Zoning Appeals on June 28, 1966, in connection with a request for an Exception to permit outdoor display for a retail equipment rental business on property zoned "LC" Light Commercial and generally located at the southwest corner of Lincoln and Woodlawn.

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 any questions concerning this matter, please call our office.

Sincerely,

Jack H. Galbraith
Secretary

JHG:js

cc: Robert Feldner, Superintendent of Central Inspection
Ralph Eberly, City Clerk

R E S O L U T I O N No. BZA 16-66

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WHEREAS, the Board of Zoning Appeals did, at the meeting of June 28, 1966, 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 outdoor display for a retail equipment rental business on property zoned "LC" Light Commercial, subject to the conditions outlined in Section 28.04.183.2, Code of the City of Wichita.

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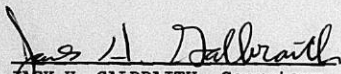
1. That all storage and display areas shall be paved with concrete, asphalt or other comparable material.
2. All lights shall be shielded to reflect or direct light away from adjoining property. No string-type lighting shall be permitted.
3. No signs shall be permitted to project over public right of way.
4. No sound- projecting devices or loudspeakers shall be used so as to be heard outside of any structure.

5. A three foot high fence of masonry, architectural tile, louvered or staggered redwood or rough sawed cedar, shall be erected along the west side of the vacated alley on the northeast corner of the existing garage on the adjacent property to the west, north to the right of way line of Lincoln Street.
6. No repair work shall be conducted except in an enclosed building.
7. Failure to comply with the above conditions prior to the occupancy of the site for the use granted shall declare the exception null and void.

ADOPTED AT WICHITA, KANSAS, this 28th day of June, 1966.


KENNETH HARTSTEIN, Vice-Chairman

ATTEST:


JACK H. GALBRAITH, Secretary

October 10, 1968

Mr. Kenneth A. Olson
6315 East Lincoln
Wichita, Kansas 67218

Subject: BZA Case No. 16-66
Request for an Exception

Dear Mr. Olson:

This letter is to confirm our discussion in the field yesterday concerning the fencing requirements on the above captioned case. As you, Ed Zenner, and I agreed, we all are interested in assisting you to expedite the fulfilling of the conditions of this case approved by the Board of Zoning Appeals on June 28, 1966. Since there has been a question as to where the required fencing should be located as it relates to a previously vacated alley, and since the adjoining owner to the west has agreed for you to construct the fence on the west side of the vacated alley, the construction and location of the following type of fence will meet one of the conditions approved by the Board.

A three foot high fence of masonry, architectural tile, louvered or staggered redwood or rough sawed cedar, shall be erected along the west side of the vacated alley on the northeast corner of the existing garage on the adjacent property to the west, north to the right of way line of Lincoln Street.

We would appreciate you having the fence constructed within the next 30 days so that a Resolution may be drawn, signed and forwarded to you. If you have any questions concerning this matter, please call.

Sincerely,

Jack H. Galbraith
Secretary

JHG:js

cc: Robert Feldner, Superintendent of Central Inspection
Edward Zenner, Zoning Inspector

February 21, 1967

Mr. Jack H. Greene
Kidwell, Ball, Greene, & Nohe
206 Central Building
Wichita, Kansas 67202

Dear Mr. Greene:

Re: Case No. BZA 16-66
Case No. BZA 17-66

In reviewing our files, we find that the two above captioned cases have not been completed.

As you recall, the Board approved both applications at their regular meeting on June 30, 1966. There were questions concerning legal descriptions and fence locations which were to be resolved by you and the information forwarded to the Secretary of the Board in order that the resolutions might be drawn. A letter was submitted by your office dated August 24, 1966, requesting an extension until October 1, 1966, but the requested information still has not been received.

We would appreciate being advised as to your plans for the completion of these two requests. Information as to fence locations and legal descriptions is still necessary in order to prepare the resolutions, however, if you determine that you do not desire to complete the applications, you may submit a letter requesting that the applications be withdrawn. If we do not hear from you by March 14, 1967, the two cases will be placed on the Board of Zoning Appeals Agenda for March 28, 1967, for final disposition by the Board.

If you have any questions concerning this matter, please call.

Yours very truly,

Ronald A. Williamson
Assistant Secretary

RAW:kkcg

Kenny Aderson
6315 E. Pinedale

JG

KIDWELL, BALL, GREENE & NOHE

ATTORNEYS AT LAW
100 CENTRAL BUILDING
WICHITA, KANSAS
67202

DALE KIDWELL
GEORGE W. BALL
JACK H. GREENE
KENNETH M. NOHE
TERRY O'KEEFE

FORM 2-2141
AREA CODE 216

August 24, 1966

Mr. Jack Galbraith
Metropolitan Area
Planning Commission
City Building Annex
Wichita, Kansas

Re: BZA 16-66
BZA 17-66

Dear Sir:

For and on behalf of Glenn L. Richardson,
owner of the above subject properties, we do hereby
request an extension of time to meet the requirements
of M. A. P. C. concerning fence screening.

Mr. Richardson is under contract to sell
the East Lincoln property and it remains to be seen
whether the purchaser will want and need such
screening.

Mr. Richardson has ordered a fence from
a local fence company to be erected on the 31st
Street South property and will present a schematic
drawing of the fence as soon as it has been made
available to him.

By reason of the foregoing, we do hereby
request an extension until October 1, 1966.

Very truly yours,

JACK H. GREENE



OF KIDWELL, BALL, GREENE & NOHE

JHG:me

CC: Mr. Glenn L. Richardson



June 30, 1966

Mr. Glenn L. Richardson
1202 South Washington
Wichita, Kansas

Dear Mr. Richardson:

Re: Case No. BEA 16-66

At the regular meeting of the Board of Zoning Appeals on June 28, 1966, the above numbered application, a request for an exception to permit outdoor display for a rental equipment business on property zoned "LC", was considered. The property is generally located at the southwest corner of Lincoln and Woodlawn.

It was the action of the Board to approve this request for small lawn, garden and hand tool equipment, subject to the following:

1. That 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 shall be permitted.
3. No signs shall be permitted to project over public right-of-way.
4. No sound-projecting devices or loudspeakers shall be used so as to be heard outside of any structure.
5. A three to five foot high solid or semi-solid masonry, architectural tile, louvered redwood or other similar fence material shall be constructed along the entire west property line within a period of 60 days from the date of approval by the Board of Zoning Appeals.

Page 2 - Glenn L. Richardson
June 30, 1966

6. No repair work shall be conducted except in an enclosed building.
7. Failure to comply with the above conditions prior to the occupancy of the site for the use granted shall declare the exception null and void.

It is necessary that the attorney, Jack H. Greene, contact the Secretary relative to the exact location of the fence required in Condition #5 above. Because of the uncertainty of the status of the request for vacation of the alley along the west side of subject property, it was not known at the meeting just where the fence should be located.

At such time as this information is ascertained, the Resolution setting forth the action of the Board will be prepared.

If you have any questions concerning this matter, please call.

Very truly yours,

Jeck H. Galbraith
Secretary

JHG:HW:bxr

cc: Jack H. Greene, Attorney
206 Central Building

Glen Lytle, Superintendent
of Central Inspection

L. L. Binkley, Maintenance
Inspection Supervisor

Ralph Eberly
City Clerk

SECRETARY'S REPORT

CASE NO. RZA 16-66

APPLICANT: Glenn L. Richardson, 1202 South Washington, Wichita
Kansas

AGENT: Jack H. Greene, Attorney, Central Building

REQUEST: Exception pursuant to Section 28.04.183.2, Code of the
City of Wichita and as authorized by Section 2.12.590, Code
of the City of Wichita, to permit outdoor display for a retail
tool rental business on property zoned "LC".

GENERAL LOCATION: Southwest corner of Lincoln and Woodlawn

LAND USE: Subject property is service station and equipment rental;
to the east is a service station; to the south is vacant; to the
west are duplexes and to the north are duplexes and other commercial
activities.

ZONING: East and south is "LC"; west is "A" and north is "LC" and "A"

JURISDICTION:

The Board has jurisdiction to consider this request under the
provisions outlined under Section 2.12.590, Code of the City of
Wichita. The Board may grant the exception providing that all the
conditions outlined under Section 28.04.183.2, can be met.

SECRETARY'S COMMENTS

The applicant is requesting an exception to permit outdoor
display for a tool and equipment rental operation on property zoned
"LC" and located at the southwest corner of Lincoln and Woodlawn.
It should be pointed out that tool and equipment rental businesses
are permitted uses in the "LC" district, provided all articles for
rent are kept within an enclosed building. Section 28.04.183.2
of the ordinance permits articles for rent to be displayed outdoors
subject to certain conditions and approval by the Board of Zoning
Appeals.

The site is presently occupied by a service station and a tool
and equipment rental business, which has been kept within an enclosed
building and, therefore, is a legal permitted use in the "LC" district.

The applicant has pointed out in his statement of justification
that he has been in the tool and equipment rental business at this
location since 1963 and has operated the business according to the
code from within an enclosed structure. Now, however, he states that

the demand has increased sharply in the last 12 to 18 months and has caused an increase in the rental business which requires the need for outdoor display. It is the opinion of the Secretary that there is no correlation between an increase in demand and a need for outdoor display. If the applicant has been so successful operating legally from within a building, outdoor display would not have a significant effect on a future increase in business. It is the general consensus that these small equipment rental businesses associated with service stations are neighborhood services and those who patronize the rental facilities are from the nearby area. Therefore, it is not necessary to display the rental articles outside because the neighborhood will be aware of the rental operation either by trading at the service station or through neighbors who have utilized the facility. It is the opinion of the Secretary that the proper solution to the applicant's problem is to construct a larger building and to advertise the service by a simple sign.

The basic reason for not permitting the outdoor display of rental tools and equipment as an outright permitted use in the "LC" district is that this type of facility generally has a cluttered and unsightly appearance and has not proven to be compatible with other uses permitted in "LC" zoning. The use, however, may be permitted by the Board subject to certain conditions, providing the location is deemed appropriate. In determining whether a location is suitable to permit outdoor display, the general character of the area should be analyzed carefully. In the past, this type of use has been limited to areas such as North and South Broadway, East Kellogg or West Street, which have a considerable number of similar uses, such as auto and trailer sales lots and trailer and equipment rental operations, and are commercially developed streets. It should be emphasized that this site is not on what is termed a stripped commercial zoned street and that residential zoning and development can be found adjacent to two sides of the property. Therefore, the proposed site does not appear logical or proper for the outdoor display of rental tools and equipment. These are not the type of uses which have been encouraged to develop at random throughout the City due to their objectionable appearance and to grant these uses indiscriminately may turn all the major streets into a West Street or South Broadway, which would not be in the best interest of the public or the neighborhood commercial area. It can be assumed that every service station in the City would like to provide an equipment rental service for its customers and it simply does not seem to be conceivable that every service station site is an appropriate location for a use which is as objectionable in appearance as the outdoor storage of equipment.

It is the opinion of the Secretary that this request is not the type of development that should be encouraged at random throughout the City in the light commercial areas and that this type of use associated with a service station is not the intent of Section

Page 3 - Secretary's Report
Case No. BEA 16-66

28.04.183.2 of the ordinance. In the past, exceptions have been granted for tool and equipment rental operations when it has been the primary use of the site, the location has been in an area of similar type uses and the proper conditions attached.

It should be emphasized that by not granting the exception it would not deprive the applicant the use of his property for a rental business but merely would require it to be kept within an enclosed building.

RECOMMENDATION

It is the recommendation of the Secretary that the exception request to permit the outdoor display of rental tools and equipment ~~not be approved~~ inasmuch as it would not be a compatible use with the existing commercial and residential development and that the applicant can carry on his rental business, which is small, within an enclosed building.

SECRETARY'S REPORT

CASE NO. BZA 16-66

APPLICANT: Glenn L. Richardson, 1202 South Washington, Wichita
Kansas

AGENT: Jack H. Greene, Attorney, Central Building

REQUEST: Exception pursuant to Section 28.04.183.2, Code of the
City of Wichita and as authorized by Section 2.12.590, Code
of the City of Wichita, to permit outdoor display for a retail
tool rental business on property zoned "LC".

GENERAL LOCATION: Southwest corner of Lincoln and Woodlawn

LAND USE: Subject property is service station and equipment rental;
to the east is a service station; to the south is vacant; to the
west are duplexes and to the north are duplexes and other commercial
activities.

ZONING: East and south is "LC"; west is "A" and north is "LC" and "A"

JURISDICTION:

The Board has jurisdiction to consider this request under the
provisions outlined under Section 2.12.590, Code of the City of
Wichita. The Board may grant the exception providing that all the
conditions outlined under Section 28.04.183.2, can be met.

SECRETARY'S COMMENTS

The applicant is requesting an exception to permit outdoor
display for a tool and equipment rental operation on property zoned
"LC" and located at the southwest corner of Lincoln and Woodlawn.
It should be pointed out that tool and equipment rental businesses
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Appeals.

The site is presently occupied by a service station and a tool
and equipment rental business, which has been kept within an enclosed
building and, therefore, is a legal permitted use in the "LC" district.

The applicant has pointed out in his statement of justification
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location since 1963 and has operated the business according to the
code from within an enclosed structure. Now, however, he states that

the demand has increased sharply in the last 12 to 18 months and has caused an increase in the rental business which requires the need for outdoor display. It is the opinion of the Secretary that there is no correlation between an increase in demand and a need for outdoor display. If the applicant has been so successful operating legally from within a building, outdoor display would not have a significant effect on a future increase in business. It is the general consensus that these small equipment rental businesses associated with service stations are neighborhood services and those who patronize the rental facilities are from the nearby area. Therefore, it is not necessary to display the rental articles outside because the neighborhood will be aware of the rental operation either by trading at the service station or through neighbors who have utilized the facility. It is the opinion of the Secretary that the proper solution to the applicant's problem is to construct a larger building and to advertise the service by a simple sign.

The basic reason for not permitting the outdoor display of rental tools and equipment as an outright permitted use in the "LC" district is that this type of facility generally has a cluttered and unsightly appearance and has not proven to be compatible with other uses permitted in "LC" zoning. The use, however, may be permitted by the Board subject to certain conditions, providing the location is deemed appropriate. In determining whether a location is suitable to permit outdoor display, the general character of the area should be analyzed carefully. In the past, this type of use has been limited to areas such as north and South Broadway, East Kellogg or West Street, which have a considerable number of similar uses, such as auto and trailer sales lots and trailer and equipment rental operations, and are commercially developed streets. It should be emphasized that this site is not on what is termed a stripped commercial zoned street and that residential zoning and development can be found adjacent to two sides of the property. Therefore, the proposed site does not appear logical or proper for the outdoor display of rental tools and equipment. These are not the type of uses which have been encouraged to develop at random throughout the City due to their objectionable appearance and to grant these uses indiscriminately may turn all the major streets into a West Street or South Broadway, which would not be in the best interest of the public or the neighborhood commercial area. It can be assumed that every service station in the City would like to provide an equipment rental service for its customers and it simply does not seem to be conceivable that every service station site is an appropriate location for a use which is as objectionable in appearance as the outdoor storage of equipment.

It is the opinion of the Secretary that this request is not the type of development that should be encouraged at random throughout the City in the light commercial areas and that this type of use associated with a service station is not the intent of Section

28.04.183.2 of the ordinance. In the past, exceptions have been granted for tool and equipment rental operations when it has been the primary use of the site, the location has been in an area of similar type uses and the proper conditions attached.

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Page 3 - Secretary's Report
Case No. BZA 16-66

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It should be emphasized that by not granting the exception it would not deprive the applicant the use of his property for a rental business but merely would require it to be kept within an enclosed building.

RECOMMENDATION

It is the recommendation of the Secretary that the exception request to permit the outdoor display of rental tools and equipment not be approved inasmuch as it would not be a compatible use with the existing commercial and residential development and that the applicant can carry on his rental business, which is small, within an enclosed building.

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

June 3, 1966

NOTICE TO ADJOINING PROPERTY OWNERS

Case No. BZA 16-66

An application has been filed by Glenn L. Richardson, 1202 South Washington, Wichita, Kansas, pursuant to Section 2.12.590, Code of the City of Wichita, requesting an exception to the zoning ordinance as provided in Section 28.04.183.2, Code of the City of Wichita, to permit the operation of a retail tool rental business on property zoned "LC" - Light Commercial and legally described as follows:

The North 100 feet of Reserve A, in Replat of Trollope-Fallon Addition, in the City of Wichita, Sedgwick County, Kansas - generally located at the southwest corner of Lincoln and Woodlawn.

This application has been assigned Case No. BZA 16-66 and will be considered by the Board of Zoning Appeals at its meeting on Tuesday, June 28, 1966, at 2 p.m., in Room 401 of the 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

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Room 402 City Building Annex
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Secretary

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

June 3, 1966

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Case No. B2A 16-66

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The North 100 feet of Reserve A, in Replat of Frollope-Fallon Addition, in the City of Wichita, Sedgwick County, Kansas - generally located at the southwest corner of Lincoln and Woodlawn.

This application has been assigned Case No. B2A 16-66 and will be considered by the Board of Zoning Appeals at its meeting on Tuesday, June 28, 1966, at 2 p.m., in Room 401 of the 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

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Room 402 City Building Annex
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Jack H. Galbraith
Secretary

9 notices mailed 6-3-66 + 8 to P.C.

BOARD OF ZONING APPEALS

CASE NO. _____

CITY OF WICHITA, KANSAS

FILED 5-9-66

APPLICATION FOR EXCEPTION

I. Name of Applicant Glenn L. Richardson ✓

Mailing Address 1202 South Washington, Wichita, Kansas phone FO-3-4996

Name of Authorized Agent Jack H. Greene, Attorney ✓

Mailing Address 206 Central Bldg., Wichita, Kans. phone FO-3-8246

Relationship of applicant to property is that of attorney
(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

operation
(Zoning Ordinance); to permit the ~~installation of a construction~~

of a retail tool rental business - SW corner of
Lincoln & Woodlawn on property zoned

"L.C.", located 6315 East Lincoln, Wichita, Kansas,

and legally described as:

The North 100 feet of Reserve A, in Replat of Trollope-
Fallon Addition, Sedgwick County, Kansas, except the
East 100 feet, in the City of Wichita.

(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. Acknowledges that he has been advised of his right of appeal of the decision of the Board to the Board of City Commissioners within ten (10) days of the date of that decision.

Glenn L. Richardson

Applicant Glenn L. Richardson

Authorized Agent Jack H. Greene

Jack H. Greene

OFFICE USE ONLY: Received in office of Secretary, Board of Zoning Appeals, 2:30 (a.m., P.M.), May 9, 1966, together with appropriate fee of \$50.00.

Signed B. Howers, PA II

STATEMENT JUSTIFYING EXCEPTION

Glenn L. Richardson, d/b/a Richardson Oil Company, of Wichita, Kansas, has engaged in the tool and equipment rental business since 1963.

Such operation has been conducted from a fire-proof metal building heretofore constructed by him on the property, all in accordance with the building codes of the City of Wichita.

The tool rental business serves the public and is of great convenience and necessity to it. Within the last twelve to eighteen months, the great demand for rental tools has caused a sharp increase in business which has resulted in the need for tools and equipment to be displayed and offered for rent outside of the metal building.

Inasmuch as this property is zoned "LC" which prohibits a display of tools and equipment outside of the building, this applicant hereby requests an exception to this zoning provision which will allow him to conduct his business to meet the needs of the public which are his customers.

Respectfully submitted,

Glenn L. Richardson

GLENN L. RICHARDSON
d/b/a Richardson Oil Company
Applicant

CERTIFICATE OF OWNERSHIP

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CALLAHAN 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, Sedgwick County, Kansas, of:

The North 100 feet of Reserve A, in Replat of Trollope-Fallon Addition, Sedgwick County, Kansas, except the East 100 feet;

and the property within a 200 foot radius thereof.

Description	Owner
-------------	-------

In Replat of Trollope-Fallon Addition, Sedgwick County, Kansas:

The North 100 feet of Reserve A, except the East 100 feet	✓ Glenn L. Richardson and Jane L. 1202 South Washington
---	---

The East 100 feet of the North 100 feet of Reserve A	✓ American Oil Company 310 W. Douglas
--	--

The South 200 feet of Reserve A 1302	✓ McClellan - Fallon, Inc. 1302 Iroquois
--------------------------------------	---

Block F:

Lots 1, 2, 3, 4, 5 and 6	✓ McClellan - Fallon, Inc.
--------------------------	----------------------------

In A. J. Christman Second Addition, an Addition in Wichita:

Block F:

Lot 20	✓ Russell W. Cleeton & Mary Jane Cleeton 886 Fabrique
--------	--

Lot 21	✓ Donald F. Brungardt & Geertruida M. 6202 East Lincoln
--------	--

Lot 22	✓ Jesse L. Harris & Norma P. Harris 6414 East 12th
--------	---

Lot 23	✓ Charles W. London & Vera A. London and Dennis W. London 626 Governecour Road
--------	--

Block G:

The South 125 feet of Block G:	✓ W. H. Rex Box 34 El Dorado, Kansas
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WITNESS our Hand and Seal this 2nd day of May, 1966, at 7:00 o'clock A. M., at Wichita, Kansas.

CALLAHAN GUARANTEE TITLE CO., INC.

By *James Earl Burright*
Vice President

No. 8644

R E S O L U T I O N N O . B Z A 1 6 - 6 6

WHEREAS, Glenn L. Richardson, 1202 South Washington, Wichita, Kansas, has requested an exception, pursuant to Section 28.04.183.2, Code of the City of Wichita, and as authorized by Section 2.12.590.3, Code of the City of Wichita, to permit outdoor display for a retail tool rental business on property zoned Light Commercial and legally described as follows:

North 100 feet of Reserve A, in Replat of Trollope-Fallon Addition, in the City of Wichita, Sedgwick County, Kansas; (Generally located at the southwest corner of Lincoln and Woodlawn) 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 June 28, 1966; and

WHEREAS, the Board of Zoning Appeals determined that it had proper jurisdiction to consider said request for an exception under provisions of Section 2.12.590.3, Code of the City of Wichita; and

WHEREAS, the applicant desires to provide a lawn and garden equipment rental service in conjunction with the operation of a service station on subject premises; and

WHEREAS, it is apparent the applicant can comply with the conditions to approval of this request as set forth in Section 28.04.183.2, Code of the City of Wichita.

NOW, THEREFORE, BE IT RESOLVED by the Board of Zoning

Appeals that the exception requested to permit outdoor display
of small lawn + garden equipment
for a retail tool rental business on property zoned Light Commer-
cial and legally described as follows:

(Copy from above)

be approved, subject to the following:

(Copy from letter)

ADOPTED AT WICHITA, KANSAS, this 28th day of June, 1966.

ATTEST:

Kenneth Hartstein, Vice Chairman

Jack H. Galbraith, Secretary

*Definite location
of fence on west
side*

FORM 223-021

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

2 Bldg Applications 100⁰⁰

Name *Jack H. Shouse*

Address *Central Bldg.*

Type *R-712* Due Date *5-9-66*

Comments:

Date *5-9-66* BY *Shouse*

Service
Station

Rental
Bldg.

6315 E Lincoln

vice
tion

NE corner of garage

3' high fence

6315 E Lincoln