

BZA-17-68 - Glenn L. Richardson re-  
quests exception to permit operation  
of tool rental business on property  
zoned "IC" located on south side of  
31st St. So. in area west of Exposit-

POSTED  
5-3-68

# ACTION

DATE

5-28-68  
6-25-68

BZA COMMITTEE

Deferred  
Approved  
Subject to  
Conditions

M.A.P.C.

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

*ezm* ✓  
*PZML*

10/20/69

SUPERCEDED  
BY RESOLUTION 7-83

Map No. 5343  
 Sec. 7  
 Twp. 28  
 Range \_\_\_\_\_

Z- BZA 17-68  
 1977  
 07  
 Filed 4-30-68

APPLICATION DATA: From n/a to \_\_\_\_\_

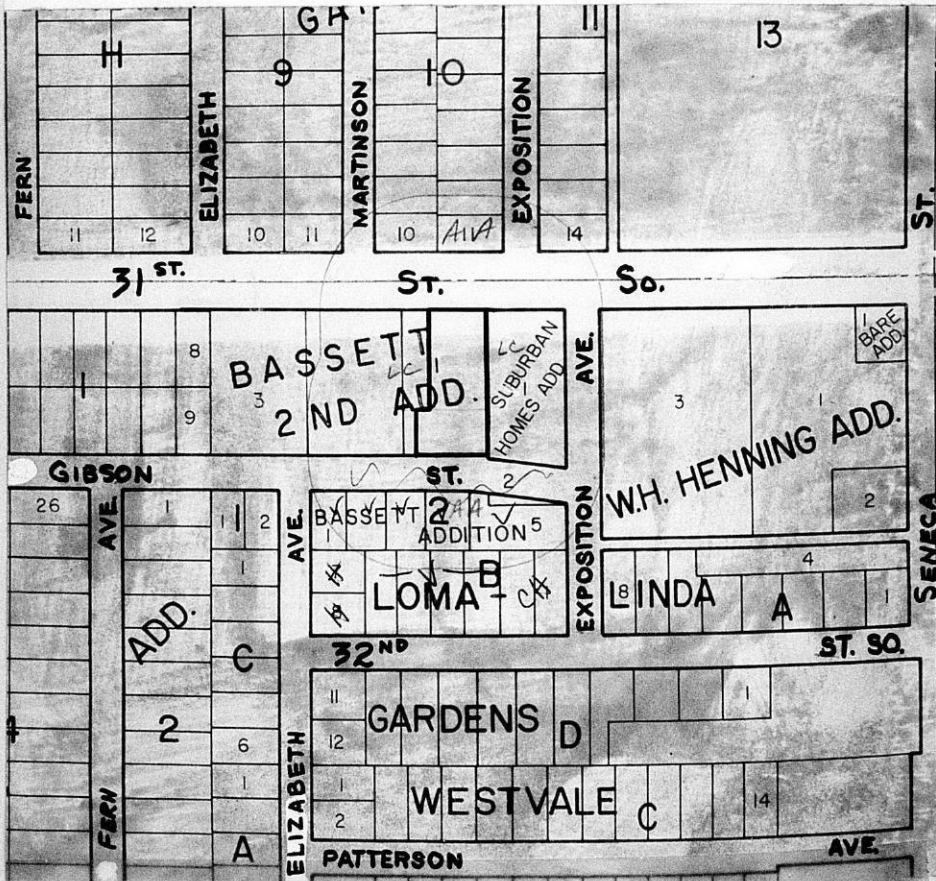
- Applicant: Glenn L. Richardson  
 Address: 304 S. Brookside Phone PO 34996
- Agent: Jack H. Greene  
 Address: 1135 Wichita Plaza Phone AM 46364
- General Location: south side of 31st St. South in an area west of Exposition. Address \_\_\_\_\_
- Proposed Use: \_\_\_\_\_

AREA DATA:

- Acres: \_\_\_\_\_ ( 80' ft. by 120' ft. by 175' ft. by 95' ft. )
- Adjoining Zoning: E \_\_\_\_\_ S \_\_\_\_\_ W \_\_\_\_\_ N \_\_\_\_\_
- Land Use: East \_\_\_\_\_ South \_\_\_\_\_  
 West \_\_\_\_\_ North \_\_\_\_\_
- Sketch Plan Land Use is for: \_\_\_\_\_
- Present Land Use is for: \_\_\_\_\_
- Area (is) (is not) platted. see BZA 17-68

PHOTO DATA:

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



July 15, 1968

Mr. Jack H. Greene  
1135 Wichita Plaza Building  
Wichita, Kansas 67202

Subject: Case No. BZA 17-68  
Request for Exception

Dear Mr. Greene:

Enclosed is a signed copy of the Resolution adopted by the Board of Zoning Appeals on June 25, 1968, in connection with your request for an Exception to permit the operation of a tool and trailer rental business on property zoned Light Commercial, and generally located on the south side of 31st Street South, in an area west of Exposition.

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  
Attachment

cc: Glenn L. Richardson  
304 S. Brookside

Ralph Eberly,  
City Clerk

Robert Feldner, Superintendent  
of Central Inspection

R E S O L U T I O N No. BZA 17-68

WHEREAS, Glenn L. Richardson, 304 South Brookside, Wichita, Kansas, by Jack H. Greene, 1135 Wichita Plaza Building, Wichita, Kansas requests an exception as provided in Section 2.12.590B, Code of the City of Wichita, to permit the operation of a tool rental and trailer rental business on property zoned "LC" Light Commercial, and legally described as follows:

The east 95 feet of the north 175 feet and the east 120 feet of the south 80.7 feet of Lot 1. Bassett Second Addition to Wichita, Sedgwick County, Kansas. Generally located on the south side of 31st Street South, in an area west of Exposition; 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, at the meeting of May 28, 1968 defer consideration of said application to their meeting of June 25, 1968; and whereas the Board of Zoning Appeals did, at the meeting of June 25, 1968, 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.B, Code of the City of Wichita; and

WHEREAS, the Board of Zoning Appeals has authority to permit the operation of a tool rental and trailer rental 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 to the City of Wichita, that this application be approved to permit the operation of a tool rental and trailer rental business on property zoned "LC" Light Commercial, and legally described as follows:

The east 95 feet of the north 175 feet and the east 120 feet of the south 80.7 feet of Lot 1. Bassett Second Addition to Wichita, Sedgwick County, Kansas. Generally located on the south side of 31st Street South in an area west of Exposition.

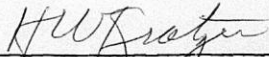
subject to the following conditions:

1. The applicant shall submit revised copies of the Development Plan to the Office of Central Inspection and Traffic Engineering for their approval. Said plan shall indicate the location of the existing screening fence, the required number of off-street parking spaces for customer and employees, the designation of 6 trailers to be displayed

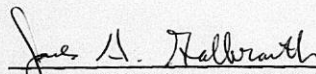
adjacent to 31st Street, the location of storage for small machinery along the east property line north of the east building, and the location of heavy equipment and trailer storage south of the existing buildings. Said plan shall also show the Pizza Inn and Shop-Eze to the west, the channelization and off-street parking spaces and their relationship with the circulation, parking, and display areas of the application area. Two copies of the approved plan shall be submitted to the Secretary of the Board of Zoning Appeals.

2. That all storage and display areas shall be paved with concrete, asphalt or other comparable material.
3. All lights shall be shielded to reflect or direct light away from adjoining property. No string-type lighting shall be permitted.
4. No signs shall be permitted to project over public right-of-way.
5. No sound-projecting devices or loudspeakers shall be used so as to be heard outside of any structure.
6. No repair work shall be conducted except in an enclosed building.
7. A 5 to 8 foot fence shall be constructed adjacent to the south, west and east property lines as indicated on the plot plan, said fence to be constructed of a solid or semi-solid masonry, architectural tile, louvered or staggered redwood, or other similar fence material.

ADOPTED AT WICHITA, KANSAS, this 25th day of June,  
1968.

  
\_\_\_\_\_  
H. W. Kratzer, Chairman

ATTEST:

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

June 26, 1968

Mr. Jack H. Greene  
1134 Plaza Bldg.  
Wichita, Kansas 67202

Subject: Case No. BZA 17-68  
Request for Exception

Dear Mr. Greene:

At the regular meeting of the Board of Zoning Appeals on June 25, 1968, your request for an exception to permit the operation of a tool rental and trailer rental on property zoned "LC", and generally located on the south side of 31st Street South, in an area west of Exposition, was considered.

The action of the Board was to approve the exception request subject to the conditions 2 through 7 which were indicated on the Secretary's Report and the following condition:

1. The applicant shall submit revised copies of the Development Plan to the Office of Central Inspection and Traffic Engineering for their approval. Said plan shall indicate the location of the existing screening fence, the required number of off-street parking spaces for customer and employees, the designation of 6 trailers to be displayed adjacent to 31st Street, the location of storage for small machinery along the east property line north of the east building, and the location of heavy equipment and trailer storage south of the existing buildings. Said plan shall also show the Pizza Inn and Shop-Eze to the west, the channelization and off-street parking spaces and their relationship with the circulation, parking, and display areas of the application area. Two copies of the approved plan shall be submitted to the Secretary of the Board of Zoning Appeals.

Mr. Jack H. Greene  
June 26, 1968  
Page 2

At such time as these approved plans are submitted to our office we will forward the signed Resolution to the office of Central Inspection.

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

Sincerely,

Jack H. Galbraith  
Secretary

JHG:js

cc: Glenn L. Richardson  
304 S. Brookside  
Wichita, Kansas 67218

Robert Feldner, Superintendent  
of Central Inspection

Ralph Eberly  
City Clerk

May 29, 1968

Mr. Jack H. Greene  
1134 Plaza Bldg.  
Wichita, Kansas 67202

Subject: Case No. BZA 17-68  
Request for Exception

Dear Mr. Greene:

At the regular meeting of the Board of Zoning Appeals on May 28, 1968, your request for an exception to permit the operation of a tool rental and trailer rental on property zoned "LC", and generally located on the south side of 31st Street South, in an area west of Exposition, was considered.

The action of the Board was to defer further consideration of this matter until their next regular meeting. This case will be placed on the agenda for the Board of Zoning Appeals June 25, 1968, meeting.

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

Sincerely,

Jack H. Galbraith  
Secretary

JHG:js

cc: Mr. Glenn L. Richardson  
304 S. Brookside  
Wichita, Kansas 67218

Robert Feldner, Superintendent  
of Central Inspection

Ralph Eberly,  
City Clerk

SECRETARY'S REPORT

CASE NO. BZA 17-68

APPLICANT: Glenn L. Richardson, 304 S. Brookside, Wichita, Kansas.

AGENT: Jack H. Greene, Attorney, 1134 Wichita Plaza, Wichita, Kansas.

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

GENERAL LOCATION: On the south side of 31st Street South, in an area west of Exposition.

LAND USE: Subject property is occupied in part by a tool and equipment rental operation, to the West is a Shop-eze and parking and to the East a service station and tavern; land to the South is vacant with single and multi-family development to the North.

ZONING: Subject property is zoned "LC" Light Commercial as is that to the east and west, with "AA" Single-family zoning to the north and south.

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 providing the conditions as set out under Section 28.04.183.2 can be met.

COMMENTS BY THE SECRETARY

The applicant is requesting an exception to permit outdoor display for a tool and equipment rental and trailer rental operation on property zoned "LC" and located on the south side of 31st Street, South, in an area west of Exposition. Section 28.04.183.2 of the ordinance permits this type of operation subject to certain conditions and approval by the Board of Zoning Appeals.

Page 2 - Secretary's Report  
Case No. BZA 17-68

On May 9, 1966, the applicant filed an application (Case No. BZA 17-66) requesting an exception to permit a retail tool rental operation on Lot 1, Bassett Second Addition with associated outside storage and display. The Board of Zoning Appeals at its meeting on June 28, 1966 approved the application in part for an area 30 feet by 40 feet subject to certain conditions.

The applicant now desires to expand his tool rental business to include the rental of trailers and to utilize a larger area for outside display than was formerly approved. It should be pointed out that in viewing the area in the field that the applicant is presently utilizing a much larger area for outdoor storage and display than that formerly approved.

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, however, in view of the granting of the previous request by the Board, it is possible that if the number of rental units are limited and an area is described within which the storage of trailers and heavier tool rental equipment such as cement mixers, etc. are confined, that this would exercise the necessary controls as to appearance and magnitude of the operation.

RECOMMENDATION

It is the opinion of the Secretary that the exception to permit the operation of a tool rental and trailer rental, on property zoned "LC" light commercial, be approved subject to the following conditions:

1. Approval is to apply only for a specified number of trailers and a specified area within the site as well as a specified area for heavier tool rental equipment such as concrete mixers, etc. mutually agreed upon by the Board and the applicant. Said areas to be clearly defined on a scaled drawing of the application area, two copies of which shall be submitted to the Secretary of the Board prior to the forwarding of the Resolution to the office of Central Inspection.

Page 3 - Secretary's Report  
Case No. EZA 17-68

2. That all storage and display areas shall be paved with concrete, asphalt or other comparable material.
3. All lights shall be shielded to reflect or direct light away from adjoining property. No string-type lighting shall be permitted.
4. No signs shall be permitted to project over public right-of-way.
5. No sound-projecting devices or loudspeakers shall be used so as to be heard outside of any structure.
6. No repair work shall be conducted except in an enclosed building.
7. A 5 to 8 foot fence shall be constructed adjacent to the south, west and east property lines as indicated on the plot plan, said fence to be constructed of a solid or semi-solid masonry, architectural tile, louvered or staggered redwood, or other similar fence material.

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

May 8, 1968

NOTICE TO ADJOINING PROPERTY OWNERS

Case No. BZA 17-68

An application has been filed by Glenn L. Richardson, 304 S. Brookside, Wichita, Kansas, by Jack H. Greene, Attorney, 1134 Wichita Plaza, Wichita, Kansas, pursuant to Section 2.12.590.6, Code of the City of Wichita, requesting an exception to permit the operation of a tool rental and trailer rental, on property zoned "LC" Light Commercial and legally described as follows:

The East 95 feet of the north 175 feet and the East 120 feet of the south 80.7 feet of Lot 1. Bassett Second Addition to Wichita, Sedgwick County, Kansas, Generally located on the south side of 31st Street South, in an area west of Exposition.

This application has been assigned Case No. BZA 17-68, and will be considered by the Board of Zoning Appeals at its meeting on Tuesday, May 28, 1968, 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

PON's  
mailed  
5-8-68

BOARD OF ZONING APPEALS  
CITY OF WICHITA, KANSAS

CASE NO. 17-68  
FILED 4-30-68

APPLICATION FOR EXCEPTION

I. Name of Applicant Glenn L. Richardson  
Mailing Address 304 S. Brookside, Wichita, Ks. <sup>18</sup> Phone FO-3-4996  
Name of Authorized Agent Jack H. Greene, Attorney  
Mailing Address 1135 Wichita Plaza, Wichita, Ks. <sup>02</sup> Phone AM-4-6364  
Relationship of applicant to property is that of owner  
(owner, tenant, lessee, other).

II. Application is made for an exception as provided in Section  
28.04.183 (2), Code of the City of Wichita, Kansas  
(Zoning Ordinance); to permit the ~~installation or construction~~ operation of a tool rental  
~~business on property~~ (including trailers)  
~~xxxxxxx~~ zoned  
L-C, located West 31st Street, South  
and legally described as:  
The East 95 feet (except the North 200 feet) of  
Lot One (1), Bassett Second Addition to Wichita,  
Sedgwick County, Kansas, in the City of Wichita.

(Give metes and bounds description below if appropriate).

*Use for Dept* {  
The East 95 feet of the North 175 feet and  
The East 120 feet of the South 80.7 feet of  
Lot one (1), Bassett Second addition to Wichita  
Sedgwick County, Kansas

- III. The applicant herein, or his authorized agent:
- Acknowledges receipt of an instruction sheet relating to this application for an exception.
  - Agrees to conform to all requirements of the appropriate section of the Zoning Ordinance if this application is approved;
  - 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.

Applicant Glenn L. Richardson  
Authorized Agent \_\_\_\_\_

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

Signed \_\_\_\_\_

CERTIFICATE OF OWNERSHIP

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 of Sedgwick County, Kansas, of the real estate within a radius of 200 feet of and including the following described property:

Lot 1, in Bassetts 2nd Addition to Wichita,  
Sedgwick County, Kansas.

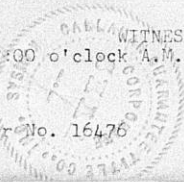
DESCRIPTION	OWNER/OWNERS	ADDRESS
<u>Bassetts 2nd</u>		
Lots 1-2-3	Glenn L. Richardson	304 Brookside
<u>Bassetts Add.</u>		
<u>Block 2</u>		
Lots 1-2	T. H. Mathies & Berniece	<del>no address</del>
Lots 3-4-5	Samuel E. Pirkin and Margaret T.	✓ 418 South Vine 13
<u>Suburban Homes Add.</u>		
Lot 1, exc. N. 132'	Wendelin Herman and Tony	✓ 4855 No. Woodlawn 20
N 132' of Lot 1	Apco Oil Corporation	✓ 1202 So. Washington 11
Lot 2	James C. Smith R. E. Ray	<del>no address</del> ✓ 1015 Vincent Lane 06
<u>W. H. Henning Add.</u>		
Lot 3	Jerome Jenner- Samuel Roy Bergman Harold Bergman Bernard Hervey Trachtman	<del>no address</del> ✓ Union Center Bldg. 02 6405 E. Kellogg 07
<u>Loma Linda Gardens</u>		
<u>Block B</u>		
Lots 1-2-3	Robert C. Dauffenbach and Faye C.	✓ 550 North Market 14
Lots 4 and 5	Rainbow Construction Co. Inc.	✓ 10,440 West Cora 05
Lot 6	Richard Kamerman	✓ <del>no address</del> 502 S. Anna 09
Lot 7	Warren R. Trekell and Shirley R.	✓ <del>no address</del> 729 1/2 N. Clara 12
<u>Replat of Iva Fultz Gardens</u>		
<u>Block 13</u>	Seneca Square, Inc.	✓ 21 North Market 02
<u>Block 11-Lots 13-14</u>	Floyd D. DeWitt & Marie J.	✓ 3325 So. Oak. 17
<u>Block 10-Lot 11</u>	Marion J. Rush & Earl E.	✓ 1553 No. Topeka 14
Lot 12	Richard L. Whiteker & Joanna P.	✓ 3304 So. Elizabeth 17

WITNESS our Hand and Seal this the 10th day of April, 1968  
at 7:00 o'clock A.M.

CALLAHAN GUARANTEE TITLE CO. Inc.

By Nellie M. Postinger  
Vice-President.

Order No. 16476



Form 223-021

PAYMENT NOTICE

City of Wichita

PAY AT TREASURER'S OFFICE - 7th FLOOR

Bldg & Elev.	Elec.	Elev. Imp.	Exam. Fees
Hse. Mvr.	Hse. Moving	License	Mech.
Oil Well	Pav. Cuts	Plan.	Pibg. Cert.
Sanitation	Sewer	Signs	Sidewalk
Street	Trailer		

\$ 50.00

DESCRIPTION	AMOUNT
Bldg & Elev.	

Name Jack House

Address 4135 W. Wichita St. Apt. 211

Type P71C

Due Date \_\_\_\_\_

Comments: \_\_\_\_\_

Date 4-30-48

By George Smith

\*

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