

BZA 20-66 - Scholfield Bros. Motor Co.  
requests exception to permit parking  
lot for new automobile display at the  
SE corner of Longfellow Lane and Kel-  
logg

5986  
P.C.  
B.I.

ACTION

*By* COMMITTEE *Approved* 7-26-66

M.A.P.C.

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

R E S O L U T I O N N O . B Z A 2 0 - 6 6

WHEREAS, Scholfield Bros. Motor Co., 7633 East Kellogg, Wichita, Kansas, by Dick Scholfield, 7633 East Kellogg, Wichita, Kansas, requests an exception to permit the installation of a parking lot to display and sell new automobiles, as provided in Section 28.04.183.2, Code of the City of Wichita; and

WHEREAS, the above request applies to property zoned "LC" Light Commercial, and legally described as follows:

Block 2, Kellogg Crest Addition, in the City of Wichita, Sedgwick County, Kansas. Generally located on the southeast corner of Longfellow Lane and Kellogg; 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 determined that it had proper jurisdiction to consider said request for an exception under the provisions of Section 2.12.590.2, Code of the City of Wichita, Kansas; and

WHEREAS, the Board of Zoning Appeals determined that the location is contiguous to a major street as designated in the Transportation Plan Element of the Comprehensive Plan, adopted May 19, 1966, and amendments thereto; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Zoning Appeals of the City of Wichita, Kansas, that the request for an exception as described above, for property legally described as:

Block 2, Kellogg Crest Addition, in the City of Wichita, Sedgwick County, Kansas, generally located on the southeast corner of Longfellow Lane and Kellogg,

be approved, subject to the following conditions:

1. A 6-foot high solid or semi-solid fence of masonry, architectural tile, louvered wood or other similar material shall be constructed adjacent to the south property line.
2. All storage and display areas, including all ingress and egress areas, shall be paved with concrete, asphalt, or asphaltic concrete.
3. All lights shall be shielded to reflect or direct light away from adjacent property. No string-type lighting or banners shall be permitted.
4. No sign shall exceed 25 feet in height or be placed so as to project over any 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 and further provided that no body or fender work is done.

7. All parking areas shall have adequate guards to prevent the extension or overhanging of vehicles beyond property lines.
8. The area shall be properly policed through inspections by the owner or operator for proper maintenance and removal of trash.
9. The applicant shall construct the fence outlined in Condition #1 within 30 days after approval of this application by the Board of Zoning Appeals.

ADOPTED AT WICHITA, KANSAS, this 26th day of July, 1966.

Harold Bauer  
Harold Bauer, Chairman

ATTEST:

Jack H. Galbraith  
Jack H. Galbraith, Secretary

August 17, 1966

Mr. Dick Scholfield  
7633 East Kellogg  
Wichita, Kansas

Dear Mr. Scholfield:

Re: BEA Case No. 20-66 - Request for  
Exception

Enclosed is a signed copy of the Resolution adopted by the Board of Zoning Appeals on July 26, 1966, in connection with your application for an exception to permit the installation of a parking lot to display and sell new automobiles on property zoned "LC" and generally located at the southeast corner of Longfellow Lane and Kellogg. This Resolution reflects the official action of the Board and sets out the conditions of approval.

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

Very truly yours,

Jack H. Galbraith  
Secretary

JMG:ber  
Attachment

cc: Scholfield Brothers, Inc., 7633 East Kellogg  
Glen Lytle, Superintendent of Central Inspection  
L. L. Binkley, Maintenance Inspection Supervisor  
Ralph Eberly, City Clerk

July 29, 1966

Mr. Dick Scholfield  
7633 East Kellogg  
Wichita, Kansas

Dear Mr. Scholfield:

Re: BEA Case #20-66 - Request  
for exception

At the regular meeting of the Board of Zoning Appeals on July 26, 1966, your request for an exception to permit the installation of a parking lot to display and sell new automobiles on property zoned "LC" and generally located at the southeast corner of Longfellow Lane and Kellogg, was considered.

It was the action of the Board to approve this request, subject to the following conditions:

1. A 6-foot high solid or semi-solid fence of masonry, architectural tile, louvered wood or other similar material shall be constructed adjacent to the south property line.
2. All storage and display areas, including all ingress and egress areas, shall be paved with concrete, asphalt, or asphaltic concrete.
3. All lights shall be shielded to reflect or direct light away from adjacent property. No string type lighting or banners shall be permitted.
4. No sign shall exceed 25 feet in height or be placed so as to project over any public right-of-way.

Mr. Dick Scholfield  
Page 2  
July 29, 1966

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 and, further provided that no body or fender work is done.
7. All parking areas shall have adequate guards to prevent the extension or overhanging of vehicles beyond property lines.
8. The area shall be properly policed through inspections by the owner or operator for proper maintenance and removal of trash.
9. The applicant shall construct the fence outlined in Condition #1 within 30 days after approval of this application by the Board of Zoning Appeals.

A resolution setting forth the official action of the Board is being prepared and you will be mailed a copy thereof as soon as the Chairman of the Board and Secretary have signed it. In the meantime, if you have any questions, please call.

Very truly yours,

Ronald A. Williamson  
Secretary pro-tem

RAW:Klg

cc: Scholfield Brothers, Inc.  
Glen Lytle  
Ralph Eberly

SECRETARY'S REPORT

CASE NO. BZA 20-66

APPLICANT: Scholfield Bros. Motor Co., 7633 East Kellogg

AGENT: Dick Scholfield, 7633 East Kellogg

REQUEST: Exception, pursuant to Section 28.04.183.2, Code of the City of Wichita, to permit the installation of a parking lot to display and sell new automobiles.

GENERAL LOCATION: Southeast corner of Longfellow Lane and Kellogg

LAND USE: Subject property is a paved parking lot; to the west is new car sales and service; to the east is a drive-in theater; to the south and north is vacant.

ZONING: Subject property and that to the north, east and west is zoned "LC"; to the south is "AA".

JURISDICTION

The Board has jurisdiction to consider this request under provisions of Section 2.12.590.3, Code of the City of Wichita, and the Board may grant the exception providing the conditions outlined under Section 28.04.183.2, Code of the City of Wichita can be met.

COMMENTS OF THE SECRETARY

The applicants are requesting an exception to permit the installation of a new car sales lot on property zoned light commercial. The plot plan submitted appears to meet the requirements of the ordinance. The Board has approved several similar requests in this general area along Kellogg, and it is the opinion of the Secretary that the development of a new car sales lot at this location would be compatible with the existing uses in the area.

RECOMMENDATION

It is the recommendation of the Secretary that the exception to permit the installation of a new car sales lot be approved, subject to the following conditions:

1. A 6-foot high solid or semi-solid fence of masonry, architectural tile, louvered wood or other similar material shall be constructed adjacent to the south property line.
2. All storage and display areas, including all ingress and egress areas, shall be paved with concrete, asphalt, or asphaltic concrete.

Page 2 - Secretary's Report  
Case No. BZA 20-66

3. All lights shall be shielded to reflect or direct light away from adjacent property. No string type lighting or banners shall be permitted.
4. No sign shall exceed 25 feet in height or be placed so as to project over any 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 and, further provided that no body or fender work is done.
7. All parking areas shall have adequate guards to prevent the extension or overhanging of vehicles beyond property lines.
8. The area shall be properly policed through inspections by the owner or operator for proper maintenance and removal of trash.
9. The applicant shall construct the fence outlined in Condition #1 prior to the occupancy of the site for a new car sales operation.

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

July 1, 1966

NOTICE TO ADJOINING PROPERTY OWNERS

Case No. BZA 20-66

An application has been filed by Scholfield Bros. Motor Co.,  
7633 East Kellogg, Wichita, Kansas, pursuant to Section 2.12.590,  
Code of the City of Wichita, requesting an exception to permit the  
installation and construction of a paved parking lot to display and  
sell new automobiles on property zoned Light Commercial and legally  
described as follows:

Block 2, Kellogg Crest Addition, in the City of  
Wichita, Sedgwick County, Kansas. Generally  
located on the southeast corner of Longfellow  
Lane and Kellogg.

This application has been assigned Case No. BZA 20-66, and  
will be considered by the Board of Zoning Appeals at its meeting on  
Tuesday, July 26, 1966, at 2 p.m. in Room 401 City Building Annex,  
104 South Main, Wichita, Kansas, at which time you may appear, if  
you so desire, either in person or by agent or attorney.

Jack H. Galbraith  
Secretary

BOARD OF ZONING APPEALS

CASE NO. 90-66

CITY OF WICHITA, KANSAS

FILED 6-15-66

**APPLICATION FOR EXCEPTION**

I. Name of Applicant Scholfield Bros. Motor Co. ✓

Mailing Address 7633 East Kellogg, Wichita Phone MU 4-2841

Name of Authorized Agent Mr. Dick Scholfield ✓

Mailing Address 7633 East Kellogg, Wichita Phone MU 4-2841

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 paved parking lot to display new automobiles

on property zoned  
Light Commercial, located at the southeast corner of Longfellow  
Lane and Kellogg St. and legally described as:  
Block two, Kellogg Crest Addition, City of Wichita, Kansas

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.

Applicant Scholfield Bros. Motor Co.

Authorized Agent \_\_\_\_\_

OFFICE USE ONLY: Received in office of Secretary, Board of Zoning Appeals, \_\_\_\_\_ (a.m. - p.m.), June 15, 1966, together with appropriate fee of \$50.00.

Signed Jack H. Kalpraith

OWNERSHIP LIST

<u>LOT</u>	<u>BLOCK</u>	<u>ADDITION</u>	<u>PROPERTY OWNER</u>
	2	Kellogg Crest	The Fourth National Bank and Trust Co., Trustee and Gladys H. G. Wiedemann, Trustee of The K. T. Wiedemann Trust. ✓
1	1	Replat of Block 1, Kellogg Crest	The Fourth National Bank and Trust Co., Trustee and Gladys H. G. Wiedemann, Trustee of The K. T. Wiedemann Trust. P
1	1	Eastridge 11th	Edith Rimel Smolt
2	1	"	Edith Rimel Smolt
3	1	"	Edith Rimel Smolt
1	2	"	Edith Rimel Smolt
2	2	"	Edith Rimel Smolt
3	2	"	Edith Rimel Smolt

*no address*

N. 827 ft. of the East 705 ft. of E½ NE¼ Sec. 30-27-2 E., except U. S. Hwy 54.

The Fourth National Bank and Trust Co., Trustee and Gladys H. G. Wiedemann, Trustee of The K. T. Wiedemann Trust

SE¼ Sec. 19-27-2 E., except the West 458 ft. of the South 600 ft. and except Rockwood South Second Add., and exc. U. S. Hwy 54 R/W.

Rock Road Improvement, Inc.

*Wheeler Kelly Hoagmy  
309 So. Market ✓*

We hereby certify the foregoing to be a correct list of property owners within a radius of 200 feet of Block 2, in Kellogg Crest Addition, as shown by the records in the office of the Register of Deeds of Sedgwick County Kansas, this 13th day of June A. D. 1966 at 7 o'clock A. M.

THE SECURITY ABSTRACT AND TITLE COMPANY, INC.

By

*J. M. M... ..*

Vice President.

Order No. 136281.  
(KPB)

FORM 223-021

**PAYMENT NOTICE**

City of Wichita

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

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

DESCRIPTION	AMOUNT
Exemption App. (BZA)	120.00

Name *Wichita Unified*

Address *7133 E. Kellogg*

Type *BZA app.* Due Date *6/15/66*

Comments:

Date *6/15/66* By *JL*

\*

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