

Case No. BZA 43-80 - H & R Parts Co., Inc., requests an exception to permit the establishment of a mobile home on property zoned "E" Light Industrial and generally located at 3066 South Hoover.

POSTED
10-9-80
[Signature]

ACTION

DATE 10-28-80
COMMITTEE APPROVED

BZA
43-80

M.A.P.C. _____

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

200 files 11-27-80
Checked
Shat 11-25-80
Recorded 11-26-80

Map No. 5144
 Sec. 2
 Twp. 28
 Range 1W

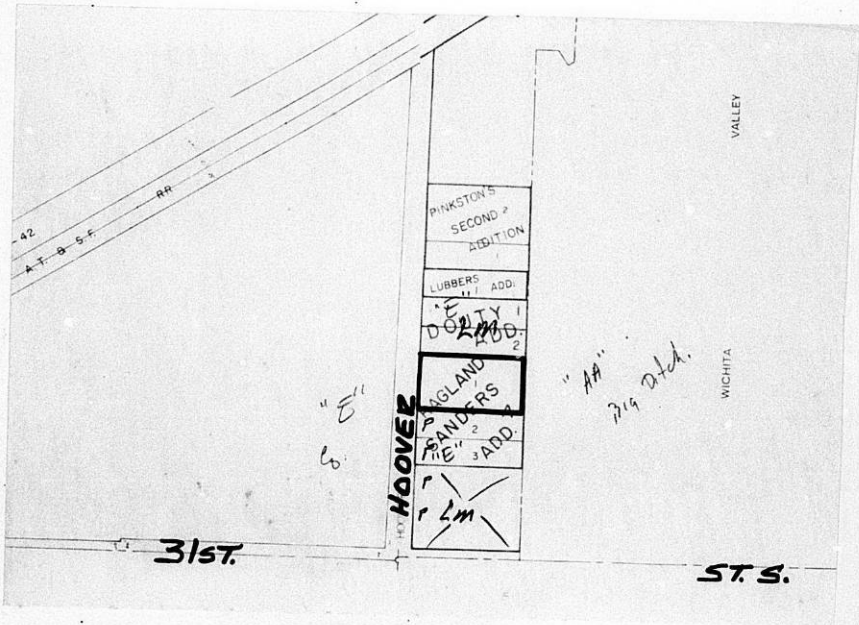
BZA- 43-80
 SCZ- _____
 CU- _____
 Filed _____

AREA DATA:

1. Acres: 0.45 (100 ft. by 200 ft.)
2. Adjoining Zoning: E _____ S _____ W _____ N _____
3. Land Use: East BIG DITCH South PARKING LOT
 West UNDEVELOPED North MANUFACTURING
4. Sketch Plan Land Use is for: _____
5. Present Land Use if for: UNDEVELOPED
6. Area (is) (is not) platted. _____

PHOTO DATA:

Taken by _____ Date _____ Time _____



BZA A

LOS ANGELES COUNTY
 ENGINEERING DEPARTMENT
 1000 G STREET, S.W.
 WASHINGTON, D.C. 20004

No. 2153C
Speed.

January 26, 1981

RECEIVED

JAN 27 1981

METROPOLITAN PLANNING

ROUTE 25

Mr. Harry J. Ragland, President
H & R Parts Company, Inc.
3066 South Hoover Road
Wichita, KS 67215

Dear Mr. Ragland:

I recently looked into the zoning problem you have with the mobile home located on your property with Mr. Jack Galbraith at the City Planning and Zoning Department.

In reviewing your file, it was evident that the Board of Zoning Appeals recognizes your unique situation by granting a variance until December of 1981. However, because you were not present at the hearing to present additional information, the Board may not be fully aware of all of your circumstances. Thus, the variance granted to you was for only one year.

I am sure you join me in appreciating the intent of the ordinance outlawing mobile homes to be scattered all over town on commercially and industrially zoned property.

You may, perhaps, want to consider constructing a small permanent residence for a night watchman on your property, or devise other methods of theft protection. Of course, as a last resort, you could personally appear before the Board of Zoning Appeals to plead your case, which could result in giving you further relief on the December 1981 deadline.

We value your membership in the Wichita Area Chamber of Commerce and recognize the economic benefit your business gives to the Wichita area. I hope you can get this situation resolved to your satisfaction.

Sincerely,

Larry E. Danielson
Assistant Manager
Business & Industrial Development

LED:pl

bc: Jack Galbraith

November 5, 1980

Harry J. Ragland
H & R Parts Co., Inc.
3066 South Hoover
Wichita, Kansas

Re: Case No. BZA 43-80
Request for Exception

Dear Mr. Ragland:

Enclosed is a signed copy of the Resolution adopted by the Board of Zoning Appeals on October 28, 1980, in connection with your request for an exception to permit the placement of a mobile home on a temporary basis on property zoned "E" Light Industrial and generally located on the east side of Hoover Road approximately 250 feet North of 31st Street South (3066 South Hoover).

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 questions concerning this matter, please call our office.

Sincerely,

Glen E. Lytle
Assistant Secretary

GEL:sad
Enclosure

cc: Robert Feldner, Superintendent of Central Inspection (2)
Don Gisick, City Clerk

RESOLUTION NO. BZA 43-80

WHEREAS, H. & R. Parts Co., Inc., 3066 South Hoover, 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 mobile home on a temporary basis on property zoned the "E" Light Industrial District and legally described as follows:

Lot 1, Ragland-Sanders Addition to Wichita,
Sedgwick County, Kansas. Located at 3066
South Hoover.

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 October 28, 1980, 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 mobile home on a temporary basis on property zoned the "E" Light Industrial District subject to the conditions outlined in Section 28.04.182.3, Code of the City of Wichita.

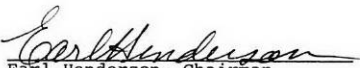
NOW, THEREFORE, BE IT RESOLVED by the Board of Zoning Appeals of the City of Wichita, that this application be approved to permit the location of a mobile home on a temporary basis on property zoned the "E" Light Industrial District and legally described as follows:

Lot 1, Ragland-Sanders Addition to Wichita,
Sedgwick County, Kansas. Located at 3066
South Hoover.

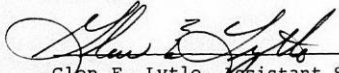
subject to the following conditions:

1. The mobile home may remain on the property through December 31, 1981, at which time it shall be permanently removed from the property.
2. The applicant shall secure the necessary permits for location of the mobile home thru the office of Central Inspection.
3. The location of the mobile home shall conform to all setback requirements of the "E" Light Industrial zoning district and also that required by Title 26, the mobile home regulations.

ADOPTED AT WICHITA, KANSAS, this 28th day of October, 1980.


Earl Henderson, Chairman

ATTEST:


Glen E. Lytle, Assistant Secretary

THE CITY OF WICHITA
OFFICE OF CITIZEN PARTICIPATION

DATE October 17, 1980

RECEIVED

OCT 21 1980

TO Glen Lytle, Special Assistant for Zoning
FROM Sarah Gilbert, Assistant CP Coordinator

METROPOLITAN PLANNING
ROUTE Lytle

SUBJECT BZA 43-80: 3066 South Hoover


The Area "A" CPO Neighborhood Council considered the captioned case at its October 15 meeting. Harry Ragland, the applicant, was present and explained the need for the exception to allow placement of a mobile home on "E" Light Industrial zoned property, based on the number of recent thefts. The mobile home is being used as a residence for a watchman.

Mr. Ragland did not believe the proposed time limit on the exception of December, 1981 was fair, especially since he has placed the mobile home on a permanent foundation and does not consider it a temporary structure.

No one appeared in opposition to the application.

The Council voted 7-0 to recommend approval of the application. The members expressed concern that the proposed time limit seems unreasonable for light industrial land. They also encouraged flexibility in solution of the permanent vs. temporary structure question.

Please advise the Board of Zoning Appeals of the Council's recommendation and comments when the case is considered on October 28.


Sarah Gilbert
Assistant CP Coordinator

October 29, 1980

Harry J. Ragland
H & R Parts Co., Inc.
3066 South Hoover
Wichita, Kansas

Re: Case No. BZA 43-80
Request for Exception

Dear Mr. Ragland:

At the regular meeting of the Board of Zoning Appeals on October 28, 1980, your request for an exception to permit the placement of a mobile home on a temporary basis on property zoned "E" Light Industrial and generally located on the east side of Hoover Road approximately 250 feet North of 31st Street South (3066 South Hoover) was considered.

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

1. The mobile home may remain on the property through December 31, 1981, at which time it shall be permanently removed from the property.
2. The applicant shall secure the necessary permits for location of the mobile home thru the office of Central Inspection.
3. The location of the mobile home shall conform to all setback requirements of the "E" Light Industrial zoning district and also that required by Title 26, the mobile home regulations.

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.

Sincerely yours,

Glen E. Lytle
Assistant Secretary

GEL:sad

cc: Robert Feldner, Superintendent of Central Inspection (2)
Don Gisick, City Clerk

SPOT WELDING, HELIARC WELDING, HYDRO FORMING, FABRICATION & REPAIR, SHEETMETAL PARTS.

H & R Parts Co., Inc.

(316) 942-6984
3066 S. Hoover Road
WICHITA, KANSAS 67215

Mr. Wilbur L. McLuen
Zoning and License Inspector

August 28, 1980

Gentlemen:

Due to necessity H & R Parts Co., Inc. has installed a Mobil Home in back of 3066 S. Hoover Road. We have had over \$15000.00 in tooling stoled (Aluminum Dies). I have had to purchase some dies back from Junk dealers when I went there and identified them. We have had over \$4000.00 in Angle Iron stolen, Log chains, Tires and wheels.

We have over \$700,000.00 in Government Contracts at H & R now and if tools are stolen and we are delinquent on Contracts they can terminate and take this business out of the Wichita area.

I have installed a 6 foot fence and gate around this 2 acres, but it does not seem to prevent entree as we have had things stolen since the completion of fence.

I feel that it is a necessity to have some one here after hours and on week ends to protect my personal property and business.

Attached is letters from each one of my immediate neighbors, they both fully support me in what I am doing.

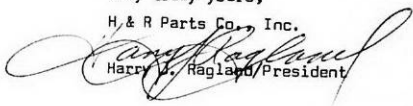
I have always kept H & R Parts Co., Inc. property in A 1 shape, paid our taxes and whatever was expected of us. I have supported the Wichita Chamber of Commerce and helped get new business into the city, now I think the city of Wichita should help the existing businesses with some of their problems.

Your consideration for Variance on permit for Mobil Home in rear of H & R Parts Co., Inc. would be appreciated.

Should any questions arise please feel free to contact the undersigned.

Very truly yours,

H & R Parts Co., Inc.


Harry J. Ragland/President

HJR:JR
Enclosures 4



3030 S. Hoover
Wichita, Ks. 67215

home of
tastyGust
breadings, batter mixes
and marinades!

August 26, 1980

H & R. Parts Co.
3066 S. Hoover Road
Wichita, Kansas

Attn: Mr. H. Ragland

Dear Mr. Ragland:

We understand that you have a trailer parked behind your business, at the above address, which houses a night watchman.

We at CPI, located next door to you, wholeheartedly endorse this action due to the thousands of dollars worth of personal and corporate merchandise stolen from our premises after hours. We have reported these losses to the local police department various times and they have done absolutely nothing to locate our merchandise, or catch the thief.

We feel it is beneficial to have a neighbor who is housing this watchman and feel its a necessity to have this type coverage with this much looting going on at these locations. If we can be of any service in keeping this man permanently, please do not hesitate to call on us.

Sincerely,
CPI CORPORATION

A handwritten signature in cursive script, appearing to read 'Peggy Moore'.

Peggy Moore
SECRETARY-TREASURER



Quality Manufacturers, Incorporated

3158 South Hoover Road • Wichita, Kansas 67215 • (316) 942-7982
"DROP HAMMER SPECIALISTS" FABRICATION AND TOOLING

August 27, 1980

H & R Parts Company, Inc.
3066 S. Hoover Road
Wichita, Kansas 67215

Attention: Mr. Harry Ragland

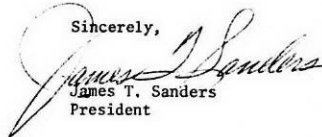
Dear Mr. Ragland,

We have knowledge of the fact that you have a trailer located on your premises which houses a night watchman.

We at Quality Manufacturers, Inc., located next door to you, fully endorse this action due to the loss of much personal and corporate merchandise taken from our premises after closing hours.

We do feel it is to our advantage to have something of this nature close to our business. If we can be of any assistance in this matter, please let us know.

Sincerely,



James T. Sanders
President

JAMES T. SANDERS, President • MARSHALL J. SANDERS, Vice President

LUBBERS MOTOR SERVICE
2928 S. Hoover Road
Wichita, Ks. 67215

September 24, 1960

H & R Parts Co., Inc.
3066 S. Hoover Road
Wichita, Kansas

Attn: Mr. Harry J. Ragland

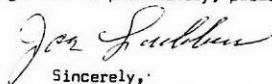
Dear Mr. Ragland:

We understand that you have a trailer parked behind your business, at the above address, which houses a night watchman.

We at Lubbers, located next door to you, wholeheartedly endorse this action due to the thousands of dollars worth of personal and corporate merchandise stolen from our premises after hours.

We do feel it is to our advantage to have something of this nature close to our business with all the looting going on at these locations.

If we can be of any service in keeping this man permanently, please do not hesitate to call on us.



Sincerely,
Lubbers Motor Service

WICHITA-SEDGWICK COUNTY

DATE

METROPOLITAN AREA PLANNING DEPARTMENT

October 22, 1980

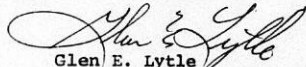
TO Robert Feldner, Superintendent of Central Inspection
FROM Glen E. Lytle, Special Assistant for Zoning
SUBJECT Case No. BZA 43-80 - Exception for Mobile Home (temporary)

The Board of Zoning Appeals has recently received an application for the placement of a mobile home on the property at 3066 South Hoover Road at the H & R Parts Co., Inc. as permitted under Section 28.04.182.3 of the zoning ordinance.

Under this section of the Code the Board of Zoning Appeals only has jurisdiction to grant such requests when it is on a temporary basis and a hardship exists that cannot reasonably be alleviated without the granting of the exception. The staff has recommended that the exception be granted until December 31, 1980 to allow the applicant to seek a permanent solution to the problem.

This office has now been notified that at the CPO meeting of October 15, 1980, the applicant stated that the mobile home has been placed on a foundation and does not consider it temporary.

Please advise this office by Monday, October 27, 1980 as to whether a permit has been issued as a permanent structure as permitted by 28.04.120 B-2(a) of the code. If this has in fact occurred, the Board would not be required to act on the exception request at their meeting on October 28, 1980.



Glen E. Lytle
Special Assistant for Zoning

GEL:sad

THE CITY OF WICHITA
OFFICE OF CITIZEN PARTICIPATION

DATE October 17, 1980

RECEIVED

OCT 21 1980

METROPOLITAN PLANNING

ROUTE 4411

TO Glen Lytle, Special Assistant for Zoning
FROM Sarah Gilbert, Assistant CP Coordinator

SUBJECT BZA 43-80: 3066 South Hoover

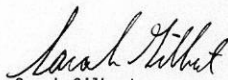
The Area "A" CPO Neighborhood Council considered the captioned case at its October 15 meeting. Harry Ragland, the applicant, was present and explained the need for the exception to allow placement of a mobile home on "E" Light Industrial zoned property, based on the number of recent thefts. The mobile home is being used as a residence for a watchman.

Mr. Ragland did not believe the proposed time limit on the exception of December, 1981 was fair, especially since he has placed the mobile home on a permanent foundation and does not consider it a temporary structure.

No one appeared in opposition to the application.

The Council voted 7-0 to recommend approval of the application. The members expressed concern that the proposed time limit seems unreasonable for light industrial land. They also encouraged flexibility in solution of the permanent vs. temporary structure question.

Please advise the Board of Zoning Appeals of the Council's recommendation and comments when the case is considered on October 28.


Sarah Gilbert
Assistant CP Coordinator

SECRETARY'S REPORT
CASE NO. BEA 43-80

APPLICANT: H & R Parts Co., Inc., 3066 South Hoover,
Wichita, Kansas

AGENT: Harry J. Bagland, 3066 South Hoover,
Wichita, Kansas

REQUEST: Exception pursuant to Section 28.04.182.3,
Code of the City of Wichita to permit the
placement of a mobile home on a temporary
basis.

GENERAL LOCATION: On the east side of Hoover Road approximately
250 feet North of 31st Street South (3066
South Hoover).

ZONING: Subject property is zoned "E" Light Industrial
as are the properties to the north, west and
south. The big ditch is zoned "AA" One-family

LAND USE: Subject property is developed industrially
as are the properties to the north and south.
Property to the east is the Big Ditch, and to
the west is Cessna property in the county.

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 28.04.182.3 can be complied with.

COMMENTS BY THE SECRETARY:

The applicant is requesting an exception to permit the location of a mobile home on a temporary basis for the residence of a night watchman. The applicant indicates that they have had considerable amounts of theft of valuable metal stock and they have found it necessary to have a watchman live on the premises. The applicant has had the mobile home on the site for some time on a 30 day permit authorized by Central Inspection, but in order to make the necessary connections to the utilities, they are required to receive authorization as set forth in 28.04.182.3 of the Code.

It is the opinion of the Secretary that a hardship does exist, but the applicant needs to seek a permanent solution to the problem. This can be accomplished by constructing a permanent residence for a night watchman or install appropriate burglar alarms for quicker detection of any theft in progress.

RECOMMENDATION:

Should the Board determine that a hardship exists that cannot reasonably be alleviated without the granting of this exception, then the exception should be granted subject to the following conditions:

1. The mobile home may remain on the property through December 31, 1981, at which time it shall be permanently removed from the property.
2. The applicant shall secure the necessary permits for location of the mobile home thru the office of Central Inspection.
3. The location of the mobile home shall conform to all setback requirements of the "E" Light Industrial zoning district and also that required by Title 26, the mobile home regulations.

BOARD OF ZONING APPEALS
Tenth Floor - City Hall
455 North Main, Wichita, Kansas 67202

OCTOBER 8, 1980

NOTICE TO ADJOINING PROPERTY OWNERS:

CASE NO. BZA 43-80

An application has been filed by H & R Parts Co., Inc., 3066 South Hoover, Wichita, Kansas, pursuant to Section 2.12.590.C, Code of the City of Wichita, requesting an exception to permit the establishment of a mobile home on property zoned the "E" Light Industrial District and legally described as follows:

Lot 1, Ragland-Sanders Addition to Wichita,
Sedgwick County, Kansas. Located at 3066
South Hoover.

This application has been assigned case No. BZA 43-80, and will be considered by the Board of Zoning Appeals at its meeting on Tuesday, October 28, 1980, at 1:30 p.m., in the Board Room, First Floor, City Hall, 455 North Main, Wichita, Kansas, at which time you may appear if you so desire, either in person or by agent or attorney. If you have any questions about this application, please call 268-4390 and ask for Lynn Shirkey or 268-4394 and ask for Glen Lytle.

It should be noted that the Citizen Participation Organization Area Council may consider this case at its next meeting. Additional information about such a meeting may be obtained by calling the CPO Office, 268-4516.

Jack H. Galbraith
Secretary

BZA CASE NO. 43-80

1 NOTICES SENT TO APPLICANT/AGENT

10 NOTICES SENT TO MAPC

1 NOTICES SENT TO CPO

3 NOTICES SENT TO ADJOINING PROPERTY OWNERS

15 TOTAL NOTICES SENT 10-8-80

BOARD OF ZONING APPEALS

CASE NO. 43-80

CITY OF WICHITA, KANSAS

FILED 9-26-80

APPLICATION FOR EXCEPTION

I. Name of Applicant H & R Parts Co., Inc.
Mailing Address 3066 S. Hoover Wichita, Ks Phone 942-6984
Name of Authorized Agent _____
Mailing Address 3066 S. Hoover Wichita, Ks 67215 Phone 942-6984
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, Code of the City of Wichita, Kansas, to permit the establishment of Mobil Home

on property zoned 'E' Light Industrial

located 3066 S. Hoover Wichita, Kansas 67215

and legally described as: Lot 1, Regland-Sanders Addn.

to WICHITA, SEDGWICK COUNTY, KANSAS.

~~part of the SW 1/4 of Sec. 27, Twp. 20 S., R. 14 W. of S.W. 1/4, lying east of the~~

~~Wichita Valley Center Flood Control Right-of-Way~~

in the City of Wichita.

III. The applicant herein, or his authorized agent, acknowledges:

- That he has received an instruction sheet concerning the filing and hearing of this matter;
- That he has been advised of the fee requirements established by Section 2.12.590 of the Code of the City of Wichita (Ordinance No. 36-596); and that the appropriate fee is herewith tendered;
- That all documents are attached hereto as noted in paragraphs 2, 3, and 4 of the instructions;
- 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 H & R Parts Co., Inc.
3066 So. Hoover Road
WICHITA, KANSAS 67215

Authorized Agent [Signature]

OFFICE USE ONLY: Received in Office of Secretary, Board of Zoning Appeals, 10:00 (a.m.), SEPT. 26, 1980 together with appropriate fee of _____

Signed [Signature]

THE CITY OF WICHITA, KANSAS
CENTRAL INSPECTION DIVISION

File No. 144

Date 1-29-70

LICENSE APPLICATION FOR OPERATION OF A MOBILE HOME PARK
(Submit in triplicate) New
Existing

APPLICATION IS HEREBY MADE for license to operate a Mobile Home Park (one or more mobile homes or house trailers) in conformance with the ordinances of the City of Wichita, Kansas. I hereby certify that the statements made on this application and the attached exhibits are true and correct to the best of my knowledge.

[Signature]
Signature of Applicant

Signature of Owner

Legal Description of Proposed Park: 3066 S HOOPER

Owner: HARRY J RAGLAND

Address: SAME Tel: _____

If Applicable:
Name of Park: _____

Address: 3066 S HOOPER Tel: _____

Name of Operator: _____

Address: _____ Tel: _____

Number of Spaces: Mobile Home 1 (ONE) House Trailer _____

Water: City Sewage: City Fuel: Public _____

Private Private _____ Private

Electricity:

Applicable to parks accommodating one or more HOUSE TRAILERS only:

Sanitary Facilities:

No. of toilets(M) _____ No. of lavatories(M) _____ No. of showers or tubs(M) _____

No. of toilets(F) _____ No. of lavatories(F) _____ No. of showers or tubs(F) _____

Required Exhibits: Plat of proposed park (in triplicate). Min. Scale 1" equals 30'.

Include: Park dimensions.

Number, location and size of spaces.

Location and size of buildings, sewers, water lines, gas lines,
sewage disposal system and water supply wells.

Applicable to new parks only: Layout shall include topographical contours,
drainage and grading plans.

OFFICE USE ONLY:

In compliance with park layout requirements: _____ Electricity: _____

APPROVAL

WICHITA-SEDGWICK COUNTY HEALTH DEPT.

CENTRAL INSPECTION DIVISION

By _____

By [Signature]

Date _____

Date _____

MICROFILMED
FROM THE BEST
AVAILABLE COPY

FORM 2^o-021

PAYMENT NOTICE
 City of Wichita

Bldg.	Use of Str.	Code Bks	Copies
Elec	Elev. Insp.	Hse Moving	Lic.
Mech	Boiler Insp.	Pav. Cuts	Cert.
Plbg	Exam Fees	Sewer	Elev.
Signs	Plan Rev. (P.W.)	Cement	M.S.P.

Planning

DESCRIPTION	AMOUNT
<i>Planning</i>	<i>100.00</i>

NAME *City of Wichita*

ADDRESS *100 N. Broadway*

FUND *4000.00* DUE DATE *10/1/50*

COMMENTS

DATE *10/1/50* BY *[Signature]*