

BZA 22-66 - Richard A. Steven requests
exception to permit self-service car
wash in "LC" on the north side of Pa-
nee between K-15 & Drainage Canal

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

ACTION

5645
P.O.
0/1,

DATE

Bza COMMITTEE Approved 7-26-66

M.A.P.C. _____

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

BZA 22-66 - Richard A. Steven requests
exception to permit self-service car
wash in "LOT" on the north side of Par-
new between K-15 & Drainage Canal

RESOLUTION NO. BZA 22-66

WHEREAS, Richard A. Steven, 2350 South Erie, Wichita, Kansas, by Blair Page, P. O. Box 972, Wichita, Kansas, requests an exception as provided in Section 28.04.183.4, Code of the City of Wichita, to permit a self-service car wash operation in an area zoned "LC" Light Commercial, and legally described as follows:

Lot 1, Mercedes Addition, in the City of Wichita, Sedgwick County, Kansas, generally located on the north side of Pawnee between K-15 and the Drainage Canal; 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 July 26, 1966, consider said application; 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, code of the City of Wichita; and

WHEREAS, the Board of Zoning Appeals has authority to permit a self-service car wash operation to be located in the "LC" Light Commercial District, subject to the conditions as outlined in Section 28.04.183.4, 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 for construction or installation of a self-service car wash operation on property zoned "LC" and legally described as follows:

Lot 1, Mercedes Addition, in the City of Wichita, Sedgwick County, Kansas, generally located on the north side of Pawnee between K-15 and the Drainage Canal,


subject to the following:

1. The application was approved with the option of developing the property as shown on Plan A, with the amendment of the setback from Pawnee to 70 feet rather than the 60 feet as shown; or developing the property as shown on Alternate Plan B, with the installation of physical barriers running from the east end of the structure to the west side of the curb cut to guarantee that vehicles will enter the car wash stalls from the rear, such physical barrier to be subject to approval by the Secretary of the Board of Zoning Appeals.
2. There shall be a minimum lot area of 3,500 square feet for each self-service car washing stall, provided the minimum lot area shall be not less than 7,500 square feet.
3. The car washing buildings or facilities shall be set back a distance of not less than 70 feet from the street right-of-way line of Pawnee.


4. 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 east and north property lines. Such fence shall be reduced to 3 feet in height in the front setback area.
5. All of the area to be utilized by the washing and drying operation, including all ingress and egress areas, shall be paved with concrete, asphalt or asphaltic concrete.
6. All lights shall be shielded to reflect or direct light away from adjacent property. No string-type lighting or banners shall be permitted.
7. No sign shall exceed 25 feet in height or be placed so as to project over any public right-of-way.
8. No sound-projecting devices or loudspeakers shall be used so as to be heard outside of any structure.
9. Off-street holding spaces shall be provided on the property in the following ratio: not less than 4 parking spaces for each self-service car washing stall.

Off-street drying spaces shall be provided on the property in the following ratio: not less than 2 parking spaces for each self-service car washing stall.
10. All parking areas shall have adequate guards to prevent the extension or overhanging of vehicles beyond property lines or parking spaces.
11. There shall be no ingress or egress from minor or residential streets having 60 feet of right-of-way or less, unless there are two free-moving lanes at all times. (Example: A 30-foot paved street with parking permitted only on one side would provide for two free-moving lanes.)
12. All drainage, both natural and that created by the operation, shall be handled in such a manner satisfactory to the Superintendent of Maintenance of the Department of Public Works.
13. The area shall be properly policed through inspections by the owner or operator for proper maintenance and removal of trash.
14. All conditions of approval by the Board must be complied with prior to the occupancy of the site for the proposed car wash.
15. In the event a permit is not issued for the construction of the car wash within 12 months from the date of approval by the Board, the application shall be null and void.

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


Harold Bauer, Chairman

ATTEST:


Jack H. Galbraith, Secretary

August 17, 1966

Mr. Blair Page
P. O. Box 972
Wichita, Kansas

Dear Mr. Page:

Re: BZA Case No. 22-65 - Request for
an 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 a self-service car wash operation on property zoned "IC" and generally located on the north side of Pawnee in an area between K-15 and Minneapolis. 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

JHG:ber
Attachment

cc: Richard A. Steven
2350 South Erie

Glen Lytle, Superintendent
of Central Inspection

L. L. Binkley, Maintenance
Inspection Supervisor

Ralph Eberly, City Clerk

August 1, 1966

Mr. Blair Page
P. O. Box 972
Wichita, Kansas

Subject: BEA Case No. 22-66 - Request for an
Exception

Dear Mr. Page:

At the regular meeting of the Board of Zoning Appeals on July 26, 1966, your request for an Exception to permit the operation of a self-service car wash on property zoned "LC" and generally located on the north side of Pawnee, in an area between K-15 and Minneapolis, was considered.

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

1. The application was approved with the option of developing the property as shown on Plan A, with the amendment of the setback from Pawnee to 70 feet rather than the 60 feet as shown; or developing the property as shown on Alternate Plan B, with the installation of physical barriers running from the east end of the structure to the west side of the curb cut to guarantee that vehicles will enter the car wash stalls from the rear, such physical barrier to be subject to approval by the Secretary of the Board of Zoning Appeals.
2. There shall be a minimum lot area of 3,500 square feet for each self-service car washing stall, provided the minimum lot area shall be not less than 7,500 square feet.
3. The car washing buildings or facilities shall be set back a distance of not less than 70 feet from the street right-of-way line of Pawnee.

August 1, 1966

4. 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 east and north property lines. Such fence shall be reduced to 3 feet in height in the front setback area.
5. All of the area to be utilized by the washing and drying operation, including all ingress and egress areas, shall be paved with concrete, asphalt or asphaltic concrete.
6. All lights shall be shielded to reflect or direct light away from adjacent property. No string-type lighting or banners shall be permitted.
7. No sign shall exceed 25 feet in height or be placed so as to project over any public right-of-way.
8. No sound projecting devices or loudspeakers shall be used so as to be heard outside of any structure.
9. Off-street holding spaces shall be provided on the property in the following ratio: not less than 4 parking spaces for each self-service car washing stall.

Off-street drying spaces shall be provided on the property in the following ratio: not less than 2 parking spaces for each self-service car washing stall.
10. All parking areas shall have adequate guards to prevent the extension or overhanging of vehicles beyond property lines or parking spaces.
11. There shall be no ingress or egress from minor or residential streets having 60 feet of right-of-way or less, unless there are two free-moving lanes at all times.
(Example: A 30-foot paved street with parking permitted only on one side would provide for two free-moving lanes.)
12. All drainage, both natural and that created by the operation, shall be handled in such a manner satisfactory to the Superintendent of Maintenance of the Department of Public Works.
13. The area shall be properly policed through inspections by the owner or operator for proper maintenance and removal of trash.

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Case No. BZA 22-66

August 1, 1966

14. All conditions of approval by the Board must be complied with prior to the occupancy of the site for the proposed car wash.
15. In the event a permit is not issued for the construction of the car wash within 12 months from the date of approval by the Board, the application shall be null and void.

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 and Secretary of the Board have signed it. If you have any questions, please call.

Very truly yours,

Jack H. Galbraith
Secretary

JHG:bgs

cc: Richard A. Steven
2350 South Erie

Glen Lytle, Superintendent
Central Inspection Division

Ralph Eberly
City Clerk

SECRETARY'S REPORT

CASE NO. BZA 22-66

APPLICANT: Richard A. Steven, 2350 South Erie

AGENT: Blair Page, P. O. Box 972, Wichita, Kansas

REQUEST: Exception pursuant to Section 2.12.590.3, Code of the City of Wichita, requesting an exception as provided in Section 28.04.183.2, Code of the City of Wichita, to permit the installation or construction of a self-service car wash on property zoned "LC".

GENERAL LOCATION: On the north side of Pawnee between K-15 and Minneapolis

LAND USE: Subject property is vacant; to the north and east is single family; to the south is vacant and to the west is a service station.

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

JURISDICTION

The Board has jurisdiction to consider this request under the provisions outlined under Section 2.12.590.3, Code of the City of Wichita. The Board may grant this exception and authorize self-service and automobile car wash operations, whether attended or unattended, and whether operated inside or outside a building, to be located in the "LC" Light Commercial district if all the requirements under Section 28.04.183.4 can be met.

COMMENTS BY THE SECRETARY

It is the opinion of the Secretary that the location is logical in view of the surrounding zoning and the existing and proposed development in the general area. Subject property has sufficient area to properly install the car wash and a plan has been submitted and approved by the Traffic Engineer. The Plan, however, shows a front setback of 60 feet and the Traffic Engineer requests that the setback be increased to 70 feet in conformance with previous plans approved, so that adequate area will be available for the required holding spaces.

It should be pointed out that the property adjacent to the east is zoned "AA" Single family and is occupied by a single family dwelling. However, the Planning Commission has a general policy of looking with favor on "LC" zoning for this immediate area and, therefore, the 60-foot setback from the east property line would not be necessary.

RECOMMENDATION

1. There shall be a minimum lot area of 3,000 square feet for each self-service car washing stall, provided the minimum lot area shall be not less than 7,500 square feet.
2. The car washing buildings or facilities shall be set back a distance of not less than 70 feet from the street right of way line of Pawnee.
3. 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 east and north property lines. Such fence shall be reduced to 3 feet in height in the front setback area.
4. All of the area to be utilized by the washing and drying operation, including all ingress and egress areas, shall be paved with concrete, asphalt or asphaltic concrete.
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6. No sign shall exceed 25 feet in height or be placed so as to project over any public right of way.
7. No sound projecting devices or loudspeakers shall be used so as to be heard outside of any structure.
8. Off-street holding spaces shall be provided on the property in the following ratio: not less than 4 parking spaces for each self-service car washing stall.

Off-street drying spaces shall be provided on the property in the following ratio: not less than 2 parking spaces for each self service car washing stall.
9. All parking areas shall have adequate guards to prevent the extension or overhanging of vehicles beyond property lines or parking spaces.
10. There shall be no ingress or egress from minor or residential streets having 60 feet of right of way or less, unless there are two free moving lanes at all times. (Example: A 30-foot paved street with parking permitted only on one side would provide for two freemoving lanes.)

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Case No. BZA 22-66

11. All drainage, both natural and that created by the operation, shall be handled in such a manner satisfactory to the Superintendent of Maintenance of the Department of Public Works.
12. The area shall be properly policed through inspections by the owner or operator for proper maintenance and removal of trash.
13. All conditions of approval by the Board must be complied with prior to the occupancy of the site for the proposed car wash.
14. In the event a permit is not issued for the construction of the car wash within 12 months from the date of approval by the Board, the application shall be null and void.

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 22-66

An application has been filed by Richard A. Steven, 2350 South Erie, Wichita, Kansas, by Blair Page, Agent, P. O. Box 972, Wichita, Kansas, pursuant to Section 2.12.590, Code of the City of Wichita,

requesting an exception as provided in Section 26.04.183.4, Code of the City of Wichita, to permit the installation or construction of a self-service car wash on property zoned Light Commercial and legally described as follows:

Lot 1, Mercedes Addition to Wichita, Sedgwick County, Kansas. Generally located on the north side of Payne between K-15 and the Drainage Canal.

This application has been assigned Case No. BZA 22-66, 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 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

Attachment for request by Richard Steven, Lessee of property at 2004,06 & 08 East Pawnee, Lot One Mercedes addition to City of Wichita, for Permitted use of Self service Car Wash, as exception to L C zoning at this address.

The area surrounding this property has no such facility within more than a mile radius, and a need does exist, and such location meets all requirements, and all utilities are available.

Agent for applicant:

Blair Page

Blair page



BOARD OF ZONING APPEALS
CITY OF WICHITA, KANSAS

CASE NO. _____
FILED _____

APPLICATION FOR EXCEPTION

I. Name of Applicant RICHARD A. STEVEN
Mailing Address 2350 S. ERIE Phone MU 23392
Name of Authorized Agent BLAIR PAGE
Mailing Address P.O. Box 972 Phone AM 50262
Relationship of applicant to property is that of LESSEE
(owner, tenant, lessee, other).

II. Application is made for an exception as provided in Section
28.04.183-4, Code of the City of Wichita, Kansas
(Zoning Ordinance); to permit the installation or construction
of SELF SERVICE CAR WASH
_____ on property zoned
LC, located 2004, 2006, 2006 E. PAWNEE
_____ and legally described as:
all of Lot #1 MERCEDES ADDITION
_____, in the City of Wichita.
(Give metes and bounds description below if appropriate).

165' By 180'

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 Richard A. Steven
Authorized Agent Blair Page

OFFICE USE ONLY: Received in office of Secretary, Board of Zoning Appeals, 2:15 (a.m. - p.m.), June 28, 1966, together with appropriate fee of \$50.00.

Signed Sandra K. Allertott

OWNERSHIP LIST

Lot	Block	Addition	Property Owner
1	A	Mercedes Addition	✓ Archie Adams, Jr. 1935 E. Blake
3	B	Bomhoff Addition	"
4	"	"	"
5 exc. E. 2.5' E. 2.5' of 5	"	"	"
6 exc. E 2.5' E. 2.5' of 6	"	"	"
7 exc. E. 2.5' E. 2.5' of 7	"	"	"
8 exc. E. 2.5' E. 2.5' of 8	"	"	"
W. 47.5' of 9 E. 2.5' of 9	"	"	"
10	"	"	"
11	"	"	"
12	"	"	"
13 exc. that part condemned for street	"	"	"
21	"	"	"
25	"	"	"
26	"	"	"
27	"	"	"
28	"	"	"

✓ Archie Adams, Jr.
1935 E. Blake

✓ Gary J. Gibbs
Brenda Lou Gibbs
2003 E. Blake

✓ Loren A. Spear
Harriet Spear
2007 E. Blake

✓ Jerry T. Hammer
Shirley J. Hammer
2011 E. Blake

✓ Ralph E. Heady
Betty Ann Heady
2015 E. Blake

✓ Gaylon H. Hall
Kathryn L. Hall
2021 E. Blake

✓ Donald F. Lindsley
Carolyn J. Lindsley
2027 E. Blake

✓ Gerald J. Robbins
Carolyn S. Robbins
2033 E. Blake

✓ Lee A. Burgess
Wilma D. Burgess

2037 E. Blake

✓ Bert R. Prothero
Meta Kreischer Prothero
2102 E. Pawnee

⊕ Archie Adams, Jr.
1935 E. Blake

Continued page 2

Lot	Block	Addition	Property Owner
1		Fred P. Mosteller Addition	✓ Sunnyside, Inc. Address unknown
2		"	"
9		"	"
1	1	Red Arrow 2nd Add.	✓ O. L. Robson Wilma J. Robson 2021 S. Hillside
2	"	"	Lee F. Bernhard Judith M. Bernhard Address unknown

6750 So Broadway

710 address found

Beginning 208' East of the Northwest corner of the North 10 acres of the NE $\frac{1}{4}$ of Gov. lot 4, in the NW $\frac{1}{4}$ of Sec. 3-28-1E, thence S. 230', thence E. 75', thence N. 230', thence W. 75' to beginning Sunnyside, Inc. Address unknown

We, The Security Abstract and Title Company, Inc., hereby certify the foregoing to be a true and correct list of property owners within a 200 foot radius of Lot 1, Mercedes Addition to Wichita, Sedgwick County, Kansas, as shown by the deeds on file in the Office of the Register of Deeds of Sedgwick County, Kansas, on this 23rd day of June, 1966 at 7:00 o'clock A. M.

THE SECURITY ABSTRACT AND TITLE COMPANY, INC.

By *J. R. ...*
Vice-President

Order No. 136574

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	450.00	

DESCRIPTION	AMOUNT
<i>Plat 1</i>	

Name *Richard A. Steven*

Address *2350 S. Erie*

Type *R-712* Due Date *6/25/66*

Comments:

Date *6/23/66* By *Ja*

THE CITY OF WICHITA, KANSAS
BOARD OF ZONING APPEALS
104 SOUTH MAIN
WICHITA, KANSAS 67202



- Moved, left no address
 - No such number
 - Moved, not forwardable
 - Addressee unknown
- 1106*



22-66

Mr. Richard A. Steven
2350 South Erie
Wichita, Kansas



*

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