

BZA 22-84 - Rapid Robot Car Wash, Inc. - requests an exception to permit the establishment of a 5-bay self-service car wash on property zoned the "LC" Light Commercial District and generally located directly south of Derby

ACTION

BZA, 22-84

DATE
Withdrawn by applicant 12/31/84

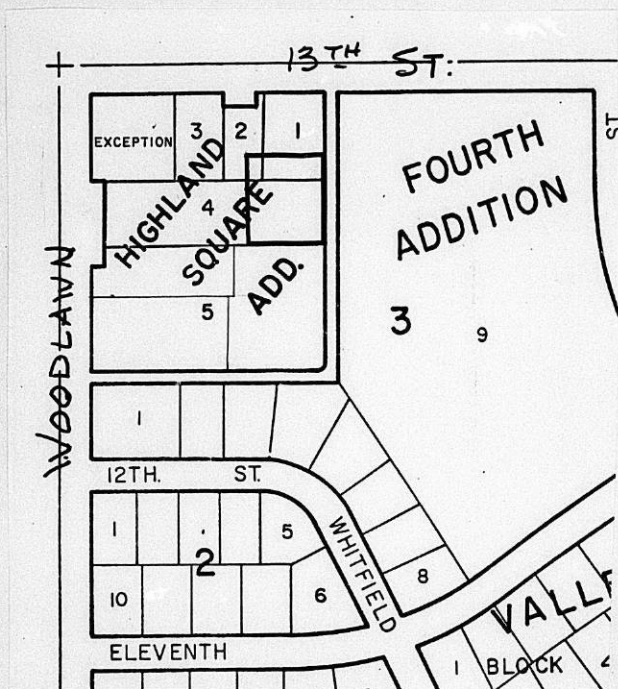
[Signature]

Map No. 5948

BZA 22-84
Filed _____

AREA DATA:

1. Acres: _____ (_____ ft. by _____ ft.)
2. Adjoining Zoning: E _____ S _____ W _____ N _____
3. Land Use: East _____ South _____
West _____ North _____
4. Area (is) (is not) platted.



LOS ANGELES-CHICAGO-LOGAN, OH
MCGREGOR, TX-LOCUST GROVE, GA
U.S.A.

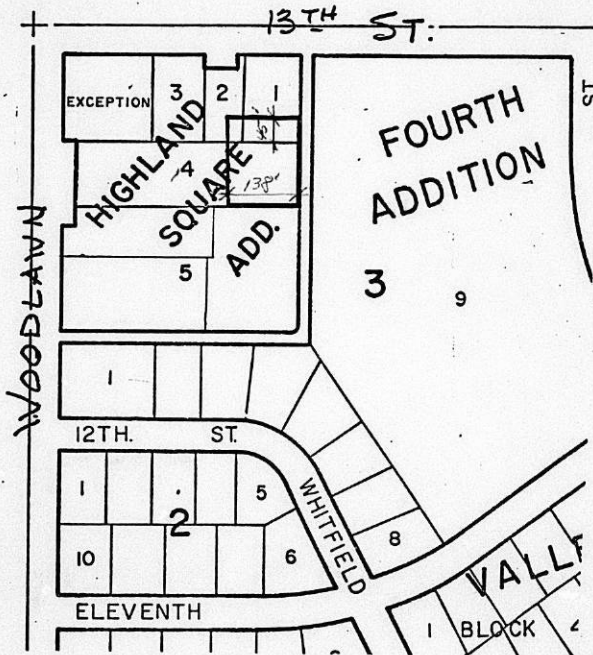
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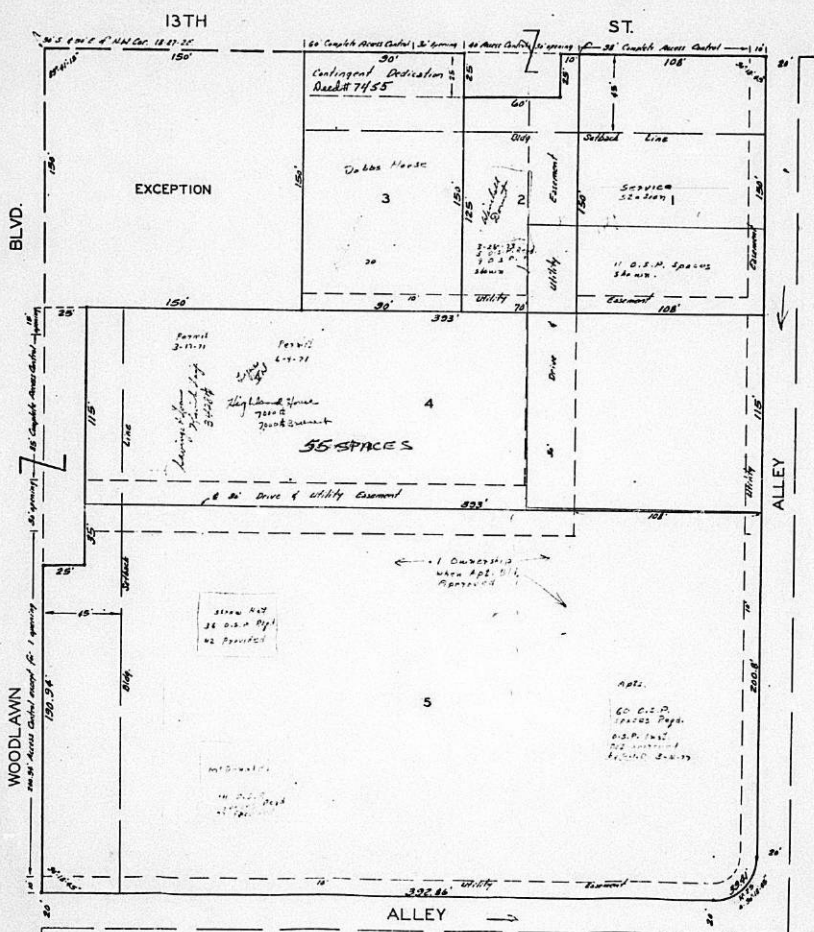
Map No. 5948

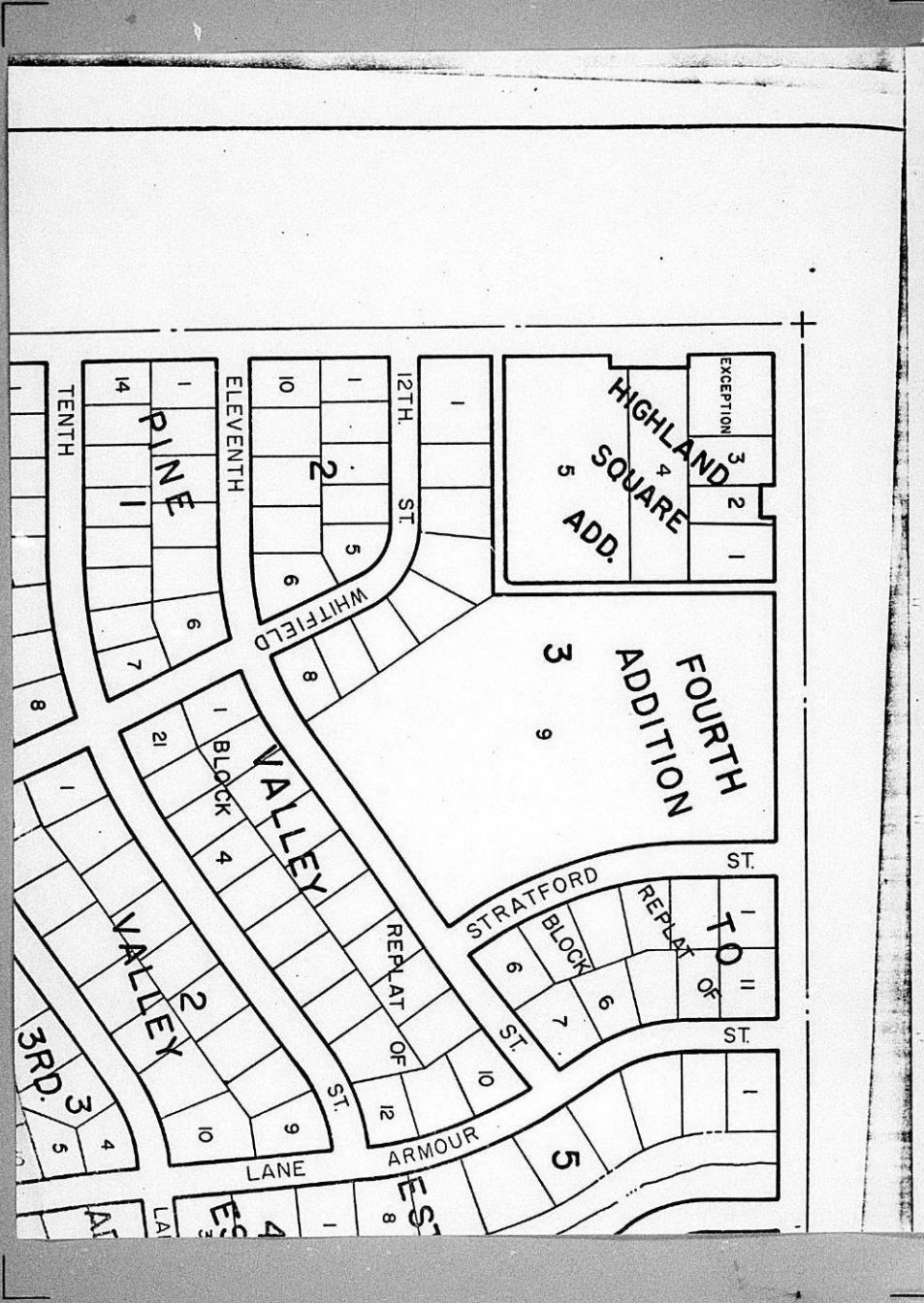
BZA 22-84
Filed _____

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4. Area (is) (is not) platted.







THE CITY OF WICHITA, KANSAS

PAYMENT AUTHORIZATION VOUCHER

VOUCHER NUMBER 965620 *reuby*

DATE	INVOICE NUMBER	VENDOR CODE	A/A CODE	CHECK NUMBER
12-31-84				

<p style="text-align: center; margin: 0;">MAKE PAYMENT TO</p> <p style="margin: 0;">Phillip A. Rein Aridon House, Suite 300 1005 North Market Wichita, KS 67214</p>	<input checked="" type="checkbox"/>	REVENUE REFUND		TRAVEL EXPENSES
		RETIREMENT REFUND		PETTY CASH FUND REIMBURSEMENT
				OTHER AUTHORIZED PAYMENT

*	FUND	DPT	DIV	ACCOUNT	GRANT	PROGRAM	AMOUNT	%
A	755	00	000	40071 003	000	000	\$ 200.00	
B								
C								
D								
E								
F								
G								
H								
I								
J								

ITEM DESCRIPTION OR PAYMENT JUSTIFICATION	AMOUNT	*
<p>Re: BZA Case No. 22-84</p> <p>Filing fee paid on 3/26/84. Applicant advised case could not be processed until other matters on property were cleared. Applicant has been unable to do this and requests refund.</p>	\$200.00	A

DATE ENTERED: _____	Data Entry Clerk: _____
Accounts Payable _____	_____
Paid _____	_____

CONTROLLER _____	DIVISION <u>111</u>	DATE <u>1/10/85</u>
AUDITED BY _____	DEPARTMENT _____	DATE _____

FORM #000-005 R11/79

ORIGINATOR FILE COPY

From Eunice Walter

To

GLEN E. LYTLE

Subject

Refund of \$200⁰⁰ BZA Filing Fee.

Date

1-3-84

Message

Attached is a copy of a request for the refund of a \$200⁰⁰ filing fee that was submitted on March 26, 1984. Mr. Rein had been advised that the case could not be processed until other matters on the property were cleared. He has been unable to do this and requests the refund. A copy of his letter is attached.

SIGNED

G. E. Lytle

DATE

Reply

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47-223
NATIONAL Made in U.S.A.

RETURN THIS COPY TO SENDER

THE CITY OF WICHITA, KANSAS

PAYMENT AUTHORIZATION VOUCHER

VOUCHER NUMBER **965620**

DATE	INVOICE NUMBER	VENDOR CODE	V/A CODE	CHECK NUMBER
12-31-84				

MAKE PAYMENT TO

Phillip A. Rein
 Amidon House, Suite 300
 1005 North Market
 Wichita, KS 67214

<input checked="" type="checkbox"/>	REVENUE REFUND	
<input type="checkbox"/>	RETIREMENT REFUND	
<input type="checkbox"/>		TRAVEL EXPENSES
<input type="checkbox"/>		PETTY CASH FUND REIMBURSEMENT
<input type="checkbox"/>		OTHER AUTHORIZED PAYMENT

*	FUND	DPT	DIV	ACCOUNT	GRANT	PROGRAM	AMOUNT	%
A	755	00	000	40071 003	000	000	\$ 200.00	
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<p>Re: BZA Case No. 22-84</p> <p>Filing fee paid on 3/26/84. Applicant advised case could not be processed until other matters on property were cleared. Applicant has been unable to do this and requests refund.</p>	\$200.00	A

DATE ENTERED: _____ Data Entry Clerk: _____
 Accounts Payable _____
 Paid _____

CONTROLLER _____ DATE _____
 AUDITED BY _____ DATE _____
 DIVISION 1-7-85
 DEPARTMENT 1-8-85

To Eunice Walter

From

GLENN E. LYTLE

Subject

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Date

1-3-84

Message

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SIGNED

G. Lytle

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Reply

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NATIONAL 47-223
Made in U.S.A.

SIGNED

SENDER RETAIN THIS COPY

Law offices of
Phillip A. Rein
Registered Patent Attorney



AMIDOR HOUSE, SUITE 300
1005 NORTH MARKET, WICHITA, KS 67214
(316) 263-8421
PATENT AND TRADEMARK CAUSES

December 31, 1984

Mr. Glen E. Lytle
Special Assistant for Zoning
Wichita - Sedgwick County
Metropolitan Area Planning Dept.
City Hall - Tenth Floor
455 North Main Street
Wichita, KS 67202

RE: Case No. BZA 22-84

Dear Mr. Lytle:

I am writing in regards to your letter of November 29, 1984 and the information which you forwarded to my office.

Please be advised that this project has been placed on the back burner and we wish for you to proceed with a processing of a refund on the application as stated in your letter.

Very truly yours,

Phillip A. Rein

PAR:dkv

RECEIVED

JAN 2 1985

METROPOLITAN PLANNING

ROUTE _____

November 29, 1984

Phillip A. Rein, Attorney
1005 North Market
Wichita, Ks. 67214

Re: Case No. BZA 22-84

Dear Mr. Rein:

As requested on November 7, 1984, a copy of my letter to you on March 30, 1984 is attached for your information. I believe from your letter that you have misinterpreted the comments in the letter relative to the portion of the property that was originally incolved as the building site for the Derby Service Station that indicated 11 off-street parking spaces on the property.

I would suggest that if you are to lease the south 45 feet of Lot 1 Highland Addition, that a site plan, for Lot 1 except the south 45 feet, be submitted to Central Inspection for their approval. This should include all the required parking for the present use on the property without the need for the original spaces that were previously approved when the building permits were issued.

As far as Lot 4, Highland Addition, is concerned, a number of the off-street parking spaces required for the existing building are presently located on the east 138 feet of Lot 4. Prior to this office processing a new case on this property, a formal application from the owner of Lot 4 for a variance of the required number of off-street parking spaces must be processed and resolved.

If I can be of any assistance on this, please give me a call and I will review this with you. Please advise me of your intentions to proceed or withdraw the application so I can process a refund.

Sincerely,

Glen E. Lytle
Special Assistant for Zoning

GEL:sad
Attachment
cc: Jim Jorgenson, Plans Examiner, Central Inspection

Law offices of
Phillip A. Rein
Registered Patent Attorney



AMIDON HOUSE, SUITE 300
1005 NORTH MARKET, WICHITA, KS 67214
(316) 263-8421
PATENT AND TRADEMARK CAUSES

November 7, 1984

Mr. Glen E. Lytle
Special Assistant for Zoning
City of Wichita
Board of Zoning Appeals
City Hall - 10th Floor
455 N. Main Street
Wichita, KS 67202

RE: Case No. BZA 22-84

Dear Mr. Lytle:

In regard to your letter of March 30, 1984, I made a couple of trips to the planning department to review numerous parking spaces required for the Derby Service Station.

Derby oil had no answers and the city people in charge of parking requirements couldn't find that parking was required as set forth in your letter for the Derby station.

Anyway, I can't find your letter of March 30, 1984, so everything's been on the back burner. Please send me a copy of the letter and any information where you obtained the required parking for Derby.

Then, I will review and see if I want to 1) pursue the matter; or 2) request a refund of the \$200.00 filing fee.

Thanks.

Very truly yours,

Phillip A. Rein
Phillip A. Rein

PAR:dkv

RECEIVED

NOV 9 1984

METROPOLITAN PLANNING

ROUTE _____

October 24, 1984

Mr. Phillip A. Rein, Attorney
1005 North Market
Wichita, Ks. 67214

Re: Case No. BZA 22-84

Dear Mr. Rein:

On March 30, 1984 I advised you that I was returning the application for a self-service car wash on property located south and east of 13th and Woodlawn. I noted at that time in order to process the case, it would be necessary to resolve the off-street parking of the existing development first.

Since I have not had a reply to this letter, I assume that you are no longer interested in pursuing the matter further. If this is correct, please advise so that I can process a refund of the \$200.00 filing fee.

Sincerely,

Glen E. Lytle
Special Assistant for Zoning

GEL:sad

WICHITA - SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

CITY HALL - TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202-1688
(316) 268-4581

March 30, 1984

Mr. Phillip A. Rein, Attorney
1005 North Market
Wichita, Kansas 67214

Re: Case No. BZA 22-84

Dear Mr. Rein:

I am returning herewith your application for an exception for a self-service car wash on property near 13th and Woodlawn in the "LC" Light Commercial District. In reviewing the application area with Central Inspection we find that 17 off-street parking spaces for uses already established on Lot 4 of Highland Square Addition must be maintained. Also spaces required by the Derby Station are included in your application area for the car wash.

The Traffic Engineer also indicates the Plan B is not acceptable, and Plan A does not maintain the required number of parking spaces for the existing uses on the property. Although you mention in the accompanying letter that Plan A would require a deviation from the number of parking spaces, the procedure to vary the number of off-street parking spaces requires an application of same to the Board.

Should you wish to proceed on this application, the existing off-street parking matter must be resolved. This will require an application from the owner of Lot 4 Highland Square Addition to reduce the required number of off-street parking spaces down to the number that can be provided on the property in accordance with a development plan approved by the Traffic Engineer. Also, the approval by Central Inspection of a new site plan for the Derby Station that does not require any of the area included in the south 45 feet of Lot 1.

WICHITA -- SEDGWICK COUNTY

Mr. Phillip A. Rein
Page Two
March 30, 1984

As indicated on several occasions to you, this must be resolved prior to our advertising the case for public hearing. I would also point out that the application indicates a 5-bay car wash and the site plan shows a 4-bay. Also the legal description given on the application does not correspond to the ownership list.

I tried to call you on Tuesday, March 27, 1984, and I was told you would be out of town on vacation until Monday, April 2, 1984. I apologize for any inconvenience this might cause, but the procedures are such that applications must be correct and complete in order to process them.

If you have any questions, please give me a call.

Sincerely,

Glen E. Lytle
Special Assistant for Zoning

GEL:jps
Enclosure

WICHITA - SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

CITY HALL — TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202-1688
(316) 268-4551

March 30, 1984

Mr. Phillip A. Rein, Attorney
1005 North Market
Wichita, Kansas 67214

Re: Case No. BZA 22-84

Dear Mr. Rein:

I am returning herewith your application for an exception for a self-service car wash on property near 13th and Wood-lawn in the "IC" Light Commercial District. In reviewing the application area with Central Inspection we find that 17 off-street parking spaces for uses already established on Lot 4 of Highland Square Addition must be maintained. Also spaces required by the Derby Station are included in your application area for the car wash.

The Traffic Engineer *also* indicates the Plan B is not acceptable, and Plan A does not maintain the required number of parking spaces for the existing uses on the property. Although you mention in the accompanying letter that Plan A would require a deviation from the number of parking spaces, the procedure to vary the number of off-street parking spaces requires an application of same to the Board.

Should you wish to proceed on this application, the existing off-street parking matter must be resolved. This will require an application from the owner of Lot 4 Highland Square Addition to reduce the required number of off-street parking spaces down to the number that can be provided on the property in accordance with a development plan approved by the Traffic Engineer. Also, the approval by Central Inspection of a new site plan for the Derby Station that does not require any of the area included in the south 45 feet of Lot 1.

WICHITA - SEDGWICK COUNTY

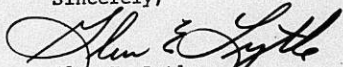
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If you have any questions, please give me a call.

Sincerely,



Glen E. Lytle
Special Assistant for Zoning

GEL:jps
Enclosure

BOARD OF ZONING APPEALS

CASE NO. 22-84

CITY OF WICHITA, KANSAS

FILED _____

APPLICATION FOR EXCEPTION

I. Name of Applicant Rapid Robot Car Wash, Inc.

Mailing Address 1005 N. Market Phone 263-8421

Name of Authorized Agent Phillip A. Rein

Mailing Address 1005 N. Market Phone 263-8421

Relationship of applicant to property is that of President
(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 A 5 - Bay Self Service Car Wash

_____ on property zoned Light Commercial (L.C.),

located directly south of Derby Service Station at
6485 E. 13th Street, Wichita, Kansas
and legally described as: the south 45 feet of Lot 1 and
the south 45 ft. of the east 30 feet of Lot 2 and

the Michland Square Addition

_____, in the City of Wichita.

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

- a. That he has received an instruction sheet concerning the filing and hearing of this matter;
- b. That he has been advised of the fee requirements established by Section 2.12.580 of the Code of the City of Wichita (Ordinance No. 30-596); and that the appropriate fee is herewith tendered;
- c. That all documents are attached hereto as noted in paragraphs 2, 3, and 4 of the instructions;
- d. 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 Rapid Robot Car Wash, Inc.

Authorized Agent Phillip A. Rein, President

OFFICE USE ONLY: Received in Office of Secretary, Board of Zoning Appeals, 10:00 (a.m.-p.m.), March 26, 1984, together with appropriate fee of 200.00.

Signed

J. Lytle

L A W O F F I C E S

PHILLIP A. REIN

REGISTERED PATENT ATTORNEY

PATENT AND TRADEMARK CAUSES — AMIDON HOUSE, SUITE 300
1005 NORTH MARKET, WICHITA, KANSAS 67214 — (316) 263-8421

March 23, 1984

Board of Zoning Appeals
Tenth Floor, City Hall
455 North Main
Wichita, Kansas 67202

Dear Board Members:

Attached are 1) Application for Exception; 2) a certified listing of owners within 200 feet of property involved in subject application; 3) plot plan drawings for plans A and B; and 4) a check in the amount of \$200.00 for the filing fee.

The request is for the installation of a 4-bay self service car wash near the intersection of 13th and Woodlawn and, more specifically, the south east corner directly south of the Derby Service Station on 13th Street. It is deemed to be a good use of the land.

The car wash would be constructed of cedar and brick so as to compliment the area. Today's self service car washes generate little if any noise and the area will be clean with daily maintenance.

To the east is a twenty (20) foot concrete alley and then the playground of St. Thomas Aquinas Church. The church has just completed a new building program and the car wash will be a considerable distance from any church buildings as a large playground area plus a 60 ft. set back will adequately separate the two areas. A cedar fence could be erected between the car wash and church if so requested by church officials but not believed necessary due to the alley.

The exception requested is under 28.04.183 paragraph 4. to 4.17, inclusive, which permits a self service car wash to be located in a "LC" light commercial district. The applicant is submitting two (2) proposals being Plan A and Plan B which might require a deviation from the required parking spaces for the office building presently on subject property. It is felt that unusual circumstances about the subject property will justify such a deviation and Plan A is requested to be accepted.

As a final request if Plan A is rejected, the acceptance of Plan B is requested.

Plan A is believed to be a better car wash installation for the subject property but may be lacking in parking spaces required (but not needed) for the property. Plan B appears to meet all requirements for parking, line up spaces, and drying spaces.

Very truly yours,

Phillip A. Rein
Phillip A. Rein

PAR:rb
Enclosures

STATEMENT OF OWNERSHIP

STATE OF KANSAS)
) SS
SEDGWICK COUNTY)

The undersigned duly bonded and qualified abstractor within and for the County and State aforesaid, does hereby certify:

That we have examined the records in the office of the Register of Deeds of Sedgwick County, Kansas, with reference to the ownership of the following property in Sedgwick County, Kansas viz:

All the owners within 200 feet of

The South 45 feet of Lot 1 and the South 45 feet of the East 30 Feet of Lot 2 and the East 138 feet of Lot 4 Highland Square Addition to Wichita.



And from such examination find that the owners thereof are as set opposite the description of the property below, viz: (Addresses as given are furnished as a service and not certified.)

Lots 1, 2 and 3	Highland Square Add.	James O. Smith Ruby J. Smith 640 N. Rock Road Apt 19 Wichita, Kansas 67206
Lot 4	" "	Woodlawn Assts. LTD 830 1st National Bk Bld Wichita, Ks 67202
S 135 ft of W 250 ft of Lot 5	" "	McDonalds Inc. (1522) 66207 AMF O'Hare Chicago, Ill 60666
Lot 5 Exc S 13F' of W 250' and Exc E 158' of N 90.94' & Exc E 168' of S 135'	" "	Woodlawn Properties 5900 E. Central Wichita, Ks 67208
E 158' of N 90.94' and E 168' of S 135 ft Lot 5	" "	Memphis S. Hixson Janice L. Hixson 6503 Oneida Wichita, Ks 67206



Lot 9 Block 3 4th Addition to
Pine Valley Estates.

The N 150' of W 150' of
Lot 10, Block 3 4th Addition
to Pine Valley Estates.

Catholic Diocese of Wichita
424 N. Broadway
Wichita, Ks 67202

Fidelity Savings Association
of Kansas
229 S. Market
Wichita, Ks 67202



Dated at Wichita, Kansas this 20th day of March
1984 at 7:00 A.M

FIDELITY TITLE COMPANY INC.

By C. G. Paul Ruddy
Ex VP

NO. 65458



**MICROFILMED
FROM THE BEST
AVAILABLE COPY**

FORM 2-21

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.
	<u>Planning</u>		

DESCRIPTION	AMOUNT
with 172 Except 700	

NAME 2413 ROOST CAR WASH

ADDRESS 105 W. 11th

FUND 21071-003 DUE DATE

COMMENTS

DATE 12-26-74 BY [Signature]

*

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

Roll # 2