

BZA 28-88-Amoco Oil Co. req. EXCEPTION
to estab det. 1-bay auto car wash in asmi
w/prop. svc sta on prop zoned LC Lite Co
at NE corner of 13th & Maize Road.

POSTED 1-25-89
KX

ACTION

BZA. 28-88 Approved 6/28/88
DATE

6/28/88

200' 4 Sec. 8-28-88
Checked 70
Shot 9-21-88

DATA SHEET

MAP NO.: 4849C

CASE NO. BZA 28-88

(CPO 5A, 6/15/88)

REQUEST: Exception to permit the establishment of a detached, single-bay automatic car wash in association with a proposed Amoco service station

EXISTING ZONING: "LC" Light Commercial District

GENERAL LOCATION: Northeast corner of 13th St. and Maize Road

APPLICANT: Amoco Oil Company
ADDRESS: P. O. Box 26024
Shawnee Mission, KS 66225-6024

PHONE: 913-339-4576

AGENT: Gene Razook, Andeel & Co.
ADDRESS: 358 N. Rock Road
Wichita, KS 67206

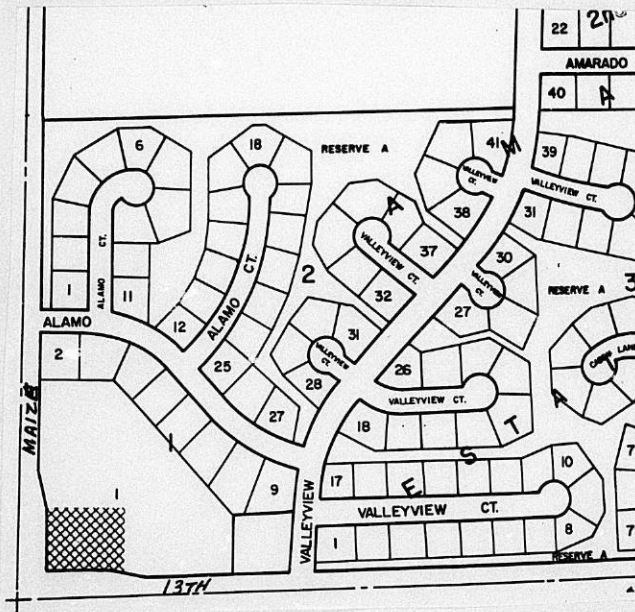
PHONE: 683-7511

AREA DATA

Acres: (ft. by ft.)

Adjacent Zoning and Land Use:

North	"LC"
South	"LC"
East	"LC"
West	"LC"



PL1-0433

Survey
No. 2133C
HASTINGS MN
LOS ANGELES CHICAGO LOS AN OR
MCKENNA MOBILE ST. LOUIS
U.S.A.

BZA INSPECTION SHEET

MAP NO.: 4849C

CASE NO. BZA 28-88

REQUEST: Exception to permit the establishment of a detached, single-bay automatic car wash in association with a proposed Amoco service station

EXISTING ZONING: "LC" Light Commercial District

GENERAL LOCATION: Northeast corner of 13th St. and Maize Road

APPLICANT: Amoco Oil Company

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AGENT: Gene Razook, Andeel & Co.

ADDRESS: 358 N. Rock Road
Wichita, KS 67206

PHONE: 683-7511

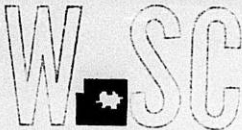
HEARING DATE: June 28, 1988

BZA ACTION: Approved, subject to submitting revised site plans.

FOLLOW-UP DATE: July 28, 1988 - revised site plan to MAPD

RESPONSE BY MAPD: *revised plan submitted 7-20-88*

WICHITA - SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

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

August 3, 1988

Gene Razook
Andeel & Co.
358 N. Rock Road
Wichita, KS 67206

Re: BZA 28-88 - Exception for car wash at NE corner of 13th
& Maize Road

Dear Mr. Razook:

Enclosed is a signed copy of the above-referenced BZA resolution adopted by the Board of Zoning Appeals on June 28, 1988. It reflects the official action of the Board to grant your request and sets out the conditions of approval. It is forwarded to you for your information and files now that condition #13 has been completed.

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

Sincerely,

Louise Olivarez
Louise Olivarez
Assistant Secretary
Board of Zoning Appeals

LO/jcm
Enclosure

cc: Amoco Oil Company, Real Estate Dept., P. O. Box 26024,
Shawnee Mission, KS, 66225-6024
Monty Robson, Superintendent of Central Inspection
Joe Donnelly, Zoning Administrator, CID
Dale Rea, Deputy City Clerk

RESOLUTION NO. BZA 28-88

WHEREAS, Amoco Oil Company, pursuant to Section 2.12.590.C, Code of the City of Wichita, requests an exception to permit the establishment of a detached, single-bay automatic car wash in association with a proposed Amoco service station on property zoned the "LC" Light Commercial District and legally described as follows:

That part of Lot 1, Block 1, Amarado Estates, an addition to Wichita, Sedgwick County, Kansas, described as beginning at the S.W. Corner thereof; thence N 00° E, along the west line of said Lot 1, 175 feet; thence N 86°34'56" E, 213 feet; thence S 00° E, 184.38 feet more or less to a point on the south line of said Lot 1; thence N 79°22'53" W, along said south line of Lot 1, 38.59 feet to a deflection corner of said Lot 1; thence S 86°34'56" W, 175 feet to the point of beginning. Generally located at the northeast corner of 13th Street and Maize Road.

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 June 28, 1988, 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 approve an exception to permit the establishment of a detached, single-bay automatic car wash in association with a proposed Amoco service station on property zoned the "LC" Light Commercial District, subject to the conditions 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 to Establish a detached, single-bay automatic car wash in association with a proposed Amoco service station on property zoned the "LC" Light Commercial District and legally described as follows:

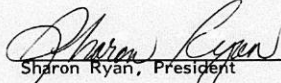
That part of Lot 1, Block 1, Amarado Estates, an addition to Wichita, Sedgwick County, Kansas, described as beginning at the S.W. Corner thereof; thence N 00° E, along the west line of said Lot 1, 175 feet; thence N 86°34'56" E, 213 feet; thence S 00° E, 184.38 feet more or less to a point on the south line of said Lot 1; thence N 79°22'53" W, along said south line of Lot 1, 38.59 feet to a deflection corner of said Lot 1; thence S 86°34'56" W, 175 feet to the point of beginning. Generally located at the northeast corner of 13th Street and Maize Road.

subject to the following conditions:

1. The automatic car wash facility shall provide not less than three holding spaces for each 20 lineal feet of car washing aisle and not less than two drying spaces.
2. All of the area to be used for circulation, holding spaces, parking spaces and all ingress and egress drives shall be surfaced with asphalt, concrete or asphaltic concrete and be maintained in good condition.
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 sound projecting devices or loudspeakers shall be used so as to be heard outside of any structure.
5. Off-street parking spaces shall be provided for the total facility, as required by the zoning ordinance.

6. All parking spaces and drying spaces shall have adequate guards or curbs to prevent the extension or overhanging of vehicles beyond property lines, surfaced driveways and parking spaces.
7. Grades and drains shall be established on the property satisfactory to the Superintendent of Sewer Maintenance to direct the wash water in the car wash to a mud trap and sanitary sewer, and to prevent the intrusion of stormwater runoff into the sanitary sewer. The car wash shall be roofed to prevent stormwater infiltration.
8. Grades and drains shall be established on the property satisfactory to the City Engineer to prevent the flow of excess water from washed cars exiting the car wash into the street.
9. The area shall be properly policed through daily inspection by the owner or operator to insure proper maintenance and removal of trash or other debris.
10. The car wash shall be constructed with a dryer and shall not be operated without the dryer if the temperature is projected to drop below freezing within 12 hours.
11. Sanitary sewer shall be extended to serve this site prior to any occupancy permits being issued.
12. All of the above conditions of approval must be complied with within one year after release of the Resolution, or the Resolution shall become null and void.
13. Within 30 days following approval of this exception by the Board, and prior to release of the resolution, the applicant shall submit 3 copies of a revised site plan which shows all proposed and/or existing utility easements on site, correct sign locations, and only one driveway to 13th Street and one driveway to Maize Road.

ADOPTED AT WICHITA, KANSAS, this 28th day of June, 1988.


Sharon Ryan, President

ATTEST:

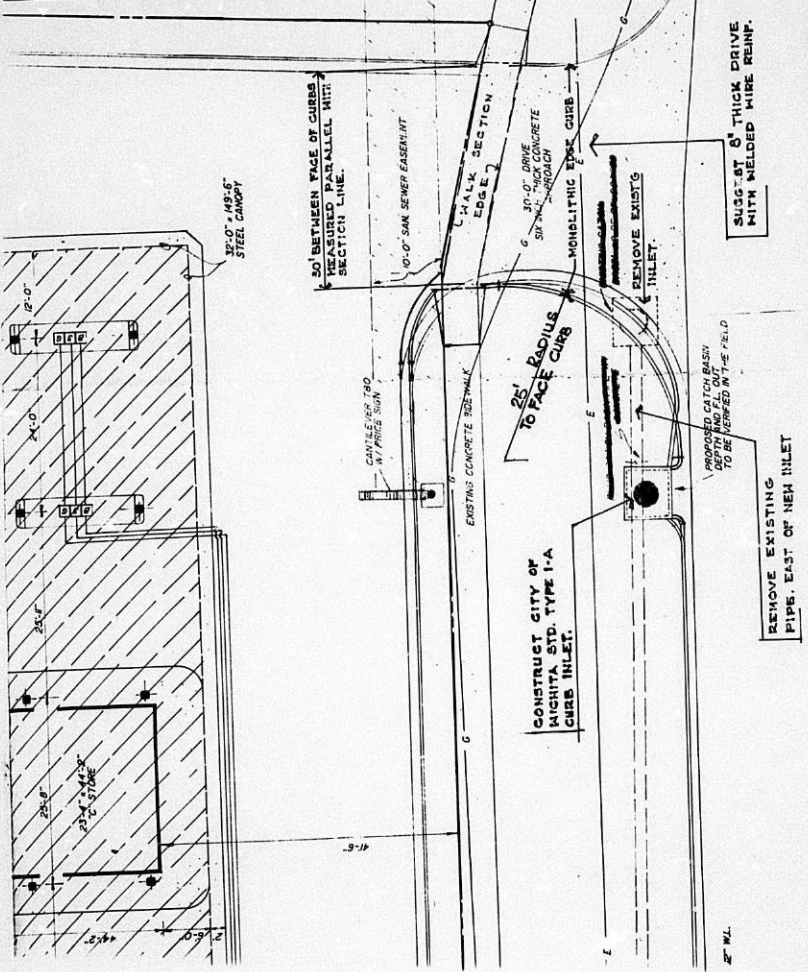

Louise Olivarez, Assistant Secretary



AMOCO OIL COMPANY
 Marketing - Design Engineers
 200 East Randolph Drive
 Chicago, Illinois 60601

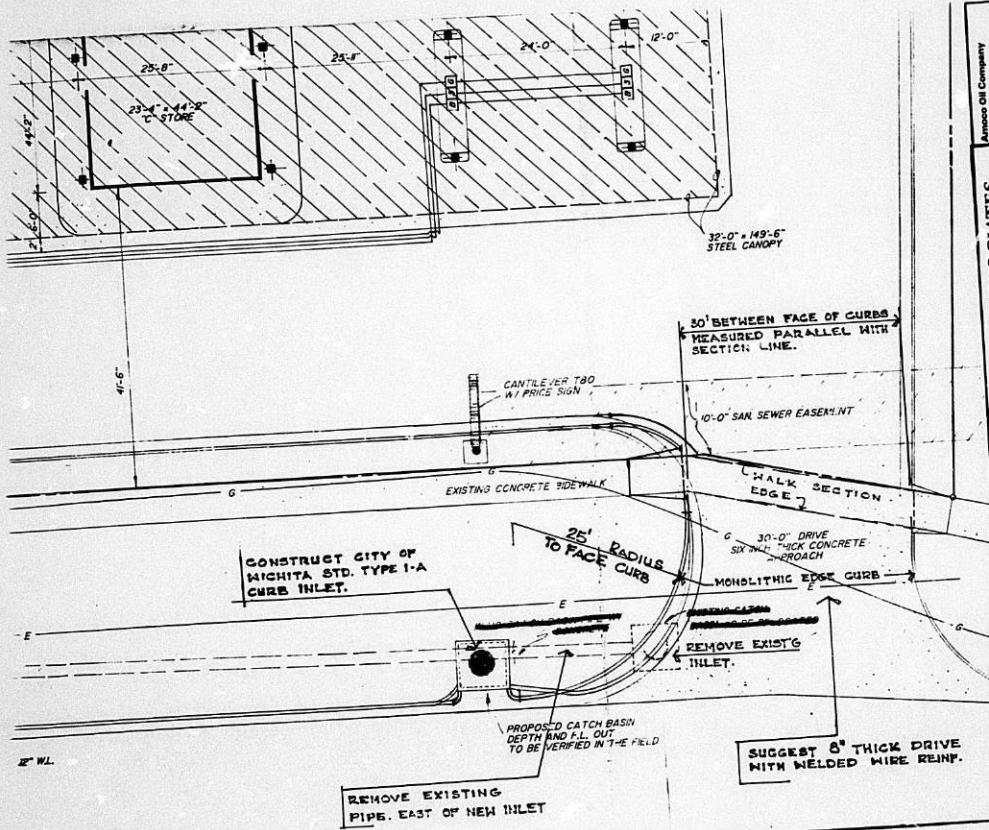
YOUNESS & ASSOCIATES
 CONSULTING ENGINEERS
 1860 WEST 85TH STREET
 LENEXA, KANSAS 66214
 (913) 492-9584

AMOCO OIL CO.
 STORE SERVICE STATION
 13th AND MAIZE
 WICHITA, KANSAS



Scale	1" = 10'-0"
Drawn By	LE
Checked By	YOUNESS
DWG	5-25-88
Approved	<i>[Signature]</i>
DRAWING	C-1
DA NOT SCALE - USE DIMENSIONS ONLY	

from
 Don
 Schneider
 7-22-88



Amoco Oil Company Marketing - Design Engineering 200 East Riverside Drive Chicago, Illinois 60601		
YOUNESS & ASSOCIATES CONSULTING ENGINEERS 1850 WEST 88th STREET OVERLAND PARK, KANSAS 66211 (816) 432-2584		
Scale: 1" = 10'-0" Drawn By: LE Checked By: YOUNESS Approved: <i>[Signature]</i>	Date: 5-25-88 DWG:	DRAWING C-1 Do Not Scale - Use Dimensions Only
SITE PLAN AMOCO OIL CO. PLANT 'C' STORE SERVICE WALKWAY 13th AND WAZEE WICHITA, KANSAS		
RELOCATED ENTRANCES RELOCATED ENTRANCES	LE LE BY	REVISIONS

THE CITY OF WICHITA



BOARD OF ZONING APPEALS
CITY HALL — TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202
(316) 268-4421

June 30, 1988

Gene Razook, Andeel & Co.
358 N. Rock Road
Wichita, KS 67206

Re: BZA 28-88 - Exception to permit the establishment of a detached, single-bay automatic car wash in association with an Amoco service station

Dear Mr. Razook:

At the regular meeting of the Board of Zoning Appeals on June 28, 1988, your request for an exception was considered. It was the action of the Board to approve this request, subject to the following conditions:

1. The automatic car wash facility shall provide not less than three holding spaces for each 20 lineal feet of car washing aisle and not less than two drying spaces.
2. All of the area to be used for circulation, holding spaces, parking spaces and all ingress and egress drives shall be surfaced with asphalt, concrete or asphaltic concrete and be maintained in good condition.
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 sound projecting devices or loudspeakers shall be used so as to be heard outside of any structure.
5. Off-street parking spaces shall be provided for the total facility, as required by the zoning ordinance.
6. All parking spaces and drying spaces shall have adequate guards or curbs to prevent the extension or overhanging of vehicles beyond property lines, surfaced driveways and parking spaces.

FILE COPY

Page 2

7. Grades and drains shall be established on the property satisfactory to the Superintendent of Sewer Maintenance to direct the wash water in the car wash to a mud trap and sanitary sewer, and to prevent the intrusion of stormwater runoff into the sanitary sewer. The car wash shall be roofed to prevent stormwater infiltration.
8. Grades and drains shall be established on the property satisfactory to the City Engineer to prevent the flow of excess water from washed cars exiting the car wash into the street.
9. The area shall be properly policed through daily inspection by the owner or operator to insure proper maintenance and removal of trash or other debris.
10. The car wash shall be constructed with a dryer and shall not be operated without the dryer if the temperature is projected to drop below freezing within 12 hours.
11. Sanitary sewer shall be extended to serve this site prior to any occupancy permits being issued.
12. All of the above conditions of approval must be complied with within one year after release of the Resolution, or the Resolution shall become null and void.
13. Within 30 days following approval of this exception by the Board, and prior to release of the resolution, the applicant shall submit 3 copies of a revised site plan which shows all proposed and/or existing utility easements on site, correct sign locations, and only one driveway to 13th Street *and one driveway to Marge Road.*

*submitted
7-20-88*

The resolution setting forth the official action of the Board will be released upon compliance with condition 13, which must be completed no later than July 28, 1988.

This is a reminder that the zoning adjustment signs should now be removed from the property. If you have any questions, please call our office.

Sincerely yours,

Louise Olivarez
Louise Olivarez
Assistant Secretary
Board of Zoning Appeals

LO/jcm

cc: Amoco Oil Company, P. O. Box 26024, Shawnee Mission, KS, 66225-6024
Monty Robson, Superintendent of Central Inspection
Joe Donnelly, Zoning Administrator, CID
Dale Rea, Deputy City Clerk

FILE COPY

BZA 28-88

A revised plan showing one 40' driveway (shared with adjacent property) to each street was displayed at the BZA meeting, having been submitted a few days before. However, we did not have the City Engineer's OK on the extra driveway width. The Board approved the use of the site for an accessory car wash subject to City Engineer's approval of the location and design of the driveways.

L.O.

IMPORTANT MESSAGE

FOR Domine
DATE 6-29 TIME 3 A.M.
P.M.

WHILE YOU WERE AWAY
Nike Lindalak

OF _____
PHONE No. 4266

TELEPHONED	<input checked="" type="checkbox"/>	PLEASE CALL	<input type="checkbox"/>
CALLED TO SEE YOU	<input type="checkbox"/>	WILL CALL AGAIN	<input type="checkbox"/>
WANTS TO SEE YOU	<input type="checkbox"/>	RETURNED YOUR CALL	<input checked="" type="checkbox"/>

MESSAGE "We are not going to back-off 30-Yard."

SIGNED Domine

FORM 000-017

THE CITY OF WICHITA

OFFICE OF Citizen Participation DATE June 16, 1988

TO Louise Oliverez, Principal Planner

FROM Barry L. Carroll, Administrative Aide III ^{BLC}

SUBJECT BZA 28-88: Northeast corner
of 13th Street and Maize Road

On Wednesday, June 15, CPO West Side Neighborhood Council 5A considered the captioned item, a request for an exception to permit the establishment of a detached, single-bay automatic car wash in association with a proposed Amoco service station on property zoned the "LC" Light Commercial District.

Council members were provided the notice to adjoining property owners, a map of the area and MAPD staff comments. After a brief discussion, the Council voted 6-0 to recommend approval of the request.

The agent, Gene Razoock, was present to describe the request and respond to questions from the Council. Mr. Razoock displayed a site plan for consideration by the Council. There were no area residents present to express support or opposition to the request.

Please provide the Council's recommendation to the Board of Zoning Appeals when case BZA 28-88 is considered.

BLC:dm

RECEIVED

JUN 16 1988

METROPOLITAN PLANNING

ROUTE _____

SECRETARY'S REPORT

CASE NUMBER: BZA 28-88

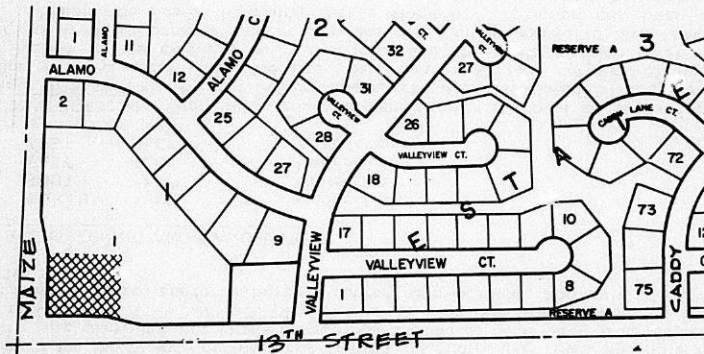
OWNER/APPLICANT/AGENT: Amoco Oil Company (owner/applicant)
Gene Razook (agent)

REQUEST: Exception to permit the establishment of a detached, single-bay automatic car wash as an accessory use to a proposed service station.

CURRENT ZONING: "LC" Light Commercial

SITE SIZE: 175 ft. x 213 ft.

LOCATION: Northeast corner of 13th and Maize



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 28.04.183.4 can be complied with.

BACKGROUND: The applicant is requesting an exception to permit the establishment of a single-bay, detached car wash as an accessory use to a proposed service station at the northeast corner of 13th and Malze. This site is part of an "LC"-zoned lot which has been platted but undeveloped since 1975. In 1979, the south 150 feet of the west 150 feet was split off as a separate building site. Some additional land has now been added to this corner ownership to make it 175 feet by 213 feet, and C.I.D. may be able to consider this change simply a boundary shift. There is an existing utility easement in the northeast portion of this site which was granted to accommodate extension of sanitary sewer to this site. The sewer has yet to be extended and must be extended for development to occur. This corner site has only one permitted access point to 13th, the second point being reserved for the balance of the large platted "LC" lot. The two pole signs shown on the site plan, but not labeled, must be a minimum of 15 feet from adjacent property lines. A revised site plan should be submitted which shows all utility easements (proposed and/or existing), correct sign locations, and only one driveway to 13th Street.

ADJACENT ZONING AND LAND USE:

NORTH	"LC"	Undeveloped
SOUTH	"LC"	Quik-Trip
EAST	"LC"	Undeveloped
WEST	"LC"	Undeveloped

RECOMMENDATION: Staff finds that the conditions of approval as set out in the Zoning Ordinance can be met; the proposed car wash associated with a service station is in character with the uses permitted on all four corners of this intersection in the existing "LC" districts; and the site's location at the intersection of two arterial streets provides good, direct access to and from the site. Should the Board determine that a single-bay, detached car wash is appropriate at this location, it is recommended that the exception be approved, subject to the following conditions:

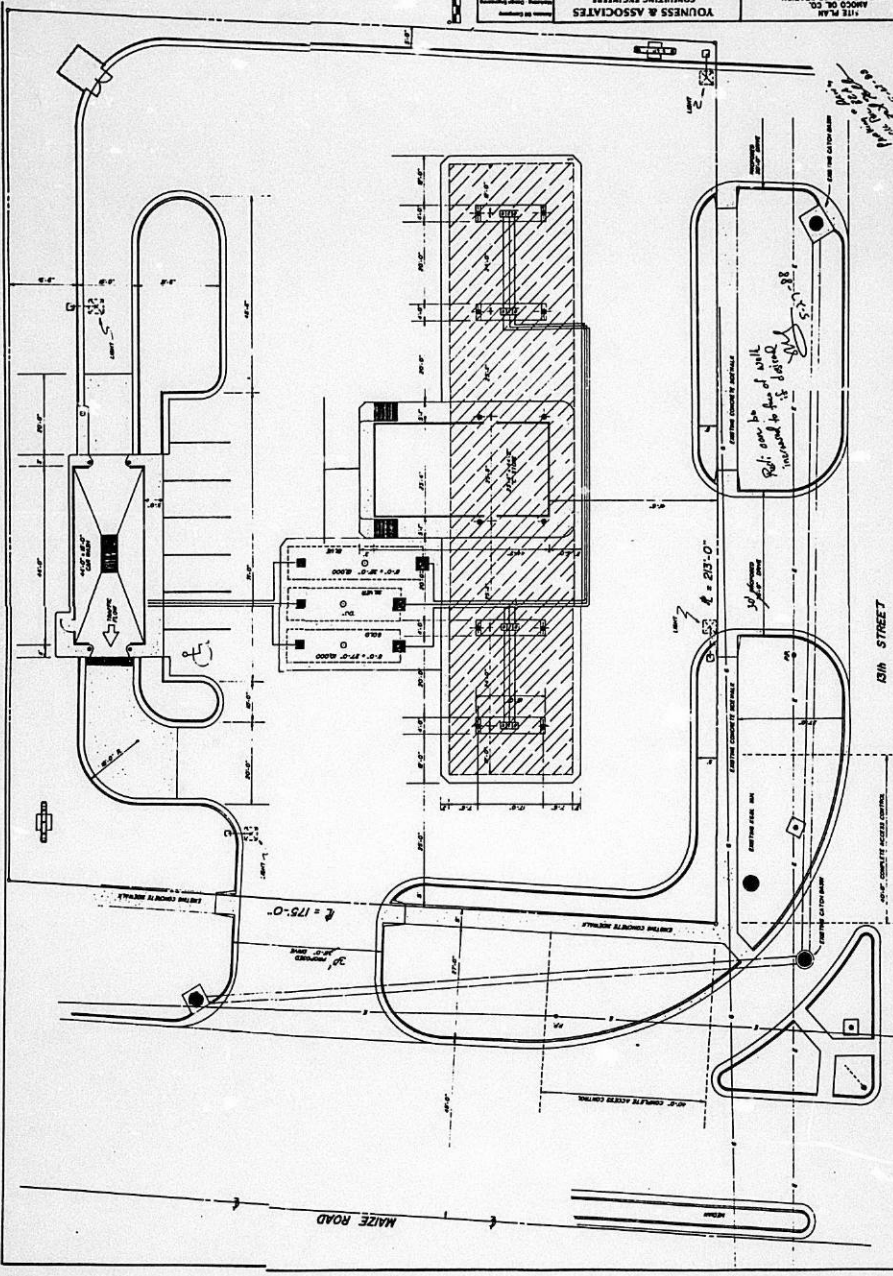
1. The automatic car wash facility shall provide not less than three holding spaces for each 20 lineal feet of car washing aisle and not less than two drying spaces.
2. All of the area to be used for circulation, holding spaces, parking spaces and all ingress and egress drives shall be surfaced with asphalt, concrete or asphaltic concrete and be maintained in good condition.
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 sound projecting devices or loudspeakers shall be used so as to be heard outside of any structure.
5. Off-street parking spaces shall be provided for the total facility, as required by the zoning ordinance.
6. All parking spaces and drying spaces shall have adequate guards or curbs to prevent the extension or overhanging of vehicles beyond property lines, surfaced driveways and parking spaces.

7. Grades and drains shall be established on the property satisfactory to the Superintendent of Sewer Maintenance to direct the wash water in the car wash to a mud trap and sanitary sewer, and to prevent the intrusion of stormwater runoff into the sanitary sewer. The car wash shall be roofed to prevent stormwater infiltration.
8. Grades and drains shall be established on the property satisfactory to the City Engineer to prevent the flow of excess water from washed cars exiting the car wash into the street.
9. The area shall be properly policed through daily inspection by the owner or operator to insure proper maintenance and removal of trash or other debris.
10. The car wash shall be constructed with a dryer and shall not be operated without the dryer if the temperature is projected to drop below freezing within 12 hours.
11. Sanitary sewer shall be extended to serve this site prior to any occupancy permits being issued.
12. All of the above conditions of approval must be complied with within one year after release of the Resolution, or the Resolution shall become null and void.
13. Within 30 days following approval of this exception by the Board, and prior to release of the resolution, the applicant shall submit 3 copies of a revised site plan which shows all proposed and/or existing utility easements on site, correct sign locations, and only one driveway to 13th Street.

BZA 28-88

YOUNESS & ASSOCIATES
CONSULTING ENGINEERS
1115 N. M. AVE.
MUSKOGEE, OKLAHOMA 74403

1115 N. M. AVE.
MUSKOGEE, OKLAHOMA 74403
C-3100 1115 N. M. AVE.
MUSKOGEE, OKLAHOMA 74403



BZA CASE NO. 28-88

15 LEGAL ADVERTISEMENT SENT TO MAPC & BZA

2 NOTICES SENT TO APPLICANT/AGENT

9 NOTICES SENT TO ADJOINING PROPERTY OWNERS

5 NOTICES SENT TO BZA MEMBERS

NOTICES SENT 6-3-88

1 NOTICES SENT TO CPO

2 NOTICES SENT TO CITY MANAGER & CITY
COUNCIL REPRESENTATIVE TO DISTRICT

4 NOTICES TO MAPD STAFF

Jack Galbraith
Louise Olivarez
Bob Young
Karen Crook

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

June 6, 1988

NOTICE OF PUBLIC HEARING:

CASE NO. BZA 28-88

As required by law, all property owners of record within 200 feet of a property to be considered for an exception or variance by the Board of Zoning Appeals are to be notified of the public hearing. An application has been filed by Amoco Oil Company requesting an exception.

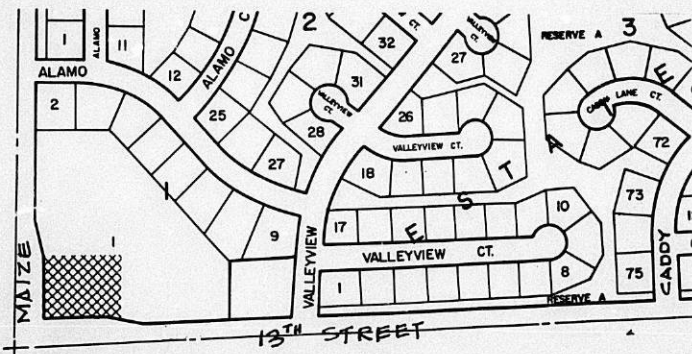
Pursuant to Section 2.12.590.C, of the Code of the City of Wichita, the applicant is requesting an exception to permit the establishment of a detached, single-bay automatic car wash in association with a proposed Amoco service station on property zoned the "LC" Light Commercial District. A legal description of the applicant's property is as follows:

That part of Lot 1, Block 1, Amarado Estates, an addition to Wichita, Sedgwick County, Kansas, described as beginning at the S.W. Corner thereof; thence N 00° E, along the west line of said Lot 1, 175 feet; thence N 86°34'56" E, 213 feet; thence S 00° E, 184.38 feet more or less to a point on the south line of said Lot 1; thence N 79°22'53" W, along said south line of Lot 1, 38.59 feet to a deflection corner of said Lot 1; thence S 86°34'56" W, 175 feet to the point of beginning. Generally located at the northeast corner of 13th Street and Maize Road.

This application has been assigned Case No. BZA 28-88. It will be considered by the Board of Zoning Appeals on Tuesday, June 28, 1988, at 1:30 p.m. in the Board Room, First Floor of City Hall, 455 N. Main Street, Wichita, Kansas. If you have no interest in or objections to the requested exception, you have no obligation to appear or comment. If you desire to appear at the Board meeting, you are invited to do so either in person or by agent or attorney.

If you have any questions about the application, please feel free to call the Wichita-Sedgwick County Metropolitan Area Planning Department at 268-4421.

NOTE: We have been advised by the Citizen Participation Organization staff that CPO Council 5A, Westside, will consider this case at their meeting to be held on Wednesday, June 15, 1988, at 7 p.m. at the American National Bank, 10222 W. Central. Additional information regarding this CPO meeting may be obtained by calling the CPO office at 268-4516.



PL1-0430

(_____) Published in The Daily Reporter, June 3, 1988

OFFICIAL NOTICE

NOTICE IS HEREBY given that on the 28th day of June, 1988, the Board of Zoning Appeals of the City of Wichita, Kansas, meeting in the Board Room, First Floor, City Hall, 455 North Main, Wichita, Kansas will consider the following applications beginning at 1:30 p.m.

1. Case No. BZA 23-88 - John A. Van Walleghen, pursuant to Section 2.12.590.B, Code of the City of Wichita, requests a variance to reduce the rear yard setback from 20 feet to 8 feet on property zoned the "AA" One-Family Dwelling District and legally described as follows:

Lot 1, Block 13, Garden Park Addition to Wichita, Sedgwick County, Kansas. Generally located at the southwest corner of Tulsa and Pattie Streets (1239 Tulsa).
2. Case No. BZA 24-88 - Patrick M. Chapman, pursuant to Section 2.12.590.C, Code of the City of Wichita, requests an exception to permit the establishment of a used car sales lot on property partially zoned the "LC" Light Commercial District and the balance approved for the "LC" Light Commercial District and legally described as follows:

Lots 1241, 1243 and 1245 on Market Street and the north 9 feet of Lot 1244 and all of Lot 1246 on Broadway in Bush's Addition to the City of Wichita, Sedgwick County, Kansas. Generally located on the south side of 13th Street between Market and Broadway.
3. Case No. BZA 25-88 - Rocky L. and Terry L. Wilburn, pursuant to Section 2.12.590.B, Code of the City of Wichita, request a variance to reduce the side yard setback from 6 feet to 1½ feet for a deck and reduce to 1 foot the setback for the roof over the deck on property zoned the "AA" One-Family Dwelling District and legally described as follows:

Lot 8, Murray's 3rd Addition to Wichita, Sedgwick County, Kansas. Generally located at the northeast corner of Pawnee and Pawnee Court (3860 E. Pawnee Court).
4. Case No. BZA 26-88 - John C. and Mary L. Nodgaard, pursuant to Section 2.12.590.B, Code of the City of Wichita, request a variance to reduce the side yard setback from 6 feet to 5 feet on property zoned the "AA" One-Family Dwelling District and legally described as follows:

Lot 1, Block 6, Fifth Addition to Pine Valley Estates, Wichita, Sedgwick County, Kansas. Generally located on the east side of Lawrence Lane, ¼-mile south of 13th Street (1002 Lawrence Lane).
5. Case No. BZA 27-88 - Quality Child Care Centers, Inc.-Wesley Children's Center, pursuant to Section 2.12.590.C, Code of the City of Wichita, requests an exception to permit the establishment of a child care center on property zoned the "A" Two-Family Dwelling District and legally described as follows:

The West Half of Reserve D, Ken-Mar Addition to Wichita, Sedgwick County, Kansas. Generally located on the south side of 17th Street in an area west of Oliver (4401 E. 17th).

6. Case No. BZA 28-88 - Amoco Oil Company, pursuant to Section 2.12.590.C, Code of the City of Wichita, requests an exception to permit the establishment of a detached, single-bay automatic car wash in association with a proposed Amoco service station on property zoned the "LC" Light Commercial District and legally described as follows:

That part of Lot 1, Block 1, Amarado Estates, an addition to Wichita, Sedgwick County, Kansas, described as beginning at the S.W. Corner thereof; thence N 00° E, along the west line of said Lot 1, 175 feet; thence N 86°34'56" E, 213 feet; thence S 00° E, 184.38 feet more or less to a point on the south line of said Lot 1; thence N 79°22'53" W, along said south line of Lot 1, 38.59 feet to a deflection corner of said Lot 1; thence S 86°34'56" W, 175 feet to the point of beginning. Generally located at the northeast corner of 13th Street and Maize Road.

7. Case No. BZA 29-88 - M.H.M. Properties Inc. (Hilton Inn East), pursuant to Section 2.12.590.B, Code of the City of Wichita, requests a variance to reduce the parking requirements from 358 spaces to 341 spaces on property zoned the "LC" Light Commercial District and legally described as follows:

Lot 3, East Side Center Addition to Wichita, Sedgwick County, Kansas. Generally located at the southwest corner of Kellogg and Rock Road.

8. Case No. BZA 30-88 - Rudy Betts, pursuant to Section 2.12.590.C, Code of the City of Wichita, requests an exception to permit the establishment of an off-street parking lot on property zoned the "A" Two-Family Dwelling District and legally described as follows:

Lots 14 and 16, Block 6, J.O. Davidson 2nd Addition to Wichita, Sedgwick County, Kansas. Generally located on the east side of Custer in an area south of Central.

9. Case No. BZA 31-88 - Rudy Betts, pursuant to Section 2.12.590.B, Code of the City of Wichita, requests a variance to reduce the rear yard setback from 10 feet to 0 feet on property zoned the "LC" Light Commercial District and legally described as follows:

Lots 2, 4, 6, 8, 10 and 12, Block 6, J. O. Davidson 2nd Addition to Wichita, Sedgwick County, Kansas. Generally located on the southeast corner of Central and Custer (3015 W. Central).

As provided in City Ordinances hereinabove described and Section 2.12.560 et. seq., Code of the City of Wichita, Sedgwick County, Kansas, the same will then and there be discussed and considered by the said Board of Zoning Appeals and all persons interested in said matters will be heard at this time concerning their views and wishes in the premises, and any protest against any of the provisions of the exceptions and the variances will be considered by the Board of Zoning Appeals as by law provided.

WITNESS my hand and seal this 3rd day of June, 1988.

Jack H. Galbraith, Secretary

BOARD OF ZONING APPEALS

CASE NO. 28-88

CITY OF WICHITA, KANSAS

FILED _____

APPLICATION FOR EXCEPTION

I. Name of Applicant Amoco Oil Company (Real Estate Dept.)

Mailing Address P.O. Box 26024 Phone 913-339-4572
Shawnee Mission, KS. 66225-6024

Name of Authorized Agent Gene Razoek, Andeal & Co Realtors

Mailing Address 358 N. Rock Rd. Phone 283-7511
Wichita, KS 67206

Relationship of applicant to property is that of Owner ^{and} Contract Buyer ~~for~~ for additional Property (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 detached single-bay automatic car wash in association with a proposed Amoco service station

Light Commercial, located at the N.E. Corner of 13th St +

Maize Road (no specific address) and legally described as: _____

_____ *see attachment*

_____, 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. 24-606); 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.

is advised of his right to bring action in the of Sedgewick County to appeal the decision of



GENE RAZOOK
(316) 683-7511



ANDEAL & CO. • REALTORS • 358 N. ROCK RD. • WICHITA, KS 67206

Applicant Amoco Oil Company

Authorized Agent Gene Razoek

OFFICE USE ONLY: Received in the office of the Secretary, Board of Zoning Appeals, _____ (a.m. - p.m.), May 27, 1988, together with appropriate fee of ~~\$50.00~~ 400.00.

Map # 4849C (N) LC (S) LC (E) LC (W) LC Signed Jennie Alvord CPO SA 6-15

WILLIAM L. KORBER, L.S.

JOHN E. LUNDBLADE, L.S.

N. BRENT WOOTEN, P.E.



BAUGHMAN COMPANY, P.A.

SURVEYING & ENGINEERING

316/262-7271 • 315 ELLIS • WICHITA, KANSAS 67211

May 31, 1988

*BZA 28-88
legal*

* That part of Lot 1, Block 1, Amarado Estates, An Addition to Wichita, Sedgwick County, Kansas, described as beginning at the S.W. Corner thereof; thence N 00° E, along the west line of said Lot 1, 175 feet; thence N 86°34'56" E, 213 feet; thence S 00° E, 184.38 feet more or less to a point on the south line of said Lot 1; thence N 79°22'53" W, along said south line of Lot 1, 38.59 feet to a deflection corner of said Lot 1; thence S 86°34'56" W, 175 feet to the point of beginning.

Lot 1, Block 1, Amarado Estates, An Addition To Wichita, Sedgwick County, Kansas, described as beginning at the S.W. Corner thereof; thence N 00° E, along the west line of said Lot 1, 175 feet; thence N 86°34'56" E, 213 feet; thence S 00° E, 184.38 feet more or less to a point on the south line of said Lot 1; thence N 79°22'53" W, along said south line of Lot 1; 38.59 feet to a deflection corner of said Lot 1; thence S 86°34'56" W, 175 feet to the point of beginning, except the west 150 feet of the south 150 feet thereof.

OWNERSHIP LIST

Lot	Block	Addition	Property Owner
<i>part of application</i> The South 150 feet of the West 150 feet of Lot 1	Block 1	Amarado Estates, an Addition to Wichita, Sedgwick County, Kansas	JAP Amoco Oil Company P.O. Box 419099 Kansas City, MO 64141
<i>see part of application</i> Lot 1, except the South 150 feet of the West 150 feet	Block 1	" <i>see purchase contract for portions included in application.</i>	R & S Investments c/o Leslie Rudd P.O. Box 968 Wichita, KS 67201
Lot 1		Westgate Village Addition	Westgate Village Partnership 9406 Harvest Lane Wichita, KS 67212
Lot 2		"	Kerr-McGee Refining Corporation c/o Tax Dept. P.O. Box 25861 Oklahoma City, OS 73125
The North 200 feet of the East 217 feet of Lot 48	Block 2	Westlink Village Fourteenth	J.B.S., Inc. 1455 N. Maize Rd. Wichita, KS 67211
The East 120 feet of Lot 5	Block 1	Westlink Village Tenth	W K P T Company c/o LaPetite Academy P.O. Box 26610 Kansas City, MO 64196
Lot 5, except the East 120 feet	Block 1	"	Barbara G. Zody c/o Avtax, Inc. P.O. Box 35527 Tulsa, OK 74153
Lot 4	Block 1	"	Jess Hesler 10214 Briarwood Wichita, KS 67212

Tract Description

Beginning at the NE/c of the NE $\frac{1}{4}$ of Section 18, Township 27 South, Range 1 West of the 6th P.M., Sedgwick County, Kansas; th. West 617 feet; th. South 212.66 feet; th. East 617 feet; th. North 212.66 feet to the point of beginning, subject to road easement on the North 33 feet and the East 33 feet.

Ava Johns
10401 W. 13th St. North
Wichita, KS 67212

We hereby certify the foregoing to be a true and correct list of the property owners of the hereinbefore described lots and tract within a 200 foot radius of:

That part of Lot 1, Block 1, Amarado Estates, an Addition to Wichita, Sedgwick County, Kansas, described as beginning at the Southwest Corner thereof; thence N 00° E, along the West line of said Lot 1, 175 feet; thence N 86°34'56" E, 213 feet; thence S 00° E, 184.38 feet more or less to a point on the South line of said Lot 1; thence N 79°22'53" W, along said South line of Lot 1, 38.59 feet to a deflection corner of said Lot 1; thence S 86°34'56" W, 175 feet to the point of beginning.

as shown by the last deed of record on file in the Office of the Register of Deeds, Sedgwick County, Kansas, on the 31st day of May, 1988, at 7:00 o'clock A.M.

THE SECURITY ABSTRACT AND TITLE COMPANY, INC.

By *Mont R. Hawkins*
Vice-President

Order No. 395362
nj

RECEIVED

MAY 31 1988

METROPOLITAN PLANNING

ROUTE _____

REAL ESTATE PURCHASE CONTRACT

This Agreement, Made and entered into this 26th day of April, 1988
by and between Leslie J. Rudd

party of the First Part, hereinafter referred to as "Seller," whether one or more, and Amoco Oil Company,
a Maryland Corporation, or its assigns.

party of the Second Part, hereinafter referred to as "Buyer," whether one or more.

WITNESSETH: That for and in consideration of the mutual promises, covenants and payments hereinafter set out, the parties hereto do hereby contract to and with each other, as follows:

1. The Seller does hereby agree to sell and convey to the Buyer by a good and sufficient warranty deed the following described real property, situated in Sedgwick County, Kansas, to-wit:
A portion of Lot 1, Block 1, Amarado Estates, containing approximately 14,775 sq. ft.
Further description of the property is shown on the exhibit "A" (area highlighted in yellow), which is attached hereto and made a part thereof.

2. The Buyer hereby agrees to purchase, and pay to the Seller, as consideration for the conveyance to him of the above described real property, the sum of \$118,200.00
One hundred eighteen thousand two hundred & no/100 Dollars
in manner following, to-wit: \$1,000.00 earnest money, balance to be paid in cash on closing.

3. The Seller, at his option, agrees to furnish to the Buyer, ~~either a complete abstract of title certified to date,~~
~~or~~ a title insurance company's commitment to insure, to the above described real property, showing a merchantable title vested in the seller, subject to: Preliminary requirements, items 11, 12 and 13.
"Excepting easements and restrictions of record"

The Title Evidence shall be sent to Richard A. O'Dell, attorney, Amoco Oil Company
for examination by the Buyer as promptly and expeditiously as possible, and it is understood and agreed that the Seller shall have a reasonable time after said Title Evidence has been examined in which to correct any defects in title.

4. A duly executed copy of this Purchase Agreement shall be delivered to the parties hereto.

5. The Buyer agrees to and does hereby deposit with Andeel & Co. Realtors Trust Account
the sum of (\$1,000.00) One thousand & no/100 Dollars,
earnest money, as a guarantee that the terms and conditions of this contract shall be fulfilled by him, said deposit to be applied on the purchase price upon acceptance of title by the Buyer and delivery of deed by the Seller. In the event the Buyer shall fail to fulfill his obligation hereunder, the Seller may, at his option, cancel this agreement, and thereupon the aforementioned deposit shall become the property of the Seller and his Agent, not as a penalty but as liquidated damages. Provided, however, that in the event the Seller is unable to furnish merchantable title, the earnest money deposited shall be returned to the Buyer, and this Agreement shall be null and void and of no further force and effect.

6. It is further agreed by and between the parties hereto that all rentals, insurance (if policies acceptable to Buyer) and interest, if any shall be adjusted and prorated as of Closing Date. Taxes shall be pro-rated for calendar year on the basis of taxes levied, or for prior year.

7. The Seller further agrees to convey the above described premises with all the improvements located thereon and deliver possession of the same in the same condition as they now are, reasonable wear and tear excepted.

8. It is understood and agreed between the parties hereto that time is of the essence of this contract, and that this transaction shall be consummated on or before Twenty (20) days next following performance of all conditions, but in no event beyond September 1, 1988.

9. Possession to be given to Buyer on or before Date of Closing

10. In the event an Owners title insurance policy is furnished, the total cost of the commitment to insure and the title insurance policy will be paid 50% by seller and 50% by buyer.
* Conditions are set forth on the reverse side of this contract.

WITNESS OUR HANDS AND SEALS the day and year first above written.
Amoco Oil Company, a Maryland Corporation

K. C. Forsgren
Buyer
K. C. FORSGREN
MANAGER, CAPITAL INVESTMENT (WEST)

Leslie J. Rudd
Seller

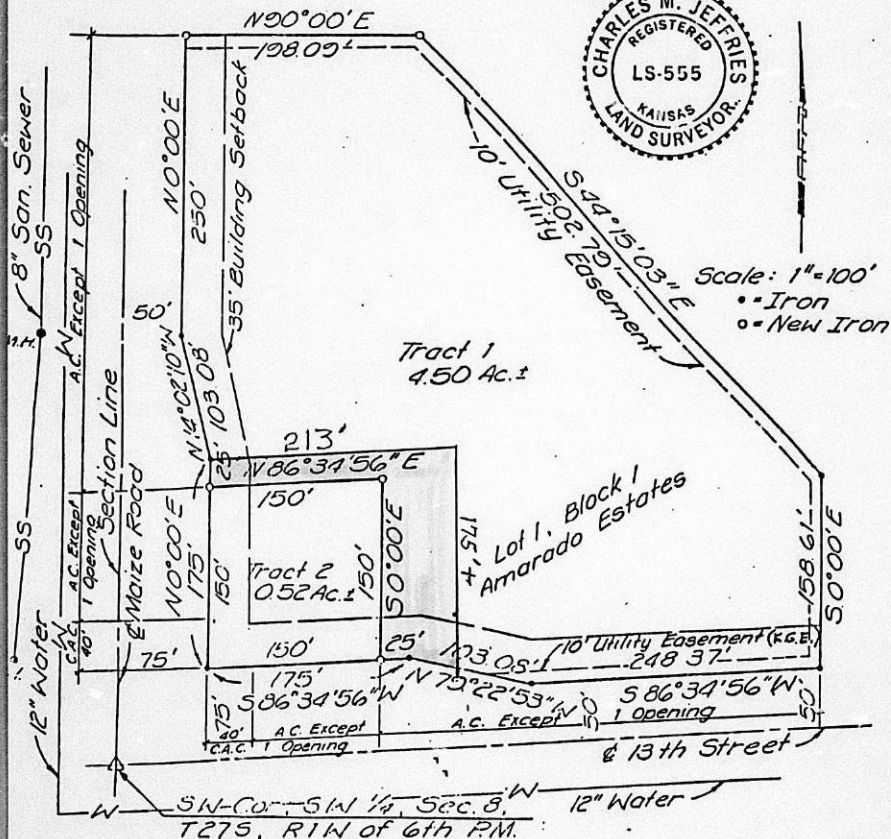
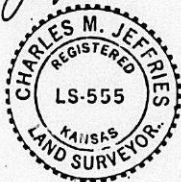
I, CHARLES M. JEFFRIES, REGISTERED LAND SURVEYOR IN THE SAID STATE AND COUNTY, DO HEREBY CERTIFY THAT I HAVE CAUSED TO BE SURVEYED LOT 1, BLOCK 1 IN AMARADO ESTATES, AN ADDITION TO WICHITA, KANSAS, FOR THE PURPOSE OF SPLITTING SAID LOT IN TWO TRACTS DESCRIBED AS:

TRACT 1 - LOT 1, BLOCK 1, AMARADO ESTATES, AN ADDITION TO WICHITA, SEDGWICK COUNTY, KANSAS. EXCEPT FOR THE WEST 150 FEET OF THE SOUTH 150 FEET OF SAID LOT 1. CONTAINING 4.50 ACRES MORE OR LESS.

TRACT 2 - THE WEST 150 FEET OF THE SOUTH 150 FEET, OF LOT 1, BLOCK 1, AMARADO ESTATES AN ADDITION TO WICHITA SEDGWICK COUNTY, KANSAS. CONTAINING 0.52 ACRES MORE OR LESS.

JANUARY 25, 1979

Charles M. Jeffries
CHARLES M. JEFFRIES
REG. NO. 555



Scale: 1"=100'
•• Iron
• New Iron

STATE OF KANSAS
SEDGWICK COUNTY
FILED FOR RECORD AT
MAR 29 1979

NO. 4 31728
BETTE F. McCART
REGISTER OF DEEDS

Pat Kettler



City of Wichita
Sedgwick County
State of Kansas

LJS No. 0408
Copy 1 of 4

I, Jack H. Galbraith, Chief Planner, Wichita - Sedgwick County Metropolitan Area Planning Department, do hereby certify that under the Authority granted in the Subdivision Rules and Regulations that the lot split to which this stamp is affixed has been approved.

Given under my hand and seal, this 20th day of March, 1979.

Nr 00185

METROPOLITAN AREA PLANNING DEPARTMENT

Description BZA Exception (13th/Maize NE corner)
 Name Ava Johns
 Address 358 North Park St., Wichita, KS 67202
 Fund No. (circle one) 755-40710-003 (fees) 755-40710-004
 (books, xerox) 755-40710-026 (microfilm)
 Amount 10/1.00
 Date 5/27/88 Due Date 5/27/88 By [Signature]

Form 00-000

WICHITA — SEDGWICK COUNTY

METROPOLITAN AREA PLANNING DEPARTMENT

CITY HALL — TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202-1688

BZA 28-88



RECEIVED

JUN 09 1988

METROPOLITAN PLANNING

ROUTE for

Ava Johns
10401 W. 13th St. N.
Wichita, KS 67212

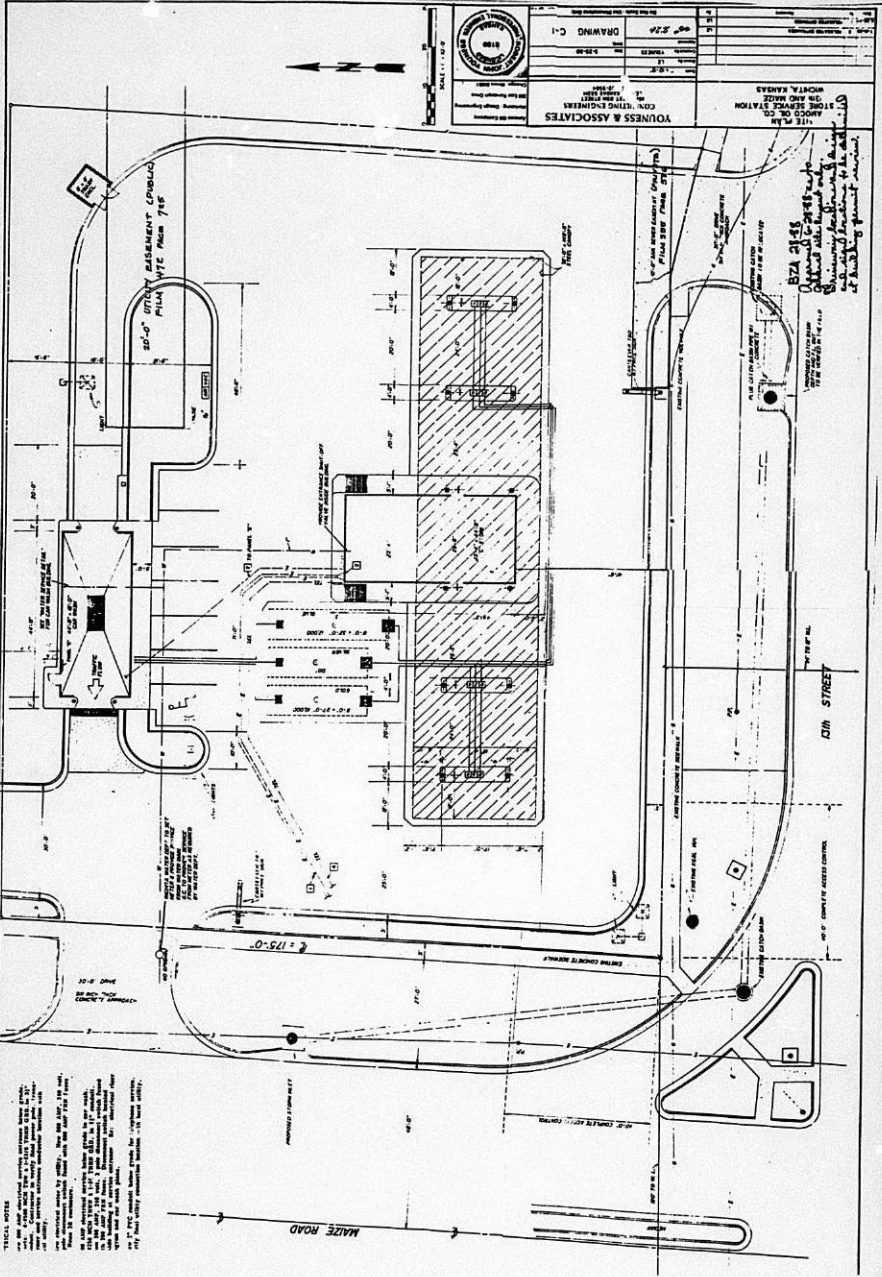
JOE 1230



JOH 01 300420N1 06/04/88

RETURN TO SENDER
NO FORWARDING ORDER ON FILE
UNABLE TO FORWARD

Important! Notice of Meeting Enclosed



NOTES:
 1. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE AIA, AIAA, AND AIAE SPECIFICATIONS.
 2. ALL DIMENSIONS ARE IN FEET AND INCHES.
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 8. ALL DIMENSIONS ARE IN FEET AND INCHES.
 9. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE AIA, AIAA, AND AIAE SPECIFICATIONS.
 10. ALL DIMENSIONS ARE IN FEET AND INCHES.

YOUNESS & ASSOCIATES CONSULTING ENGINEERS 1111 N. W. 11th Street MORTON, KANSAS	
DRAWING NO. 214 DATE 5-20-66 SCALE 1" = 20'-0"	SHEET NO. 1 OF 1

BZA 2148
 Approved for 10/18/66
 10/18/66
 10/18/66
 10/18/66
 10/18/66

*

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

Roll # 3