

5248

Recd
1-2-67

P.C.

ACTION

By a COMMITTEE Approved... DATE 1-24-67

M.A.P.C. _____

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

BZA 37-66 - Floyd D. Dewitt requests
Exception to permit automatic & self-
service car wash at the SE corner of
13th and West Streets

February 15, 1967

Floyd D. & Marie J. DeWitt
3325 South Oak
Wichita, Kansas 67217

Dear Mr. and Mrs. DeWitt:

Re: Case No. BZA 37-66 - Request
for an Exception

Enclosed is a signed copy of the Resolution adopted by the Board of Zoning Appeals on January 24, 1967, in connection with your application for an Exception to permit the installation or construction of an automatic and self-service car wash on property zoned "LC" Light Commercial and generally located on the southeast corner of 13th and West Streets. 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,

Ronald A. Williamson
Assistant Secretary

RAW:kkj

cc: Philip A. Rein, 306 Bitting Bldg., Wichita
Glen Lytle, Superintendent of Central Inspection
Ralph Eberly, City Clerk

RESOLUTION NO. BZA 37-66

WHEREAS, Floyd D. and Marie J. DeWitt, 3325 South Oak, Wichita, Kansas, by Philip A. Rein, 306 Bitting Building, Wichita, Kansas, requests an exception as provided in Section 28.04.183.4, Code of the City of Wichita, to permit the installation of an automatic and self-service car wash on property zoned "LC" Light Commercial, and legally described as follows:

Beginning at the northwest corner of Section 13, Township 27, Range 1 West; thence South 164.81 ft. East 264.3 ft.; North 164.81 ft.; West 264.3 ft. to beginning, except the West 167 feet thereof, also Lot 1, Pearle E. Woods Addition, except the North 35 feet of the west 117 feet thereof. Generally located on the southeast corner of 13th and West Streets.

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 January 24, 1967, consider said application; and

WHEREAS, the Board of Zoning Appeals determined that it had jurisdiction to consider said request for an exception under the provisions of Section 2.12.590.3, Code of the City of Wichita; and

WHEREAS, the Board has authority to permit the installation of an automatic and self-service car wash on property zoned "LC" Light Commercial subject to the conditions outlined in Section 28.04.183.4, Code of the City of Wichita; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Zoning Appeals of the City of Wichita, that this application be approved for installation of an automatic and self-service car wash on property zoned "LC" Light Commercial and legally described as follows:

Beginning at the northwest corner of Section 13, Township 27, Range 1 West; thence South 164.81 ft. East 264.3 ft.; North 164.81 ft.; West 264.3 ft. to beginning, except the West 167 feet thereof, also Lot 1, Pearle E. Woods Addition, except the North 35 feet of the West 117 feet thereof. Generally located on the southeast corner of 13th and West Streets.

subject to the following:

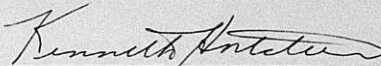
1. There shall be a minimum lot area of 3,500 square feet for each self-service car washing stall and 2,500 square feet for each twenty lineal feet of automatic car washing structure, providing that the minimum lot area shall be not less than 7,500 square feet.

2. The car-washing buildings or facilities shall be set back a distance of not less than thirty-five (35) feet from all street right-of-way lines.
3. 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.
4. All lights shall be shielded to reflect or direct light away from adjacent property. No string type lighting or banners shall be permitted.
5. No sign shall exceed 25 feet in height or be placed so as to project over any public right-of-way.
6. No sound-projecting devices or loudspeakers shall be used so as to be heard outside of any structure.
7. Off-street holding spaces shall be provided on the property in the following ratio:

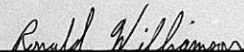
Not less than 4 parking spaces for each self-service car-washing stall. Not less than 3 parking spaces for each 20 lineal feet of the automatic car washing aisle.
8. Off-street drying spaces shall be provided on the property in the following ratio:

Not less than 2 parking spaces for each self-service car-washing stall. Not less than 2 spaces for each automatic car-washing aisle. One (1) off-street parking space shall be provided for each 2 employees.
9. All parking areas shall have adequate guards to prevent the extension or overhanging of vehicles beyond property lines or parking spaces.
10. 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.
11. The applicant shall remove all existing structures located within the confines of the application area prior to the occupancy of the property for the proposed car wash.
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 property for the proposed self-service and automatic car wash.

ADOPTED AT WICHITA, KANSAS, this 24th day of January,
1967.


Kenneth Hartstein, Chairman

ATTEST:


Ronald Williamson
Assistant Secretary

January 30, 1967

Floyd D. & Marie J. DeWitt
3325 South Oak
Wichita, Kansas 67217

Dear Mr. and Mrs. DeWitt:

Re: Case No. BEA 37-66 - Request for
Exception to the zoning ordinance
to permit the installation of an
automatic and self-service car wash
to be located in an "LC" zone.

At the regular meeting of the Board of Zoning Appeals on January 24, 1967, your request for an exception to permit the installation or construction of an automatic and self-service car wash in an area zoned "LC" Light Commercial, and being located on the southeast corner of 13th and West Streets, was considered.

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

1. There shall be a minimum lot area of 3,500 square feet for each self-service car washing stall and 2,500 square feet for each twenty lineal feet of automatic car washing structure, provided that 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 thirty-five (35) feet from all street right-of-way lines.
3. 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.

January 30, 1967

4. All lights shall be shielded to reflect or direct light away from adjacent property. No string type lighting or banners shall be permitted.
5. No sign shall exceed 25 feet in height or be placed so as to project over any public right-of-way.
6. No sound-projecting devices or loudspeakers shall be used so as to be heard outside of any structure.
7. 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. Not less than 3 parking spaces for each 20 lineal feet of the automatic car washing aisle.
8. 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. Not less than 2 spaces for each automatic car-washing aisle. One (1) off-street parking space shall be provided for each 2 employees.
9. All parking areas shall have adequate guards to prevent the extension or overhanging of vehicles beyond property lines or parking spaces.
10. 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.
11. The applicant shall remove all existing structures located within the confines of the application area prior to the occupancy of the property for the proposed car wash.
12. The area shall be properly policed through inspections by the owner or operator for proper maintenance and removal of trash.

Floyd D. & Marie J. DeWitt
Case No. BZA 37-66

3

January 30, 1967

13. All conditions of approval by the Board must be complied with prior to the occupancy of the property for the proposed self-service and automatic car wash.

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

Very truly yours,

Ronald A. Williamson
Assistant Secretary

RAW:kkq

cc: Philip A. Rein, 306 Bitting Bldg., Wichita
Glen Lytle, Superintendent of Central Inspection
Ralph Eberly, City Clerk

SECRETARY'S REPORT

CASE NO. BZA 37-66

APPLICANT: Floyd D. and Marie J. DeWitt, 3325 South Oak, Wichita

AGENT: Phillip A. Rein, 306 Bitting Building, Wichita, Kansas

REQUEST: Exception pursuant to Section 28.04.183.4, Code of the City of Wichita, to permit the installation of an automatic and self-service car wash

GENERAL LOCATION: Southeast corner of 13th and West Streets

LAND USE: Subject property is occupied by a duplex and a vacant commercial structure; to the west are commercial uses; to the north is a food store, service station and vacant; land to the south and east is vacant

ZONING: Subject property is zoned "LC" as is the land to the north, east, south and west

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 the exception providing the conditions outlined under Section 28.04.183.4, Code of the City of Wichita can be met.

COMMENTS BY THE SECRETARY

It is the opinion of the Secretary that the location is logical due to the surrounding zoning and the existing land use in the adjacent areas. The application area is of such a shape that it is difficult to arrive upon a good design or a workable solution to the traffic circulation, however, the site does have sufficient area as required by ordinance and the proposed plan has been approved by the Traffic Engineer.

It is the recommendation of the Secretary that the exception be approved to permit the installation of the self-service and automatic car wash, subject to the following conditions:

1. There shall be a minimum lot area of 3,500 square feet for each self-service car washing stall and 2,500 square feet for each twenty lineal feet of automatic car washing structure, provided that 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 thirty-five (35) feet from all street right-of-way lines.
3. 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.
4. All lights shall be shielded to reflect or direct light away from adjacent property. No string type lighting or banners shall be permitted.
5. No sign shall exceed 25 feet in height or be placed so as to project over any public right-of-way.
6. No sound-projecting devices or loudspeakers shall be used so as to be heard outside of any structure.
7. 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. Not less than 3 parking spaces for each 20 lineal feet of the automatic car washing aisle.
8. 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. Not less than 2 spaces for each automatic car-washing aisle. One (1) off-street parking space shall be provided for each 2 employees.
9. All parking areas shall have adequate guards to prevent the extension or overhanging of vehicles beyond property lines or parking spaces.

10. 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.
11. The applicant shall remove all existing structures located within the confines of the application area prior to the occupancy of the property for the proposed car wash.
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 property for the proposed self-service and automatic car wash.

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

January 13, 1967

NOTICE TO ADJOINING PROPERTY OWNERS

Case No. BZA 37-66

An application has been filed by Floyd D. & Marie J. DeWitt, 3325 South Oak, Wichita, Kansas, by Phillip A. Rein, 306 Bitting Building, Wichita, Kansas, pursuant to Section 2.12.590.3, Code of the City of Wichita, requesting an exception as provided in Section 28.04.183.4, Code of the City of Wichita, to permit the installation or construction of an automatic and self-service car wash on property zoned "LC" Light Commercial and legally described as follows:

Beginning at the northwest corner of Section 13 Township 27, Range 1 West; thence South 164.81 ft. East 264.3 ft; North 164.81 ft; West 264.3 ft. to beginning, except the West 167 feet thereof, also Lot 1, Pearle E. Woods Addition, except the North 35 feet of the west 117 feet thereof. Generally located on the southeast corner of 13th and West Streets.

This application has been assigned Case No. BZA 37-66, and will be considered by the Board of Zoning Appeals at its meeting on Tuesday, January 24, 1967, 2:00 p.m., in Room 401 City Building Annex, 104 South Main, Wichita, Kansas, at which time you may appear, if you so desire, either in person or by agent or attorney.

Jack H. Galbraith
Secretary

Mailed 19 1-13-67

December 27, 1966

Re: Application for Exception for Operation
of Automatic and Self-Service Car Wash
Installation.

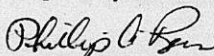
Board of Zoning Appeals
City of Wichita
Wichita, Kansas

Dear Sirs:

Application is hereby made this date to apply for a zoning exception for a tract of land located at the southeast corner of 13th and West Streets known as a tract beginning at the NW corner of Section 13, Twp 27, Range 1W of the 6th P.M. Sedgwick County, Kansas, thence South 164.81 feet, thence East 264.3 feet, thence North 164.81 feet, thence West 264.3 feet to the point of beginning except the West 117 feet thereof in Pearl E. Woods Addition to Wichita, Sedgwick County, Kansas.

This application for exception is authorized under the Zoning Ordinance of the City of Wichita as provided in Section 28.04, 183.4 to permit the installation of an automatic and self-service car wash. This car wash is to be constructed on property now zoned "LC" and having "LC" zoning property located on all sides thereof. It is respectfully requested that the Board of Zoning Appeals allow this "Application for Exception".

Respectfully submitted,



Phillip A. Rein,
Agent for Floyd D. De Witt and
Marie J. De Witt, Owners of the
aforementioned property

PAR:skc

December 27, 1966

Re: Application for Exception for Operation
of Automatic and Self-Service Car Wash
Installation.

Board of Zoning Appeals
City of Wichita
Wichita, Kansas

Dear Sirs:

Application is hereby made this date to apply for a zoning exception for a tract of land located at the southeast corner of 13th and West Streets known as a tract beginning at the NW corner of Section 13, Twp 27, Range 1W of the 6th P.M. Sedgwick County, Kansas, thence South 164.81 feet, thence East 264.3 feet, thence North 164.81 feet, thence West 264.3 feet to the point of beginning except the West 117 feet thereof in Pearl E. Woods Addition to Wichita, Sedgwick County, Kansas.

This application for exception is authorized under the Zoning Ordinance of the City of Wichita as provided in Section 23.04, 183.4 to permit the installation of an automatic and self-service car wash. This car wash is to be constructed on property now zoned "LC" and having "LC" zoning property located on all sides thereof. It is respectfully requested that the Board of Zoning Appeals allow this "Application for Exception".

Respectfully submitted,

Phillip A. Rein
Phillip A. Rein,
Agent for Floyd D. De Witt and
Marie J. De Witt, Owners of the
aforementioned property

PAR:skc

BOARD OF ZONING APPEALS
CITY OF WICHITA, KANSAS

5298
CASE NO. 57-66
FILED 12-27-66

APPLICATION FOR EXCEPTION

I. Name of Applicant Floyd D. DeWitt and Marie J. DeWitt (H & W)
Mailing Address 3325 South Oak Phone LY 1-3945
Name of Authorized Agent Phillip A. Rein
Mailing Address 306 Bitting Building Phone AM 7-8381
Relationship of applicant to property is that of owner
(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 automatic and self-service car wash
_____ on property zoned
"C", located 13th & West Street, Southeast corner
area and legally described as: part of
Lot 1 of Pearl E. Woods Addition plus an unplatted piece of land
as described below, in the City of Wichita.

(Give metes and bounds description below if appropriate).

A tract beginning at the NW corner of Section 13, Twp 27, Range
1W of the 6th P.M. Sedgwick County, Kansas, thence South 164.61
feet, thence East 264.3 feet, thence North 164.01 feet, thence
West 264.3 feet to the point of beginning except the West 167
feet thereof, also lot 1, except the North 35 feet of the West
117 feet thereof in Pearl E. Woods Addition to Wichita, Sedgwick

III. The applicant herein, or his authorized agent: County, Kansas.

- 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 Floyd D. DeWitt
Authorized Agent Phillip A. Rein

OFFICE USE ONLY: Received in office of Secretary, Board of Zoning Appeals, 11:50 (a.m. - p.m.), December 27 1966, together with appropriate fee of \$50.00.

Signed Randall W. Wilkerson

STATEMENT OF OWNERSHIP

STATE OF KANSAS)
)
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:

Property lying within a radius of 200 ft of:

Beg at the NW cor of Sec 13, Twp 27, R 1 W; th South 164.81 ft; East 264.3 ft; North 164.81 ft; West 264.3 ft to beg., exc the West 167 ft thereof, also Lot 1, Pearle E. Woods Addition, exc the North 35 ft of the West 117 ft. thereof.

And from such examination find that the owners thereof are as set opposite the description of the property below, viz:

Lot 1, Continental Addition. ✓ Triangle Facilities, Inc.
100 W. 10th St., Wilmington, Del.

N 35' of W 117' Lot 1, in Pearle E. Woods Add. D Triangle Facilities, Inc.

Beg at NW cor Sec 13-27-1W; S 164.81'; E 264.3'; N 164.81'; W 264.3'; exc W 167' thereof. ✓ Floyd D. & Marie J. DeWitt, ux
3325 S. Oak 67217

Lot 1, Pearle E. Woods Add. exc D Floyd D. & Marie J. DeWitt, ux
N 35' of W 117'.

Lots 2 & 3, Pearle E. Woods Add. ✓ Delbert H. & Nita Marie Sprague, ux
1328 N. West St. 67203

Lot 4, Pearle E. Woods Add. ✓ Edwin A. & Shirley B. Kissire, ux
1320 N. West St. 67203

Lot 1, Jerry Harper Add. ✓ Curtis R. & Gwen Harper, ux
~~1355 Iroquois~~
Returned 1-18-67 67203
no address found


Fidelity
Title
Company.
inc.



Lot 1, Kardatzke Addition, exc a tract beginning 80' S of NE cor sd Lot 1; th W 65'; S 47.75'; W 235' to W line sd Lot 1; S 30'; E 265'; N 47.75'; E 35' to E line sd Lot; N 30' to beg., to be used only as a roadway giving access from North West Street to Kardatzke's Second Addition.

✓ E. E. & Vera L. Kardatzke, ux
8325 Maple St. 67209

D-6111-94C

Beg 286' S of NE cor NE $\frac{1}{4}$ Sec 14, Twp 27, R 1 W;
W 430'; S 125'; E 430'; N 125' to beg.

✓ Rolland H. & Myrtle D. Monroe, ux
1337 N. West St. 67203

D-6111-94D

Beg 30' W & 161' S of NE cor NE $\frac{1}{4}$ Sec 14, Twp 27,
R 1 W; W 200'; S 125'; E 200'; N 125' to beg.

Mark J. & Delores A. Lewis, ux
1355 N. West St. 67203

Lot 1, Baxter Addition.

Delbert E. & Faye E. Baxter, ux
R # 1, Rose Hill, Kansas. 67133

Lot 1, Westform Addition.

Ruth Spooner Stone
1317 N. Market 67214

D-18429-1

SE $\frac{1}{4}$ Sec 11, Twp 27, R 1 West East of Rry ROW, exc
Beg at NE cor SE $\frac{1}{4}$; th W 1867.3'; SWly 178'; SEly
559.6'; SEly 1103'; SWly 325'; SEly 510'; SWly to
a pt on E ROW that is 155' N of S Line of Sec on
a rt angle; th SEly along ROW to Sec line; th E to
SE cor SE $\frac{1}{4}$; th N to beg.

Ellen C. Ott
1415 N. WestSt. 67203

Dated at Wichita, Kansas this 5th day of December,
1966, at 7:00 o'clock A. M.

FIDELITY TITLE COMPANY, INC.

By Elmer M. Farrell
Sec. OEM

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

January 13, 1967

NOTICE TO ADJOINING PROPERTY OWNERS

Case No. BZA 37-66

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Jack H. Galbraith
Secretary

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

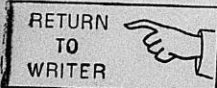


Not at this address →

Curtis R. & Gwen Harper

~~1355 Troquet~~

Wichita, Kansas 67203



- Moved, left no address
- No such number
- Moved, not forwarder
- Addressee unknown

B. J. J.

Form 223-021

PAYMENT NOTICE

City of Wichita

PAY AT TREASURER'S OFFICE - FIRST FLOOR

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

| DESCRIPTION | AMOUNT |
|-------------|-------------------------|
| <i>BJA</i> | <i>#50⁰⁰</i> |

Name *Phillip Rein*

Address *306 Bitting Bldg*

Type _____

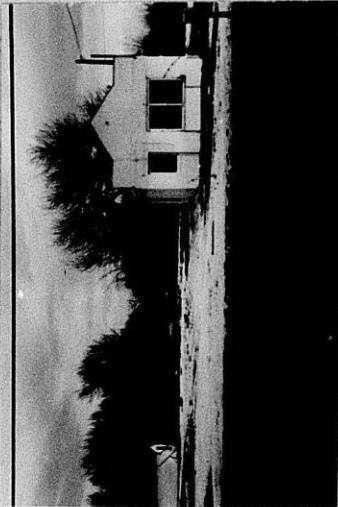
Comments: *R-712*

Date *12-27-66* BY *K. Galloway*

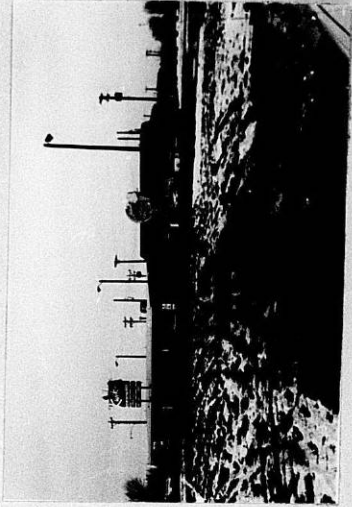
Map No. 5248
 Sec. 13
 Twp. 27
 Range 1W

- AREA DATA:
1. Acres:
 2. Adjoining Zoning:
 3. Land Use: East
West
 4. Sketch Plan Land
 5. Present Land Use
 6. Area (is) (is not)

PHOTO DATA:
 Taken by Menefee



2



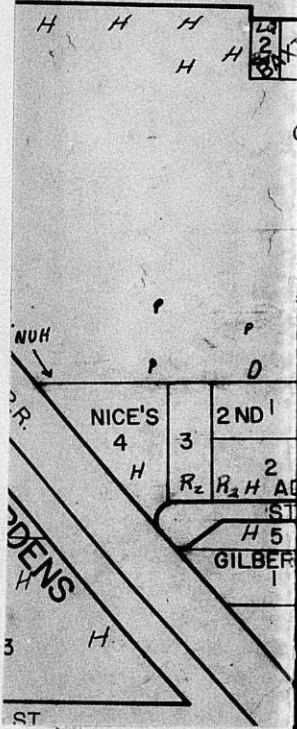
4



1



3



Map No. 5248
 Sec. 13
 Twp. 27
 Range 1W

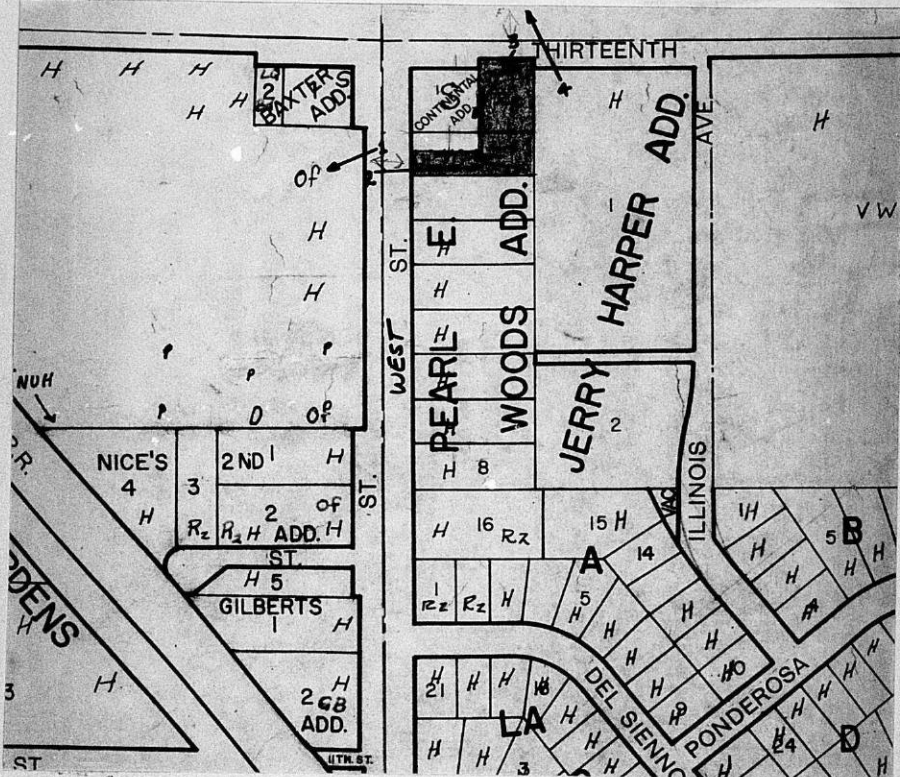
E2A 37-66
 SCZ-
 CU-
 Filed

AREA DATA:

1. Acres: _____ (_____ ft. by _____ ft.)
2. Adjoining Zoning: E _____ S _____ W _____ N _____
3. Land Use: East Single family South Vacant
 West Service sta. med. off. North Vacant
4. Sketch Plan Land Use is for: Residential
5. Present Land Use is for: Duplex & Vacant Commercial
6. Area (is) (is not) platted.

PHOTO DATA:

Taken by Menafce Date 1-5-67 Time 4:20 pm

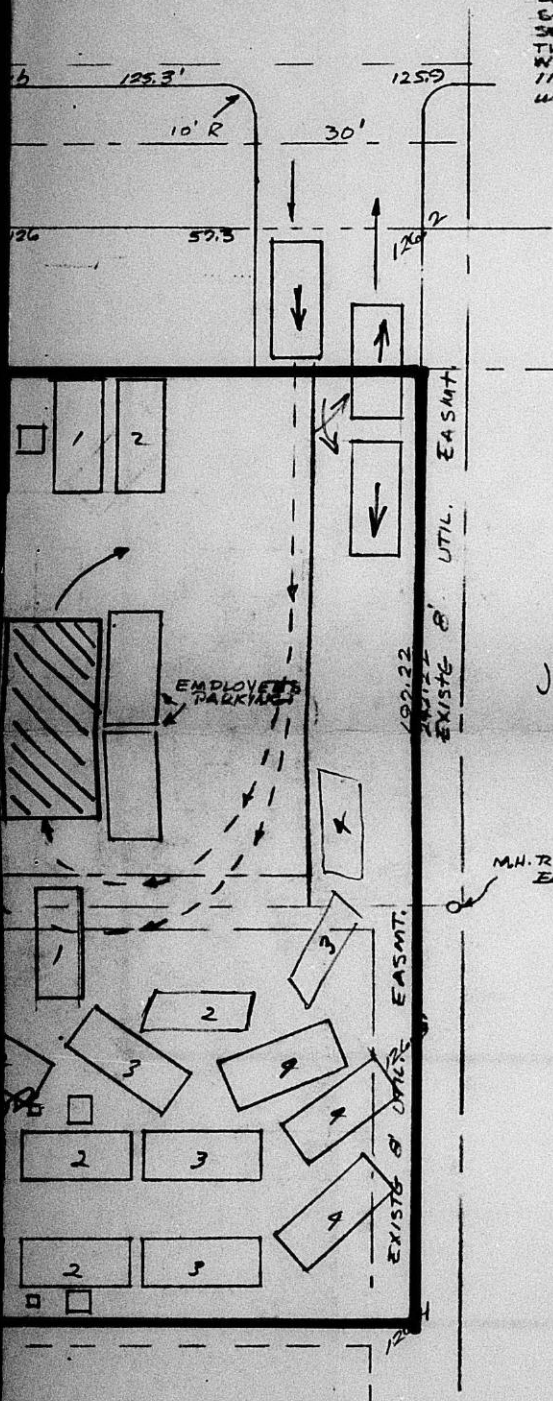


126.0
259

A TRACT BEGINNING AT THE N.W. CORNER OF SECTION 13, T12P 27, RANGE 1 W. OF THE 6TH. D.M. SEDGEWICK COUNTY, KANSAS THENCE SOUTH 164.81 FT. THENCE EAST 264.3 FT. THENCE NORTH 164.81 FT. THENCE WEST 264.3 FT. TO THE POINT OF BEGINNING EXCEPT THE 117 FT. THEREOF IN FEARLE WOODS ADDITION TO WICHITA, SEDGEWICK COUNTY, KANSAS.

SPECIAL PERMIT ZONING
SUBMITTED BY PHILLIP A. REIN AGENT
FOR DEAR DEWITT OWNER.

ADDRESS 306 BITTING BLDG.
AM. 78381
DEC 27, 66
(AMENDED DWG 1-16-67)



JERRY HARTER
ADDN.

M.H. RIM 125.85
EL. 120.25

TRAFFIC ENGINEERING
DIVISION APPROVED
Off Street Parking
Spaces Shown Approved
Date 1-16-67 Jell Smith

*

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