

Case No. BZA 45-80 - Robert L. Gray, requests an exception to permit the establishment of a self-service car wash on property zoned the "LC" Light Commercial District and generally located on

BZA
45-80

ACTION

POSTED
10-4-80

DATE

COMMITTEE _____

10-28-80

M.A.P.C. _____

B.C.C. / B.P.C. _____

10-14-80

see letter of

CASE NO. BZA 45-80 - ROBERT L. GRAY, REQUESTS AN EXCEPTION TO PERMIT THE ESTABLISHMENT OF A SELF-SERVICE CAR WASH ON PROPERTY ZONED THE "IC" LIGHT COMMERCIAL DISTRICT AND GENERALLY LOCATED ON

Map No. 5649
 Sec. _____
 Twp. _____
 Range _____

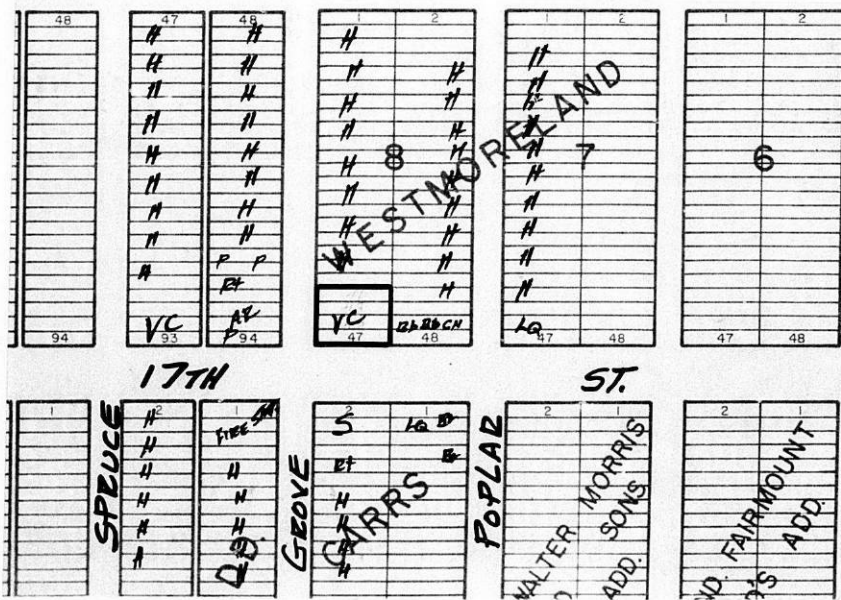
BZA- 45-80
 SCZ- _____
 CU- _____
 Filed _____

AREA DATA:

- Acres: 0.32 (100 ft. by 140 ft.)
- Adjoining Zoning: E _____ S _____ W _____ N _____
- Land Use: East FARMER SHOP South SERVICE STAT
 West AUTO REPAIR SHOP North SINGLE FAM
- Sketch Plan Land Use is for: _____
- Present Land Use if for: VACANT SELF SERVICE STAT.
- Area (is) (is not) platted.

PHOTO DATA:

Taken by _____ Date _____ Time _____



THE CITY OF WICHITA, KANSAS
PAYMENT AUTHORIZATION VOUCHER

VOUCHER NUMBER **927365**

DATE 10/15/80	INVOICE NUMBER	VENDOR CODE	A/A CODE	CHECK NUMBER
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MAKE PAYMENT TO
Robert L. Gray
9000 E. Lincoln, Apt. #1102
Wichita, KS 67207

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

*	FUND	DPT	DIV	ACCOUNT	GRANT	PROGRAM	AMOUNT	%
A	110	00	000	40071-003	000	000	\$200.00	
B								
C								
D								
E								
F								
G								
H								
I								
J								

ITEM DESCRIPTION OR PAYMENT JUSTIFICATION	AMOUNT	*
Board of Zoning Appeals - Refund filing fee	\$200.00	
Reason: Applicant's request for an "Exception" could not be accepted due to non-compliance with necessary setbacks.		

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

CONTROLLER _____ DIVISION *11-11-80* DATE *10-15-80*
 AUDITED BY _____ DEPARTMENT *11-11-80* DATE *10-15-80*

FORM #000-005 R11/79

ORIGINATOR FILE COPY

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

OCTOBER 8, 1980

NOTICE TO ADJOINING PROPERTY OWNERS:

CASE NO. BZA 45-80

An application has been filed by Robert L. Gray, 9000 East Lincoln #1102, Wichita, Kansas, pursuant to Section 2.12.590.C, Code of the City of Wichita, requesting an exception to permit the establishment of a self service car wash on property zoned the "LC" Light Commercial District and legally described as follows:

Lots 41, 43, 45 and 47 Block 8, Westmoreland Addition to Wichita, Sedgwick County, Kansas. Generally located on the northeast corner of 17th and Grove (1800 North Grove).

This application has been assigned case No. BZA 45-80, and will be considered by the Board of Zoning Appeals at its meeting on Tuesday, October 28, 1980, at 1:30 p.m., in the Board Room, First Floor, City Hall, 455 North Main, Wichita, Kansas, at which time you may appear if you so desire, either in person or by agent or attorney. If you have any questions about this application, please call 268-4390 and ask for Lynn Shirkey or 268-4394 and ask for Glen Lytle.

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

Jack H. Galbraith
Secretary

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Jack H. Galbraith
Secretary

October 14, 1980

Robert L. Gray
9000 E. Lincoln, Apt. #1102
Wichita, Kansas 67207

Re: BZA Exception for a
self-service car wash in "LC"

Dear Mr. Gray:

In conformance with our telephone conversation on October 10, 1980, I am returning your site plan submitted in conjunction with your request for an "exception" to permit a self-service car wash to be established at the northwest corner of 17th and Grove. As you will note I have noted the setbacks, as set forth in Section 28.04.183.4, on the plan in red. The buildable area within these setbacks is so restricted that the location is prohibited.

As I informed you on the phone, I tried to accomodate your request by accepting your application without all the required information, and now we find that it is impossible to process your application due to your inability to comply with the required setbacks.

I am, therefore, requesting that the City Treasurer make a refund to you of your \$200.00 filing fee.

In the future, it would be helpful is a site plan is reviewed prior to filing of a case so that this type of problem can be avoided.

Sincerely,

Glen E. Lytle
Special Assistant for Zoning

GEL;sad

Encl.

cc: David Dahl, Attorney, 125 North Market, Wichita 67202

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Tenth Floor - City Hall
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Jack H. Galbraith
Secretary

BZA CASE NO. 45-80

2 NOTICES SENT TO APPLICANT/AGENT

10 NOTICES SENT TO MAPC

1 NOTICES SENT TO CPO

23 NOTICES SENT TO ADJOINING PROPERTY OWNERS

36 TOTAL NOTICES SENT 10-8-80

BOARD OF ZONING APPEALS

CASE NO. 45-80

CITY OF WICHITA, KANSAS

FILED 9-29-80

APPLICATION FOR EXCEPTION

I. Name of Applicant Robert L. Gray
 Mailing Address 900 E. LINCOLN #102 Phone 686-1215
WK. 687-2882
 Name of Authorized Agent DAVID DAHL
 Mailing Address 125 N. MARKET Phone 263-7921
 Relationship of applicant to property is that of OTHER
 (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 come CLEAR CAR WASH;
A SELF SERVICE CAR WASH

on property zoned "LC" LIGHT COMMERCIAL
on the northeast corner of 17th and Grove
 located (1800 N. GROVE)
 and legally described as: Lot 41, 43, 45 and 47
BLOCK B, WESTMORELAND ADDITION
in Wichita, Sedgewick County, Kansas
 _____, 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. 36-596); 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 Sedgewick County to appeal the decision of the Board.

Applicant Robert L. Gray

Authorized Agent _____

OFFICE USE ONLY: Received in Office of Secretary, Board of Zoning Appeals, 4:30 (a.m.-p.m.), Sept 29, 1980
 together with appropriate fee of 200.00.

Signed L. Lytle

1. 3 bay car wash
2. Res. to W. Com. to East

Paul H. [unclear]

OWNERSHIP LIST

Description			Owner
Lots 35, 27 & 39, Block 7	Westmoreland Addition		Ulysses Stokes, Sr. & Katie B. Stokes 1812 N. Poplar
Lots 41, 43 & 45, Block 7	"	"	Rudesel Nicholson & Ruth E. Nicholson 4130 Brooks Ave. 67220
Lots 26 & 28, Block 8	"	"	John Harris & Lettie Harris 1829 N. Poplar 67214
Lots 30 & 32, Block 8	"	"	Roland A. Moore 1821 N. Poplar 67214
Lots 34 & 36, Block 8	"	"	Jerry D. Benton & Sandra Benton 1817 N. Poplar
Lots 38 & 40, Block 8	"	"	Milton L. Nolan & Ethel Lee Nolan 1811 N. Poplar 67214
Lots 42 & 44, Block 8	"	"	Landon C. Taylor & Elva A. Taylor 1807 N. Poplar 67214
Lots 46 & 48, Block 8	"	"	Ellen E. Estes, Mary Jo Estes, Karl G. Estes & David W. Estes 318 N. Brookfield 67206
Lots 25 & 27, Block 8	"	"	Alice F. Phillips 1826 N. Grove 67214
Lots 29 & 31, Block 8	"	"	Milton C. Foote & Karen S. Foote address unknown 1822 N. Grove.
Lots 33 & 35, Block 8	"	"	Edward A. Robinson address unknown 1333 May Ave. Apt. 303 b
Lots 37 & 39, Block 8	"	"	Jubie B. Bragg & Emma W. Bragg address unknown
Lots 41, 43, 45 & 47, Block 8	"	"	First National Bank, Wichita, Kansas Trustee of Dean E. Pittinger Revocable Trust 105 N. Main 67202
Lots 83 & 85, Spruce,	Stout's	"	William W. & Anita Frances Burney 1955 N. Madison 67214
Lots 87 & 89, Spruce	"	"	Glen C. & Hazel M. Bruce 4009 E. 24th St. N. 67219
Lots 91 & 93, Spruce	"	"	Luther L. Bernice Harris 1232 Piatt 67214

Description			Owner
Lots 72 & 74, Grove,	Stout's Addition		? L. W. Blackwill address unknown
Lots 76 & 78, Grove	"	"	Emmit S. Sanders & Annie Mae Sanders 1823 N. Grove
Lots 80, 82, 84 & 86, Grove	"	"	Ruby V. Martens 1801 N. Grove 67214
W 40' of Lot 88, Lots 90, 92 & 94, Grove	"	"	Earl S. & Vivian L. Pegg 215 N. Ridgewood 67208
E 90' of Lot 88, Lots 90, 92 & 94, Grove	"	"	Lloyd R. & Ruth N. Bump Trustees 8032 Tipperary 67206
Lots 1, 3 & 5, Grove	Logan	"	City of Wichita
Lot 7, Grove	"	"	Administrator of Veterans Affairs 5500 East Kellogg 67218
W 86' of Lot 2, Lots 4, 6 & 8, Grove	Carr's	"	Ben J. Schultz, Jr. & Anita Schultz 220 W. 45th St. N. 67205
E 40½' of Lot 2, Lots 4, 6 & 8, Grove	"	"	A. J. McCray & Exie B. McCray 1923 N. Poplar 67214
Lots 1, 3, 5 & 7, Poplar	"	"	William C. Davison & Earnestine 4055 Christ Place 67220



SECURITY IS KNOWING
Title Insurance • Escrow Closings • Abstracts

We hereby certify the foregoing to be a true and correct list
of the property owners of:

A 200 foot radius of: Lots 41, 43, 45 and 47, Block 8,
Westmoreland Addition to Wichita, Kansas, Sedgwick
County, Kansas

as shown by the last Deeds of record on file in the Office of the Register of Deeds
of Sedgwick County, Kansas, on the 25th day of September, 1980 at 7:00 o'clock A.M.

THE SECURITY ABSTRACT & TITLE CO., INC.

By

Mary Gable

Vice President

Order No. 292209
fs

**MICROFILMED
FROM THE BEST
AVAILABLE COPY**

FORM 29-02*

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.) Planning	Cement	M.S.P.

DESCRIPTION	AMOUNT
<i>City of Wichita</i>	<i>200.00</i>
<i>250.00</i>	
	<i>200.00</i>
NAME	
ADDRESS	
FUND	DUE DATE
COMMENTS	
DATE	BY

*

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

Roll # 2