

WHEREAS, as shown above, each of the four conditions required by Section 2.12.590.2; Code of the City of Wichita to be present before a variance can be granted, has been found to exist.

NOW, THEREFORE, BE IT RESOLVED by the Board of Zoning Appeals of the City of Wichita, that the request for that portion of the side yard setback which will be occupied by the extension of the dwelling, on property legally described as follows:

South 10 feet of Lot 160, all of Lot 162 on Water Street, Walter and Wright's Addition in the City of Wichita, Sedgwick County, Kansas,

generally located on the west side of Water in an area south of Skinner, be approved, subject to the following:

1. There shall not be less than a 4 foot side yard setback and a roof overhang of not more than one foot.
2. Construction to be completed within two years from the effective date of this approval.

DATED AT WICHITA, KANSAS, this 26th day of May, 1964.

S/ Harold Bauer

Harold Bauer, Chairman

ATTEST:

S/ Jack H. Galbraith

Jack H. Galbraith, Secretary

9. Case No. BZA 29-64 - L. A. Casado requests an Exception to permit installation or construction of a self-service car wash operation on Block 5, Lincoln Hills Addition. Generally located at the northwest corner of Woodlawn and Harry.

HOWE pointed out the area on the map and submitted the following report of the Secretary:

APPLICANT: L. A. Casado, 302 North Main

AGENT: Colby Sandlian and/or Roy L. Rogers, 443-E North St.
Francis

GENERAL LOCATION: Northwest corner of Woodlawn and Harry

LAND USE: The property in question is vacant
North - duplexes
East - two service stations, drive-in restaurant
South - liquor store, tavern, clinic and nurses home
West - duplexes

ZONING: Property in question - "LC" Light Commercial
North - "RB" four family
East - "LC" Light commercial
South - "LC" Light commercial
West - "RB" four family

REQUEST: Exception pursuant to Section 28.04.180, Code of the City of Wichita, as amended, to allow the installation and construction of a self-service car wash operation on said property.

JURISDICTION: The Board has jurisdiction under Section 28.04.180 of the Code of the City of Wichita, as amended.

COMMENTS

The applicant has submitted a plot plan, however, the plot plan is not included as an attachment to this report but will be available for use at the Board of Zoning Appeals hearing.

At the meeting of the Board on April 28, 1964, the Board recommended that a variance to allow a self-service car wash operation to be constructed on said property be denied and further directed the Secretary of the Board to initiate an application for an exception to the ordinance to allow the Board to give proper consideration to this case under the appropriate provisions of the ordinance.

The Secretary has reviewed the plot plan submitted by the applicant and has found that the plot plan will meet all of the conditions as outlined in the new amendment currently being considered by the City Commission relative to the self-service car wash operations.

The only thing that is not shown in detail on the plot plan is:

1. The number of car washing stalls to be contained in the new building. However, the Secretary has discussed this matter with the applicant and determined that there will be four car washing stalls in the new building shown on the plot plan, and
2. The off-street parking spaces or holding spaces have not been indicated on the plot plan. However, it is opinion of the Secretary that there is sufficient room to the south of the proposed car washing unit for adequate off-street holding space. There is one problem that could arise, however, and that is, depending upon the location of curb cuts on Harry, it might be necessary that in order to provide adequate off-street holding space and interior traffic circulation on the lot, that the car washing unit might have to be moved farther to the north in order to provide adequate holding space and interior traffic circulation.

RECOMMENDATION

In view of the foregoing review of this case, it is the opinion of the Secretary that this application will meet all the requirements as outlined in the new ordinance relative to self-service car washes. Consequently, it is recommended that this application be approved, subject to the following conditions and requirements:

1. No part of the self-service car wash operation, including points of ingress and egress, off-street holding spaces, etc., shall be permitted closer than 60 feet, excluding any street, alley, or intervening public way, to the front and side of an "AA", "A", "RB", "B" or "G" residential district.
2. There shall be a minimum lot area of 3500 square feet for each car washing stall, provided the minimum area shall not be less than 7500 square feet.

3. The self-service car wash building and facility shall be set back a distance of not less than 50 feet from the right-of-way lines of Harry Street and Woodlawn.
4. All 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.
5. All lights shall be shielded to reflect or direct light away from adjoining property. No string-type lighting shall be permitted.
6. No signs shall exceed 25 feet in height or be placed so as to project over any public right-of-way.
7. No sound projecting devices or loudspeakers shall be used so as to be heard outside of any structure.
8. Off-street holding spaces shall be provided on the property in a ratio of not less than 4 parking spaces for each car washing stall. Off-street drying spaces shall be provided on the property in the ratio of not less than 2 parking spaces for each car washing stall. One off-street parking space shall be provided for each employee.
9. A plot plan showing points of ingress and egress, width of driveways, off-street parking spaces and interior traffic circulation, shall be submitted to the Traffic Engineering Division of the Department of Public Works for approval prior to the time a permit is issued for such an operation. There shall be no ingress or egress from unpaved public ways.
10. There shall be no ingress or egress from minor or residential streets which have 60 feet of right-of-way or less, or from any alley.
11. All drainage, natural and that created by the operation, shall be handled on the site in such a manner satisfactory to the Superintendent of Maintenance of the Department of Public Works.

12. The area shall be properly policed through inspections by the owner or operator for proper maintenance and removal of trash.

ROY L. ROGERS, attorney, spoke in support of this application. No one appeared in opposition.

MOTION: IRWIN moved, ANDERSON seconded and it carried unanimously that the Board take jurisdiction in this case.

MOTION: IRWIN moved, ANDERSON seconded and it carried unanimously that the application be approved, as shown by the adoption of the following resolution.

R E S O L U T I O N NO. BZA 29-64

WHEREAS, L. A. Casado, 302 North Main, Wichita, Kansas, by Colby Sandlian and/or Roy L. Rogers, 443-E North St. Francis, Wichita, Kansas, requests an Exception as provided in Section 28.04.183, Code of the City of Wichita, to permit a self-service car wash operation in an "LC" district, on property legally described as:

Block 5, Lincoln Hills Addition, in the City of Wichita, Sedgwick County, Kansas,

generally located at the northwest corner of Woodlawn and Harry; and

WHEREAS, proper notice as required by ordinance and by the rules of the Board of Zoning Appeals has been given; and

WHEREAS, the Board of Zoning Appeals did, at the meeting of May 26, 1964, consider said application; and

WHEREAS, the Board of Zoning Appeals determined that it had proper jurisdiction to consider said request for an exception under the provisions of Section 28.04.183, Code of the City of Wichita; and

WHEREAS, the Board of Zoning Appeals has authority to permit a self-service car wash operation as an exception in an area zoned "LC", subject to the conditions as outlined in Section 28.04.183, Code of the City of Wichita.

NOW, THEREFORE, BE IT RESOLVED by the Board of Zoning Appeals of the City of Wichita, that the applicant be allowed to establish a self-service car wash operation on property described as follows:

Block 5, Lincoln Hills Addition, in the City of Wichita, Sedgwick County, Kansas,

generally located at the northwest corner of Woodlawn and Harry, subject to the following conditions:

1. No part of the self-service car wash operation including points of ingress and egress, off-street holding spaces, etc., shall be permitted closer than 60 feet, excluding any street, alley, or intervening public way, to the front and side of an "AA", "A", "RB", "B" or "G" residential district.
2. There shall be a minimum lot area of 3,500 square feet for each car washing stall, provided the minimum area shall not be less than 7,500 square feet.
3. The self-service car wash building and facility shall be set back a distance of not less than 50 feet from the right-of-way lines of Harry Street and Woodlawn.
4. All 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.
5. All lights shall be shielded to reflect or direct light away from adjoining property. No string type lighting shall be permitted.
6. No signs shall exceed 25 feet in height or be placed so as to project over any public right-of-way.
7. No sound projecting devices or loudspeakers shall be used so as to be heard outside of any structure.

8. Off-street holding spaces shall be provided on the property in a ratio of not less than 4 parking spaces for each car washing stall. Off-street drying spaces shall be provided on the property in the ratio of not less than 2 parking spaces for each car washing stall. One off-street parking space shall be provided for each employee.
9. A plot plan showing points of ingress and egress, width of driveways, off-street parking spaces and interior traffic circulation, shall be submitted to the Traffic Engineering Division of the Department of Public Works for approval prior to the time a permit is issued for such an operation. There shall be no ingress or egress from unpaved public ways.
10. There shall be no ingress or egress from minor or residential streets which have 60 feet of right-of-way or less, or from any alley.
11. All drainage, natural and that created by the operation, shall be handled on the site in such a manner satisfactory to the Superintendent of Maintenance of the Department of Public Works.
12. The area shall be properly policed through inspections by the owner or operator for proper maintenance and removal of trash.

ADOPTED AT WICHITA, KANSAS, this 26th day of May, 1964.

S/ Harold Bauer
Harold Bauer, Chairman

ATTEST:

S/ Jack H. Galbraith
Jack H. Galbraith, Secretary

Meeting adjourned about 3:30 p.m.

Jack H. Galbraith
Jack H. Galbraith
Secretary