

M.A.P.C.

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

9-29-80
 200 1/4 Sec
 Checked
 Show
 Reward

$\frac{9.30-80}{10.1-80}$
 $\frac{10.1-80}{10-1-80}$
 $\frac{10.3-80}{10-3-80}$

by
 D.C.H.
 43
 428
 Supplement

Case No. BZA 1-80 - Richard Den
 Hartog - requests an exception
 to permit the establishment of a
 self-service car wash on property
 zoned "LC" Light Commercial and
 legally described as: Lots 7,

*Posted
2-11-80*

*BZA
1-80*

ACTION

DATE

COMMITTEE Approved 2-26-80

M.A.P.C. _____

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

*9-26-80
200 1/2 Sec
Checked
Shot
Record*

*9-30-80
10-1-80 out
10-1-80
10-3-80*

*Superseded by
BZA 43-88*

Case No. BZA 1-80 - Richard Den Hartog - requests an exception to permit the establishment of a self-service car wash on property zoned "Ic" Light Commercial and legally described as: Lots 7,

#3
 Map No. 5542 A
 Sec. 16
 Twp. 38
 Range 1E

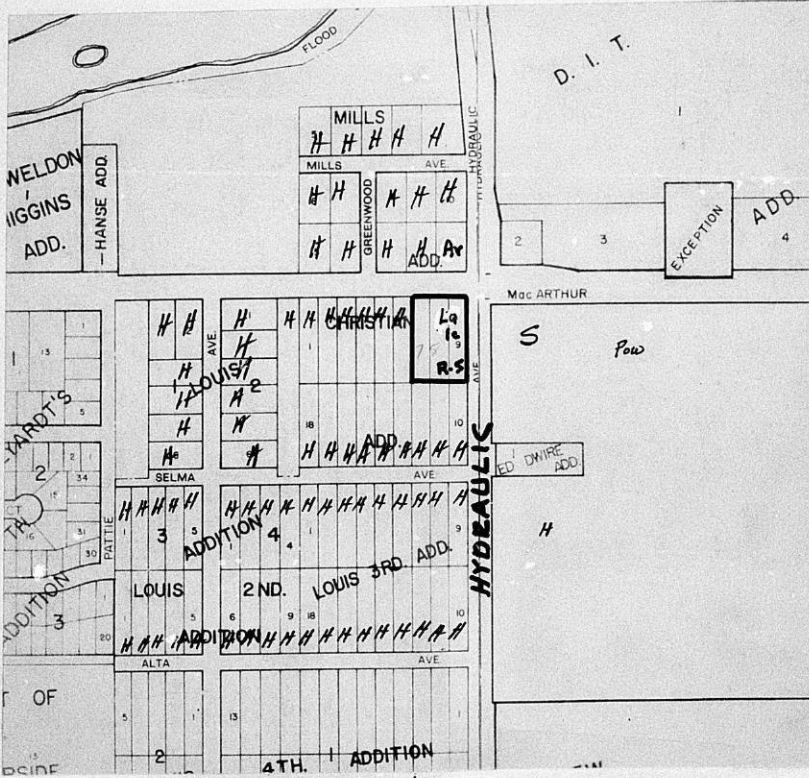
BZA- 1-80
 SCZ- _____
 CU- _____
 Filed _____

AREA DATA:

1. Acres: 1.42 (200) ft. by 310 ft.
2. Adjoining Zoning: E _____ S _____ W _____ N _____
3. Land Use: East SEPARATION South SINGLE FAM
 West SINGLE FAM North SINGLE FAM SEPR
4. Sketch Plan Land Use is for: _____
5. Present Land Use if for: FOOD STORE
6. Area (is) (is not) platted.

PHOTO DATA:

Taken by _____ Date _____ Time _____



HASTINGS, IN LOS ANGELES
 LOAN OFF. MCGREGOR, TX U. S. A.

S
 No. 2153C

B2M

September 4, 1980

Mr. Garrett H. Addison
Smith Construction Co.
P. O. Box 13213
Wichita, Kansas

Re: Case No. BZA 1-80
Request for Exception

Dear Mr. Addison:

Enclosed is a signed copy of the Resolution adopted by the Board of Zoning Appeals on February 26, 1980, in connection with your request for an exception to permit the establishment of a self-service car wash on property zoned the "LC" Light Commercial District, and generally located on the southwest corner of Hydraulic and MacArthur.

This Resolution reflects the official action of the Board to approve your request, and sets out the conditions of approval. It is forwarded to you for your information and files.

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

Sincerely,

Glen E. Lytle
Assistant Secretary

GEL:sad
Enclosure

cc: Richard Den Hartog, 4555 South Broadway, 67216
Robert Feldner, Superintendent of Central Inspection
Joe Donnelly, Housing and Zoning Administrator
Don Gisick, City Clerk

RESOLUTION NO. BZA 1-80

WHEREAS, Richard Den Hartog, 4555 South Broadway, Wichita, Kansas requests an exception as provided in Section 2.12.590.C, Code of the City of Wichita, to permit the establishment of a self-service car wash on property zoned the "LC" Light Commercial District, and legally described as follows:

Lots 7, 8, 9, Christian Addition,
Sedgwick County, Kansas. Generally
located on the southwest corner of
Hydraulic and Mac Arthur.

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 February 26, 1980, 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 permit the establishment of a self-service car wash 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 permit the establishment of a self-service car wash on property zoned the "LC" Light Commercial District and legally described as follows:

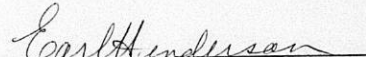
The North 143 feet of Lots 7, 8, 9, Christian
Addition, Sedgwick County, Kansas. Generally
located on the southwest corner of Hydraulic
and MacArthur.

subject to the following conditions:

1. A six to eight high solid fence/wall of masonry, louvered redwood or roughsawn cedar shall be installed along the west and south lines of the north 143 feet of the application area. Said fence/wall shall be reduced to 3 feet in height within 25 feet of the west right-of-way line of Hydraulic and the south right-of-way line of MacArthur and extended to the street right-of-way lines.
2. Two copies of a revised site plan approved by the Traffic Engineer shall be submitted to the Secretary of the Board indicating the screening fence/wall on the west and south prior to release of this resolution.
3. All of the area to be used for circulation, holding spaces, parking spaces and all ingress and egress drives, including common access drives, shall be surfaced with asphalt, concrete or asphaltic concrete and be maintained in good condition.
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. Signs shall be limited to that permitted by the zoning ordinance for the "LC" Light Commercial District.

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 at the ratio of not less than four parking spaces for each self-service car washing stall.
8. Off-street drying spaces shall be provided on the property at the ratio of not less than two parking spaces for each self-service car washing stall.
9. One off-street parking space shall be provided for each two employees.
10. All circulation drives and parking areas shall have adequate guards or curbs to prevent the extension or overhanging of vehicles beyond property lines or parking spaces and prevent traffic circulation on public property.
11. Grades shall be established on the property to prevent the intrusion of surface drainage from entering the sanitary sewer. This shall include a roof over the car wash bays and the installation of the mud trap at a location under roof or at a grade satisfactory to the Superintendent of Sewer Maintenance.
12. 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.
13. All above conditions of approval must be complied with prior to occupancy, or within one year from the date of approval by the Board, whichever comes first, or the Resolution shall become null and void.

ADOPTED AT WICHITA, KANSAS, this 26th day of February, 1980.


Earl Henderson, Chairman

ATTEST:


Glen E. Lytle, Assistant Secretary

THE CITY OF WICHITA



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

February 27, 1980

Mr. Garrett H. Addison
Smith Construction Co.
P. O. Box 13213
Wichita, Kansas

Re: Case No. BZA 1-80
Request for Exception

Dear Mr. Addison:

At the regular meeting of the Board of Zoning Appeals on February 26, 1980, your request for an exception to permit the establishment of a self-service car wash on property zoned "LC" Light Commercial and generally located on the southwest corner of Hydraulic and MacArthur Road was considered.

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

1. A six to eight high solid fence/wall of masonry, louvered redwood or roughsawn cedar shall be installed along the west and south lines of the north 143 feet of the application area. Said fence/wall shall be reduced to 3 feet in height within 25 feet of the west right-of-way line of Hydraulic and the south right-of-way line of MacArthur and extended to the street right-of-way lines.
2. Two copies of a revised site plan approved by the Traffic Engineer shall be submitted to the Secretary of the Board indicating the screening fence/wall on the west and south prior to release of this resolution.
3. All of the area to be used for circulation, holding spaces, parking spaces and all ingress and egress drives, including common access drives, shall be surfaced with asphalt, concrete or asphaltic concrete and be maintained in good condition.
4. All lights shall be shielded to reflect or direct light away from adjacent property. No string-type lighting or banners shall be permitted.

Submitted
9-2-80

THE CITY OF WICHITA

2

BZA 1-80

5. Signs shall be limited to that permitted by the zoning ordinance for the "LC" Light Commercial District.
6. No sound projecting devices or loudspeakers shall be used so as to be heard outside of any structure.
7. Offstreet holding spaces shall be provided on the property at the ratio of not less than four parking spaces for each selfservice car washing stall.
8. Offstreet drying spaces shall be provided on the property at the ratio of not less than two parking spaces for each selfservice car washing stall.
9. One offstreet parking space shall be provided for each two employees.
10. All circulation drives and parking areas shall have adequate guards or curbs to prevent the extension or overhanging of vehicles beyond property lines or parking spaces or traffic circulation on public property.
11. Grades shall be established on the property to prevent the intrusion of surface drainage from entering the sanitary sewer. This shall include a roof over the car wash bays and the installation of the mud trap at a location under roof or at a grade satisfactory to the Superintendent of Sewer Maintenance.
12. 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.
13. All above conditions of approval must be complied with prior to occupancy, or within one year from the date of approval by the Board, whichever comes first, or the Resolution shall become null and void.

A Resolution setting forth the official action of the Board is being prepared and you will be mailed a copy as soon as the signatures of the Chairman and Secretary have been obtained.

If you have any questions, please call our office.

Sincerely yours,

Glen E. Lytle
Assistant Secretary

GEL:sad.

BZA 1-80

cc: Richard Den Hartog, 4555 South Broadway, Wichita, Ks. 67216
Robert Feldner, Superintendent of Central Inspection
Joe Donnelly, Housing and Zoning Administrator
Don Gisick, City Clerk

THE CITY OF WICHITA
OFFICE OF CITIZEN PARTICIPATION

DATE February 26, 1980

TO Glen Lytle, Special Assistant for Zoning
FROM Ginny Schrag, CPO Administrative Aide

SUBJECT BZA 1-80 (Southwest Corner of
Hydraulic and MacArthur)

At their February 25 meeting, the Area "C" CPO Council considered the captioned case. The Council voted unanimously, 5-0, to recommend approval of the request for an exception to permit the establishment of a self-service car wash on the designated property, subject to the conditions outlined in the Secretary's Report.

Please inform the Board of Zoning Appeals of the Council's action when they consider the case at their February 26 meeting. Thank you.

Ginny Schrag
Ginny Schrag
CPO Administrative Aide

GS:rs

Noted: *Sarah Gilbert*
Sarah Gilbert
Assistant CP Coordinator

RECEIVED
FEB 26 1980
METROPOLITAN PLANNING
ROUTE *lytle*

SECRETARY'S REPORT
CASE NO. BZA 1-80

APPLICANT: Richard Den Hertog, 4555 S. Broadway,
Wichita, Kansas.

AGENT: Garrett H. Addison, P. O. Box 13213,
Wichita, Kansas.

REQUEST: Exception pursuant to Section 2.12.590.C,
Code of the City of Wichita to permit the
establishment of a self-service car wash.

GENERAL LOCATION: Southwest corner of Hydraulic and Mac
Arthur Road.

ZONING: Subject property is zoned "LC" Light
Commercial as are those properties to the
east and west. South is zoned "AA" Single-
family. North is zoned "AA" Single-family
and "LC" Light Commercial.

LAND USE: Subject property is occupied by a liquor
store, ice house and five-plex, north is
single-family and auto repair. South and
west is single-family, east is service
station.

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.

COMMENTS BY THE SECRETARY:

This is a request to permit the installation and operation of a five-bay, self-service car wash facility on property zoned the "LC" Light Commercial District, located as the southwest corner of Hydraulic and MacArthur Road.

Subject property is developed with a liquor store, ice house and a five-plex. The applicant proposes to erect a free-standing, five-bay washing building on the north 143 feet of subject property.

A site plan, approved by the Traffic Engineering Office, has been submitted with the application, showing that the required holding and drying spaces can be provided on the site. The plan also proposes that ingress will be by means of an existing driveway on Hydraulic and a new driveway will be constructed to provide egress to MacArthur Road. It should be

Page 2
BZA 1-30
BZA AGENDA
2-26-80

noted that the proposed new driveway violates the distance separation requirement between driveways as established by City Code and therefore, the drive should be moved to the west or the existing drive to the east be closed.

It should be pointed out that a condition of the zoning ordinance requires a fence to be constructed along any interior side and rear property line that is adjacent to a dwelling, regardless of the zoning district. The site plan submitted with the application does not indicate the required screening fence/wall along the south line of the proposed car wash operation to separate it from the residential structure located to the south.

RECOMMENDATION:

Should the Board of Zoning Appeals determine that this is an appropriate use at this location, the approval of the exception shall be subject to the following conditions:

1. A six to eight high solid fence/wall of masonry, louvered redwood or roughsawn cedar shall be installed along the west and south lines of the north 143 feet of the application area. Said fence/wall shall be reduced to 3 feet in height within 25 feet of the west right-of-way line of Hydraulic and the south right-of-way line of MacArthur and extended to the street right-of-way lines.
2. Two copies of a revised site plan approved by the Traffic Engineer shall be submitted to the Secretary of the Board indicating the screening fence/wall on the west and south prior to release of this resolution.
3. All of the area to be used for circulation, holding spaces, parking spaces and all ingress and egress drives, including common access drives, shall be surfaced with asphalt, concrete or asphaltic concrete and be maintained in good condition.
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. Signs shall be limited to that permitted by the zoning ordinance for the "LC" Light Commercial District.
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 at the ratio of not less than four parking spaces for each self-service car washing stall.

Page 3
BEA 1-80
BZA AGENDA
2-26-30

8. Off-street drying spaces shall be provided on the property at the ratio of not less than two parking spaces for each self-service car washing stall.
9. One off-street parking space shall be provided for each two employees.
10. All circulation drives and parking areas shall have adequate guards or curbs to prevent the extension or overhanging of vehicles beyond property lines or parking spaces or traffic circulation on public property.
11. Grades shall be established on the property to prevent the intrusion of surface drainage from entering the sanitary sewer. This shall include a roof over the car wash bays and the installation of the mud trap at a location under roof or at a grade satisfactory to the Superintendent of Sewer Maintenance.
12. 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.
13. All above conditions of approval must be complied with prior to occupancy, or within one year from the date of approval by the Board, whichever comes first, or the Resolution shall become null and void.

OK

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

February 6, 1980

NOTICE TO ADJOINING PROPERTY OWNERS:

CASE NO. BZA 1-80

An application has been filed by Richard Den Hartog, 4555 South Broadway, 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 7, 8, 9, Christian Addition,
Sedgwick County, Kansas. Generally
located on the southwest corner of
Hydraulic and Mac Arthur.

This application has been assigned case No. BZA 1-80, and will be considered by the Board of Zoning Appeals at its meeting on Tuesday, February 26, 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

BZA CASE NO. 1-80

1 NOTICES SENT TO APPLICANT/AGENT

10 NOTICES SENT TO MAPC

1 NOTICES SENT TO CPO

12 NOTICES SENT TO ADJOINING PROPERTY OWNERS

24 TOTAL NOTICES SENT 2-6-80

4620 ESTHNER
WICHITA, KANSAS

PHONE: (316) 942-7989

13213
P.O. BOX 19025
WICHITA, KANSAS 67213

CHIEF
METAL BUILDINGS

SMITH CONSTRUCTION CO., INC.

January 24, 1980

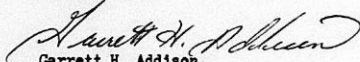
City of Wichita
Board of Zoning Appeals
455 N. Main
Wichita, Kansas 67202

Attention: Lynn Shirkey

Re: Lots 7, 8 & 9, Christian Addition,
Sedgwick County, Kansas

The owner is asking for this exception to develop this property with a self-service car wash. The area is now vacant. There is no car wash in this general area at this time. The Board of Zoning Appeals has the jurisdiction to grant this exception under Chapter 28.04.183-4-4.17 of the Zoning Ordinance, City of Wichita.

Respectfully,



Garrett H. Addison,
Vice President
SMITH CONSTRUCTION CO., INC.

GHA/jjs
Enc.

BOARD OF ZONING APPEALS

CASE NO. _____

CITY OF WICHITA, KANSAS

FILED _____

APPLICATION FOR EXCEPTION

I. Name of Applicant Richard A. Hartig
Mailing Address 4255 S. Broadway Phone 524-7373
Name of Authorized Agent GARRETT H. ADAMS VP. SMITH CONSULTING CO. INC.
Mailing Address PO Box 17213 - WICHITA Phone 942-7989
Relationship of applicant to property is that of OWNER
(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 SELF-SERVICE CAR WASH on property zoned L.C., located S.W. CORNER OF HYDRAULIC & MCARTHUR and legally described as: LOTS 7-8-9 CHRISTIAN 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. 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.
 - 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 Richard A. Hartig
Authorized Agent Garrett H. Adams
Smith Consulting Co. Inc.

OFFICE USE ONLY: Received in the office of the Secretary, Board of Zoning Appeals, 10:15 (a.m.) - p.m.), January 25, 1980, together with appropriate fee of \$50.00

Signed J. Lynn Shiskey

OWNERSHIP LIST

Lot	Addition	Property Owner
lot 2	D.I.T. Addition	✓ Rainbow Drive-In Theatre Inc. 3900 South Hydraulic 67216
south 90 ft of east 100 ft lot 11	Mills Addition	✓ Isador R. Lambert & Phyllis E. Lambert 1702 South Clifton 67218
north 88.96 ft and west 12.2 ft of south 90 ft lot 11	Same	Same
lot 13	Same	X Joe L. Webb & Adrah A. Address Unknown <i>1652 Ellis Avenue</i>
lot 12	Same	✓ John W. Leslie and Wanda Irene Leslie 1616 East McArthur 67216
lot 4	Christian Addition	✓ X Erman L. Oliver and Mary Catherine Oliver Address Unknown <i>1628 E. McArthur Rd.</i>
lots 5,6,7, 8 and 9	Same	D Richard Den Hartog 4555 South Broadway 67216
lot 10	Same	X Mildred L. O'Keefe Address Unknown
lot 11	Same	✓ Kenneth A. Wayman & Hazel L. 1646 Selma 67216
lot 12	Same	✓ Charles Ray Pike and Sharon L. Pike 1444 North Topeka 67214
lot 13	Same	✓ William E. Porter and Corine E. Porter 1634 Selma 67216
lot 14	Same	✓ Clifford H. Porter and Dorothy B. Porter 1626 Selma 67216
lot 15	Same	✓ Leo D. Zimmerman & Rose W. 1620 Selma 67216

Tract

Property Owner

Beginning at the intersection of the south row of McArthur Road and the east line of Hydraulic, thence south 125 feet, thence east 175 feet, thence north 125 feet to the south line of McArthur Road, thence east 175 feet along the south line of McArthur Road to pob.

✓ Gladys J. Morris (escrow agent)
c/o Central State Bank
3333 East Central 67208

The south half of the West 10 Acres of the North 20 Acres of the West half of the NW $\frac{1}{4}$ of Section 15-28-1E except the south 120 feet of the west 365 feet

Walls Inc. c/o H. B. Walls
201 Rutland Road
67206

The north half of the west 10 acres of the north 20 acres of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 15-28-1E except the east 124.71 feet and except the west 215 feet of the north 155 feet and except road

Same

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

A 200 foot radius of: Lots 7, 8 and 9,
Christian Addition, 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 22nd day of January, 1980 at 7:00 o'clock A.M.

THE SECURITY ABSTRACT & TITLE CO., INC.

By

Mary Gable
Vice President

Order No. 284930
wh

012

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

February 6, 1980

NOTICE TO ADJOINING PROPERTY OWNERS:

CASE NO. BZA 1-80

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Hydraulic and Mac Arthur.

This application has been assigned case No. BZA 1-80, and will be considered by the Board of Zoning Appeals at its meeting on Tuesday, February 26, 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

WICHITA - SEDGWICK COUNTY



BOARD OF ZONING APPEALS
CITY HALL - TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202



Erman L. & Mary C. Oliver
1621 East MacArthur Road
Wichita, Kansas

1415-D
27



IMPORTANT MESSAGE

FOR LITTLE
DATE 1-25-80 TIME 4:30 A.M.
P.M.

WHILE YOU WERE AWAY

Larry Henry
OF Engineering
PHONE No. 4469

TELEPHONED	PLEASE CALL
CALLED TO SEE YOU	WILL CALL AGAIN
WANTS TO SEE YOU	RETURNED YOUR CALL

MESSAGE
J. J. McARTHUR
IMPROVEMENTS
20' No. of Section Line

SIGNED _____

**MICROFILMED
FROM THE BEST
AVAILABLE COPY**

FORM 29-021

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.

Planning

DESCRIPTION	AMOUNT
<i>City 629</i>	<i>15.00</i>
<i>Planning</i>	
NAME	
ADDRESS	
FUND	DUE DATE
COMMENTS	
DATE	BY

*

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

Roll # 2