

BZA 3-64 - Sedgwick Kwiki, Inc. re-
quests variance and/or Appeal to per-
mit car wash in LC in an area E of
Seneca & S of Savannah

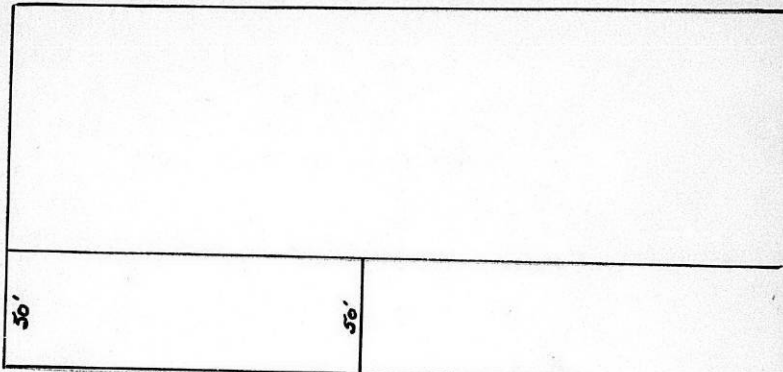
ACTION

DATE

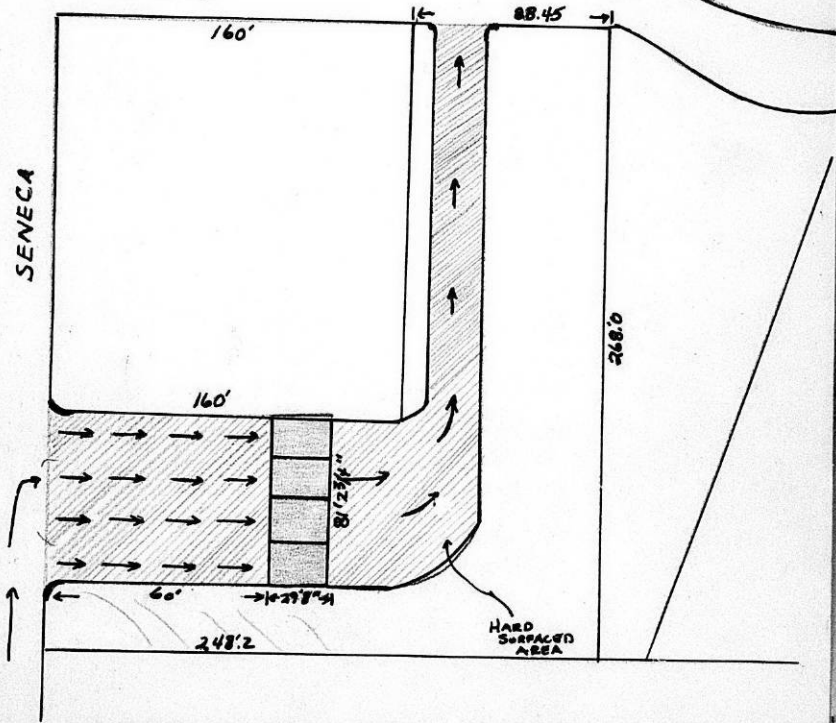
From COMMITTEE *Uphold decision 1-21-64*
of Dept. of Central Inspection &
App. Bureau (no appeal filed)
M.A.P.C.

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

PAWNEE



SAVANNAH



SENECA

CITY BUILDING ANNEX - TELEPHONE AMherst 2-8211

WICHITA, KANSAS

February 10, 1964

BOARD OF ZONING APPEALS
Office of Secretary

Mr. Willis W. Wall
309 Central Building
Wichita, Kansas

Dear Mr. Wall:

Re: Case No. BZA 3-64

On January 29, 1964, we advised you that the Board of Zoning Appeals had approved your request for a variance to permit construction of a self-service car wash operation in an "LC" district, generally located in an area east of Seneca and south of Savannah, subject to certain conditions.

We also advised that the Board's decision might be appealed to the City Commission provided such appeal was filed on or before February 7, 1964. The City Clerk has advised that no appeal was filed on or before that date, and the decision of the Board of Zoning Appeals is, therefore, final.

A copy of the resolution setting forth the action of the Board is attached for your information and files.

Very truly yours,

Robert A. Lakin
Secretary

RAL:JWB:ber
Attachment

cc: Sedgwick Kwiki, Inc.
309 Central Building

Glen Lytle, Superintendent
of Central Inspection

R E S O L U T I O N N O . B Z A 3 - 6 4

WHEREAS, Sedgwick Kwiki, Inc., 309 Central Building, Wichita, Kansas, by Willis W. Wall, agent, 309 Central Building, Wichita, Kansas, has appealed from the decision of the Superintendent of Central Inspection that unenclosed self-service car washes are not permitted in "LC" districts, all as provided in Section 2.12.590.1, Code of the City of Wichita, Kansas; and in addition, should the appeal not be upheld, the applicant requests a variance, as provided in Section 2.12.590.2, Code of the City of Wichita, to permit the construction and operation of a car washing unit on property zoned "LC" and legally described as follows:

Reserve A, Scheer's Addition to Wichita, Sedgwick County, Kansas, except the north 150 feet of the west 160 feet and except the west 10 feet thereof,

generally located in an area east of Seneca and south of Savannah; 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, in regular meeting consider said application on the 28th day of January, 1964; and

WHEREAS, the Board determined that said appeal resulted from a decision of the Superintendent of Central Inspection that the construction and operation of an unenclosed self-service car washing unit is not a permitted use under Section 28.04.090 of the Code of the City of Wichita; and

WHEREAS, the Board of Zoning Appeals determined that it had proper jurisdiction to consider said appeal under the provisions of Section 2.12.590.1, Code of the City of Wichita; and

WHEREAS, the Board of Zoning Appeals, after hearing the report of the Secretary and arguments of counsel for the applicant, did determine that the Superintendent of Central Inspection was correct in his interpretation of the zoning ordinance; and

WHEREAS, the Board of Zoning Appeals determined it had proper jurisdiction to consider said variance under the provisions of Section 2.12.590.2, Code of the City of Wichita; and

WHEREAS, the Board of Zoning Appeals has found that the request for variance arises from a condition which is found to be unique and not ordinarily found in the same zoning district inasmuch as the property is an "L"-shaped lot which would not be conducive to other "LC" businesses, but would afford proper ingress and egress for the type of operation proposed; and

WHEREAS, the Board of Zoning Appeals has found that the granting of the variance, as approved, would not adversely affect the rights of adjacent property owners inasmuch as the use proposed is compatible with light commercial uses in the area, and in view of the controls concerning drainage, hours of operation, surfacing of area, maintenance, lighting, fencing, etc., as shown later in this resolution; and

WHEREAS, the Board of Zoning Appeals has found that the strict application of the enforcement provisions of the Zoning Ordinance will constitute unnecessary hardship upon the applicant inasmuch as the odd shape of this lot, even though self-created, makes it difficult to develop for a light commercial use, except perhaps a drive-in operation of the type proposed; further, it has been available for development but up to this time no logical development has been found; and

WHEREAS, the Board of Zoning Appeals has found that the variance, as approved, will not adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare; and


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 decision of the Superintendent of Central Inspection that a car washing unit is not a permitted use in the "LC" Light Commercial District be upheld; and further, that the variance requested be approved and the Superintendent of Central Inspection be authorized to issue a building permit for the construction and operation of a car washing unit on the above described property, subject to the following:

1. That drainage, both surface and runoff created by the operation, shall be handled in such a manner satisfactory to the Superintendent of Maintenance of the Department of Public Works.
2. The hours of operation shall not extend beyond 12 p.m. or commence earlier than 6 a.m., Central Standard Time.
3. The entire area to be utilized by the washing and drying operation, as well as areas of ingress and egress, shall be hard surfaced with either concrete, asphalt or asphaltic concrete.
4. Adequate maintenance shall be provided through inspection twice daily for proper maintenance and removal of trash.
5. No sound projecting devices or loud speakers shall be used so as to be heard outside of any structure.
6. All lights shall be shielded to reflect or direct light away from adjoining property. No string type lighting shall be permitted.
7. A six foot high solid masonry, redwood, or combination thereof, fence shall be erected along the east property line to protect adjacent properties from light, blowing debris, noise, and to preserve adjacent property values.
8. On-site traffic control, off-street parking and traffic circulation shall be subject to approval of the Traffic Engineering Division of the Department of Public Works.
9. No building or structure shall be constructed closer than 130 feet from the east line of Seneca Street.

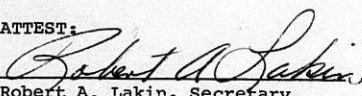
10. A corporate performance bond in the amount of \$1,400 shall be submitted to the Secretary of the Board, to guarantee the construction of the fence. (The form of the bond shall be approved by legal counsel for the Board.)

ADOPTED AT WICHITA, KANSAS, this 28th day of January,
1964.



E. B. Law, Chairman

ATTEST:



Robert A. Lakin, Secretary

Board of Zoning Appeals

February 5, 1964

Robert G. Finch, City Clerk

Robert A. Lakin, Secretary

Case No. BZA 3-64

Attached is a copy of BZA Resolution No. 3-64, covering action taken by the Board of Zoning Appeals on the above numbered case.

This case was heard January 28, 1964, and an appeal may be filed in your office on or before February 7, 1964. If an appeal is filed, please advise.

Robert A. Lakin
Secretary

RAL:JWH:ber

Attachment

January 29, 1964

Mr. Willis W. Wall
309 Central Building
Wichita, Kansas

Dear Mr. Wall:

Re: Case No. BZA 3-64

This is to advise you that at its regular meeting of January 28, 1964, the Board of Zoning Appeals of the City of Wichita, considered your appeal from the order of the Superintendent of Central Inspection, who refused to issue a permit for construction of a self-service car wash operation in an "LC" district, and application for variance to permit such use if the decision of the Superintendent of Central Inspection is upheld, for property generally located in an area east of Seneca and south of Savannah, and legally described as:

Reserve A, Scheers Addition to Wichita, Sedgwick County, Kansas, except the north 150 feet of the west 160 feet and except the west 10 feet thereof.

It was the action of the Board of Zoning Appeals to uphold the decision of the Superintendent of Central Inspection in denying a permit for such use in an "LC" district. With respect to the application for variance, it was the decision of the Board to approve this request, subject to the following:

1. That drainage, both surface and runoff created by the operation, shall be handled in such a manner satisfactory to the Superintendent of Maintenance of the Department of Public Works.
2. The hours of operation shall not extend beyond 12 p.m. or commence earlier than 6 a.m.
3. The entire area to be utilized by the washing and drying operation, as well as areas of ingress and egress, shall be hard surfaced with either concrete, asphalt or asphaltic concrete.

Page 2 - Mr. Willis W. Wall
January 29, 1964

4. Adequate maintenance shall be provided through inspection twice daily for proper maintenance and removal of trash.
5. No sound projecting devices or loud speakers shall be used so as to be heard outside of any structure.
6. All lights shall be shielded to reflect or direct light away from adjoining property. No string type lighting shall be permitted.
7. A six foot high solid masonry, redwood, or combination thereof, fence shall be erected along the east property line to protect adjacent properties from light, blowing debris, noise, and to preserve adjacent property values.
8. On-site traffic control, off-street parking and traffic circulation shall be subject to approval of the Traffic Engineering Division of the Department of Public Works.
9. No building or structure shall be constructed closer than 130 feet from the east line of Seneca Street.
10. A corporate performance bond in the amount of \$1,400 shall be submitted to the Secretary of the Board, to guarantee the construction of the fence. (The form of the bond shall be approved by legal counsel for the Board.)

Section 2.12.610 of the Code of the City of Wichita provides that the decision of the Board of Zoning Appeals shall be final unless it is appealed to the Board of City Commissioners within ten days of the date of the Board's action. Accordingly, an appeal could be filed in this case on or before February 7, 1964.

Subsequent to the expiration of the appeal period, you will be advised whether or not an appeal has been filed. If no appeal has been filed on or before February 7, 1964, the decision of the Board will be final and the Superintendent of Central Inspection will be in a position to issue the appropriate permit.

Very truly yours,

Robert A. Lakin
Secretary

RAL:JWH:ber
cc: Sedgwick Kwiki, Inc., 309 Central Building
Robert Finch, City Clerk
Glen Lytle, Superintendent of Central Inspection

SECRETARY'S REPORT

CASE NO. BZA 3-64

GENERAL LOCATION

The property represented in this application is generally located in the area east of Seneca and south of Savannah.

EXISTING ZONING

The property in question is zoned "LC" Light Commercial. Existing zoning to the north is "LC" Light Commercial. East is "AA" Single Family; south is "LC" Light Commercial and to the west is "LC" Light Commercial.

EXISTING LAND USE

The property in question is vacant. Existing land use to the north is service station, tire repair and drive-in restaurant. East is single family; south is single family and nursery; west is Westway Shopping Center.

REQUEST

The request is for an appeal from the order of the Superintendent of Central Inspection not to issue a permit for construction of a self-service car wash operation in the "LC" Light Commercial District. In the event the appeal is turned down, the applicant requests a variance pursuant to Section 2.12.590.2 of the Code of the City of Wichita to allow a self-service car wash operation to be located in the "LC" Light Commercial district.

APPEAL - PART I

This request is for the same self-service car wash operation as that which was represented in BZA Case No. 2-64 which is also to be considered at the January 28 meeting of the Board of Zoning Appeals.

Last month the Board of Zoning Appeals considered a request for a self-service car wash at the southeast corner of Pawnee and Seneca, which was almost identical to the request being made in this application. Justification submitted by the attorney for the appeal in that application is also very similar to the justification submitted for the appeal in this case. In this case, as well as in the case considered last month, the applicants have attempted to justify the appeal on the basis that self-service car washes are a similar operation to service stations, drive-in restaurants, catering establishments and drive-in banks, which are permitted in the "LC" district. However, after due consideration, the Board determined that a self-service car wash was not a use permitted under the "LC" section of the ordinance for the following reasons:

1. Hours of operation
2. Would be unattended
3. Water and drainage problems involved
4. Operation is not conducted completely within an enclosed building.

Also of utmost consideration in the Board's consideration was the fact that self-service car washes were not a permitted use in the "LC" section of the ordinance inasmuch as they are not specifically listed under that section.

The Secretary is of the opinion that inasmuch as the request being made in this instance is very similar to the one considered last month and since the justification for the appeal is substantially the same, that the appeal should be denied on the basis that no new facts or evidence have been offered which should change the decision the Board has made relative to self-service car washes.

If it is determined by the Board that self-service car washes should be a permitted use under the "LC" section of the ordinance, then the proper approach to this problem is through an amendment to the ordinance by the legislative body.

VARIANCE - PART II

The applicant has submitted a plot plan which is included as Attachment #2 to this report, and a statement of justification which is shown as Attachment #1 to this report.

The Board of Zoning Appeals has the authority to grant a variance requested when all four of the following conditions are found to exist:

1. That the variance desired arises from some condition which is not ordinarily found in the same zoning district.
2. That the granting of the permit for the variance will not adversely affect the rights of adjacent property owners or residents.
3. That the strict application of the enforcement provisions of this zoning ordinance would constitute an unnecessary hardship upon the property owner represented in the appeal.
4. That the variance desired is not against the public interest.

UNIQUENESS

The attorney for the applicant contends that the variance desired arises from such condition which is unique and not ordinarily found in the same zoning district in that the property in question is an "L" shaped lot which would not be conducive to other "LC" businesses, but would afford a proper ingress and egress for this type of operation.

The Secretary has suggested that uniqueness should refer to physical irregularities or differences as to the property which set it apart from other properties in the same neighborhood or zone, i.e. rock outcroppings, unusual topographical characteristics, odd-shaped lots, drainage problems, etc. The Board on several occasions in the past few months has considered uniqueness as to the use of the property concerned. This interpretation, however, will make any property unique if a new use or non-permitted use is proposed.

This particular lot was originally platted as "Reserve A" to Scheers Addition; the balance of the addition is platted into residential lots. Usually when a lot is platted as a Reserve, it is platted that way for a purpose, the purpose usually being that at sometime in the future the reserve will be developed as a unit. However, in this particular instance the northwest corner of this Reserve has been sold off and developed as a filling station, resulting in an "L" shaped lot. Consequently, it is the opinion of the Secretary that this is a situation which has been self-created and therefore does not constitute sufficient justification for uniqueness.

ADJACENT PROPERTY

The Secretary concurs with the applicant in that the use of this property should have no adverse affect on adjoining property owners or residents in this area, in that the self-service car wash is compatible with other light commercial uses in the surrounding area.

HARDSHIP

The attorney for the applicant has suggested that the strict application of the enforcement provisions of the zoning ordinance will constitute an unnecessary hardship upon the owners of this particular odd-shaped lot if the variance is not granted.

The Secretary has taken the position that "hardship" should be so construed as to mean that the property cannot be used for the purpose for which it is zoned. In this particular instance no evidence has been offered to show that the property cannot be utilized in a manner which is specifically permitted under the "LC" section of the ordinance, even though this is an "L" shaped lot.

The applicant is requesting that a "use variance" be granted which will allow him to use this property in a manner which is not permitted by the ordinance. Should the variance be granted, the applicant would be obtaining a privilege above and beyond that which is enjoyed by other owners of light commercial property, not only in this particular area but throughout the City of Wichita. In view of this consideration, it is the opinion of the Secretary that hardship has not been sufficiently justified in this instance.

PUBLIC INTEREST

The Secretary is of the opinion that the granting of the variance should in no way adversely affect the public interest.

It is the opinion of the Secretary that uniqueness and hardship have not been shown to exist in this instance and it is, therefore, recommended that the variance be denied.

As suggested in the other applications concerning self-service car washes which have been considered by the Board, the proper approach to the problem is not through the request for a "use variance". If self-service car washes are going to present a continual problem as far as enforcement and interpretation of the ordinance is concerned, then the proper approach, in the Secretary's opinion, is to

1. Either amend the ordinance to specifically provide for such uses in the "LC" district, or
2. Amend the zoning map to a category in which there is no doubt as to those operations being a permitted use. Such a zoning classification is the "C" Commercial district.

ADDITIONAL COMMENTS BY THE SECRETARY

In the event the Board determines that all four conditions necessary to the granting of the variance have been found to exist, there are several things which, in the Secretary's opinion, should be taken into consideration, if this application is to be approved.

According to the plot plan there are two curb cuts which are presently located on the east side of Seneca. In talking to the attorney for the applicant, it was determined that these two curb cuts will provide access to the car washing unit and once the cars have been washed they would then continue on around to Savannah as a means of egress. Although the emptying of commercial traffic onto a residential street is not the most desirable as far as circulation and traffic control is concerned, it appears to be the best solution in this instance. This is in view of the fact that if both ingress and

egress were provided on the Seneca side of the lot it would double the amount of traffic created at that point.

In the event the Board wishes to approve the variance, it is recommended that it be approved subject to the following conditions:

1. That drainage, both surface and runoff created by the operation shall be handled in such a manner satisfactory to the Superintendent of Maintenance of the Department of Public Works.
2. The hours of operation shall not extend beyond 12 p.m. or commence earlier than 6 a.m. Central Standard Time.
3. The entire area to be utilized by the washing and drying operation, as well as areas of ingress and egress, shall be hard-surfaced with either concrete, asphalt or asphaltic concrete.
4. Adequate maintenance shall be provided through inspection twice daily for proper maintenance and removal of trash.
5. No sound-projecting devices or loud speakers shall be used so as to be heard outside of any structure.
6. All lights shall be shielded to reflect or direct light away from adjoining property. No string type lighting shall be permitted.

Attachments

- #1 - Statement of justification
- #2 - Plot Plan
- #3 - Variance vote sheet

BEFORE THE BOARD OF ZONING APPEALS OF THE CITY OF WILMINGTON

In the Matter of the Appeal and Application)

of)

NO. _____)

SEGWICK KWIKI, INC.)

STATEMENT

This appeal to the Zoning Board involves the question of whether a four stall self-service car washing unit can be located generally 150 feet south of Savannah on Seneca Street in an "LC" zoning classification. The Superintendent of Central Inspection has denied the issuance of a permit authorizing the construction of these car washing units because the building to be constructed is not fully enclosed and because this particular use is not specifically authorized in the LC classification under Ordinance Sec. 28.04.090. It is the petitioner's contention that this particular use of LC zoned property is within the general classification as set forth in Ordinance Sec. 28.04.090 and comes within the general use of businesses permitted in LC classification.

Some of the specifically named uses permitted in LC classification under 28.040.090 are:

- 1.4 Drive-in banks
- 1.8 Catering establishments
- 1.9 Filling stations
- 1.18 Drive-in restaurants

Activities of the above cited businesses take place in some instances outside an enclosure. For example, most of the activity in servicing an automobile (gas, oil and water) takes place outside an enclosure. This car washing unit, in regard to the use of the property concerned, is directly compatible with the operation of a filling station, the only difference being that it would not be enclosed on the ends. The only use outside of the structure will be the drying and polishing of the cars, which is not a disturbing activity in any respect. This type of operation is entirely new and has some degree of similarity to coin-operated restaurants, automatic laundries, and self-service ice houses, which are all permitted in this classification. It is the petitioner's contention that the car washing unit is designed primarily for a neighborhood service and is compatible with an LC classification.

The applicant contends that this Board has the power, authority and jurisdiction to authorize a variance for a self-service car wash in the event the Board determines this is not a proper use in an LC classification.

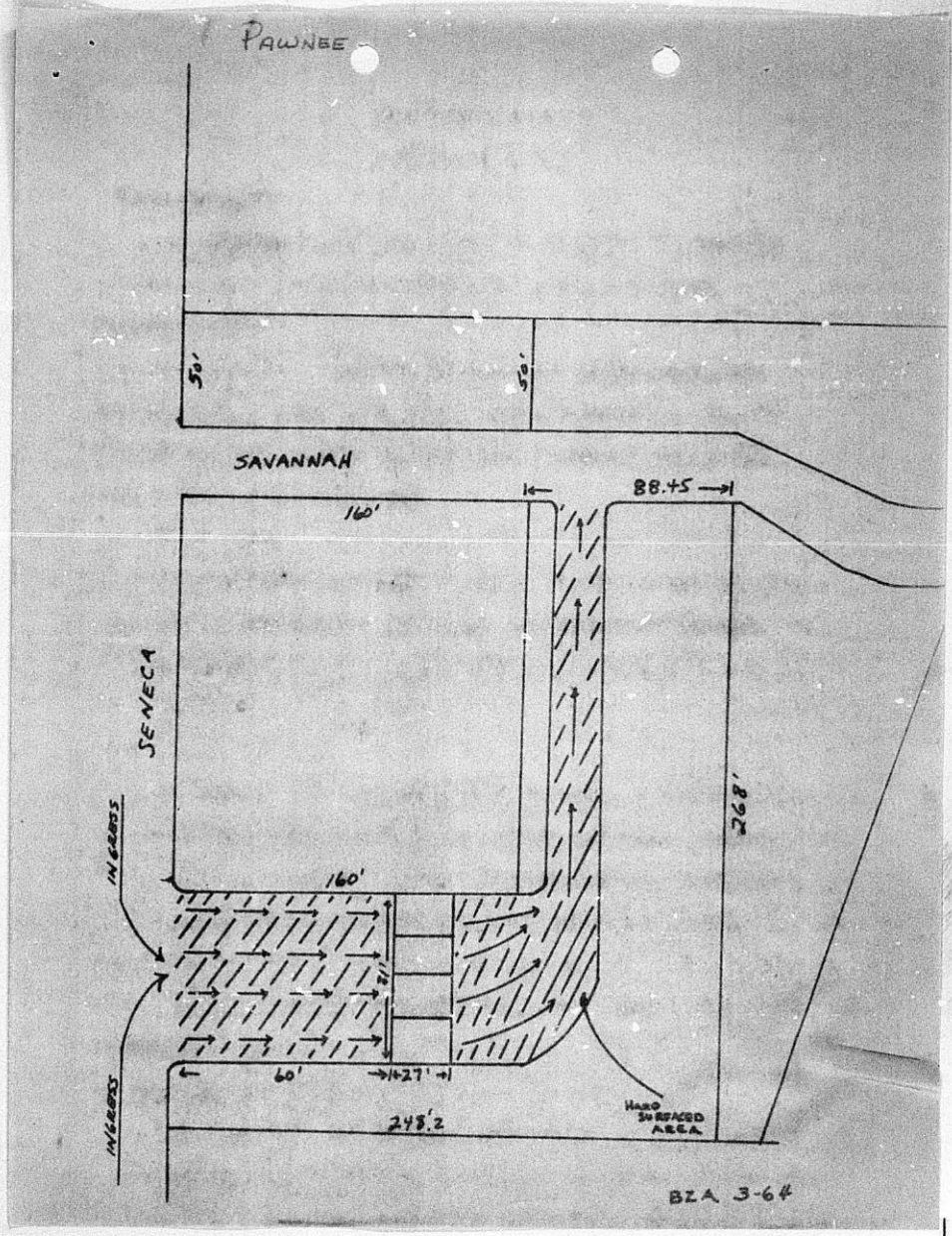
BZA 3-64
Attachment #1 - 1

The applicant requests the Board to grant a variance to allow this use on this specific location under Sec. 2.12.590.2 for the following reasons: That the property in question is an "L" shaped lot which would not be conducive to other LC businesses but will afford a proper ingress and egress in this type of operation. That the use of this property will have no adverse effect on the adjacent property owners or residents in this area because this is in the same category as the filling station on the north and there will be no type of dangerous machinery, inflammable materials, odor or nuisance resulting therefrom. That the strict application of the enforcement provisions of the zoning ordinance will constitute unnecessary hardship on the owners of this particular odd-shaped lot and its particular location. This particular use will be of definite benefit to the neighborhood and will not affect the public health, safety or general welfare of the community. Each unit will have a sand-type utility pit to properly filter the water into the sewer. Proper containers will be afforded customers for disposal of debris; however, the operators intend to use a type of paper towels similar to a chamôis which, according to past experience, is seldom discarded but retained by the customer for future reuse.

For all of the reasons set forth herein, it is urged that the Board of Zoning Appeals affirm this appeal to authorize this use in LC classification.

In the event that the Board does not uphold the appeal and that it cannot authorize this particular use, it is urged that the Board consider a variance and that a variance be granted for the above reasons.

S/ Willis W. Wall
Attorney for Petitioner



ZBA ACTION

Application No. _____

Date _____

RESOLUTION

FINDINGS OF FACT

1. Variance desired arises from such condition which is unique and which is not ordinarily found in the same zoning district.
2. Granting of the permit for the variance will not adversely affect the rights of adjacent property owners or residents.
3. Strict application of the enforcement provisions of the zoning ordinance will constitute unnecessary hardship upon the property owner represented in the appeal.
4. Variance desired will not adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare.

Determination: (Approve or Deny)

SECRETARY'S REPORT

CASE NO. BZA 3-64

GENERAL INFORMATION

The property represented in this application is generally located in the area east of Seneca and south of Savannah.

EXISTING ZONING

The property in question is zoned "LC" Light Commercial. Existing zoning to the north is "LC" Light Commercial. East is "AA" Single Family; south is "LC" Light Commercial and to the west is "LC" Light Commercial.

EXISTING LAND USE

The property in question is vacant. Existing land use to the north is service station, tire repair and drive-in restaurant. East is single family; south is single family and nursery; west is Westway Shopping Center.

REQUEST

The request is for an appeal from the order of the Superintendent of Central Inspection not to issue a permit for construction of a self-service car wash operation in the "LC" Light Commercial District. In the event the appeal is turned down, the applicant requests a variance pursuant to Section 2.12.590.2 of the Code of the City of Wichita to allow a self-service car wash operation to be located in the "LC" Light Commercial district.

APPEAL - PART I

This request is for the same self-service car wash operation as that which was represented in BZA Case No. 2-64 which is also to be considered at the January 28 meeting of the Board of Zoning Appeals.

Page 2 - Secretary's Report
Case No. BZA 3-64

Last month the Board of Zoning Appeals considered a request for a self-service car wash at the southeast corner of Pawnee and Seneca, which was almost identical to the request being made in this application. Justification submitted by the attorney for the appeal in that application is also very similar to the justification submitted for the appeal in this case. In this case, as well as in the case considered last month, the applicants have attempted to justify the appeal on the basis that self-service car washes are a similar operation to service stations, drive-in restaurants, catering establishments and drive-in banks, which are permitted in the "LC" district. However, after due consideration, the Board determined that a self-service car wash was not a use permitted under the "LC" section of the ordinance for the following reasons:

1. Hours of operation
2. Would be unattended
3. Water and drainage problems involved
4. Operation is not conducted completely within an enclosed building.

Also of utmost consideration in the Board's consideration was the fact that self-service car washes were not a permitted use in the "LC" section of the ordinance inasmuch as they are not specifically listed under that section.

The Secretary is of the opinion that inasmuch as the request being made in this instance is very similar to the one considered last month and since the justification for the appeal is substantially the same, that the appeal should be denied on the basis that no new facts or evidence have been offered which should change the decision the Board has made relative to self-service car washes.

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If it is determined by the Board that self-service car washes should be a permitted use under the "LC" section of the ordinance, then the proper approach to this problem is through an amendment to the ordinance by the legislative body.

VARIANCE - PART II

The applicant has submitted a plot plan which is included as Attachment #2 to this report, and a statement of justification which is shown as Attachment #1 to this report.

The Board of Zoning Appeals has the authority to grant a variance requested when all four of the following conditions are found to exist:

1. That the ~~variance desired~~ desired arises from some condition which is not ordinarily found in the same zoning district.
2. That the granting of the permit for the variance will not adversely affect the rights of adjacent property owners or residents.
3. That the strict application of the enforcement provisions of this zoning ordinance would constitute an unnecessary hardship upon the property owner represented in the appeal.
4. That the variance desired is not against the public interest.

UNIQUENESS

The attorney for the applicant contends that the variance desired arises from such condition which is unique and not ordinarily found in the same zoning district in that the property in question is an "L" shaped lot which would not be conducive to other "LC" businesses, but would afford a proper ingress and egress for this type of operation.

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The Secretary has suggested that uniqueness should refer to physical irregularities or differences as to the property which set it apart from other properties in the same neighborhood or zone, i.e. rock outcroppings, unusual topographical characteristics, odd-shaped lots, drainage problems, etc. The Board on several occasions in the past few months has considered uniqueness as to the use of the property concerned. This interpretation, however, will make any property unique if a new use or non-permitted use is proposed.

This particular lot was originally platted as "Reserve A" to Scheers Addition; the balance of the addition is platted into residential lots. Usually when a lot is platted as a Reserve, it is platted that way for a purpose, the purpose usually being that at sometime in the future the reserve will be developed as a unit. However, in this particular instance the northwest corner of this Reserve has been sold off and developed as a filling station, resulting in an "L" shaped lot. Consequently, it is the opinion of the Secretary that this is a situation which has been self-created and therefore does not constitute sufficient justification for uniqueness.

ADJACENT PROPERTY

The Secretary concurs with the applicant in that the use of this property should have no adverse affect on adjoining property owners or residents in this area, in that the self-service car wash is compatible with other light commercial uses in the surrounding area.

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Case No. BZA 3-64

HARDSHIP

The attorney for the applicant has suggested that the strict application of the enforcement provisions of the zoning ordinance will constitute an unnecessary hardship upon the owners of this particular odd-shaped lot if the variance is not granted.

The Secretary has taken the position that "hardship" should be so construed as to mean that the property cannot be used for the purpose for which it is zoned. In this particular instance no evidence has been offered to show that the property cannot be utilized in a manner which is specifically permitted under the "LC" section of the ordinance, even though this is an "L" shaped lot.

The applicant is requesting that a "use variance" be granted which will allow him to use this property in a manner which is not permitted by the ordinance. Should the variance be granted, the applicant would be obtaining a privilege above and beyond that which is enjoyed by other owners of light commercial property, not only in this particular area but throughout the City of Wichita. In view of this consideration, it is the opinion of the Secretary that hardship has not been sufficiently justified in this instance.

PUBLIC INTEREST

The Secretary is of the opinion that the granting of the variance should in no way adversely affect the public interest.

It is the opinion of the Secretary that uniqueness and hardship have not been shown to exist in this instance and it is, therefore, recommended that the variance be denied.

the Planning Commission and the City Commission at such time as this problem can be formally handled through the public hearing by the Planning Commission and City Commission. ordinance will continue to immediately...

8. Case Dr 68-19 - Request from Frank T. Priest that "Broadway" be changed back to "Lawrence Avenue".

The letter from Mr. Priest was read to the Commission. In the letter he requested the above street name change since "Lawrence Avenue meant a great deal to the old timers".

It was reported by the staff that by telephone message, Mrs. C. E. Russell, 2009 West 29th Street North, expressed opposition to any change.

LAW stated that several people have called him about this change. He thought it should be considered, but suggested that it be deferred at this time until such time as public sentiment could be ascertained, either through newspaper media, or otherwise. He remarked that it might be a very appropriate action to take, but doubted that any of the Commission would want to make a decision without some expression of public opinion, either for or against the proposed change.

MR. JENNINGS pointed out that in considering possible street name changes in the Subdivision Committee, there has often been opposition from residents concerned, as well as utilities.

MRS. AMELIA MATANSON was opposed to any change in this street name. She pointed out that Lawrence Stadium has already been named for the Lawrence family. She also pointed out that for most residents of Wichita, Broadway is the only name by which they have known this street.

MOTION: It was moved, seconded and carried unanimously that this matter be deferred for 90 days.

There was no further business. The meeting adjourned at 8:00 p.m.

Page 6 - Secretary's Report
Case No. BZA 3-64

As suggested in the other applications concerning self-service car washes which have been considered by the Board, the proper approach to the problem is not through the request for a "use variance". If self-service car washes are going to present a continual problem as far as enforcement and interpretation of the ordinance is concerned, then the proper approach, in the Secretary's opinion, is to

1. Either amend the ordinance to specifically provide for such uses in the "LC" district, or
2. Amend the zoning map to a category in which there is no doubt as to those operations being a permitted use. Such a zoning classification is the "C" Commercial district.

ADDITIONAL COMMENTS BY THE SECRETARY

In the event the Board determines that all four conditions necessary to the granting of the variance have been found to exist, there are several things which, in the Secretary's opinion, should be taken into consideration, if this application is to be approved.

According to the plot plan there are two curb cuts which are presently located on the east side of Seneca. In talking to the attorney for the applicant, it was determined that these two curb cuts will provide access to the car washing unit and once the cars have been washed they would then continue on around to Savannah as a means of egress. Although the emptying of commercial traffic onto a residential street is not the most desirable as far as circulation and traffic control is concerned, it appears to be the best solution in this instance. This is in view of the fact that if both ingress and

Page 7 - Secretary's Report
Case No. BZA 3-64

egress were provided on the Seneca side of the lot it would double the amount of traffic created at that point.

In the event the Board wishes to approve the variance, it is recommended that it be approved subject to the following conditions:

1. That drainage, both surface and runoff created by the operation shall be handled in such a manner satisfactory to the Superintendent of Maintenance of the Department of Public Works.
2. The hours of operation shall not extend beyond 12 p.m. or commence earlier than 6 a.m. Central Standard Time.
3. The entire area to be utilized by the washing and drying operation, as well as areas of ingress and egress, shall be hard-surfaced with either concrete, asphalt or asphaltic concrete.
4. Adequate maintenance shall be provided through inspection twice daily for proper maintenance and removal of trash.
5. No sound-projecting devices or loud speakers shall be used so as to be heard outside of any structure.
6. All lights shall be shielded to reflect or direct light away from adjoining property. No string type lighting shall be permitted.

Attachments

- #1 - Statement of justification
- #2 - Plot Plan
- #3 - Variance vote sheet

BEFORE THE BOARD OF ZONING APPEALS OF THE CITY OF WICHITA

In the Matter of the Appeal and Application

of

_____)
_____)
_____)

SEDGWICK KWIKI, INC.

STATEMENT

This appeal to the Zoning Board involves the question of whether a four stall self-service car washing unit can be located generally 150 feet south of Savannah on Seneca Street in an "LC" zoning classification. The Superintendent of Central Inspection has denied the issuance of a permit authorizing the construction of these car washing units because the building to be constructed is not fully enclosed and because this particular use is not specifically authorized in the LC classification under Ordinance Sec. 28.04.090. It is the petitioner's contention that this particular use of LC zoned property is within the general classification as set forth in Ordinance Sec. 28.04.090 and comes within the general use of businesses permitted in LC classification.

Some of the specifically named uses permitted in LC classification under 28.040.090 are:

- 1.4 Drive-in banks
- 1.8 Catering establishments
- 1.9 Filling stations
- 1.18 Drive-in restaurants

Activities of the above cited businesses take place in some instances outside an enclosure. For example, most of the activity in servicing an automobile (gas, oil and water) takes place outside an enclosure. This car washing unit, in regard to the use of the property concerned, is directly compatible with the operation of a filling station, the only difference being that it would not be enclosed on the ends. The only use outside of the structure will be the drying and polishing of the cars, which is not a disturbing activity in any respect. This type of operation is entirely new and has some degree of similarity to coin-operated restaurants, automatic laundries, and self-service ice houses, which are all permitted in this classification. It is the petitioner's contention that the car washing unit is designed primarily for a neighborhood service and is compatible with an LC classification.

The applicant contends that this Board has the power, authority and jurisdiction to authorize a variance for a self-service car wash in the event the Board determines this is not a proper use in an LC classification.

The applicant requests the Board to grant a variance to allow this use on this specific location under Sec. 2.12.590.2 for the following reasons: That the property in question is an "L" shaped lot which would not be conducive to other LC businesses but will afford a proper ingress and egress in this type of operation. That the use of this property will have no adverse effect on the adjacent property owners or residents in this area because this is in the same category as the filling station on the north and there will be no type of dangerous machinery, inflammable materials, odor or nuisance resulting therefrom. That the strict application of the enforcement provisions of the zoning ordinance will constitute unnecessary hardship on the owners of this particular odd-shaped lot and its particular location. This particular use will be of definite benefit to the neighborhood and will not affect the public health, safety or general welfare of the community. Each unit will have a sand-type utility pit to properly filter the water into the sewer. Proper containers will be afforded customers for disposal of debris; however, the operators intend to use a type of paper towels similar to a chamois which, according to past experience, is seldom discarded but retained by the customer for future reuse.

For all of the reasons set forth herein, it is urged that the Board of Zoning Appeals affirm this appeal to authorize this use in LC classification.

In the event that the Board does not uphold the appeal and that it cannot authorize this particular use, it is urged that the Board consider a variance and that a variance be granted for the above reasons.

S/ Willis W. Wall
Attorney for Petitioner

BEFORE THE BOARD OF ZONING APPEALS OF THE CITY OF WICHITA

In the Matter of the Appeal and Application)

of)

SEDGWICK KWIKI, INC.)

No. _____

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Willis W. Wall, Attorney for Petitioner

CASE BZA NO. 3-64

NOTICES MAILED JANUARY 9, 1964 FOR MEETING ON JANUARY 28, 1964

Eugene Cumley
Drois Cumley
1722 South Mosley

David W. Bock
2251 South Seneca

W. L. Kuechenmeister
2608 South Seneca

E. L. Kuechenmeister
1125 Jewell

Ella Magers
2536 South Seneca

Lee G. Hollaway
Esta Louise Hollaway
2467 South Walnut

Luis E. Quinones
Sara Quinones
2473 South Walnut

Orval Lee Gleason
Darlene H. Gleason
1003 Savannah

Robert L. Smith
Mary C. Smith
1009 Savannah

Rudolph H. Wankum
Annabelle Wankum
1639 North Market

Gail R. Hines
2327 Wildwood

James W. Thompson
1346 North Parkwood

Ted G. Scheer
Eleanor C. Scheer
1002 Savannah

Westway, Inc.
SW Cor Pawnee and Seneca

Willis W. Wall
309 Central Building

Sedgwick Kwiki, Inc.
309 Central Building

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

January 9, 1964

NOTICE TO ADJOINING PROPERTY OWNERS

Case No. BZA 3-64

An application has been filed by Sedgwick Kwiki, Inc., 309 Central Building, Wichita, Kansas, by Willis W. Wall, 309 Central Building, Wichita, Kansas, appealing from the decision of the Superintendent of Central Inspection, who has refused to issue a permit for construction and operation of a four stall car washing unit, pursuant to Section 2.12.590.1, Code of the City of Wichita, and in the event this appeal is not upheld by the Board of Zoning Appeals, then the applicant requests a variance, pursuant to Section 2.12.590.2, Code of the City of Wichita, Kansas, to establish a four stall car washing unit, all on property zoned "LC" Light Commercial and legally described as:

Reserve A, Scheer's Addition to Wichita, Sedgwick County, Kansas, except the north 150 feet of the west 160 feet and except the west 10 feet thereof. Generally located in an area east of Seneca and south of Savannah.

This application has been assigned case No. BZA 3-64, and will be considered by the Board of Zoning Appeals on Tuesday, January 28, 1964, at 2 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.

Robert A. Lakin
Secretary

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

January 9, 1964

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Robert A. Lakin
Secretary

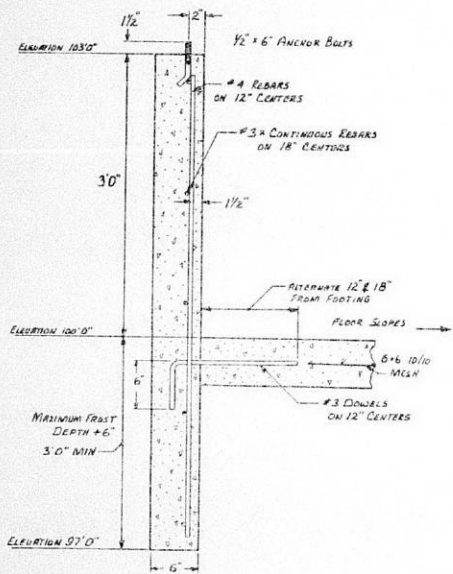
PLANS

SEDGWICK KWIKI SELF SERVICE CAR WASH

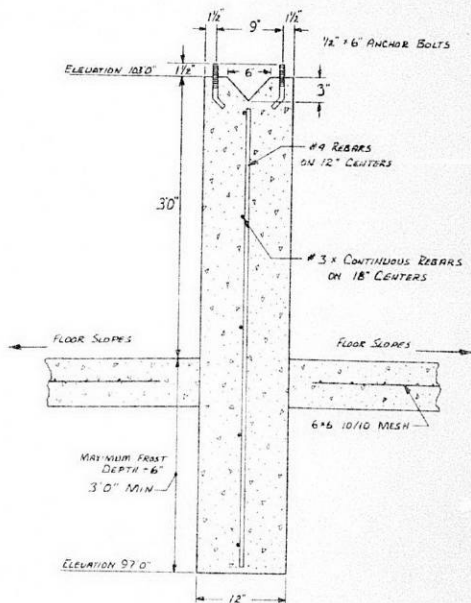
GENERAL NOTES

1. This Behlen building is designed for a wind load of 20 lbs. per square foot.
2. Footings are sized for an allowable soil bearing pressure of 2500 lbs. per square foot. The buyer shall be responsible for verifying that the soil has a bearing value equal to or greater than the design value.
3. Fill soil beneath footings shall be deposited in layers not to exceed 6 inches in depth. Wetted to optimum moisture content, and uniformly compacted to at least 95% of the maximum density as determined by the A.A.S.H.O. method A, T99-57.
4. Fill areas beneath slabs shall be deposited in layers not to exceed 6 inches in depth and compacted to a density at least equal to that of the surrounding undisturbed earth.
5. Concrete contractor shall be responsible for maintaining foundation square, level, and according to plan. DO NOT start erection until these have been checked and proved to be correct.
6. All concrete shall have 3,000 lbs. per square inch compressive strength at 28 days, unless otherwise noted.
7. Concrete slabs shall be reinforced with 6 x 6 No. 10/10 mesh, unless otherwise noted.
8. Concrete reinforcement shall be spliced in accordance with ACI 318-56, Paragraph 505. Minimum lap shall be 24 bar diameters but not less than 12 inches.
9. Cover for concrete reinforcing steel in accordance with ACI 318-56 Paragraph 507.

SECTION "A-A"



SECTION "B-B"

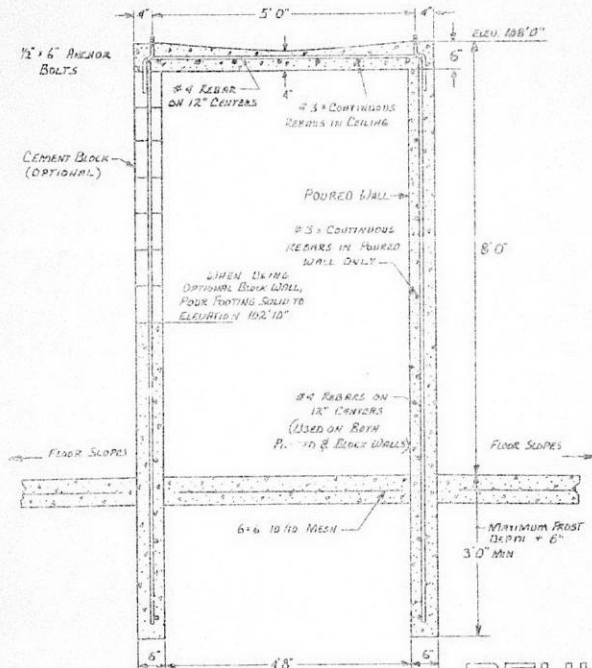


F-3387M

BEHLEN

10-15-63

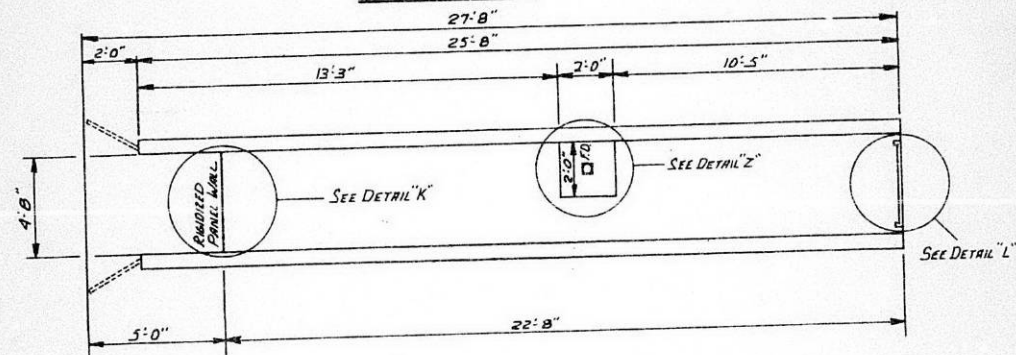
SECTION "C - C"



F-3388M

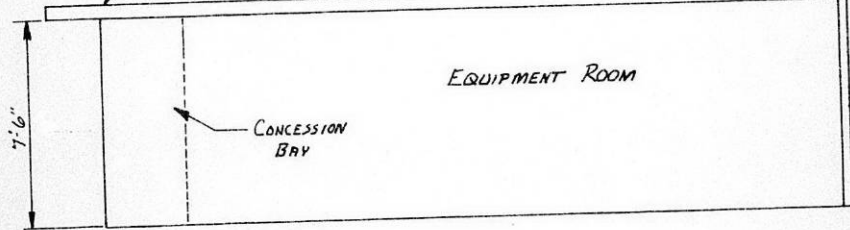
BEHLEN 10-15-63

SECTION "D-L"



2'-0" CANTILEVER

NOTE: IT IS NECESSARY TO FORM HOLES IN THE ROOF FOR 2 ROOF VENTS. LOCATION OF THESE DEPENDS UPON EXACT PLACEMENT OF SEWER & HEATER VENTS.



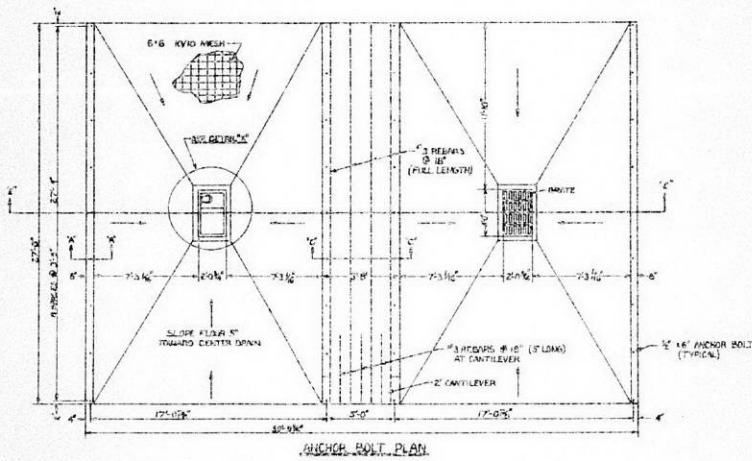
SIDE ELEVATION OF SECTION "E-E"

BEHLEN

10-15-63

F-3389M

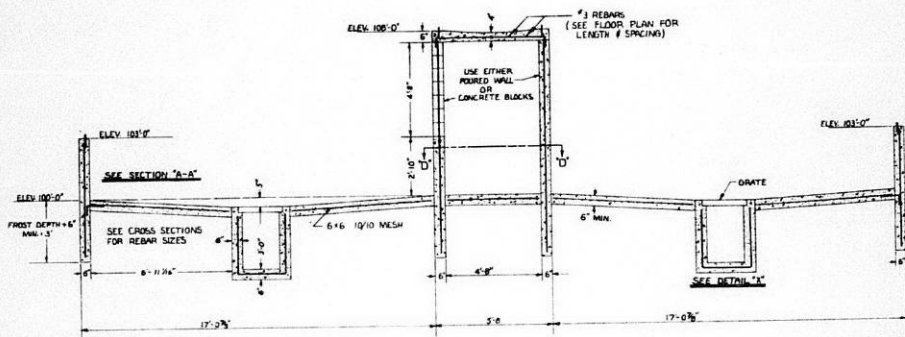
FLOOR PLAN
BASIC UNIT
 (2 BAY SHELTER)



F-3390M

BEHLEN 10-15-63

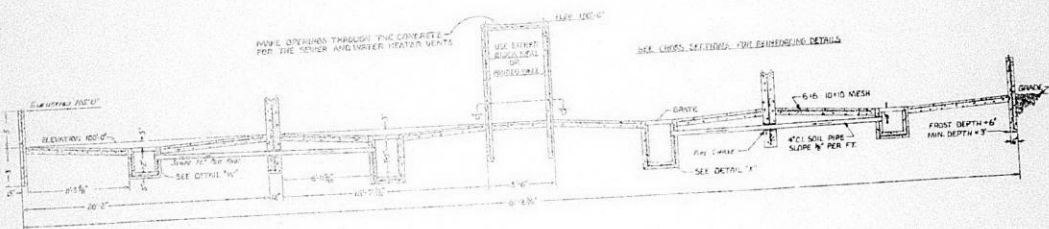
SECTION "E-E"
BASIC UNIT
(2 BAY SHELTER)



F-3391M

BEHLEN 10-15-63

SECTION "F-F"
BASE UNIT w/2 Rodded Units

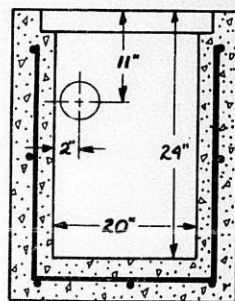
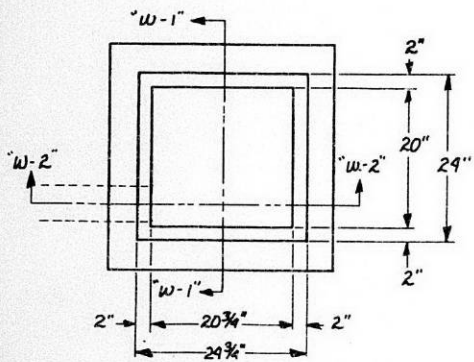


BEHLEN 10-15-63

F-3393M

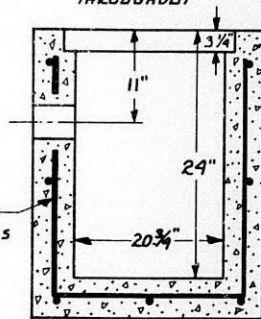
DETAIL "W"
SAND TRAP DETAIL

THIS SAND TRAP IS USED ONLY
IN ADD-ON BAYS



SECTION "W-1"

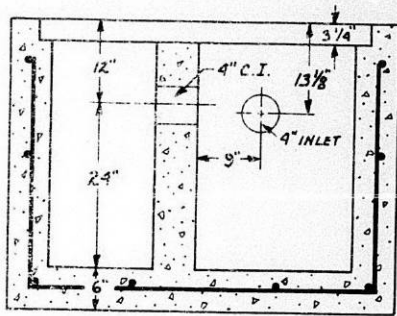
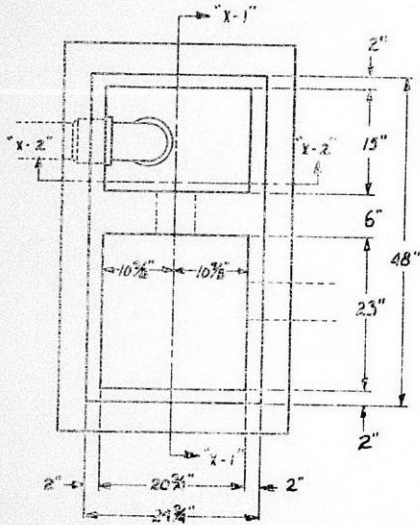
#3 REBARS
THROUGHOUT



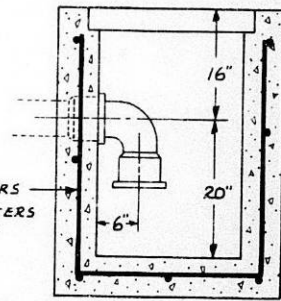
#3 REBARS
ON 18" CENTERS
EACH WAY

SECTION "W-2"

DETAIL "X"
SAND TRAP DETAIL

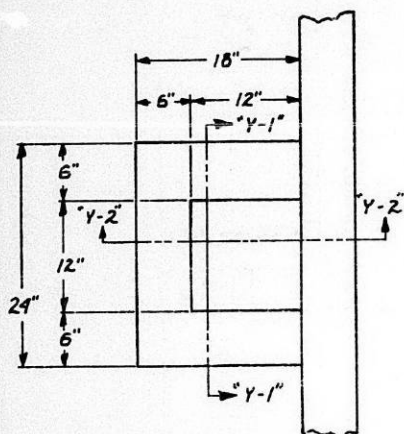


SECTION Y-1
3 REBARS THROUGHOUT

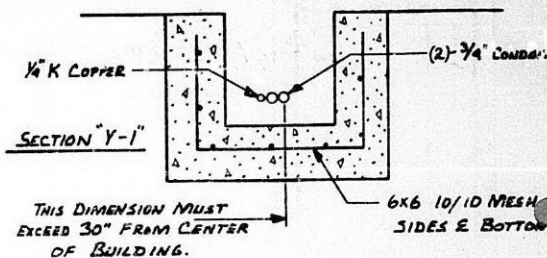


SECTION Y-2

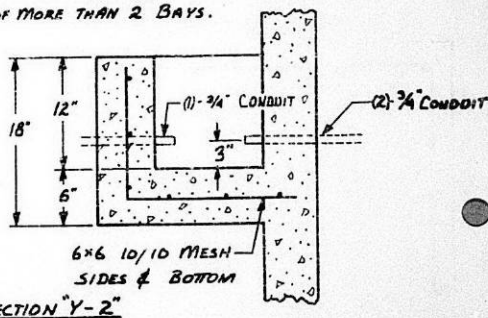
DETAIL "Y"
UTILITY PIT DETAIL



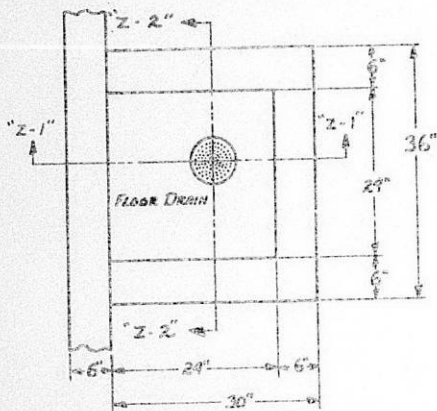
IT IS IMPORTANT THAT THE CONDUIT BE FAR ENOUGH FROM THE CENTERLINE OF THE BUILDING SO AS NOT TO INTERFERE WITH THE SAND TRAPS IN THE CENTER OF THE BAYS.



NOTE: CONDUIT IS USED ONLY ON INSTALLATIONS OF MORE THAN 2 BAYS.



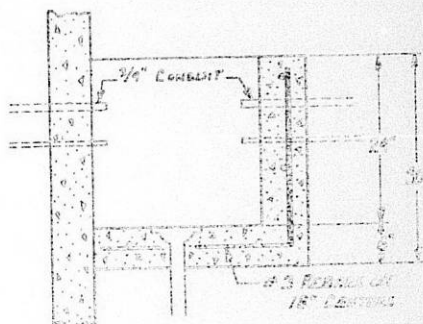
DETAIL "Z"
UTILITY PIT DETAIL
(FOR CENTER AISLE)



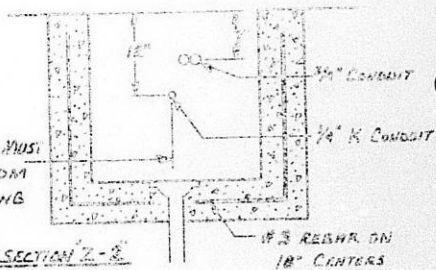
IT IS IMPORTANT THAT THE CONDUIT BE FAR ENOUGH FROM THE CENTERLINE OF THE BUILDING SO AS NOT TO INTERFERE WITH THE SAND TRAPS IN THE CENTER OF THE BAYS.

NOTE: CONDUIT IS USED ONLY ON INSTALLATIONS OF MORE THAN 2 BAYS

THIS DIMENSION MUST EXCEED 30" FROM CENTER OF BUILDING



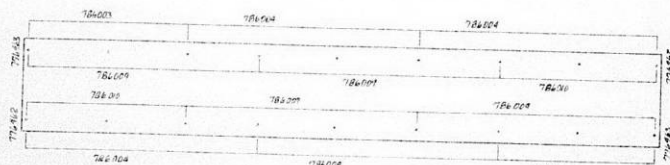
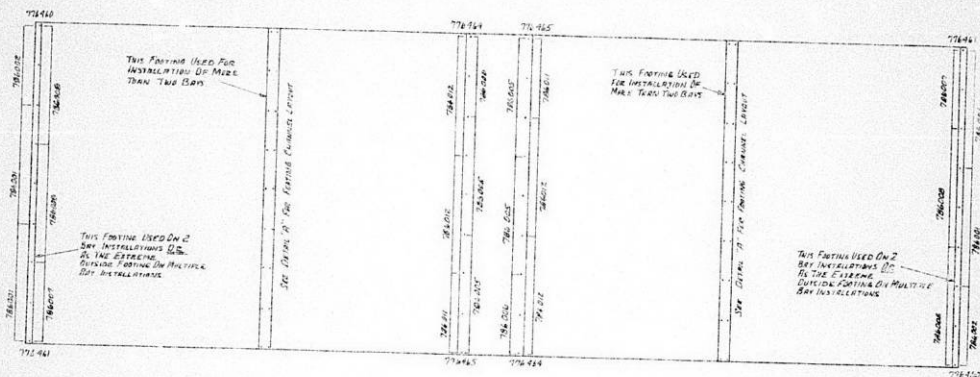
SECTION Z-1



SECTION Z-2

BEHLEN 10-15-63

FOOTING CHANNEL LAYOUT

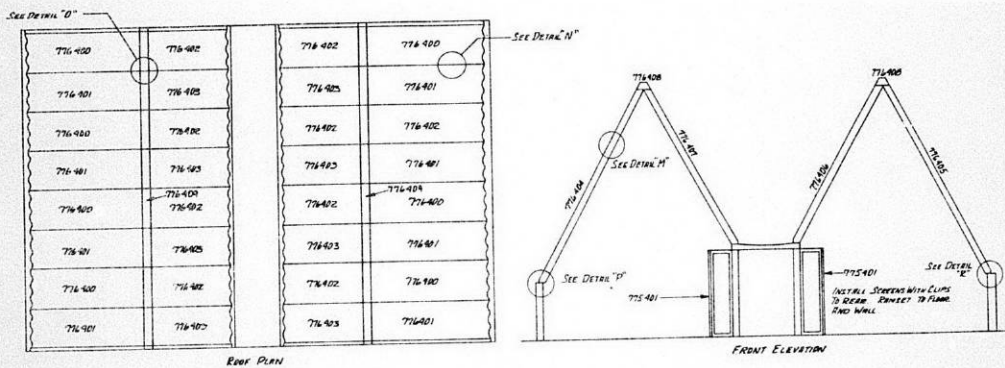


DETAIL R

F-3411M

BEHLEN 10-15-63

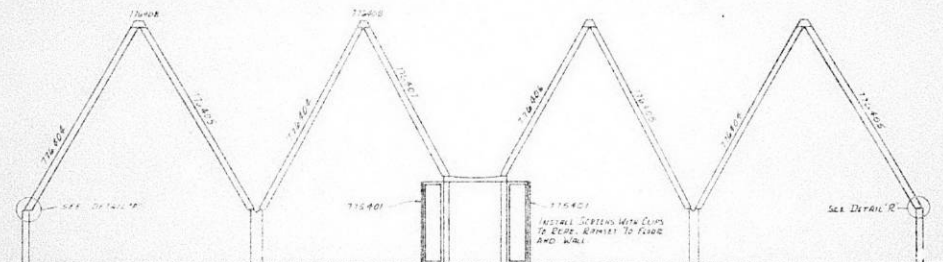
PARTS IDENTIFICATION



PARTS IDENTIFICATION

776 400	776 400	776 400	776 402				
776 401	776 401	776 401	776 403			See Detail D	
776 406	776 400	776 400	776 403				
776 401	776 401	776 401	776 403				
776 400	776 400 776 400	776 400 776 400	776 402			See Detail V	
776 401	776 401	776 401	776 403				
776 400	776 400	776 400	776 402				
776 401	776 401	776 401	776 403				

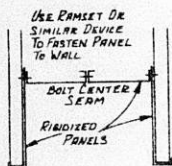
Roof Plan



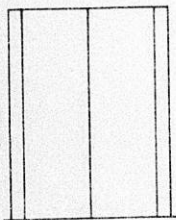
F-3410M

BEHLEN 10-15-63

DETAIL "K"
FRAME ASSEMBLY FOR
CONCESSION BAY

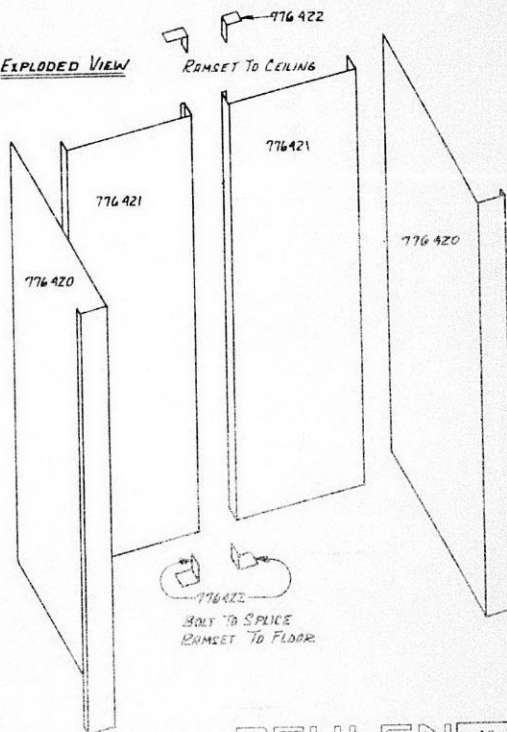


TOP VIEW



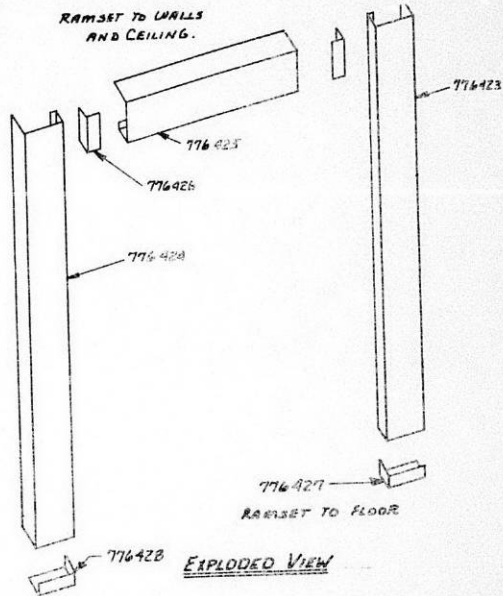
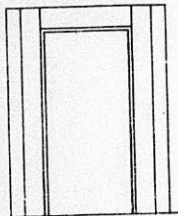
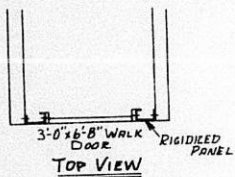
ELEVATION

EXPLODED VIEW

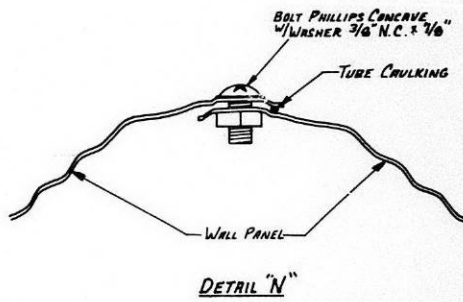
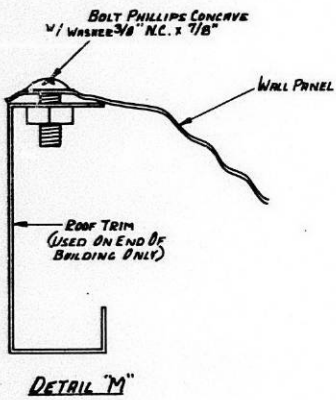


BEHLEN 10-15-63

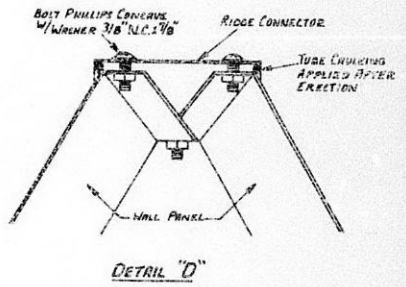
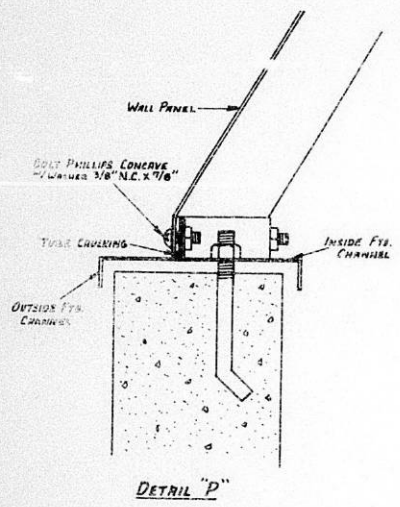
DETAIL 'L'
FRAME ASSEMBLY FOR
EQUIPMENT ROOM DOOR



ERECTION DETAILS
"M" & "N"



ERECTION DETAILS
"D" & "P"

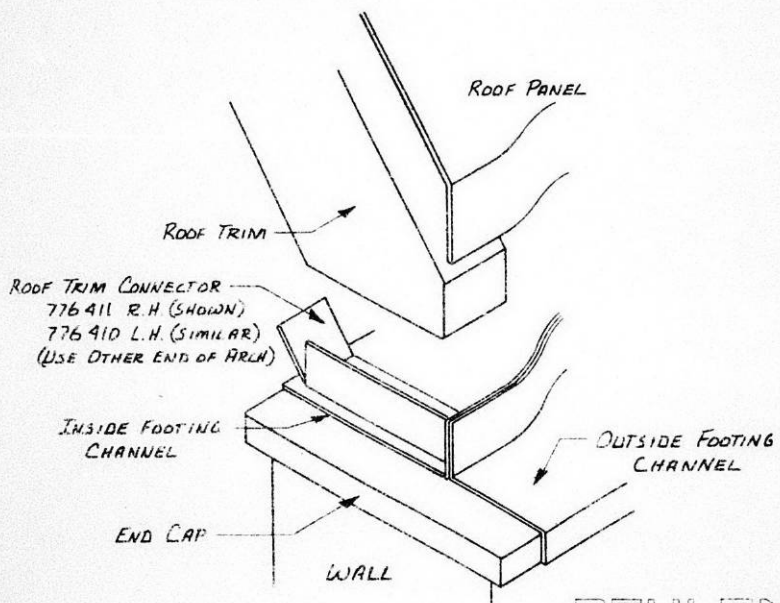


-3401M

BEHLEN 10-15-63

DETAIL "R"

ASSEMBLY DETAILS AT
END OF WALL

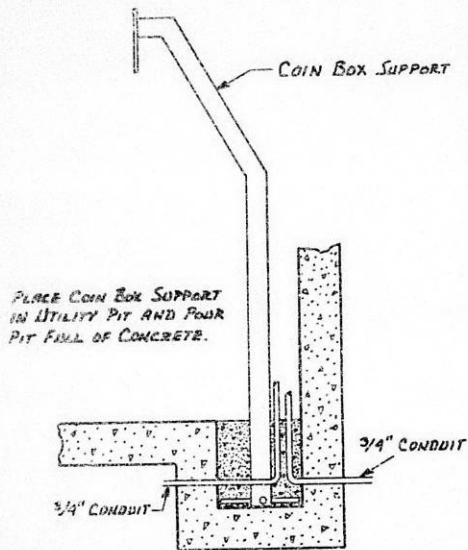


F-3402M

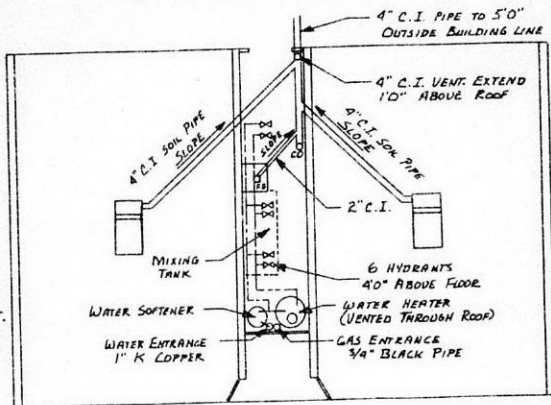
BEHLEN

10-15-63

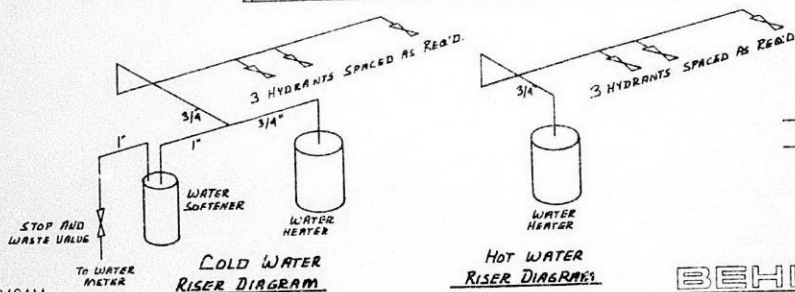
DETAIL "S"
PLACEMENT OF THE COIN
BOX SUPPORT



PLUMBING PLAN
(2 BAY INSTALLATION)



NOTE: IN THE EVENT THAT THE SEWER LINE IS IN FRONT OF THE BUILDING THE 4\"/>

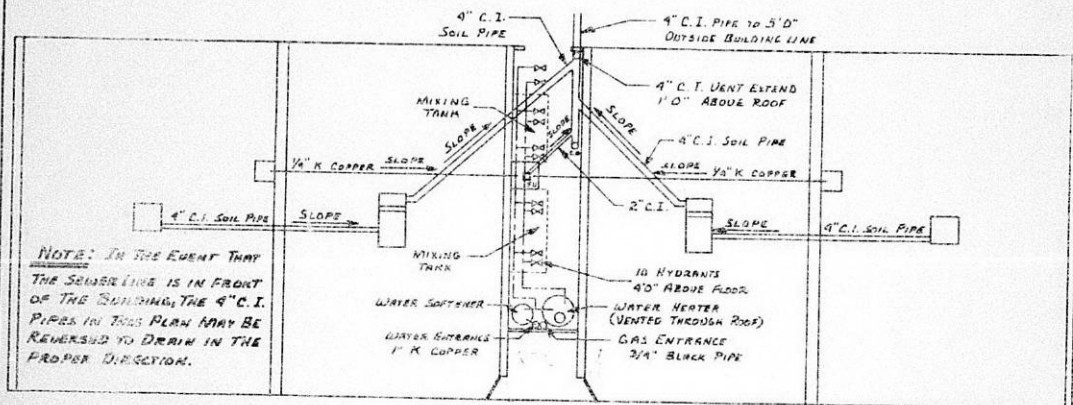


- - - - - COLD WATER
 - - - - - HOT WATER
 □ FD FLOOR DRAIN
 ○ CO CLEAN OUT
SYMBOL LEGEND

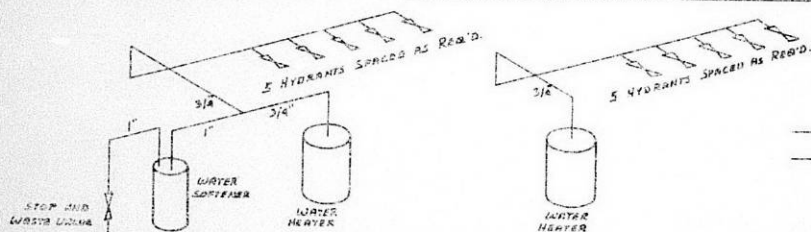
F-3404M

BEHLEN 10-15-63

PLUMBING PLAN
(4 BAY INSTALLATION)



NOTE: IN THE EVENT THAT THE SEWER LINE IS IN FRONT OF THE BUILDING, THE 4" C.I. PIPES IN THIS PLAN MAY BE REVERSED TO DRAIN IN THE PROPER DIRECTION.

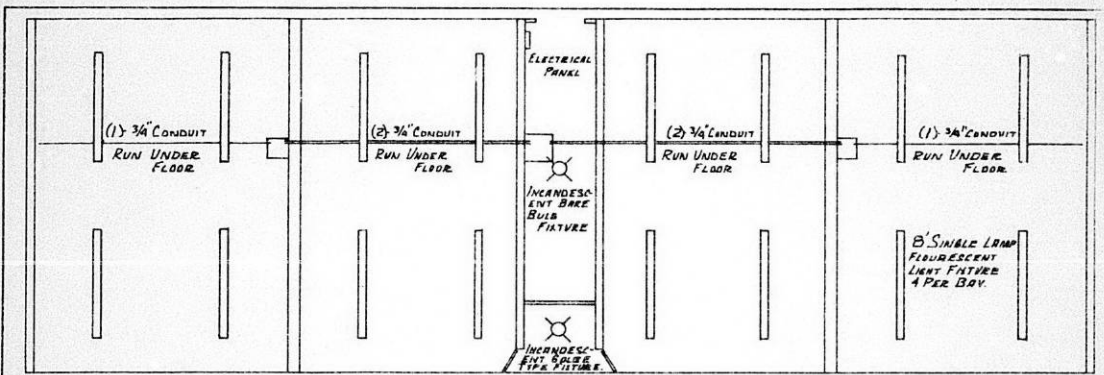


- - - - - COLD WATER
 - - - - - HOT WATER
 □ FD FLOOR DRAIN
 ○ CD CLEAN OUT

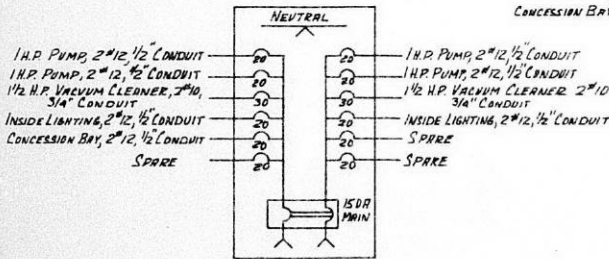
SYMBOL LEGEND

F-3405M

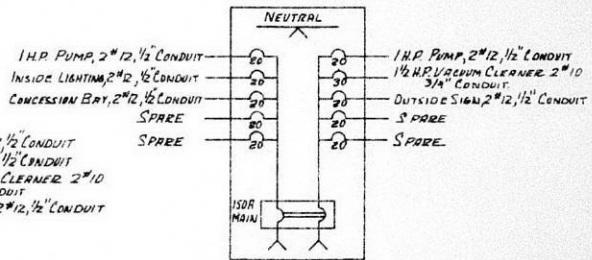
BEHLEN 10-15-63



SUGGESTED ELECTRICAL PLAN



4 BAY BREAKER PANEL



2 BAY BREAKER PANEL

F-3406M

BEHLEN

10-15-63

BOARD OF ZONING APPEALS
CITY OF WICHITA, KANSAS

CASE NO. _____
FILED _____

APPLICATION FOR VARIANCE

I. Name of Applicant Sedgwick Kwiki, Inc.
Mailing Address 309 Central Building, Wichita, Kansas Phone FO3-0156
Name of Authorized Agent Willis W. Wall
Mailing Address 309 Central Building, Wichita, Kans. Phone FO3-0156
Relationship of applicant to property is that of lessee
(owner, tenant, lessee, other)

II. The variance requested is for construction and operation of a four stall
car washing unit under LC classification as set forth under Sec. 2, 12, 590, 2
entitled "Variances"
for property located 150 feet south of Savannah on Seneca Street

and legally described as: (see attached)

in the City of Wichita; and which is presently zoned LC.
(Give metes and bounds description below if appropriate):

- III. The applicant herein, or his authorized agent, acknowledges:
- That he has received an instruction sheet concerning the filing and hearing of this matter;
 - 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;
 - That he has been advised of his right to appeal of the decision of the Board to the City Commission within ten (10) days of that decision;
 - That all documents are attached hereto as noted in paragraphs 3 and 4 of the instructions.

SEDGWICK KWIKI, INC.

By _____
Applicant

Authorized Agent Willis W. Wall

OFFICE USE ONLY: Received in office of Secretary, Board of Zoning Appeals,
(a.m. - p.m.), _____, 19____, together with
appropriate fee of \$50.00.

Reserve A, Scheer's Addition to Wichita, Sedgwick
County, Kansas, except the North 150 feet of the West
160 feet and except the West 10 feet thereof.

entirely new and has some degree of similarity to coin-operated restaurants, automatic laundries, and self-service ice houses, which are all permitted in this classification. It is the petitioner's contention that the car washing unit is designed primarily for a neighborhood service and is compatible with an LC classification.

The applicant contends that this Board has the power, authority and jurisdiction to authorize a variance for a self-service car wash in the event the Board determines this is not a proper use in an LC classification.

The applicant requests the Board to grant a variance to allow this use on this specific location under Sec. 2. 12. 590. 2 for the following reasons: That the property in question is an "L" shaped lot which would not be conducive to other LC businesses but will afford a proper ingress and egress in this type of operation. That the use of this property will have no adverse effect on the adjacent property owners or residents in this area because this is in the same category as the filling station on the north and there will be no type of dangerous machinery, inflammable materials, odor or nuisance resulting therefrom. That the strict application of the enforcement provisions of the zoning ordinance will constitute unnecessary hardship on the owners of this particular odd-shaped lot and its particular location. This particular use will be of definite benefit to the neighborhood and will not affect the public health, safety or general welfare of the community. Each unit will have a sand-type utility pit to properly filter the water into the sewer. Proper containers will be afforded customers for disposal of debris; however, the operators intend to use a type of paper towels similar to a chamois which, according to past experience, is seldom discarded but retained by the customer for future reuse.

For all of the reasons set forth herein, it is urged that the Board of Zoning Appeals affirm this appeal to authorize this use in LC classification.

In the event that the Board does not uphold the appeal and that it cannot authorize this particular use, it is urged that the Board consider a variance and that a variance be granted for the above reasons.

Willis W. Wall, Attorney for Petitioner

BOARD OF ZONING APPEALS
CITY OF WICHITA, KANSAS

CASE NO. _____
FILED _____

APPEAL FROM ORDER OR DECISION OF THE
SUPERINTENDENT OF CENTRAL INSPECTION

I. NAME OF APPELLANT Sedgwick Kwiki, Inc.
MAILING ADDRESS 309 Central Building, Wichita, Kans PHONE FO3-0156
NAME OF AGENT Willis W. Wall
MAILING ADDRESS 309 Central Building, Wichita, Kans. PHONE FO3-0156
RELATIONSHIP OF APPLICANT TO PROPERTY IS THAT OF lessee
(OWNER, TENANT, LESSEE, OTHER).

II. THE APPELLANT HEREIN APPEALS FROM A DECISION, DETERMINATION OR AN ORDER OF THE SUPERINTENDENT OF CENTRAL INSPECTION, AS FOLLOWS: for construction and operation of a four stall car washing unit under light commercial zoning as set forth in the Code of the City of Wichita 28.04.090 and is an appeal from the decision of the Superintendent of Central Inspection wherein the Superintendent states that this use is not permitted in LC classification and jurisdiction for appeal is permissible under §2, 12, 570, ¶ 1. FOR PROPERTY LOCATED AT ~~approximately 1/2 block west of South Oliver on Grand~~ 150 feet south of Savannah on Seneca Street AND LEGALLY DESCRIBED AS (see attached)

IN THE CITY OF WICHITA; AND WHICH IS PRESENTLY ZONED LC.

THE DECISION WAS RENDERED November 29, 1963, AND REFERS TO SECTION 28.04.090, OF THE CODE OF THE CITY OF WICHITA (ZONING ORDINANCE).

III. THE APPELLANT HEREBY DECLARES THAT HE HAS SUBMITTED THE FOLLOWING REQUIRED MATERIAL, TOGETHER WITH AND AS PART OF THE APPEAL:

- A. A CLEAR AND ACCURATE DESCRIPTION OF THE PROPOSED WORK OR USE.
- B. THE ORDER, REQUIREMENT, DECISION OR DETERMINATION BY THE SUPERINTENDENT OF CENTRAL INSPECTION WHICH THE APPELLANT BELIEVES TO BE IN ERROR, AND THE PRINCIPAL POINTS SUPPORTING THE APPELLANT'S ALLEGATION OF ERRORS;
- C. SPECIFIC REFERENCE TO THAT SECTION OF THE ZONING ORDINANCE UNDER WHICH IT IS CLAIMED THE PERMIT SHOULD BE ISSUED;
- D. DRAWINGS OR PLANS FOR THE PROPOSED WORK OR USE IN RELATION TO THE ADJACENT BUILDINGS AND PROPERTY;
- E. A CERTIFIED LISTING FROM AN ABSTRACT COMPANY OF THE NAMES AND CURRENT MAILING ADDRESSES OF OWNERS OF ALL PROPERTY WITHIN A DISTANCE OF 200 FEET OF THE PROPERTY AFFECTED BY THE APPEAL. SEDGWICK KWIKI, INC.

APPLICANT

AUTHORIZED AGENT Willis W. Wall

OFFICE USE ONLY: RECEIVED IN OFFICE OF SECRETARY, BOARD OF ZONING APPEALS, _____ (A.M. - P.M.), _____, 19_____, TOGETHER WITH APPROPRIATE FEE OF \$50.00.

SIGNED

Reserve A, Scheer's Addition to Wichita, Sedgwick
County, Kansas, except the North 150 feet of the West
160 feet and except the West 10 feet thereof.

OWNERSHIP LIST

Lot	Block	Addition	Property Owner
10	4	Westway Park Add.	Westway, Inc. Address unknown
11	"	"	"
12	"	"	"
13	"	"	"
9	5	"	"
10	"	"	"
11	"	"	"
Res. A., except the N. 150' of the W. 160' and except the W. 10'		Scheer's Add.	Ted G. Scheer Eleanor C. Scheer 1002 Savannah
N 150' of W. 160' of Res. A. exc. W. 10'		"	Tennessee Production Co. ✓ Address unknown
Reserve B.		"	James W. Thompson 1346 N. Parkwood Gail R. Hines 2327 Wildwood
lot 1		"	David W. Bock ✓ 2251 So Seneca Address unknown Rudolph H. Wankum Annabelle Wankum 1639 N. Market
2, except that part lying E. of a line drawn 18' W. of the NE cor of lot and 37' W of the SE cor. of lot 2		"	Robert L. Smith Mary C. Smith 1009 Savannah
that part of lot 2 lying E. of a line drawn 18' W. of the NE cor of lot 2 and 37' W. of SE cor. of lot 2		"	Orval Lee Gleason Darlene H. Gleason 1003 Savannah
Lot 3 exc. E. 88.74'		"	"
4	1	Leonard Powell Addition	Eugene Cumley ✓ 1722 So Maskey Doris Cumley Address unknown
5	"	"	Luis E. Quinones Sara Quinones 2473 S. Walnut
6	"	"	Lee G. Holloway Esta Louise Holloway 2467 S. Walnut
Beginning at the SW corner of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Sec. 5-28-1E, thence N. 11.54 rods, thence E. 69.33 rods, thence S. 11.54 rods, thence W. 69.33 rods to the place of beginning			Ella Magers 2536 S. Seneca

Continued page 2

Description

The N. 230 ft. of the W. 568.2' of a tract beginning at the NW corner of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Sec. 5-28-1E, thence E. 69 1/3 rods, thence S. 30 rods, thence W. 69 1/3 rods, thence N. to beginning

Property Owner

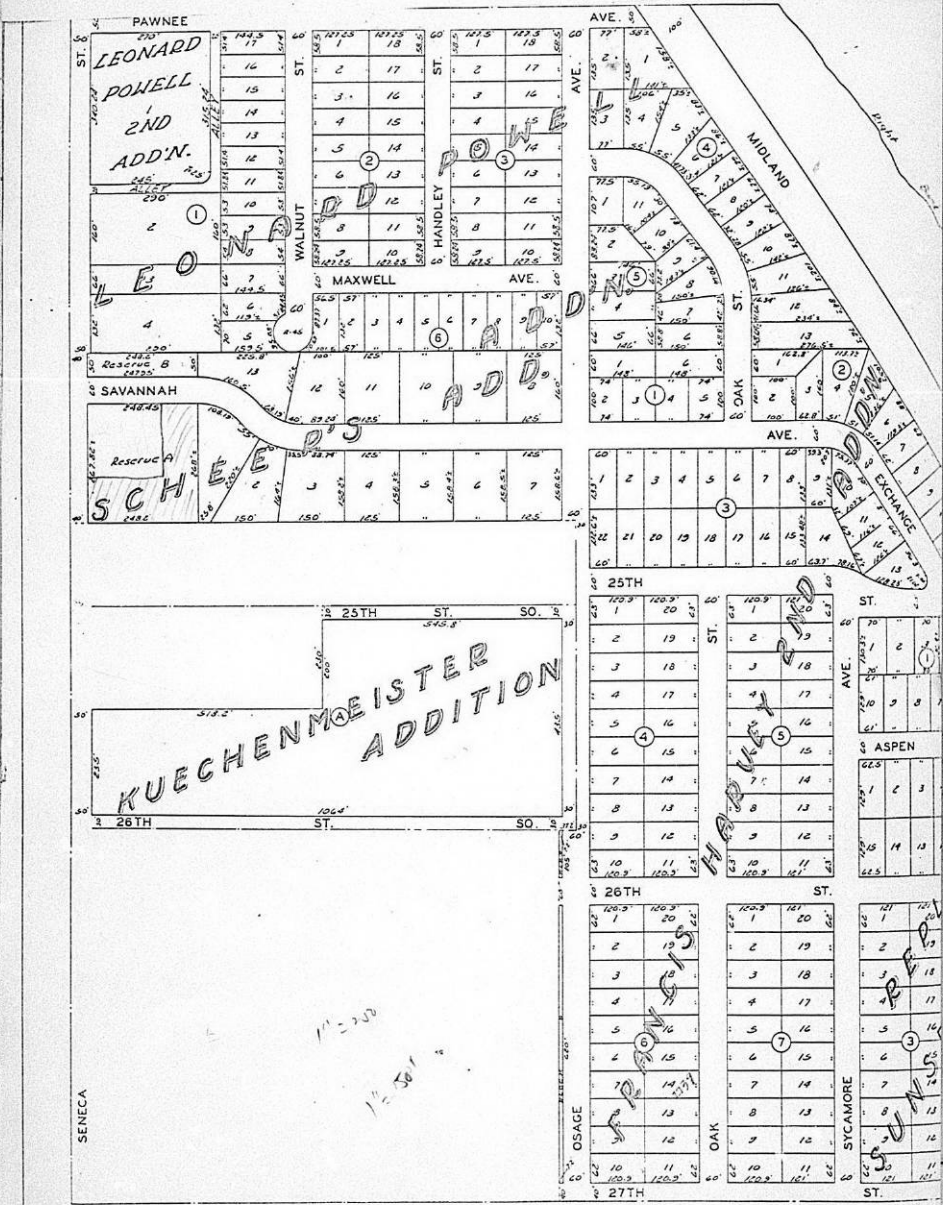
E. L. Kuechenmeister
1125 Jewell
W. L. Kuechenmeister
2608 S. Seneca

We, The Security Abstract and Title Company, Inc., hereby certify the foregoing to be a true and correct list of property owners within a 200 foot radius of Reserve A, Scheer's Addition to Wichita, Sedgwick County, Kansas, except the North 150 feet of the West 160 feet and except the West 10 feet thereof, as shown by the deeds on file in the Office of the Register of Deeds of Sedgwick County, Kansas, on this 6th day of January, 1963 at 7:00 A. M.

The Security Abstract and Title Company, Inc.

By *Lucille Schroeder*
Vice-President

Order No. 110034



LEONARD
POWELL
2ND
ADD'N.

SAVANNAH
Reserve A
Reserve B

KUECHENMEISTER
ADDITION

25TH
ST. SO.

26TH
ST. SO.

27TH
ST.

OSAGE
ST. SO.

OAK
ST. SO.

HANDLEY
ST. SO.

2ND
ADD'N.

SYCAMORE
ST. SO.

ASPEN
ST. SO.

11-300

11-501

PAYMENT NOTICE
City of Wichita

PAY AT TREASURER'S OFFICE - FIRST FLOOR

Bld'g & Elev. _____ Elec. _____ Elev. Insp. _____
 Exam Fees _____ Hse. Mvr. _____ Hse. Moving _____
 Lease _____ Mech. _____ Oil Well _____ Pav. Cuts _____
 Plan. Pib'g. _____ Pib'g. Cert. _____
 Sanitation _____ Sewer _____ Signs _____ Sidewalk _____
 Street _____ Trailers _____

DESCRIPTION	AMOUNT
<i>Exp. Sanitation</i>	<i>80.00</i>
<i>Trailers</i>	

Name _____
 Address _____
 Type _____ Due Date *1/1/59*
 Comments _____

Date *1/1/59* By _____