

BZA 3-66 - Klepper, Inc. requests
exception to permit coin operated
car wash at the northeast corner of
25th Street and Hillside

AB

600ms

2-10-66

1/2
5750

ACTION

DATE

By COMMITTEE *Appr.* 3-22-66
Reconsidered 4-26-66 *Approved*

M.A.P.C. _____

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

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

WHEREAS, Klepper, Inc., 2601 North Broadway, Wichita Kansas, by James T. Klepper, Agent, 2601 North Broadway, Wichita, Kansas, requests an exception as provided in Section 28.04.183, Code of the City of Wichita, to permit a coin-operated car-wash to be located on property zoned "LC" Light Commercial, and legally described as follows:

Lots 1, 3, 5, 7, 9, and the south 21 feet of Lot 11, Block 1, Post and Christy's College Crest Addition, in the City of Wichita, Sedgwick County, Kansas. Generally located at the north-east corner of 25th Street North and Hillside; 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 March 22, 1966, consider said application, and deferred final decision until April 26, 1966; and

WHEREAS, the Board of Zoning Appeals did, at the meeting of April 26, 1966, 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 2.12.590, Code of the City of Wichita; and

WHEREAS, the Board of Zoning Appeals has authority to permit a self-service car wash operation to be located in the "LC" Light Commercial District, subject to the conditions as 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 for construction or installation of a coin-operated car wash operation on property zoned "LC" and legally described as follows:

Lots 1, 3, 5, 7, 9, and the south 21 feet of Lot 11, Block 1, Post and Christy's College Crest Addition, in the City of Wichita, Sedgwick County, Kansas. Generally located at the northeast corner of 25th Street North and Hillside,

subject to the following conditions:

1. The implementation of Plan "A" at thistime, with a 10-foot dedication of additional right-of-way for 25th Street and a contingent dedication for 20 feet of additional right-of-way for Hillside and further, that at such time as the 20 feet of right-of-way is needed for street improvements on Hillside, Plan "A" will become void and Plan "B" will become effective.
2. There shall be a minimum lot area of three thousand five hundred square feet for each self-service car washing stall, provided the minimum lot area shall be not less than 7,500 square feet.
3. The car washing buildings or facilities shall be set back a distance of not less than 35 feet from all street right-of-way lines.

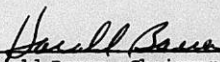
4. A 6-foot high fence, such as a solid wall masonry, architectural tile, louvered wood, shall be provided along the east, except the fence shall be reduced to 3 feet in height for the south 15 feet of the east property line.
5. All of the area to be utilized by the washing and drying operation, including all ingress and egress areas, shall be paved with concrete, asphalt or asphaltic concrete.
6. All lights shall be shielded to reflect or direct light away from adjacent property. No string-type lighting or banners shall be permitted.
7. No sign shall exceed 25 feet in height or be placed so as to project over any public right-of-way.
8. No sound-projecting devices or loudspeakers shall be used so as to be heard outside of any structure.
9. Off-street holding spaces shall be provided on the property in the following ratio:

Self-service Car Wash - not less than 4 parking spaces for each self-service car-washing stall.

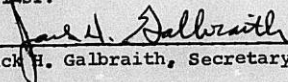
Off-street drying spaces shall be provided on the property in the following ratio:

Self-service Car Wash - not less than 2 parking spaces for each self-service car-washing stall.
10. All parking areas shall have adequate guards to prevent the extension or overhanging of vehicles beyond property lines or parking spaces.
11. There shall be no ingress or egress from minor or residential streets having 60 feet of right-of-way or less, unless there are 2 free-moving lanes at all times.
(Example: A 30-foot paved street with parking permitted only on one side would provide for 2 free-moving lanes.)
12. All drainage, both natural and that created by the operation, shall be handled in such a manner satisfactory to the Superintendent of Maintenance of the Department of Public Works.
13. The area shall be properly policed through inspections by the owner or operator for proper maintenance and removal of trash.
14. All conditions of approval by the Board must be complied with prior to the occupancy of the property for proposed car wash.
15. In the event a permit is not issued for the construction of the car wash within 12 months from the date of approval by the Board, the application shall be null and void.

ADOPTED AT WICHITA, KANSAS, this 26th day of April, 1966.


Harold Bauer, Chairman

ATTEST:


Jack H. Galbraith, Secretary

CONTINGENT DEDICATION

WHEREAS, Klepper, Inc., a corporation organized and existing under and by virtue of the laws of the State of Kansas, is the owner of the following described real property, to-wit:

Lots 1, 3, 5, 7, 9, and the South 21 feet of Lot 11, in Block 1, Post and Christy's College Crest Addition to the City of Wichita, Sedgwick County, Kansas,

and has applied to the City of Wichita for an exception to the LC zoning regulations of the City of Wichita to permit the construction on said real property of a car wash facility and its operation, and

WHEREAS, the City of Wichita anticipates the necessity of acquiring additional right-of-way for the purpose of widening Hillside Avenue, which additional right-of-way includes a portion of the area intended to be used in the operation of the car wash facility.

NOW, THEREFORE, in consideration of the premises and contingent upon the creation of an exception to the LC zoning regulations in the manner desired by Klepper, Inc., the said Klepper, Inc. does hereby make the following dedication:

1. Klepper, Inc. does hereby dedicate the following described property, to-wit:

The West 20 feet of Lots 1, 3, 5, 7, 9 and the South 21 feet of Lot 11, in Block 1, Post and Christy's College Crest Addition to the City of Wichita, Sedgwick County, Kansas,

to the public for street purposes, PROVIDED, however,

1. That neither the public nor the City of Wichita shall be privileged or entitled to use the area herein dedicated for such purpose, or any other purpose, until

and unless the same is actually needed and used in a project to widen Hillside Avenue;

2. The right-of-way hereby granted includes the grant of an easement for public utilities in and under the area so dedicated, and public utilities may commence exercise of such easement forthwith, but if such easement is used prior to the widening of Hillside Avenue, its use shall not cut off ingress and egress into and from the car wash facility and all damage to the surface, including damage to paved driveways and/or sidewalks, shall be repaired by the user of such easement.

3. Until such time as the area hereby dedicated is actually used for the widening of Hillside Avenue, Klepper, Inc., shall be permitted to operate its proposed car wash facility including curb cuts and traffic flow, substantially as indicated on the Plot Plan which attached hereto, marked Exhibit "A" and made a part hereof by this reference. Thereafter, at such time as Hillside Avenue is actually widened, Klepper, Inc., shall be permitted to operate its car wash facility, including curb cuts and traffic flow pattern as indicated on the Plot Plan which is attached hereto, marked Exhibit "B" and made a part hereof by this reference.

The dedication herein expressed, conditioned as aforesaid, shall be accepted by the City of Wichita upon

1. Granting the exception to LC zoning regulation as hereinabove set forth, and

2. Recording of this Contingent Dedication instrument, or a separate instrument requested by it,

and thereupon it shall constitute a public dedication and a covenant running with the land and shall be binding upon Klepper, Inc., its successors and assigns. Such acceptance by the City of Wichita shall denote its acquiescence and agreement to all of the terms and provisions hereof.

IN WITNESS WHEREOF, Klepper, Inc. has caused this Contingent Dedication to be executed by its duly authorized officers and delivered to the City of Wichita, Kansas, on this 3rd day of April, 1966.

KLEPPER, INC.

ATTEST:

By

President

Secretary

STATE OF KANSAS)
) ss
COUNTY OF SEDGWICK)

Be it remembered, that on this _____ day of April, 1966, before me, the undersigned, a Notary Public, duly commissioned in and for the county and state aforesaid, came _____, _____ President of Klepper, Inc., a corporation of the State of Kansas, personally known to me to be such officer, and to be the same person who executed as such officer the foregoing instrument of writing in behalf of said corporation, and he duly acknowledged the execution of the same for himself and for said corporation for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal on the day and year last above written.

Notary Public

My Commission Expires:

May 31, 1966

Mr. James T. Klepper
Klepper, Inc.
2601 North Broadway
Wichita, Kansas

Dear Mr. Klepper:

Re: BZA 3-66 - Request for Exception

We have completed the preparation of the Resolution adopted by the Board of Zoning Appeals in connection with the abovenumbered case, which was heard by the Board on April 26, 1966, which Resolution has been signed by the Chairman and Secretary.

As indicated in our letter of May 3, 1966, we are enclosing a copy of this Resolution for your information and files. A copy of this Resolution and copies of approved Plan "A" and "B" have been forwarded to the Central Inspection Division, and you may now obtain the permit from that Division for the coin operated car wash on property generally located at the northeast corner of 25th Street North and Hillside. The contingent dedication has been forwarded to the City Clerk for recording with the Register of Deeds.

Very truly yours,

Jack H. Galbraith
Secretary

JHG:RW:ber
Enclosure

cc: Glen Lytle, Superintendent of Central Inspection
L. L. Binkley, Maintenance Inspection Supervisor
Ralph Eberly, City Clerk

Board of Zoning Appeals

May 31, 1966

Ralph Eberly, City Clerk

Jack H. Galbraith, Secretary of the Board of Zoning Appeals

BZA 3-66 - An exception request to permit the installation of a coin-operated car wash on the northeast corner of 25th Street North and Hillside

Attached is the original copy of the contingent dedication of 20 additional feet of right-of-way for the east side of Hillside for property in application BZA 3-66. Said contingent dedication was required as a condition of approval of BZA 3-66, and is being forwarded to your office to be recorded with the Register of Deeds.

JHG:RW:ber
Attachment

cc: Ralph Wuls
Director of Public Works

LAW OFFICES
DARRAH, MELLOR & SPARKS

JOHN JAY DARRAH
PHILLIP MELLOR
CHARLES A. SPARKS, JR.

May 23, 1966

200 NORTH MAIN
WICHITA, KANSAS 67202
FOREST 3-5251

City of Wichita
Board of Zoning Appeals
City Building Annex
Wichita, Kansas

Attention: Mr. Jack H. Galbraith
Secretary

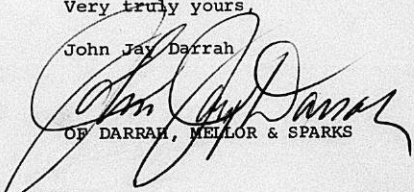
Re: Case No. BZA 3-66

Dear Mr. Galbraith:

Mr. James T. Klepper has referred to us your letter of May 19, 1966, concerning the legal description contained in the above case. We have rewritten the first page of the Contingent Dedication so that it now contains the correct description of the property. We are enclosing the Contingent Dedication which has been signed by James T. Klepper, President of Klepper, Inc.

Very truly yours,

John Jay Darrah


OF DARRAH, MELLOR & SPARKS

JJD:J
cc: Mr. James T. Klepper



May 19, 1966

Mr. James T. Klepper
2601 North Broadway
Wichita, Kansas

Dear Mr. Klepper:

Re: Case No. BZA 3-66

In regard to our telephone conversation this morning concerning the legal description of the property involved in the above case, I am enclosing the contingent dedication so that the legal description can be corrected to read as follows:

Lots 1, 3, 5, 7, 9, and the south 21 feet of Lot 11, in Block 1, Post and Christy's College Crest Addition to the City of Wichita, Sedgewick County, Kansas.

The legal description only appears on the first page, and the South 21 feet of Lot 11 should be included in both places. Please make the corrections and return the contingent dedication at your earliest convenience.

If you have any questions concerning this matter, please call.

Very truly yours,

Jack H. Galbraith
Secretary

JHG:EW:ber
Enclosure

DEDICATION

KNOW ALL MEN BY THESE PRESENTS:

That for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable considerations, the receipt of which is hereby acknowledged, the undersigned, University of Kansas Corporation

being the owner of the following described real estate in Sedgwick County, Kansas, to wit:

South ten (10) feet of Lot 1, Block 1, Post & Christy's College Crest Addition;

do he hereby dedicate the above described real estate to the public for street purposes.

Executed this 4th day of MAY, 1966.

ATTEST

KLEPPER, INC.
By James T. Klepper PRESIDENT

SECRETARY

STATE OF KANSAS)
SEDGWICK COUNTY) SS

BE IT REMEMBERED that on this 4th day of MAY, 1966, before me a Notary Public in and for the said County and State

JAMES T. KLEPPER

to me personally known to be the same person who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my seal the day and year last above written.



Notary Public

My commission expires _____

May 3, 1966

Mr. James T. Klepper
Klepper, Inc.
2601 North Broadway
Wichita, Kansas

Dear Mr. Klepper:

Re: BZA 3-66 - Request for exception
to permit a coin-operated car wash
on property at the northeast cor-
ner of 25th Street North and Hill-
side

At the regular meeting of the Board of Zoning Appeals held on April
26, 1966, the above application was reconsidered.

It was the action of the Board to approve the exception based on
the implementation of Plan "A" at this time, with a 10-foot dedica-
tion of additional right-of-way for 25th Street and a contingent
dedication for 20 feet of additional right-of-way for Hillside.
At such time as the 20 feet of right-of-way is needed for street
improvements on Hillside, Plan "A" will become void and Plan "B"
will become effective.

A resolution effectuating the action of the Board and listing all
conditions of approval will be mailed to you as soon as it can be
prepared and signatures of the Chairman and Secretary of the Board
obtained. If you have any questions concerning this matter, please
let us hear from you.

Very truly yours,

Jack H. Galbraith
Secretary

JHG:HW:ber
cc: Glen Lytle
Superintendent of Central Inspection

Rolph Eberly
City Clerk

L. L. Binkley, Maintenance
Inspection Supervisor

Board of Zoning Appeals

April 11, 1966

Arthur Johnson, Assistant City Attorney

Robert A. Lakin, Assistant Secretary

Case BZA 3-66

Attached is a copy of a proposed dedication by Klepper, Inc. for Hillside Avenue on a contingent basis. The legal description will have to be rewritten as it included 25th Street also. I have shown this to John Dekker and he finds it generally acceptable. I showed it to him as he has been approving all the rest of the City's dedications wherein we do not follow the standard form. Because of the specific conditions occurring at the Board of Zoning Appeals meeting, I would like for you to look it over also, and if there is anything you feel should be changed call us so that we can have Klepper's attorney make the necessary revisions.

RAL:ber

Attachment

CONTINGENT DEDICATION

WHEREAS, Klepper, Inc., a corporation organized and existing under and by virtue of the laws of the State of Kansas, is the owner of the following described real property, to-wit:

Lots 1, 3, 5, 7 and 9 in Block 1, Post and Christy's College Crest Addition to the City of Wichita, Sedgwick County, Kansas,

and has applied to the City of Wichita for an exception to the LC zoning regulations of the City of Wichita to permit the construction on said real property of a car wash facility and its operation, and

WHEREAS, the City of Wichita anticipates the necessity of acquiring additional right-of-way for the purpose of widening Hillside Avenue, which additional right-of-way will include a portion of the area intended to be used in the operation of the car wash facility.

NOW, THEREFORE, in consideration of the premises and contingent upon the creation of an exception to the LC zoning regulations in the manner desired by Klepper, Inc., the said Klepper, Inc. does hereby make the following dedication:

1. Klepper does hereby dedicate the following described property, to-wit:

The West 20 feet of Lots 1, 3, 5, 7 and 9, ~~and the south 10 feet of Lot 1~~, all in Block 1, Post and Christy's College Crest Addition to the City of Wichita, Sedgwick County, Kansas,

Dedicate So. 10' separate plat must be re-written this instrument

to the public for street purposes, PROVIDED, However,

1. That neither the public nor the City of Wichita shall be privileged or entitled to use the area herein dedicated for such purpose, or any other purpose, until

and unless the same is actually needed and used in a project to widen Hillside Avenue;

2. The right-of-way hereby granted includes the grant of an easement for public utilities in and under the area so dedicated, and public utilities may commence exercise of such easement forthwith, but if such easement is used prior to the widening of Hillside Avenue, its use shall not cut off ingress and egress into and from the car wash facility and all damage to the surface, including damage to paved driveways and/or sidewalks, shall be repaired by the user of such easement.

3. Until such time as the area hereby dedicated is actually used for the widening of Hillside Avenue, Klepper, Inc., shall be permitted to operate its proposed car wash facility including curb cuts and traffic flow, substantially as indicated on the Plot Plan which attached hereto, marked Exhibit "A" and made a part hereof by this reference. Thereafter, at such time as Hillside Avenue is actually widened, Klepper, Inc., shall be permitted to operate its car wash facility, including curb cuts and traffic flow pattern as indicated on the Plot Plan which is attached hereto, marked Exhibit "B" and made a part hereof by this reference.

The dedication herein expressed, conditioned as aforesaid, shall be accepted by the City of Wichita upon

1. Granting the exception to LC zoning regulation as hereinabove set forth, and
2. Recording of this Contingent Dedication instrument, or a separate instrument requested by it,

and thereupon it shall constitute a public dedication and a covenant running with the land and shall be binding upon Klepper, Inc., its successors and assigns. Such acceptance by the City of Wichita shall denote its acquiescence and agreement to all of the terms and provisions hereof.

IN WITNESS WHEREOF, Klepper, Inc. has caused this Contingent Dedication to be executed by its duly authorized officers and delivered to the City of Wichita, Kansas, on this _____ day of April, 1966.

KLEPPER, INC.

ATTEST:

By _____
President

Secretary

STATE OF KANSAS)
) ss
COUNTY OF SEDGWICK)

Be it remembered, that on this _____ day of April, 1966, before me, the undersigned, a Notary Public, duly commissioned in and for the county and state aforesaid, came _____, _____ President of Klepper, Inc., a corporation of the State of Kansas, personally known to me to be such officer, and to be the same person who executed as such officer the foregoing instrument of writing in behalf of said corporation, and he duly acknowledged the execution of the same for himself and for said corporation for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal on the day and year last above written.

Notary Public

My Commission Expires:

THE CITY OF WICHITA

OFFICE OF Assistant City Attorney

DATE April 13, 1966

86 R.W.
**HELP! PREVENT
ACCIDENTAL
POISONING**



TO Robert A. Lakin, Assistant Secretary

FROM Arthur G. Johnson, Assistant City Attorney

SUBJECT Case BZA 3-66

The proposed dedication by the applicant in the above case appears to me to be in proper form.

Very truly yours,

A handwritten signature in cursive script, appearing to read 'Arthur G. Johnson'.

Arthur G. Johnson
Assistant City Attorney

AGJ/mjs

cc: John Dekker, Director of Law

March 25, 1966

Mr. James T. Klepper
Klepper, Inc.
2601 North Broadway
Wichita, Kansas

Dear Mr. Klepper:

Re: BZA 3-66 - Request for exception
to permit a coin-operated car
wash on property at the north-
east corner of 25th Street North
and Hillside

At the regular meeting of the Board of Zoning Appeals of the City of Wichita on March 22, 1966, the above application for an exception to the Zoning Ordinance to permit a coin-operated car wash in an area at the northeast corner of 25th Street North and Hillside was considered.

The Board gave its general approval of the exception, based on the original proposal now designated as Plan A, subject to dedicating 10 feet of additional right of way for 25th Street, submitting an acceptable contingent dedication for the additional 20 feet of right of way for Hillside and working out an approved Plan B which will become effective when the right of way for Hillside is utilized and in effect.

As you will recall in our conference on Wednesday, March 23, 1966, it was agreed that you would redraw and resubmit both Plans A and B prior to the Board of Zoning Appeals meeting on April 26, 1966. It would also be appreciated if a draft of the contingent dedication could be submitted to the department so that the legal counsel would have an opportunity to review it prior to the April meeting.

Based on the submission of the above-outlined documents, this case is being scheduled for adoption of the resolution on April 26, 1966.

Page 2 - Mr. James T. Klepper
March 25, 1966

If you have any questions concerning this matter, please call.

Very truly yours,

Robert A. Lakin
Assistant Secretary

RAL:HW:ber

cc: Glen Lytle, Superintendent
of Central Inspection

Ralph Eberly
City Clerk

SECRETARY'S REPORT

CASE NO. BZA 3-66

APPLICANT: Klepper, Inc., 2601 N. Broadway

AGENT: James T. Klepper, 2601 N. Broadway

REQUEST: Exception as provided in Section 28.04.183.4, Code of the City of Wichita, for the construction of a self-service coin operated car wash.

LOCATION: Northeast corner of 25th Street and Hillside Avenue

ZONING: Subject property is zoned "LC". To the east is "AA"; to the north and west is "LC"; and to the south is "B"

LAND USE: Subject property is vacant as is that to the east and north. South is the Wichita Park Cemetery; west is a service station.

JURISDICTION

The Board has jurisdiction to consider this request under the provisions of Section 28.04.183.4, Code of the City of Wichita.

COMMENTS BY THE SECRETARY

The applicant is requesting an exception to permit a self-service car wash to be installed on property zoned "LC". This is not a use permitted outright in the "LC" district but must meet certain conditions outlined in the ordinance, as well as any other conditions the Board deems necessary.

One of the necessary requirements to the granting of this application is location adjacent to a major street. Hillside is designated as a major street in the Master Plan for Thorofares and requires 100 feet of street right-of-way to function as such. The west half of Hillside has 50 feet of half-street right-of-way while the east half has only 30 feet of right-of-way.

It should also be pointed out that 25th Street has provided only 30 feet of half-street right-of-way and since it is a half mile line 40 feet of half-street right-of-way is required.

The dedication of this right-of-way will necessitate a redesign of the car wash facility in order to provide the required off-street drying spaces.

The plan has been designed and approved by the Traffic Engineer on the basis of no additional right-of-way dedications. It is the opinion of the Secretary that the additional right-of-way should be dedicated for both Hillside and 25th Street and that the car wash plan be revised and reapproved by the Traffic Engineer.

The location of the car wash facility appears to be logical since both the northwest and southwest corners of 25th Street and Hillside are occupied by service stations and the southeast corner is the Wichita Park Cemetery. The property adjacent to the north is zoned "LC" and a fence would be required to screen the residential property to the east.

RECOMMENDATION OF THE SECRETARY

It is the opinion of the Secretary that the location is logical and it is the recommendation that the exception to permit a coin operated car wash be approved, subject to the following conditions:

1. The applicant dedicating 20 feet of additional right-of-way for Hillside.
2. The applicant dedicating 10 feet of additional right-of-way for 25th Street.
3. The applicant redesigning the car wash plan based on the dedication of 20 feet for Hillside and 10 feet for 25th Street and meeting all the required conditions as set out in Section 28.04.183.4, Code of the City of Wichita, and being reapproved by the Traffic Engineer.
4. There shall be a minimum lot area of three thousand five hundred square feet for each self-service car washing stall, provided the minimum lot area shall be not less than 7,500 square feet.
5. The car washing buildings or facilities shall be set back a distance of not less than 35 feet from all street right-of-way lines.
6. A 6-foot high fence, such as a solid wall masonry, architectural tile, louvered wood, shall be provided along the east except the fence shall be reduced to 3 feet in height for the south 15 feet of the east property line.
7. All of the area to be utilized by the washing and drying operation, including all ingress and egress areas, shall be paved with concrete, asphalt or asphaltic concrete.
8. All lights shall be shielded to reflect or direct light away from adjacent property. No string-type lighting or banners shall be permitted.
9. No sign shall exceed 25 feet in height or be placed so as to project over any public right-of-way.

10. No sound-projecting devices or loudspeakers shall be used so as to be heard outside of any structure.
11. Off-street holding spaces shall be provided on the property in the following ratio:

Self-service Car Wash - not less than 4 parking spaces for each self-service car-washing stall.

Off-street drying spaces shall be provided on the property in the following ratio:

Self-service Car Wash - not less than 2 parking spaces for each self-service car-washing stall.
12. All parking areas shall have adequate guards to prevent the extension or overhanging of vehicles beyond property lines or parking spaces.
13. There shall be no ingress or egress from minor or residential streets having 60 feet of right-of-way or less, unless there are 2 free-moving lanes at all times. (Example: A 30-foot paved street with parking permitted only on one side would provide for 2 free-moving lanes.)
14. All drainage, both natural and that created by the operation, shall be handled in such a manner satisfactory to the Superintendent of Maintenance of the Department of Public Works.
15. The area shall be properly policed through inspections by the owner or operator for proper maintenance and removal of trash.
16. All conditions of approval by the Board must be complied with prior to the occupancy of the property for proposed car wash.
17. In the event a permit is not issued for the construction of the car wash within 12 months from the date of approval by the Board, the application shall be null and void.

NOTE. It is the opinion of the Secretary that if the plan cannot be redesigned to meet the requirements of the ordinance after the right-of-way is dedicated for both Hillside and 25th Street, then the application should not be approved.

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

February 25, 1966

NOTICE TO ADJOINING PROPERTY OWNERS

Case No. BZA 3-66

An application has been filed by Klepper, Inc., 2601 North Broadway, Wichita, Kansas, pursuant to Section 2.12.590, Code of the City of Wichita, requesting an exception to the zoning ordinance as provided in Section 28.04.183.4, Code of the City of Wichita, to permit a coin operated car wash on property zoned "LC" Light Commercial and legally described as follows:

Lots 1, 3, 5, 7, 9 and the south 21 feet of Lot 11, Block 1, Post and Christy's College Crest Addition, in the City of Wichita, Sedgwick County, Kansas. Generally located at the north-east corner of 25th Street North and Hillside.

This application has been assigned Case No. BZA 3-66, and will be considered by the Board of Zoning Appeals at its meeting on Tuesday, March 22, 1966, 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.

Jack H. Galbraith
Secretary

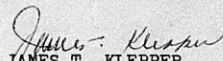
17 Notices mailed 2-25-66 + 7 to P.C.

The applicant believes that the Board of Zoning Appeals has jurisdiction under Section 2-12-590-3 of the Zoning Ordinance.

The applicant believes that there is a need for a car wash in this area, and that since there are two service stations at the corners of this intersection the development will be consistent with the character of the neighborhood.

It is apparent that as Wichita State University grows there will be more commercial development along this area of 25th to serve the traffic generated by this growth.

Respectfully Submitted


JAMES T. KLEPPER

BOARD OF ZONING APPEALS

CASE NO. _____

CITY OF WICHITA, KANSAS

FILED 2-9-66

APPLICATION FOR EXCEPTION

I. Name of Applicant Klepper, Inc
Mailing Address 2601 N. Broadway Phone TE 8-5901
Name of Authorized Agent James T. Klepper
Mailing Address 2601 N. Broadway Phone TE 8-5901
Relationship of applicant to property is that of Owner
(owner, tenant, lessee, other).

II. Application is made for an exception as provided in Section
28-04-183-4, Code of the City of Wichita, Kansas
(Zoning Ordinance); to permit the installation or construction
of Coin Operated Car Wash
_____ on property zoned
L. C., located at NE Corner 25th and Hillside
_____ and legally described as: Lots
1-3-5-7-9 and the south 21' Lot II, Block I, Post and Christys,
College Crest addition to Wichita.
_____, in the City of Wichita.
(Give metes and bounds description below if appropriate).

III. The applicant herein, or his authorized agent:

- A. Acknowledges receipt of an instruction sheet relating to this application for an exception.
- B. Agrees to conform to all requirements of the appropriate section of the Zoning Ordinance if this application is approved;
- C. Acknowledges that he has been advised of his right of appeal of the decision of the Board to the Board of City Commissioners within ten (10) days of the date of that decision.

Applicant Klepper Inc
Authorized Agent James T. Klepper

OFFICE USE ONLY: Received in office of Secretary, Board of Zoning Appeals, 11:50 (a.m. - p.m.), Feb. 9, 1966, together with appropriate fee of \$50.00.

Signed Jack Galbraith

OWNERSHIP LIST

| Lot | Block | Addition | Property Owner |
|---------------|-------|---------------------------------------|--|
| 1 | 1 | Post and Christy's College Crest Add. | ✓ Jack L. Stein Harriet M. Stein Address unknown <i>3807 E. English</i> |
| 3 | " | " | " |
| 5 | " | " | " |
| 7 | " | " | " |
| 9 | " | " | " |
| S 21' of 11 | " | " | " |
| 11 exc S. 21' | " | " | ✓ Virgil E. Womack Josie V. Womack Address unknown <i>2517 N. Hoover</i> |
| 13 | " | " | " |
| 15 | " | " | " |
| 17 | " | " | ✓ Donald Lee Clark Earby Jean Clark 2628 N. Hillside |
| 19 | " | " | " |
| 21 | " | " | ✓ Robert Frank Clark Ettamae Clark Address unknown <i>notice returned 837 So. Elizabeth</i> |
| 23 | " | " | " |
| 25 | " | " | " |
| 27 | " | " | " |
| 2 | " | " | J. I. Hetzel Address unknown <i>no address found</i> |
| 4 | " | " | " |
| 6 | " | " | ✓ Thomas Z. Garland 1441 N. Lorraine |
| 8 | " | " | " |
| 10 | " | " | ✓ Myrtle Blades 1561 Palisade |
| 12 | " | " | " |
| 14 | " | " | ✓ Thomas M. Gossett Lucile R. Gossett Address unknown <i>4007 E. English St</i> |
| 16 | " | " | " |
| 18 | " | " | " |
| 20 | " | " | " |

Continued page 2

| Lot | Block | Addition | Property Owner |
|-----------------------|-------|---------------------------------------|---|
| 22 | 1 | Post and Christy's College Crest Add. | Alvin T. Bennett Alice M. Bennett Address unknown |
| 24 | " | " | " |
| 26 | " | " | Thomas M. Gossett Lucile R. Gossett 4007 E. English |
| 28 | " | " | " |
| S 95' of 1 | 1 | E. A. Fisher's Add. | Wilburn J. Ammons Naomi Ammons 2627 N. Hillside |
| 1 exc. S. 95' | " | " | E. B. Peavey Vera Peavey 2633 N. Hillside |
| W.150' of 2 | " | " | Wilburn J. Ammons Naomi Ammons 2627 N. Hillside |
| E 100' of 2 | " | " | Edwin A. Fisher Garnett Fisher-3 Address unknown |
| Res. D. | | Audrey Matlock Heights 1st Add. | Lawrence L. Pechin Gladys V. Pechin 647 N. Mission |
| Wichita Park Cemetary | | | Cemeteries of America, Inc. 2500 N. Hillside |

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 Lots 1, 3, 5, 7, 9 and the South 21 feet of lot 11, Block 1, in Post and Christy's College Crest Addition to Wichita, Kansas, as shown by the deeds on file in the Office of the Register of Deeds of Sedgwick County, Kansas, on this 26th day of January 1966 at 7:00 o'clock A. M.

THE SECURITY ABSTRACT AND TITLE COMPANY, INC.

By *Lucille Schroeder*
Vice-President

Order No. 132503

FORM 223-021

PAYMENT NOTICE

City of Wichita

PAY AT TREASURER'S OFFICE - FIRST FLOOR

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

| DESCRIPTION | AMOUNT |
|--------------|--------------|
| <i>Water</i> | <i>50.00</i> |

Name *Robert Frank and Ettamae Clark*

Address *2601 W. Broadway*

Type *4-412* Due Date *2-9-66*

Comments:

Date *2-9-66* By *S. Williams*

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



3-66

- Moved, left no address
- No such number
- Moved, new address available
- Address not known

RETURN TO
 WATER

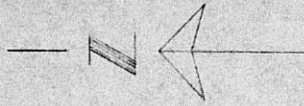
136
 1966
 KANSAS

Robert Frank and Ettamae Clark

837 S. Elizabeth
 Wichita, Kansas

RESIDENTIAL
ZONING

54'



60'

138

Asphalt

72

54'

6'

25'

60'

Asphalt

55'

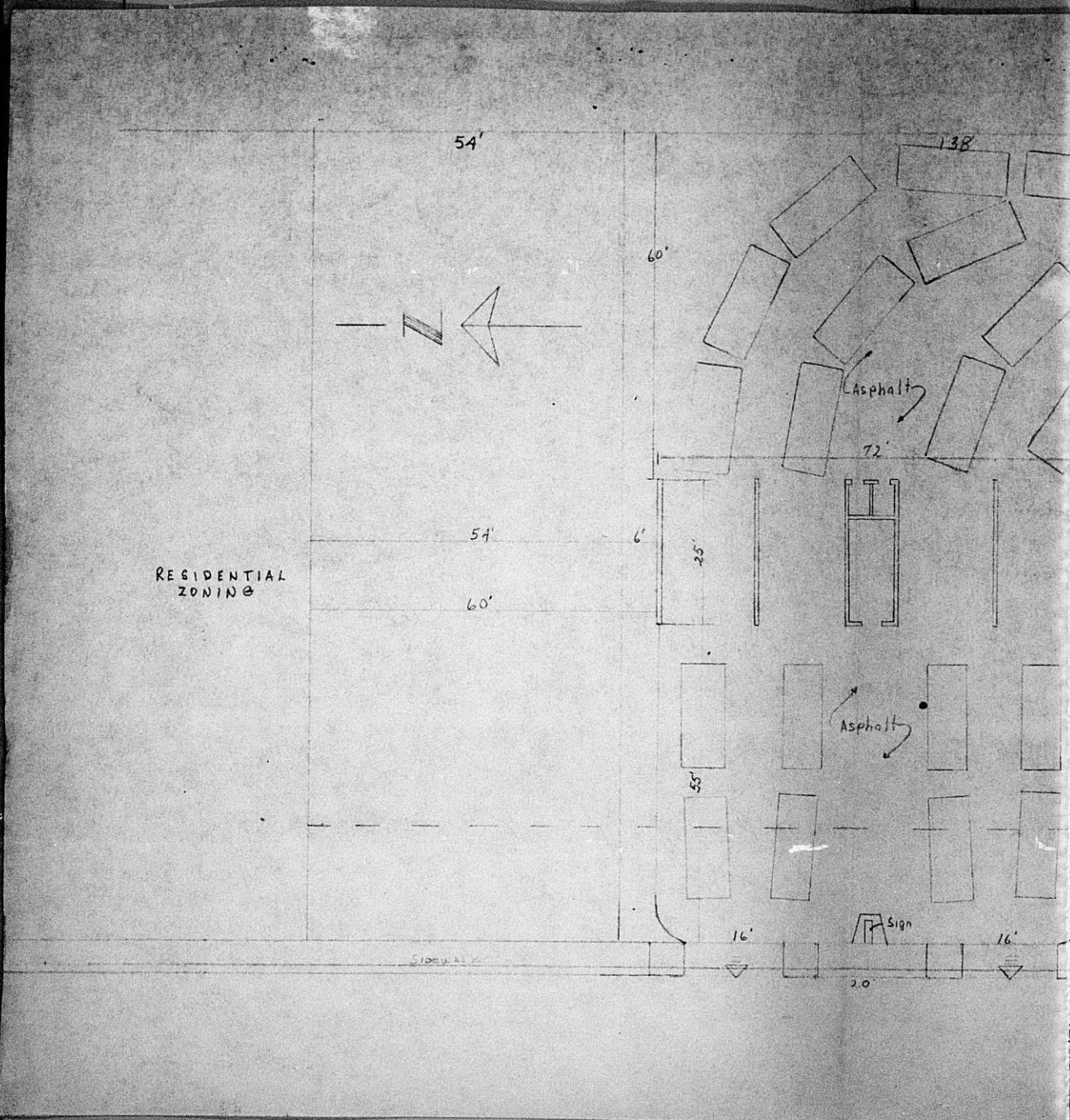
Sign

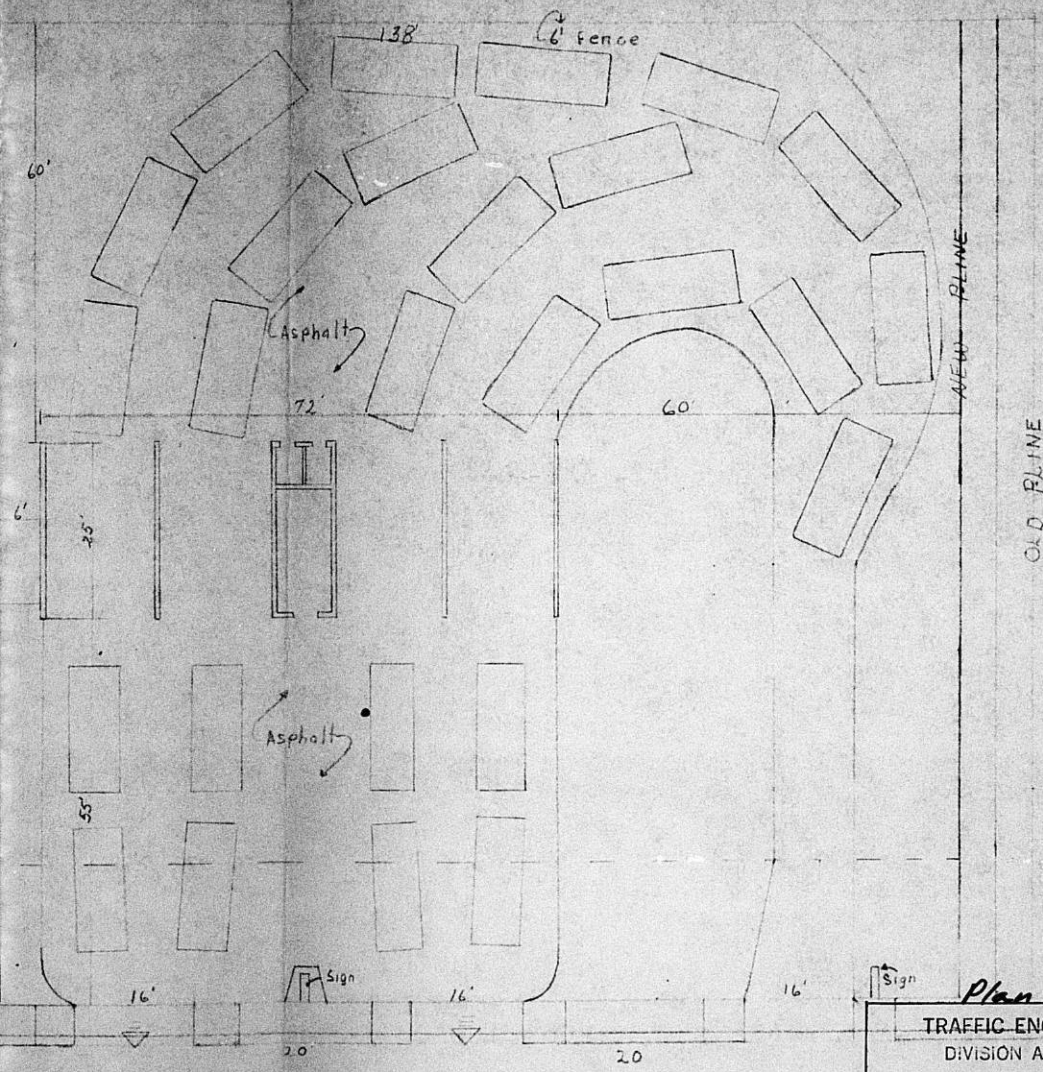
16'

16'

20'

SIDEWALK





NEW BLINE

OLD BLINE

Plan A

TRAFFIC ENGINEERING
 DIVISION APPROVED
 Off Street Parking
 Spaces Shown *Approved*
 Date *4-18-66* *J. H. Smith*

54'

138



60

Asphalt

72'

54'

6'

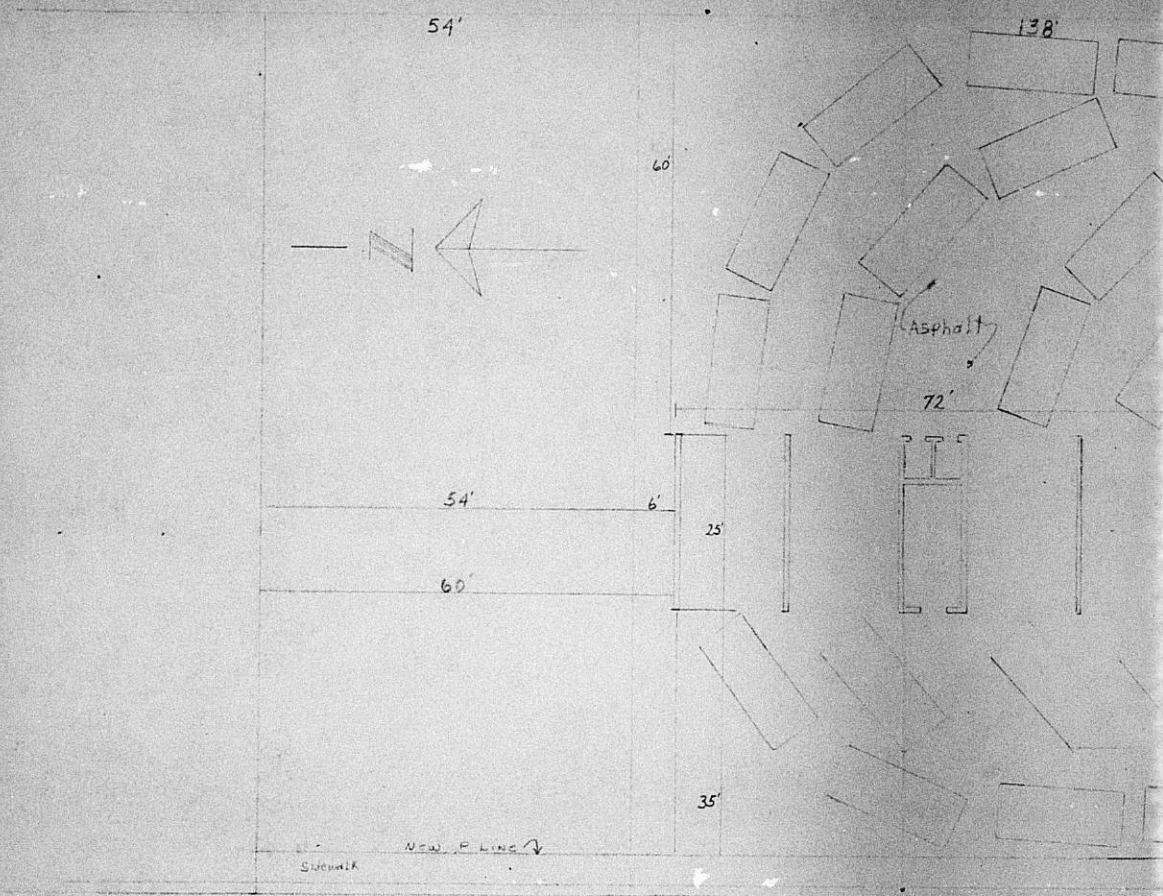
25'

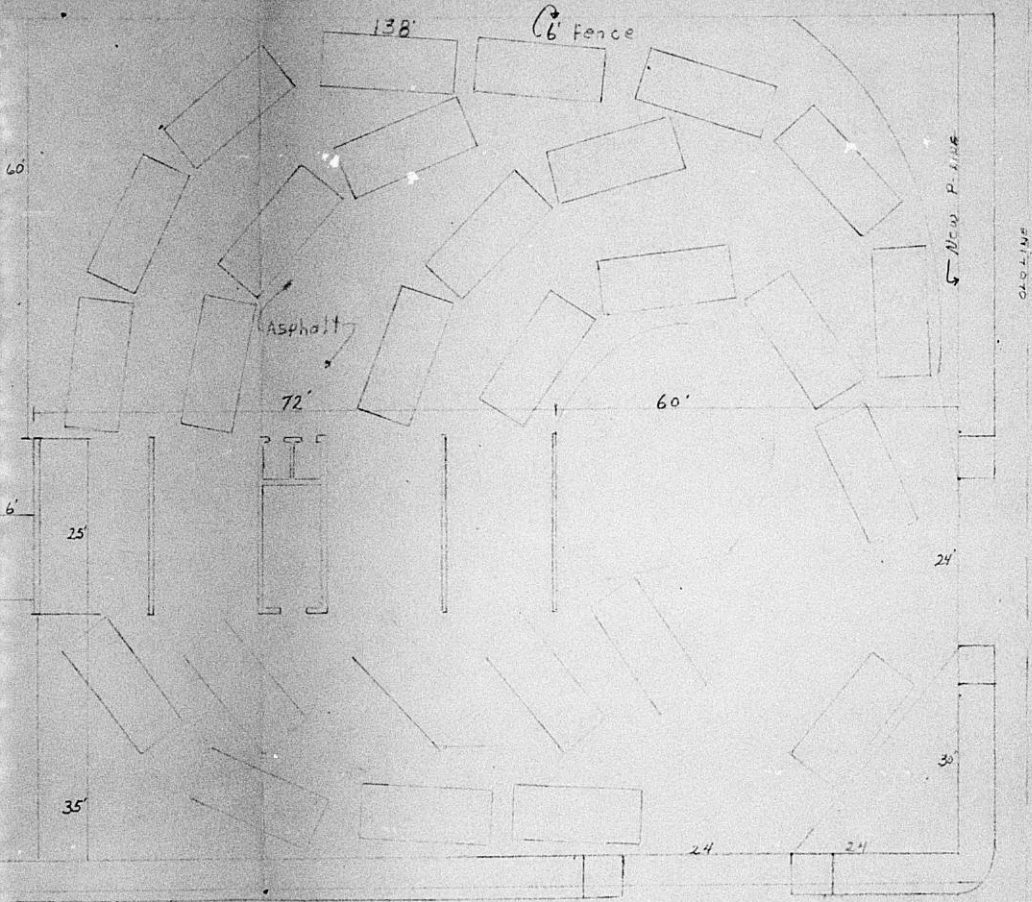
60'

35'

NEW P LINE
Sheepik

Old P LINE





Plan B

| |
|---|
| <p>TRAFFIC ENGINEERING DIVISION APPROVED</p> <p>Off Street Parking Spaces Shown <i>Approved</i></p> <p>Date <i>4-15-66</i> <i>J. L. Smith</i></p> |
|---|

*

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