

Case No. BZA 38-81 - Rod Steven -
requests an exception to permit the
establishment of a 5-bay self-service
car wash on property zoned the "LC"
Light Commercial and generally located
on the east side of Seneca approximately

Not recorded
BZA 38-81
BZA 38-81
BZA 38-81
BZA 38-81
BZA 38-81

POSTED
8-5-81

ACTION

BZA
38-81

COMMITTEE APPROVED DATE 8-25-81

M.A.P.C. _____

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

20'4 Sec 2-10-81
Checked 9-11-81
Shot 9-21-81
Recorded 9-22-81

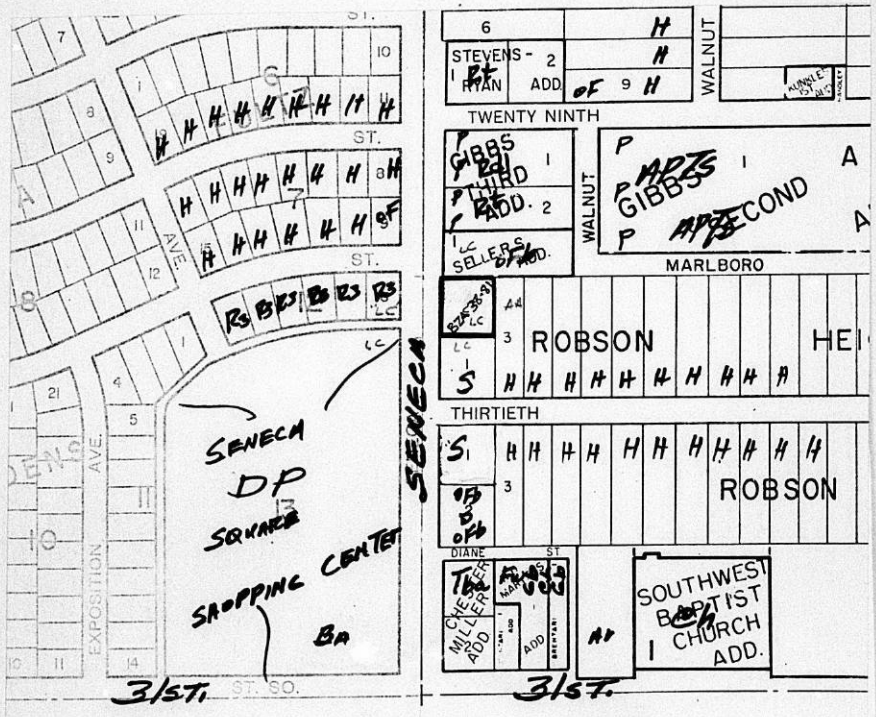
Case No. EZA 38-81 - Rod Steven -
requests an exception to permit the
establishment of a 5-day self-service
car wash on property zoned the "UG"
Light Commercial and generally located
on the east side of Seneca approximately

Map No. 5444C
 Sec. _____
 Twp. _____
 Range _____

BZA- 38-81
 SCZ- _____
 CU- _____
 Filed _____

AREA DATA:
 1. Acres: _____ (135 ft. by 140 ft.)
 2. Adjoining Zoning: E _____ S _____ W _____ N _____
 3. Land Use: East SINGLE FAM South OFFICES
 West SHOPPING CENTER North SERVICE STAT.
 4. Sketch Plan Land Use is for: _____
 5. Present Land Use if for: SERVICE STAT.
 6. Area (is) (is not) platted.

PHOTO DATA:
 Taken by _____ Date _____ Time _____



Standard
 No. 2-153C
 HASTINGS, MN
 LOS ANGELES, CHICAGO, DALLAS, OKLAHOMA CITY
 MEMPHIS, MILWAUKEE, ST. LOUIS, TAMPA, WASHINGTON
 U.S.A.

191

THE CITY OF WICHITA



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

August 27, 1981

Rod Steven
2333 McLean N.W.
Wichita, Kansas 67204

Re: Case No. BZA 38-81
Request for Exception

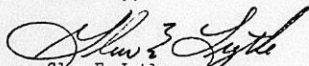
Dear Mr. Steven:

Enclosed is a signed copy of the Resolution adopted by the Board of Zoning Appeals on August 25, 1981.

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

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

Sincerely,


Glen E. Lytle
Assistant Secretary

GEL:sad
Enclosure

cc: Robert Feldner, Superintendent of Central Inspection (2)
Don Gisick, City Clerk

RESOLUTION NO. EZA 38-81

WHEREAS, Rod Steven, 2333 McLean N.W., Wichita, Kansas, requests an exception as provided in Section 2.12.590.C, Code of the City of Wichita, to permit the establishment of a self-service car wash on property zoned the "LC" Light Commercial District and legally described as follows:

Lot 2, Robson Heights 2nd Addition, Wichita, Sedgwick County, Kansas. Generally located on the east side of Seneca approximately 200' north of 30th Street South.

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 August 25, 1981, consider said application; and

WHEREAS, the Board of Zoning Appeals has proper jurisdiction to consider said request for an exception under the provisions of Section 2.12.590.C, Code of the City of Wichita; and

WHEREAS, the Board of Zoning Appeals has authority to permit the establishment of a self-service car wash on property zoned the "LC" Light Commercial District subject to the conditions outlined in Section 28.04.183.4, Code of the City of Wichita.

NOW, THEREFORE, BE IT RESOLVED by the Board of Zoning Appeals of the City of Wichita, that this application be approved to permit the establishment of a self-service car wash on property zoned the "LC" Light Commercial District and legally described as follows:

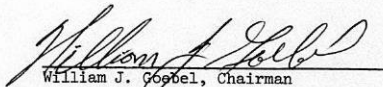
Lot 2, Robson Heights 2nd Addition, Wichita, Sedgwick County, Kansas. Generally located on the east side of Seneca approximately 200' north of 30th Street South.

subject to the following conditions:

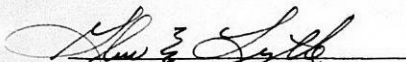
1. A six to eight foot high solid fence of masonry, metal, cedar or redwood shall be installed along the east property line.
2. All of the area to be used for circulation, holding spaces, parking spaces and all ingress and egress drives, shall be surfaced with asphalt, concrete or asphaltic concrete and be maintained in good condition.
3. All lights shall be shielded to reflect or direct light away from adjacent property. No string-type lighting or banners shall be permitted.
4. Signs shall be limited to that permitted by the zoning ordinance for the "LC" Light Commercial District.
5. No sound projecting devices or loudspeakers shall be used so as to be heard outside of any structure.
6. Off-street holding spaces shall be provided on the property at the ratio of not less than four holding spaces for each self-service car washing stall.

7. Off-street drying spaces shall be provided on the property at the ratio of not less than two parking spaces for each self-service car washing stall.
8. One off-street parking space shall be provided for each two employees.
9. All parking spaces and drying spaces shall have adequate guards or curbs to prevent the extension or overhanging of vehicles beyond property lines or parking spaces.
10. All circulation drives adjacent to public right-of-way shall be provided with adequate guards to prevent vehicles from driving over the adjacent sidewalks.
11. Grades shall be established on the property to prevent the intrusion of surface drainage from entering the sanitary sewer. This shall include a roof over the car wash bays and the installation of the mud trap at a location under roof or at a grade satisfactory to the Superintendent of Sewer Maintenance.
12. The area shall be properly policed through daily inspection by the owner or operator to insure proper maintenance and removal of trash or other debris.
13. The applicant shall provide adequate signs to indicate direction of circulation on the property so that the customers will comply with the approved plan. This should also include striping of the lot to indicate parking and drying spaces and arrows to indicate direction for travel in the holding spaces.
14. Two copies of a revised site plan, showing the relocation of the south driveway approach to 24 feet in width and within 10 feet of the south property line; appropriate grades to provide adequate drainage away from the east property line; and a curb along the east property line shall be submitted to the Secretary of the Board prior to the release of the Resolution.
15. All of the above conditions of approval must be complied with prior to the occupancy of the property, and in no case later than 180 days or the Resolution shall become null and void.

ADOPTED AT WICHITA, KANSAS, this 25th day of August, 1981.


William J. Gobel, Chairman

ATTEST:


Glen E. Lytle, Assistant Secretary

THE CITY OF WICHITA

OFFICE OF CITIZEN PARTICIPATION

DATE August 21, 1981

RECEIVED

AUG 24 1981

TO Glen Lytle, Special Assistant for Zoning

METROPOLITAN PLANNING

FROM Stan Scott, Administrative Aide III

ROUTE _____

SUBJECT BZA 38-81: East side of Seneca,
200 feet north of 30th Street

Due to the lack of a quorum at their Tuesday, August 18th meeting, CPO Neighborhood Council "B" will not provide a recommendation for the captioned case, a request for an exception to permit the establishment of a 5-Day self-service car wash on property zoned "LC", Light Commercial.

Stan Scott
Stan Scott
Administrative Aide III

SS:ml

Noted:

Sarah Gilbert/sm
Sarah Gilbert
CP Coordinator

IMPORTANT MESSAGE

FOR Little
DATE 8-6 TIME 9:40 A.M.
P.M.

WHILE YOU WERE AWAY

C M Crittendon

OF _____

PHONE No. 522-0200

TELEPHONED	PLEASE CALL	<input checked="" type="checkbox"/>
CALLED TO SEE YOU	WILL CALL AGAIN	<input type="checkbox"/>
WANTS TO SEE YOU	RETURNED YOUR CALL	<input type="checkbox"/>

MESSAGE: RZA 38-81

Has problems with drainage off of property.

SIGNED J

SECRETARY'S REPORT
CASE NO. BEA 38-81

APPLICANT: Rod Steven, 2333 McLean N.W., Wichita, Kansas.

AGENT: None

REQUEST: Exception pursuant to Section 26.04.183.4, Code of the City of Wichita to permit the establishment of a 5-bay self-service car wash in the "LC" Light Commercial District

GENERAL LOCATION: On the east side of Seneca approximately 200' north of 30th Street South.

ZONING: Subject property is zoned "LC" Light Commercial as are all adjacent properties except to the east which is "AA" One-family Dwelling District.

LAND USE: Subject property is occupied by a service station as is the property to the south. Property to the east is residential. Property to the west is apartments. Property to the north is commercial.

JURISDICTION:

The Board has jurisdiction to consider this request under the provisions outlined under Section 2.12.590.C, Code of the City of Wichita. The Board may grant the exception provided the conditions set out in Section 26.04.183.4 can be complied with.

COMMENTS BY THE SECRETARY:

The applicant is requesting an exception to permit the establishment of a 5-bay self-service car wash in the "LC" Light Commercial District. The property is located adjacent to an arterial street and all ingress and egress will be from Seneca. The property is of sufficient size to comply with the regulations.

The Secretary has received a call relative to the problems with surface drainage off of the property, and the adjacent property owner feels this should be solved before the Board approves any change in the use of the property. In accordance with the grades shown on the applicant's site plan, it appears that surface water would presently drain to the east. It would be appropriate to require a continuous curb along the east property line and a change in the elevation at the northeast corner to drain the property to the south and west.

RECOMMENDATION:

Should the Board determine that the use is appropriate at this location, then it is the recommendation of the Secretary that the exception for a car wash be approved subject to the following conditions:

1. A six to eight foot high solid fence of masonry, metal, cedar or redwood shall be installed along the east property line.
2. All of the area to be used for circulation, holding spaces, parking spaces and all ingress and egress drives, shall be surfaced with asphalt, concrete or asphaltic concrete and be maintained in good condition.
3. All lights shall be shielded to reflect or direct light away from adjacent property. No string-type lighting or banners shall be permitted.
4. Signs shall be limited to that permitted by the zoning ordinance for the "LC" Light Commercial District.
5. No sound projecting devices or loudspeakers shall be used so as to be heard outside of any structure.
6. Off-street holding spaces shall be provided on the property at the ratio of not less than four holding spaces for each self-service car washing stall.

7. Off-street drying spaces shall be provided on the property at the ratio of not less than two parking spaces for each self-service car washing stall.
8. One off-street parking space shall be provided for each two employees.
9. All parking spaces and drying spaces shall have adequate guards or curbs to prevent the extension or overhanging of vehicles beyond property lines or parking spaces.
10. All circulation drives adjacent to public right-of-way shall be provided with adequate guards to prevent vehicles from driving over the adjacent sidewalks.
11. Grades shall be established on the property to prevent the intrusion of surface drainage from entering the sanitary sewer. This shall include a roof over the car wash bays and the installation of the mud trap at a location under roof or at a grade satisfactory to the Superintendent of Sewer Maintenance.
12. The area shall be properly policed through daily inspection by the owner or operator to insure proper maintenance and removal of trash or other debris.
13. The applicant shall provide adequate signs to indicate direction of circulation on the property so that the customers will comply with the approved plan. This should also include striping of the lot to indicate parking and drying spaces and arrows to indicate direction for travel in the holding spaces.
14. Two copies of a revised site plan, showing the relocation of the south driveway approach to 24 feet in width and within 10 feet of the south property line; appropriate grades to provide adequate drainage away from the east property line; and a curb along the east property line shall be submitted to the Secretary of the Board prior to the release of the Resolution.
15. All of the above conditions of approval must be complied with prior to the occupancy of the property, and in no case later than 180 days or the Resolution shall become null and void.

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

AUGUST 5, 1981

NOTICE TO ADJOINING PROPERTY OWNERS:

CASE NO. BZA 38-81

As required by law, all property owners of record, within 200 feet of a property to be considered for an exception or variance by the Board of Zoning Appeals, are to be notified of the public hearing. An application has been filed by Rod Steven, 2333 McLean N.W., Wichita, Kansas, requesting an exception.

Pursuant to Section 2.12.590.C, of the Code of the City of Wichita, the applicant is requesting an exception to permit the establishment of a 5-bay self-service car wash on property zoned "LC" Light Commercial. A legal description of the applicant's property is as follows:

Lot 2, Robson Heights 2nd Addition, Wichita, Sedgwick County, Kansas. Generally located on the east side of Seneca approximately 200' south of 30th Street South.

This application has been assigned Case No. BZA 38-81. It will be considered by the Board of Zoning Appeals on August 25, 1981, at 1:30 p.m. in the Board Room, First Floor of City Hall, 455 North Main Street, Wichita, Kansas. If you have no interest or objections regarding the requested exception you have no obligation to appear or comment. If you desire to appear at the Board meeting, you are invited to do so, either in person or by agent or attorney.

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

If you have any questions about the application, please feel free to call the Wichita-Sedgwick County Metropolitan Area Planning Department at 268-4421.

Jack H. Galbraith
Secretary

BZA CASE NO. 38-81

1 NOTICES SENT TO APPLICANT/AGENT

10 NOTICES SENT TO MAPC

1 NOTICES SENT TO CPO

17 NOTICES SENT TO ADJOINING PROPERTY OWNERS

29 TOTAL NOTICES SENT 8-5-81

BOARD OF ZONING APPEALS

CASE NO. 38-81

CITY OF WICHITA, KANSAS

FILED 7-24-81

Exception
APPLICATION FOR VARIANCE

I. Name of Applicant Paul Stevens
 Mailing Address 2333 McKean N.W. 67204 Phone 838-5672
 Name of Authorized Agent _____
 Mailing Address _____ Phone _____

II. Application is made for an exception as provided in Section 2.12.590.C, Code of the City of Wichita, Kansas, to permit the establishment of of a 5-day self service car wash on property zoned the "LC" Light Commercial District for property located on the east side of corner approximately 200 feet south of 30th Street South and legally described as: Lot 2, Robson Heights 2nd, Sedgwick County, Kansas Except the width is not for street in the City of Wichita; and which is presently zoned LC.

- III. The applicant herein, or his authorized agent, acknowledges:
- a. That he has received an instruction sheet concerning the filing and hearing of this matter;
 - b. That he has been advised of the fee requirements established by Section 2.12.580 of the Code of the City of Wichita (Ordinance No. 24-606); and that the appropriate fee is herewith tendered;
 - c. That he has been advised of his right to bring action in the District Court of Sedgwick County to appeal the decision of the Board.
 - d. That all documents are attached hereto as noted in paragraphs 2, 3, 4, and 5 of the instructions.

Paul Stevens
Applicant

Authorized Agent

OFFICE USE ONLY: Received in office of Secretary, Board of Zoning Appeals 7:40 (a.m. p.m.) July 24 19 81 together with appropriate fee of \$50.00

\$200

J. Lynn Shively
Signed

OWNERSHIP LIST

<u>Lot</u>	<u>Addition</u>	<u>Property Owner</u>
That part of Lt. 1 beg. at NW cor of Lt. 3, sd pt being on S ln of 30th St. S; th W alg S ln of 30th 125.9' to a pt on E ln of Seneca St. as widened; th S alg E ln of Seneca 137.5' to the Cor of that certain 16' easement running E & W; th E alg center ln of sd 16' ease. 125.9' to a pt on W ln of Lt. 3; th N alg sd W ln 137.5' to beg.	Robson Heights	David Hill and Helen M. Hill, 3100 E. Clark, 67211

The N 137.5' of Lt. 3	" "	Delbert A. Lewis and Ula M. Lewis, 1033 W. 30th St. S., 67217
-----------------------	-----	---------------------------------------------------------------

1 & 2	Robson Heights, 2nd	Leona Johnson (Deceased)
3	" " "	Clifford M. Crittenden and Martha A. Crittenden, 1022 W. 30th St. S., 67217
4	" " "	Stephen G. Hutchens and Marian J. Hutchens, 1016 W. 30th St. S., 67217
5	" " "	Terry L. McLachlan and Linda D. McLachlan, 1008 W. 30th St. S., 67217
1	Seller's	South Seneca, Inc. Address Unknown
2	Gibbs 3rd	Herschel L. Davis; Holly Beth Davis; Nancy Jill Davis; Jason Benjamin Davis; Jeremy Lynn Davis; Brent Alan Davis , all Addresses Unknown . Mark Blum, Sr., 8000 Tipperary, 67206; Mark Blum, Jr., 521 Stratford, 67206; Melvin Hammer, 2801 N. St. Clair, 67204 returned 8-10-81 2 544 S. Green 67211 returned "not known" 8-14-81

Herschel 1025 Patricia 67208
Holly 1672 Lawrence Ct 67206
Nancy 1672 Lawrence Ct 67206
J.P. returned wrong address 8-10-81 7555 N. Hancock 67203
J.L. 815 S. Emporia #102 67211
~~*2 4612 E. Kellogg 67218*~~

Page 2.

<u>Lot</u>	<u>Block</u>	<u>Addition</u>	<u>Property Owner</u>
9	7	Replat of Iva Fultz Gardens	G. I. Highland and Wanda M. Highland, 109 W. 30th St. S., 67217 <i>OK</i>
10	7	" "	Jimmie M. Moss and Ernie A. Moss, 1110 W. 30th St. S., 67217
5 & 6	12	" "	Fidelity Development Inc. Address Unknown
	13	" "	<i>" returned 8-7-81 not deliverable and addressed - unable to forward"</i> Bonanza Inc., 3900 W. Kellogg, 67213

Page 3.

We hereby certify the foregoing to be a true and correct list of the property owners within a 200 foot radius of

Lot 2, Robson Heights Second Addition, Sedgwick County, Kansas, Except the West 10 feet for street.

as shown by the last deed of record on file in the Office of the Register of Deeds of Sedgwick County, Kansas, on the 23rd day of July, 1981, at 7:00 A.M.

THE SECURITY ABSTRACT & TITLE CO., INC.

By

Mary Gable

Vice-President

Order No. 301273
GE/LLV

WICHITA - SEDGWICK COUNTY



BOARD OF ZONING APPEALS

CITY HALL - TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202



38-81

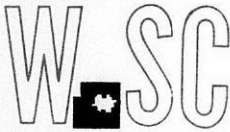


1801
8-13-81



Brent Alan Davis
4012 East Kellogg
Wichita, Kansas 67218

WICHITA - SEDGWICK COUNTY



BOARD OF ZONING APPEALS

CITY HALL - TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202

38-81



*Return to Sender
Not at this address
Returned 8-10-81*

*try resent to:
544 S. Green*

Jason Benjamin Davis
1555 North Meridian
Wichita, Kansas 67203

WICHITA - SEDGWICK COUNTY



BOARD OF ZONING APPEALS

CITY HALL - TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202

38-81



BDN 00X 12062171 08/06/81

RETURN TO SENDER
NOT DELIVERABLE AS ADDRESSED
UNABLE TO FORWARD

Bonanza Inc.
3900 West Kellogg
Wichita, Kansas 67213

FORM 29

PAYMENT NOTICE
City of Wichita

Bldg.	Use of Str.	Code Bks	Copies
Elec	Elev. Insp.	Hse Moving	Lic.
Mech	Boiler Insp.	Pav. Cuts	Cert.
Plbg	Exam Fees	Sewer	Elev.
Signs	Plan Rev. (P.W.)	Cement	M.S.P.
	Planning		

DESCRIPTION		AMOUNT
NAME		
ADDRESS		
FUND	DUE DATE	
COMMENTS		
DATE	BY	

*

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

Roll # 2