

CUSICK stated that no one but MRS. TAYLOR has any background as to Wesley's situation. He stated he did not want the Board to feel tied down to either approving or denying. STEWART stated Wesley needed approval today so they could go ahead with the time schedule as it has been outlined.

RICHARDSON moved to defer the request for 30 days. He stated he believed the citizens in the neighborhood needed more information about Wesley's plans before they come back to the Board. DOKE seconded the motion, and it was approved to defer the case for 30 days by a vote of 4 for and 1 against (Cusick against).

GALBRAITH stated to STEWART that the application can be amended to include the Kiser property, or HOWARD, attorney for Kiser can file a separate application for the Kiser property. He stated that STEWART should call him Wednesday if he wants his variance request to be included for September's meeting.

6. Case No. BZA 24-73 (Billy Graham, Route 1, Box 1841, Smithville, Texas, 78957, by Robert L. Smith, 1030 First National Bank Building, Wichita, Kansas, 67202, pursuant to Section 2.12.590.C, Code of the City of Wichita, requests an exception to permit the installation or construction of a self-service car wash on property zoned the "LC" Light Commercial District and legally described as Lot 1, Parker Pawnee Trust Addition to Wichita, Sedgwick County, Kansas. Generally located on the East side of El Rancho Road in an area South of Pawnee.

GALBRAITH pointed out the area on the map and reviewed the following report of the Secretary:

JURISDICTION:

The Board has jurisdiction to consider this request under the provisions outlined under Section 2.12.590:C, Code of the City of Wichita. The Board may grant the exception provided the conditions set out in Section 28.04.183.4 can be complied with.

COMMENTS BY THE SECRETARY:

The applicant is applying for an exception to the Zoning Ordinance to permit the installation of a ten bay self-service car wash on land zoned the "LC" Light Commercial District. Subject property has sufficient area to install the proposed facility, and a plan showing circulation and holding and drying spaces has been submitted to and approved by the Division of Traffic Engineering.

The plot plan indicates that the three curb cuts adjacent to El Rancho Road will be used for ingress and egress. El Rancho is a minor or residential street with 60 feet of right-of-way and 30 feet of paving. Section 28.04.183.4.12 of the Zoning Ordinance states that "there shall be no ingress or egress from minor or residential streets having sixty (60) feet of right-of-way or less, unless there are two (2) free-moving lanes at all times. (Example: A thirty (30) foot paved street with parking permitted only on one (1) side would provide for two free-moving lanes)." The Division of Traffic Engineering has informed this office that "no parking" signs are to be installed adjacent to the east side of El Rancho Road in the application area.

It should also be pointed out that there is a single family home located adjacent to the south property line, and there are single family homes on a portion of the property to the west. The Ordinance requires that fencing shall be provided to protect such dwellings from light and noise and eliminate blowing debris.

RECOMMENDATION:

It is the recommendation of the Secretary that the exception to permit the installation of a self-service car wash be approved, subject to the following conditions:

1. There shall be a minimum of 3500 square feet for each self-service car washing stall, provided that the minimum lot area shall not be less than 7500 square feet.
2. The car washing building or facilities shall set back a distance of not less than 60 feet from the south property line and not less than 60 feet from the east line of El Rancho Road.
3. All the area to be utilized by the washing and drying operation, including all ingress and egress areas, shall be paved with concrete, asphalt, or asphaltic concrete.

4. All lights shall be shielded to reflect or direct light away from the adjacent property. No string type lighting or banners shall be permitted.
5. No signs shall exceed 25 feet in height or be placed so as to project over any public right-of-way.
6. No sound projecting devices or loudspeakers shall be used.
7. Off-street holding spaces shall be provided on the property in the following ratio: Not less than 4 parking spaces for each self-service car washing stall.
8. Off-street drying spaces shall be provided on the property in the following ratio: Not less than 2 parking spaces for each self-service car washing stall.
9. One off-street parking space shall be provided for each two employees.
10. A six foot high solid or semi-solid fence constructed of masonry, architectural tile, wood, louvered wood, or other similar materials shall be constructed along the south property line. Said fence shall be reduced to 3 feet in height within 25 feet of the east right-of-way line of El Rancho Road.
11. All parking areas shall have adequate guards to prevent the extension or overhanging of vehicles beyond the property lines or parking spaces.
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 the proposed self-service car wash facility.

CHAIRMAN LEE asked if anyone was present to speak in opposition to this request. No one in opposition was present at the meeting.

CUSICK moved, RICHARDSON seconded, and it carried unanimously that this exception be approved subject to the 14 conditions as stated in the Secretary's Report as shown by the adoption of the following

Resolution:

RESOLUTION NO. BZA 24-73

WHEREAS, Billy Graham, Route 1, Box 1841, Smithville, Texas, by Robert E. Smith, 1030 First National Bank Building, Wichita, Kansas, 67202, requests an exception as provided in Section 2.12.590.C, Code of the City of Wichita, to permit the installation or construction of a self-service car wash on property zoned the "LC" Light Commercial District, and legally described as follows:

Lot 1, Parker Pawnee Trust Addition to Wichita, Sedgwick County, Kansas. Generally located on the East side of El Rancho Road in an area South of Pawnee.

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 28, 1973, 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 installation or construction 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 installation or construction of a self-service car wash on property zoned the "LC" Light Commercial District, and legally described as follows:

Lot 1, Parker Pawnee Trust Addition to Wichita,
Sedgwick County, Kansas. Generally located on
the East side of El Rancho Road in an area South
of Pawnee.

subject to the following conditions:

1. There shall be a minimum of 3500 square feet for each self-service car washing stall, provided that the minimum lot area shall not be less than 7500 square feet.
2. The car washing building or facilities shall set back a distance of not less than 60 feet from the south property line and not less than 60 feet from the east line of El Rancho Road.
3. All the area to be utilized by the washing, and drying operation, including all ingress and egress areas, shall be paved with concrete, asphalt, or asphaltic concrete.
4. All lights shall be shielded to reflect or direct light away from the adjacent property. No string type lighting or banners shall be permitted.
5. No signs shall exceed 25 feet in height or be placed so as to project over any public right-of-way.
6. No sound projecting devices or loudspeakers shall be used.
7. Off-street holding spaces shall be provided on the property in the following ratio: Not less than 4 parking spaces for each self-service car washing stall.
8. Off-street drying spaces shall be provided on the property in the following ratio: Not less than 2 parking spaces for each self-service car washing stall.
9. One off-street parking space shall be provided for each two employees.
10. A six foot high solid or semi-solid fence constructed of masonry, architectural tile, wood, louvered wood, or other similar materials shall be constructed along the south property line. Said fence shall be reduced to 3 feet in height within 25 feet of the east right-of-way line of El Rancho Road.

11. All parking areas shall have adequate guards to prevent the extension or overhanging of vehicles beyond the property lines or parking spaces.
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 the proposed self-service car wash facility.

ADOPTED AT WICHITA, KANSAS, this 28th day of August,
1973.

S/S Priscilla L. Lee
Priscilla L. Lee, Chairman

ATTEST:

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

7. Approval of Minutes of July 24, 1973, meeting.

DOKE moved, TAYLOR seconded, and it carried unanimously to approve the minutes of the July 24, 1973, meeting as recorded, mailed, and received by the Board members.

Meeting was adjourned at 3:35 p.m.

Jack H. Galbraith
Secretary