

BZA 1-70 - James C. Green requests  
an EXCEPTION to permit ~~self service~~  
carwash operation at 2020 E. 21st.

~~P~~ 2/24 3/6/70  
2/24 3/6/70

POSTED  
2-3-70

BZA 2-24-70 Renewed



RESOLUTION NO BZA 1-70

WHEREAS, James C. Green, 2020 East 21st Street, Wichita, Kansas, 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 operation, on property zoned "LC"-Light Commercial, and legally described as follows:

Lot 12, Block 1, Wilbur Addition, Sedgwick County, Kansas. Generally located on the northwest corner of 21st and Piatt Streets.

WHEREAS, proper notice as required by ordinance and by the rules of the Board of Zoning Appeals has been given; and

WHEREAS, the Board of Zoning Appeals did, at the meeting of February 24, 1970, consider said application; and

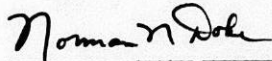
WHEREAS, the Board of Zoning Appeals has proper jurisdiction to consider said request for an exception under the provisions of Section 2.12.590.C, Code of the City of Wichita; and

WHEREAS, the Board of Zoning Appeals has authority to permit the installation or construction of self-service car wash operations, on property zoned "LC"-Light Commercial, 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 denied to permit the installation or construction of a self-service car wash operation on property zoned "LC"-Light Commercial and legally described as follows:

Lot 12, Block 1, Wilbur Addition, Sedgwick County, Kansas. Generally located at the northwest corner of 21st and Piatt Streets.

ADOPTED AT WICHITA, KANSAS, this 24th day of February, 1970.



NORMAN N. DOKE, Chairman

ATTEST:

  
JACK H. GALBRAITH, Secretary

March 4, 1970

James C. Green  
2020 East 21st Street  
Wichita, Kansas

Dear Mr. Green:

Subject: Case No. BZA 2-70  
Request for Exception

Enclosed is a signed copy of the Resolution adopted by the Board of Zoning Appeals on February 24, 1970, in connection with your request for an exception to permit the installation or construction of a self-service car wash operation on property zoned "LC"-Light Commercial and generally located on the northwest corner of 21st and Piatt Streets.

This Resolution reflects the official action of the Board to deny your request. It is forwarded to you for your information and files.

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

Very truly yours,

Jack H. Galbraith  
Secretary

JHG:ls

Attachment

cc Robert Feldner, Superintendent of Central Inspection  
Ralph Eberly, City Clerk  
Joe Donnelly, Central Inspection

February 26, 1970

Mr. James C. Green  
2020 East 21st Street  
Wichita, Kansas

Dear Mr. Green:

Subject: Case No. BZA 1-70  
Request for Exception

At the regular meeting of the Board of Zoning Appeals on February 24, 1970, your request for an exception to permit the installation or construction of a self-service car wash operation on property zoned "LC"-Light Commercial and generally located at the northwest corner of 21st and Platt Streets, was considered.

It was the action of the Board to deny this request.

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

If you have any questions, please call our office.

Very truly yours,

Jack H. Galbraith  
Secretary

JHG:ls

cc Nathaniel Brown  
Robert Feldner, Superintendent of Central Inspection  
Ralph Eberly, City Clerk  
Joe Donnelly, Central Inspection

SECRETARY'S REPORT

CASE NO BZA 1-70

APPLICANT: James C. Green, 2020 East 21st Street, Wichita, Kansas

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

GENERAL LOCATION: Northwest corner of 21st and Piatt Streets

LAND USE: Subject property is occupied by a drive-in restaurant and a single family residence; south is a service station; east is a service station, office and single family; north is single family and west is an office

ZONING: Subject property is zoned "LC"-Light Commercial as are those properties to the south and east; north is "A"-Two Family; west is "A" and "LC"

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 providing the conditions set out under Section 28.04.183.4, Code of the City of Wichita, can be complied with.

COMMENTS BY THE SECRETARY

The applicant has requested an exception to the zoning ordinance in order to install a self-service car wash on property zoned "LC"-Light Commercial. Subject property is occupied by a drive-in restaurant and a single family residence which is in a high state of deterioration and was uninhabited at the time the area was viewed in the field. The applicant has submitted a plot plan for a two bay car washing facility with the required general information. It should be pointed out that the Traffic Engineer has approved the plot plan subject to the deletion of the car washing bay on the east.

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Case No. BZA 1-70

It was the opinion of the Traffic Engineer that approval of the plan as submitted (2 bays) would impede the circulation of traffic around the drive-in restaurant.

It should be noted that the plot plan submitted with the application does not indicate a dedicated 20 foot alley on subject property adjacent to the west and north property lines. In the event this application were approved a strip of "LC"-Light Commercial zoning approximately 40 feet in width would remain on 21st Street and a strip approximately 44½ feet wide would remain on Piatt, both of which would be substandard for additional "LC" development which the applicant has stated he wishes to develop in the future.

It is the opinion of the Secretary that not only is the proposed use incompatible with the drive-in restaurant but additional "LC" uses on the property to the west and north would add to the congestion which will be created by patrons of the car wash driving through the parking lot of the restaurant to reach the car washing bay.

RECOMMENDATION

Since there is a conflict of uses on subject property, it is the recommendation of the Secretary that the exception to permit the operation of a self-service car wash on property zoned "LC" not be approved.

**BOARD OF ZONING APPEALS**  
Room 402 City Building Annex  
104 South Main Street  
Wichita, Kansas 67202

February 4, 1970

**NOTICE TO ADJOINING PROPERTY OWNERS**

Case No. BZA 1-70

An application has been filed by James C. Green, 2020 East 21st Street, Wichita, Kansas, pursuant to Section 2.12.590.C, Code of the City of Wichita, requesting an exception to permit the installation or construction of a self-service car wash operation on property zoned "LC"-Light Commercial, and legally described as follows:

Lot 12, Block 1, Wilbur Addition, Sedgwick County, Kansas. Generally located on the northwest corner of 21st and Piatt Streets.

This application has been assigned Case No. BZA 1-70, and will be considered by the Board of Zoning Appeals at its meeting on Tuesday, February 24, 1970, at 1:30 p.m., in Room 401 City Building Annex, 104 South Main Street, Wichita, Kansas, at which time you may appear, if you so desire, either in person or by agent or attorney.

**JACK H. GALBRAITH**  
SECRETARY

*20 copies mailed 2-4-70*

BOARD OF ZONING APPEALS

CASE NO. 1-70

CITY OF WICHITA, KANSAS

FILED 1-22-70

APPLICATION FOR EXCEPTION

I. Name of Applicant JAMES C. GREEN

Mailing Address 2020 E. 21<sup>st</sup> Phone F031724

Name of Authorized Agent JAMES C. GREEN

Mailing Address 1026 W 20<sup>th</sup> Phone F033434

Relationship of applicant to property is that of OWNER  
(Owner, Tenant, Lessee, Other).

II. Application is made for an exception as provided in Section

212 590 C (2804 1834), Code of the City of Wichita, Kansas

(Zoning Ordinance); to permit the installation or construction

of DO IT YOURSELF 25' CAR WASHES

on property zoned

L.C., located 2020 E 21<sup>st</sup>

and legally described as:

LOT 12, BLOCK 1, WILBUR ADDITION.

SEDGWICK CO. WICHITA KANS. (TAX KEY C 20542)

in the City of Wichita.

III. The applicant herein, or his authorized agent, acknowledges:

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

Applicant James C. Green

Authorized Agent James C. Green Owner

OFFICE USE ONLY: Received in office of Secretary, Board of Zoning Appeals, 4:10 (a.m. - p.m.), January 22, 19 70, together with appropriate fee of \$50.00.

T9-403

Signed J. Lynn Shirkley

Board of zoning Appeals:

Gentleman: I would like to make this request for exception to the zoning of L.C. at 20 20 E 21<sup>st</sup> so that I might place (2) two do it yourself car washes on this property -

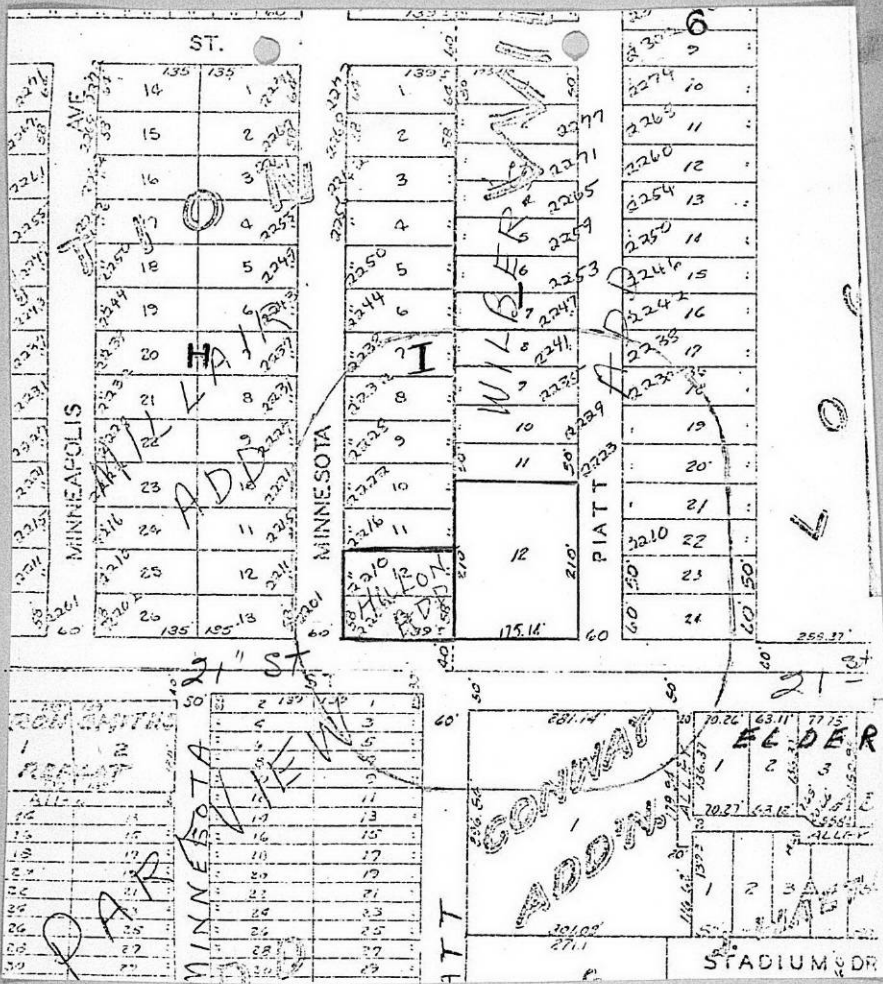
The use of these washes would tend to enhance the income from this property by the sale of the washes themselves, plus any advertising I might tend to use in conjunction with my carry out service. It is possible for me to advertise a special on certain foods at a price that could include (1) one free car wash, as the cost for that wash would cost me a sum of 12¢ per wash, enabling me to sell more food plus the added income from the wash itself, as we haven't a wash anywhere close by in this area.

Your findings in this matter, if favorable, would greatly increase my income, not only in the washes sold but from the added activity it would bring to the carry out corner

Sincerely

James C. Green

C  
O  
P  
Y



## STATEMENT OF OWNERSHIP

STATE OF KANSAS )  
 ) SS  
 SEDGWICK COUNTY )

The undersigned duly bonded and qualified abstractor within and for the County and State aforesaid, does hereby certify:

That we have examined the records in the office of the Register of Deeds of Sedgwick County, Kansas, with reference to the ownership of the following property in Sedgwick County, Kansas, viz:

Property lying within a radius of 200 ft of:  
 Lot 12, Block 1, Wilber's Addition, to Wichita,  
 Sedgwick County, Kansas.

  
 Fidelity  
 Title  
 Company,  
 inc.

And from such examination find that the owners thereof are as set opposite the description of the property below, viz: (Addresses as given are furnished as a service and not certified.)

LOT	BLK	ADDITION	OWNER
S 20' Lot 7 & N 35' of Lot 8,	1	<u>WILBER'S</u>	✓ Administrator of Veterans Affairs 5500 E. Kellogg 67218
S 15' Lot 8 & N 40' Lot 9,	1		✓ Dovie M. Estrada, .sgle. 2277 Piatt 67219
S 10' Lot 9 & N 45' Lot 10,	1		✓ Administrator of Veterans Affairs 5500 E. Kellogg 67218
S 5' Lot 10, all of 11, 1			✓ Sec. Housing & Urban Development, Washington, D. C.
12, exc W 20' & exc N 20' dedicated for St.	1		1921 E23 ✓ Estate of H. W. McClintock and Estate of Charles F. McClintock
17,	6		✓ Charles O. & Marie Leader, No Address Available ux
18, 19 & 20,	6		✓ First Federal S & L Assoc. 123 S. Market 67202
21, 22 & N 40' of 23,	6		X ✓ Nathaniel Brown Minnie Zell Brown, ux 1801 N. Estelle 67214



LOT	BLK	ADDITION	OWNER
S 10' of 23 & all 24,	6	<u>WILBER'S</u>	✓ Killion Fresh Gas, Inc. % Derby Refining Co., Box 1030, Wichita, 67201
7,	I	<u>MILLAIR</u>	✓ Thomas M. & Ollie O. Patten, 2238 N. Minnesota ux 67219
8,	I		✓ Edwin L. Dempster Catharine A. Dempster, ux 2232 N. Minnesota 67219
9,	I		✓ Floyd L. & Margie Rutledge, 2228 N. Minnesota 67219 ux
10,	I		✓ Lawrence M. Peterson Gayle A. Peterson, ux 1729 Woodland 67203
11,	I		✓ Willie & Lillie B. Lugrand, 2216 N. Minnesota 67219ux
1,		<u>HULON</u>	✓ Hulon C. & Wilma E. Turner, 2010 E. 21st St. 67214 ux
1, exc E 0.26',		<u>ELDER</u>	✓ E. Paul & Hazel Elder, ux 5827 Blueridge Place 67208
1,		<u>CONWAY</u>	✓ Jimmy & Winifred J. Razook, 2101 E. 21st St. 67214 ux
9,	H	<u>MILLAIR</u>	<i>P</i> ✓ Administrator of Veterans Affairs. 5500 E. Kellogg 67218
10,	H		✓ David Leroy & Lilah L. Nill, 2221 N. Minnesota 67219 ux
11,	H		<i>none found</i> ✓ Henry L. & Rosa Lee McGill, No Address Available ux
12,	H		✓ Billy J. & Blanche Williams, 2211 N. Minnesota ux 67219
13,	H		✓ Robert L. & Beverly J. Woods, 2201 N. Minnesota ux 67219
1, 3, 5, 7, 9, 11, exc N 10' lot 1, for St.	Piatt Ave.	<u>PARKVIEW</u>	✓ Ostertag Investments, Inc. 6901 W. Maple 67209

Dated at Wichita, Kansas this 5th day  
of January, 1970 at 7:00 A. M.

FIDELITY TITLE COMPANY, INC.

By Edie M. Farrell  
Sec. OEM

Form 273-021

**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
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<i>Public Works Dept</i>	<i>100.00</i>
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Name \_\_\_\_\_

Address \_\_\_\_\_

Type _____	Due Date _____
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Comments: \_\_\_\_\_

Date _____	By _____
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<i>1-22-90</i>	<i>[Signature]</i>
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