

CASE NO. BZA 2-88 Harold Warner, Jr. -
requests an exception to permit the
establishment of a 6-bay self-service
car wash on property partially zoned the
"LC" Light Commercial Dist. & the bal-

B.Z.A. 2-88 Approved 9/23/88
DATE

200480 ✓
Checked ✓
Sgt 5.12 ✓
Award ✓

5350A

DATA SHEET

MAP NO.: 5350A

CASE NO. BZA 2-88

(CPO 5B, 2/17/88)

REQUEST: Exception to permit the establishment of a 6-bay self-service car wash

EXISTING ZONING: Partially "LC" Light Commercial District and the balance approved for Light Commercial

GENERAL LOCATION: At the southeast corner of Amidon and 26th Street North

APPLICANT: Harold L. Warner, Jr.
 ADDRESS: 330 S. Colby, Valley Center, KS 67147

PHONE: 755-1464

AGENT: same
 ADDRESS:

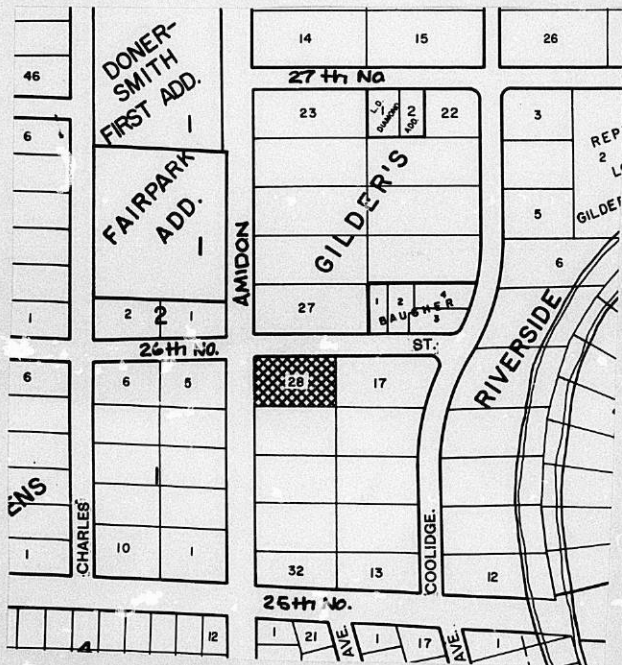
PHONE:

AREA DATA

Acres: (ft. by ft.)

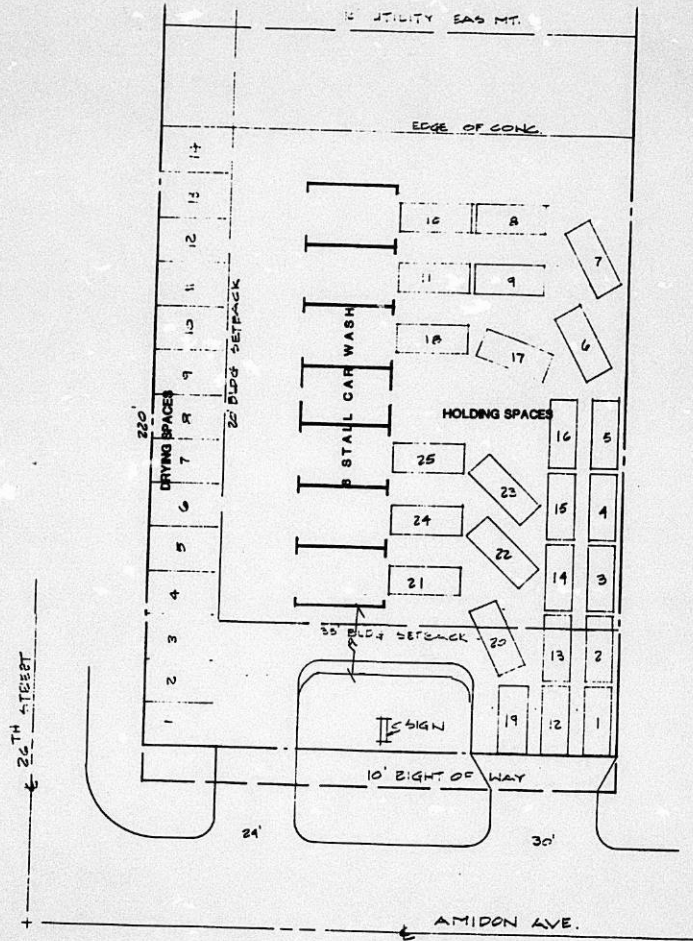
Adjacent Zoning and Land Use:

North	LC	_____
South	AA	_____
East	AA	_____
West	AA	_____



PL1-0066

S. Mitchell
 No. 24153C
 HASTINGS, MN
 LOS ANGELES, CHICAGO, LOGAN, OH
 MERRIFIELD, TX, LOCUST GROVE, GA
 U.S.A.



SITE PLAN

BZA 2-88

BZA INSPECTION SHEET

MAP NO.: 5350A

CASE NO. BZA 2-88

REQUEST: Exception to permit the establishment of a 6-bay self-service car wash

EXISTING ZONING: Partially "LC" Light Commercial District and the balance approved for Light Commercial (Z-2888)

GENERAL LOCATION: At the southeast corner of Amidon and 26th Street North

APPLICANT: Harold L. Warner, Jr.

ADDRESS: 330 S. Colby, Valley Center, KS 67147

PHONE: 755-1464

AGENT: same

ADDRESS:

PHONE:

HEARING DATE: 2/23/88

BZA ACTION: Approved subject to 15 development conditions specified in the BZA resolution. Complete by 3/7/89.

FOLLOW-UP DATE: 3/7/89

RESPONSE BY CID:

February 22, 1988, Washington's Birthday

We the property owners, residing within two hundred feet of the property located at the SE corner of Amidon and NW 26th streets and which is under consideration for rezoning, Case No. BZA 2-88, to a "LC" classification to enable a prospective buyer to build a 6 stall self-service car wash, herein protest this proposed rezoning because:

1. The applicant has requested an exception to the Ord. No. 28.04.183, requirement 4.11, which states "There shall be no ingress or egress from unpaved public ways". He desires entry/exit onto 26th St. and proposes to submit a petition to pave 26th St. from Amidon to the east edge of the property for which rezoning is requested.

The requirement specifies 'unpaved public way' not 'one-half of the unpaved public way'. The word paved is past tense meaning that pavement is to be in place, not a promise, plan, or petition which can be withdrawn or delayed. This condition is needed to protect the lower east end of 26th St. from having standing water in the southside ditch, the grader driver made taking dirt at each grading. This ditch has NO OUTLET

Any such standing water would become a Health Hazard, as a mesquite breeding and hatching area. It would further threaten the Coolidge paving at the SW corner of 26th and Coolidge by soaking the ground and seeping under the pavement such that the mud would run out when heavy loads, as garbage and street repair trucks or the road grader run over the blacktop edge. This leaves the paving unsupported and that load or later loads then break off the paving until the entire intersection must be replaced. No new concepts are involved, this is why there is a crown (high in the middle) in well designed roads and drainage along each side. The General Engineering Handbook, O'Rourke, McGraw-Hill, NY, 1940, page 596, under Sec. 12 Highways, Part II, Item 8 reads, "Water in one form or another on or beneath the road surface is the greatest enemy to a stable and permanent road structure".

2. The Secretary's Report Case No. BZA 2-88, Recommendation 10 is incomplete when it states, "Grades shall be established on the property to prevent intrusion of surface drainage into the sanitary sewer". Grading on that property can only make worse, not fix a long standing problem 1/2 block away, of a ditch not connected to the sanitary sewer but which drains the property which is requested to be rezoned. The grading and paving of the combined lots would change the existing dry/ponds, slumped craters left after the gasoline tanks were finally removed, which have held the first runoff from past rains. The front portion of the lot, approximately 60 feet, now can drain into the storm sewer located on the SE corner of the intersection. No retaining wall is proposed to insure the drainage and compliance to the Ord. No. 28.04.183, requirement 4.14, stating "All drainage, both natural and that created by the operation, shall be handled in a manner satisfactory to the superintendent of maintenance of the department of public works.

RECEIVED	
OFFICE OF CITY CLERK	
MAR 7 1988	
<input type="checkbox"/> DER	<input type="checkbox"/> OTHER
<input type="checkbox"/> TN	<input type="checkbox"/> FILE
<input type="checkbox"/> AGENDA	

3-7-88

*This letter was
not received in
Planning until 3-7-88.
BZA has been approved.
Rezoning has been
approved for several months,
even the plat has already
been to City Council and released
for recording.*

3. The added traffic to such a car wash will:

A. Increase the congestion and thereby reduce safety at this already bad and congested intersection. There is a long timed traffic signal one block South at 25th and Amidon and another traffic signal three blocks North at 29th and Amidon. During the rush to and from work, when one attempts to enter Amidon from 26th street one must usually wait for traffic bunched by the light and heading north. As the number of these vehicles diminish, vehicles southbound from the 29th street signal begin to arrive, there is only a short interval before this cycle is again repeated.

B. In the above short interval, at times it is more difficult to enter Amidon because the City Bus is parked just North of this intersection while the driver takes his coffee break, visiting with the nice looking clerks in the service station/convenience store located on the NE corner. Amidon gets choked when the 2 lane northbound traffic must get in one lane to pass the bus and tempers can rise when such delay is added after just having waited for the long signal light.

C. Many business days Mr Keith McCaffree, owner/operator of the Phillips 66 station at 25th and Amidon, stops for doughnuts in the shopping center at 26th and then drives east on 26th, south on Coolidge, and then west on 25th to open his business. For safety, Keith drives three blocks, rather than only one south, to avoid both the 26th St. intersection since southbound vehicles can be lined up nearly to 26th, and the wait at 25th behind vehicles ahead of his, so he can turn into one of his own driveways.

D. The applicant requests ingress and egress onto 26th Street but has ignored a required request for exception to Ord. No. 28.04.183-4.13, concerning the required 60 feet of right-of-way or two free-moving lanes at all times. The congestion at 26th and Amidon where drivers attempt to turn east onto 26th and immediately turn north into the station through the line of vehicles, awaiting entry onto Amidon from 26th St., can in no way be characterized as free-moving much of the time, much less at all times. There is 30 feet between the existing curb radii edges, but the ordinance example seemed to indicate passing lanes for vehicles on a straight street, not the turning situation coupled with refueling and the jump out of the vehicle where she rolls to a stop, leave the engine running and run into the service station/convenience store. One now observes such actions on that NE corner. The required NO PARKING zone is also not posted.

E. The geography of the district against the river, the street routing in the area, a median added in 1967 at the foot of Coolidge on 25th street, and the long timed traffic standard for the four lane/boulevard intersection directs more traffic onto this portion of 26th St. east than that segment west of Amidon. Drivers bound east on 25th St. must drive west on 26th then onto Amidon and turn east on 25th. Drivers on Amidon going north on Coolidge are mostly likely to turn east at their first opportunity which is 26th St. because they can not turn east on 25th and then north on Coolidge. Some drivers going west on 25th to go north on Amidon, turn north on Coolidge then west on 26th to avoid the long timed signal at 25th. It is believed that the one unpaved block of 26th St., would have a higher traffic count, than either the paved 2600 or 2700 blocks of Coolidge.

When the weather is dry, this resulting traffic creates a dust cloud often 3 and 4 stories high. In season the prevailing winds send this dust cloud usually to the north or to the southeast. In either case to settle on the adjacent business and residential properties resulting in:

allergies, dirty laundry when hung out to dry, and dirty vehicles, porches, windows and walls/brickwork believed to be in greater proportion than other parts of the City of Wichita. This dust reduces the property values and quality of life in the immediate neighborhood.

Mr and Mrs Leon J Porter have lived at 2653 Coolidge since 1949 when the area was in the county before it was annexed into the City of Wichita. It is their recollection that when the Coolidge paving was completed, the then District Sedgwick County Commissioner, Sandy Moore, had enough District owned asphalt material left over that he paved 26th St. west from Coolidge to the Dwyer property, the same property before the BAZ for rezoning. Sometime after the area was annexed, a city bulldozer was dispatched to tear up this paving and the city driver reported to the Porters that the reason was that the city had to have a certain number of miles of gravel roads within the city limits to justify purchase of a road grader.

The property owners in every part of Wichita are only asked to pay for paving one time; to require property owners in one portion to the City to pay paving assessments a second time would not be equal protection under the law.

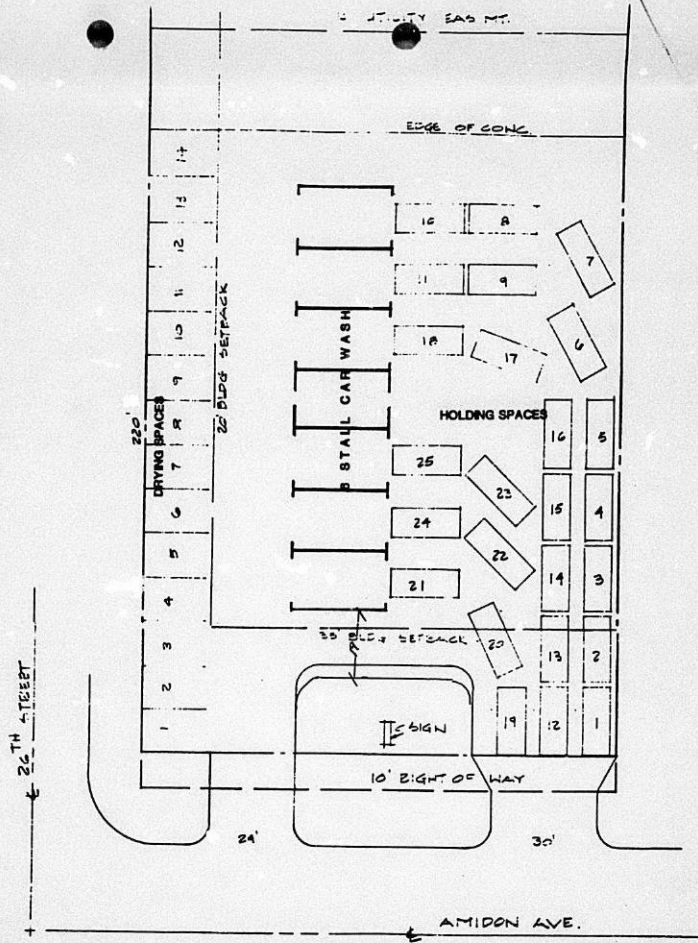
We the undersigned property owners protest the rezoning of the property at 26th and Amidon which will make a bad traffic problem worse; granting a exception to the ordinance requirement for incomplete paving; and omitting safeguards to obtain proper drainage while knowing that after such rezoned property would be paved, the rain run-off would be increased and the opened drives on 26th would allow a greater amount of water into the no outlet ditch on the southside of the lower east end of 26th street.

Actions and omissions by earlier City of Wichita Administrations have reduced the values of the properties located within a 200 foot distance of the city lot that is under consideration for rezoning, Case No. BZA 2-88, as described above. The V Admendment ends indicating, "nor shall private property be taken for public use, without just compensation.

PROPERTY OWNER

ADDRESS

<u>Pauline D. Porter</u>	<u>2653 Coolidge Ave</u>
<u>Leon J. Porter</u>	<u>2653 Coolidge</u>
<u>Frank Medina</u>	<u>2650 N. Coolidge</u>
<u>Lowell M. Meek</u>	<u>2651 Coolidge</u>
<u>Robert L. Meek</u>	<u>2651 Coolidge</u>
<u>Curta S. Newton</u>	<u>2635 Amidan</u>
<u>Edward N. Norman</u>	<u>2654 Coolidge</u>
<u>Mr. Steve Squire</u>	<u>2707 N. Coolidge</u>
<u>Mrs. Dawn Squire</u>	<u>2707 N. Coolidge</u>
<u>Kevin L. King</u>	<u>2639 N. Coolidge</u>
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SITE PLAN

BZA 2-88

THE CITY OF WICHITA



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

March 7, 1988

Harold L. Warner, Jr.
330 S. Colby
Valley Center, KS 67147

Re: BZA 2-88 - Exception to permit car wash in "LC" district (southeast corner of Amidon and 26th Street North).

Dear Mr. Warner:

Enclosed is a signed copy of the above-referenced BZA Resolution adopted by the Board of Zoning Appeals on February 23, 1988. This Resolution reflects the official action of the Board to grant 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,

Louise Olivarez
Assistant Secretary
Board of Zoning Appeals

LO/dlk

Enclosure

cc: Monty Robson, Superintendent of Central Inspection (w/site plan)
Joe Donnelly, Zoning Administrator, CID, (w/site plan)
Dale Rea, Deputy City Clerk

RESOLUTION NO. BZA 2-88

WHEREAS, Harold L. Warner, Jr., 330 S. Colby, Valley Center, Kansas 67147, pursuant to Section 2.12.590.C, Code of the City of Wichita, requests an exception to permit the establishment of a 6-bay self-service car wash on property partially zoned the "LC" Light Commercial District and the balance approved for Light Commercial and legally described as follows:

Lot 28, Gilder's Riverside Addition, being replatted as Lot 1, Lamar First Addition, Wichita, Sedgwick County, Kansas. Generally located at the southeast corner of Amidon and 26th Street North.

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 23, 1988, 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 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 6-bay self-service car wash on property partially zoned the "LC" Light Commercial District and the balance approved for Light Commercial and legally described as follows:

Lot 28, Gilder's Riverside Addition, being replatted as Lot 1, Lamar First Addition, Wichita, Sedgwick County, Kansas. Generally located at the southeast corner of Amidon and 26th Street North.

subject to the following conditions:

1. No structure shall be permitted closer to the south and east property lines than 60 feet as long as property to the south and east is zoned a residential classification.
2. A six-foot high solid fence of wood, masonry or architectural tile shall be provided along the south and east property lines to provide protection for the adjacent residential properties from light, noise and blowing debris. Said fence may be reduced in height to three feet within the west 35 feet and the north 20 feet of the application area.
3. 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.
4. All lights shall be shielded to reflect or direct light away from adjacent properties. No string-type lighting or banners shall be permitted.
5. Signs shall be limited to that permitted by the zoning ordinance for the "LC" Light Commercial District except that no portable signs shall be permitted.
6. No sound projecting devices or loudspeakers shall be used so as to be heard outside of any structure.
7. The self-service car wash facility shall provide not less than four holding and not less than two drying spaces for each car washing stall.
8. All parking and holding areas shall have adequate guards to prevent the extension or overhanging of vehicles beyond property lines or paved areas.


9. All circulation drives adjacent to public right-of-way shall be provided with adequate guards to prevent vehicles from driving over the adjacent sidewalks or street "parking" area.
10. Grades and drains shall be established on the property satisfactory to the Superintendent of Sewer Maintenance to direct the wash water in each car wash bay to a mud trap and sanitary sewer, and to prevent the intrusion of stormwater runoff into the sanitary sewer. Car wash bays shall be roofed to prevent stormwater infiltration.
11. Grades and drains shall be established on the property satisfactory to the City Engineer to prevent the flow of excess water from washed cars exiting the car wash bays into the street.
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 customers will comply with the approved plan. This should include striping of the lot to indicate drying spaces and arrows to indicate direction of travel in the holding spaces.
14. No access to or from 26th Street North shall be permitted until such time as 26th Street is paved.
15. No vending machines, except those dispensing products associated with the car wash, shall be permitted.
16. All of the above conditions of approval must be complied with within one year after release of the Resolution or the Resolution shall become null and void.

ADOPTED AT WICHITA, KANSAS, this 23rd day of February, 1988.



Danny E. Jenkins, President

ATTEST:



Jack H. Galbraith, Secretary

THE CITY OF WICHITA



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

February 24, 1988

Harold L. Warner, Jr.
330 S. Colby
Valley Center, KS 67147

Re: BZA 2-88 - Exception to permit car wash in "LC" district (Southeast corner of Amidon and 26th Street North).

Dear Mr. Warner:

At the regular meeting of the Board of Zoning Appeals on February 23, 1988, your request for an exception for a car wash was considered. It was the action of the Board to approve the request subject to the following conditions:

1. No structure shall be permitted closer to the south and east property lines than 60 feet as long as property to the south and east is zoned a residential classification.
2. A six-foot high solid fence of wood, masonry or architectural tile shall be provided along the south and east property lines to provide protection for the adjacent residential properties from light, noise and blowing debris. Said fence may be reduced in height to three feet within the west 35 feet and the north 20 feet of the application area.
3. 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.
4. All lights shall be shielded to reflect or direct light away from adjacent properties. No string-type lighting or banners shall be permitted.
5. Signs shall be limited to that permitted by the zoning ordinance for the "LC" Light Commercial District except that no portable signs shall be permitted.
6. No sound projecting devices or loudspeakers shall be used so as to be heard outside of any structure.
7. The self-service car wash facility shall provide not less than four holding and not less than two drying spaces for each car washing stall.
8. All parking and holding areas shall have adequate guards to prevent the extension or overhanging of vehicles beyond property lines or paved areas.

SEDGWICK COUNTY


BZA 2-88
Page 2

9. All circulation drives adjacent to public right-of-way shall be provided with adequate guards to prevent vehicles from driving over the adjacent sidewalks or street "parking" area.
10. Grades and drains shall be established on the property satisfactory to the Superintendent of Sewer Maintenance to direct the wash water in each car wash bay to a mud trap and sanitary sewer, and to prevent the intrusion of stormwater runoff into the sanitary sewer. Car wash bays shall be roofed to prevent stormwater infiltration.
11. Grades and drains shall be established on the property satisfactory to the City Engineer to prevent the flow of excess water from washed cars exiting the car wash bays into the street.
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 customers will comply with the approved plan. This should include striping of the lot to indicate drying spaces and arrows to indicate direction of travel in the holding spaces.
14. No access to or from 26th Street North shall be permitted until such time as 26th Street is paved.
15. No vending machines, except those dispensing products associated with the car wash, shall be permitted.
16. All of the above conditions of approval must be complied with within one year after release of the Resolution or the Resolution shall become null and void.

The Resolution setting forth the official action of the Board will be forwarded to you once the signature of the president has been obtained.

If you have any questions, please call our office.

Sincerely yours,



Louise Olivarez
Assistant Secretary
Board of Zoning Appeals

LO/dik

cc: Monty Robson, Superintendent of Central Inspection
Joe Donnelly, Zoning Administrator, CID
Dale Rea, Deputy City Clerk

THE CITY OF WICHITA

OFFICE OF Citizen Participation DATE February 18, 1988

TO Louise Olivarez, Principle Planner

FROM Stanley J. Scott, CP Coordinator *Stanley J. Scott*

SUBJECT BZA 2-88: Southeast corner of
Amidon and 26th Street North

On Wednesday, February 17, 1988, CPO Northwest Neighborhood Council 5B considered the captioned case, a request for a zoning exception to permit the establishment of a 6-bay self service car wash on property zoned the "LC" Light Commercial District. After discussion, the Council voted 7-0 to recommend approval of the requested exception, subject to MAPD staff comments.

The applicant, Harold L. Warner, Jr., was present to describe the request and respond to questions from the Council and area residents. Mr. Warner presented a site plan for the planned 6-bay car wash and noted the Council's previous support of "LC" zoning for the property.

Edward Mosman (2654 Coolidge) and Jack Snow (2650 Coolidge) appeared before the Council to express several concerns regarding the proposal, including: drainage from the car wash, increased traffic on Coolidge and 26th Street North, and the need to pave 26th Street to relieve dust in the area.

In voting to recommending approval of the exception, the Council noted that items 3, 10, and 13 in the Secretary's report address the concerns described by Mr. Mosman and Mr. Snow.

Please provide the Council's recommendation to the Board of Zoning Appeals when BZA 2-88 is considered.

SJS:dm

RECEIVED

FEB 19 1988

METROPOLITAN PLANNING

ROUTE

SECRETARY'S REPORT

CASE NUMBER: BZA 2-88

OWNER/APPLICANT/AGENT: Harold L. Warner, Jr. (applicant)

REQUEST: Exception pursuant to Section 28.04.183.4 of the Code of the City of Wichita to permit the establishment of a 6-bay self-service car wash

CURRENT ZONING: Partially "LC" Light Commercial District and the balance approved for Light Commercial

SITE SIZE: 134 ft. by 220 ft.

LOCATION: At the southeast corner of Amidon and 26th Street North

PROPOSED USE: Six-bay self-service car wash



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.

BACKGROUND: The applicant is requesting an exception to permit the establishment of a 6-bay self-service car wash on property being replatted as Lamar First Addition and located at the southeast corner of Amidon and 26th Street North. Two site plans were submitted: Site Plan "A" provided for only one curb cut to Amidon; Site Plan "B" provided for two curb cuts to Amidon. The replat has now been approved with two curb cuts and the applicant prefers Plan "B". A major concern for either site plan is whether or not access will be permitted to 26th Street, currently an unpaved residential-width street. As a condition of plat approval, the applicant is required to attempt to obtain a valid paving petition. If he is unable to get 26th Street paved, access to and from the car wash at 26th Street will not be permitted. For either site plan, a screening fence must be provided along the east and south property lines and curbs or other adequate guards must be provided to prevent extension of vehicles beyond the property lines or beyond the paved portion of the property.

One of the conditions specified in the zoning ordinance for approving a car wash in the "LC" district is that no structure shall be permitted closer than sixty feet to the front and/or side of a residential zoning district. Since property to the east and south is zoned "AA", the applicant will need to re-design his site plan to keep the car wash structure at least sixty feet north of the south property line. It is anticipated that a new site plan will be available for review at the meeting.

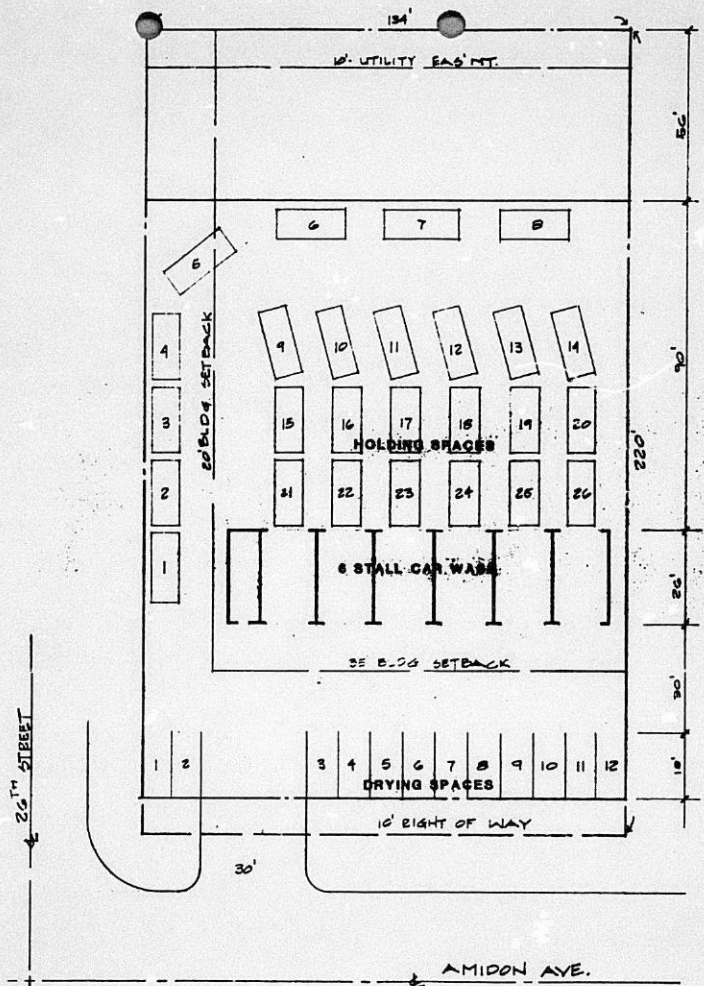
ADJACENT ZONING AND LAND USE:

NORTH	LC	Service station
SOUTH	AA	Undeveloped & church
EAST	AA	Single-family residence
WEST	AA	Single-family residence

RECOMMENDATION: Should the Board determine that the establishment of a 6-bay self-service car wash is appropriate at this location, it is recommended that the exception be approved subject to the following conditions:

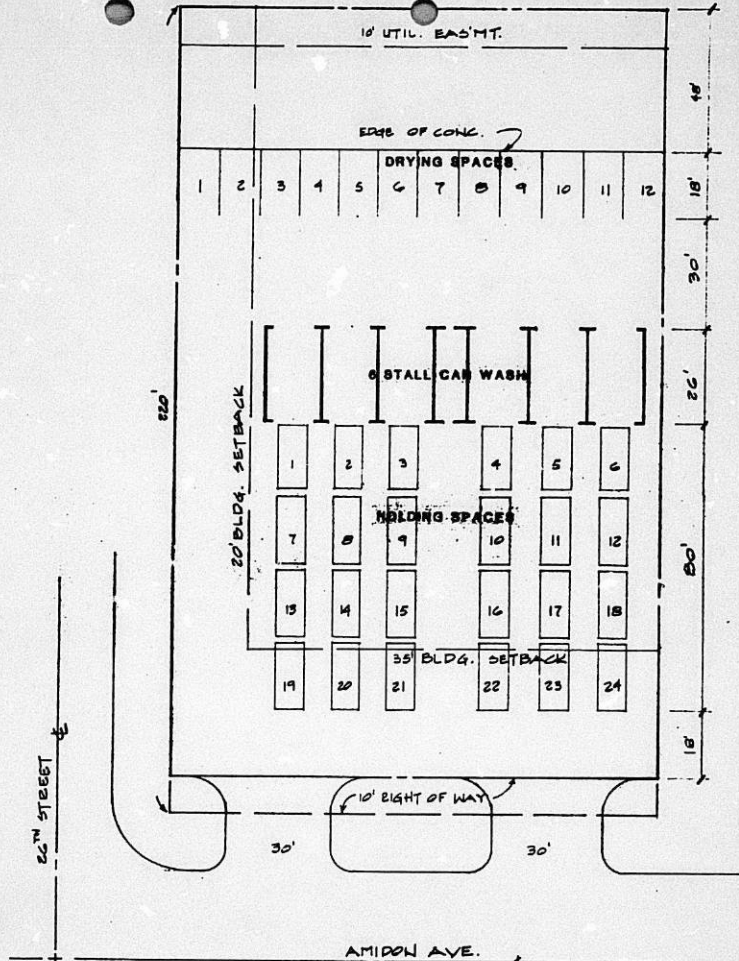
1. No structure shall be permitted closer to the south and east property lines than 60 feet as long as property to the south and east is zoned a residential classification.
2. A six-foot high fence of wood, masonry or architectural tile shall be provided along the south and east property lines to provide protection for the adjacent residential properties from light, noise and blowing debris. Said fence may be reduced in height to three feet within the west 35 feet and the north 20 feet of the application area.
3. 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.
4. All lights shall be shielded to reflect or direct light away from adjacent properties. No string-type lighting or banners shall be permitted.
5. Signs shall be limited to that permitted by the zoning ordinance for the "LC" Light Commercial District except that no portable signs shall be permitted.

6. No sound projecting devices or loudspeakers shall be used so as to be heard outside of any structure.
7. The self-service car wash facility shall provide not less than four holding and not less than two drying spaces for each car washing stall.
8. All parking and holding areas shall have adequate guards to prevent the extension or overhanging of vehicles beyond property lines or paved areas.
9. All circulation drives adjacent to public right-of-way shall be provided with adequate guards to prevent vehicles from driving over the adjacent sidewalks or street "parking" area.
10. Grades shall be established on the property to prevent the intrusion of surface drainage into the sanitary sewer. This shall include a roof over the car wash bays and the installation of the mud trap at a location under the roof or at a grade satisfactory to the Superintendent of Sewer Maintenance.
11. 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.
12. The applicant shall provide adequate signs to indicate direction of circulation on the property so that customers will comply with the approved plan. This should include striping of the lot to indicate drying spaces and arrows to indicate direction of travel in the holding spaces.
13. No access to or from 26th Street North shall be permitted until such time as 26th Street is paved.
14. All of the above conditions of approval must be complied with within one year after release of the Resolution or the Resolution shall become null and void.



*Pre-ling & Holding
 Spaces ok for BEA
 Paul Heath
 1-20-36*

SCHEME 'A' SITE PLAN



*Parking & Holding spaces
OK per 22d
1-20-08*

SCHEME "B" SITE PLAN

BZA CASE NO. 2-88

- 14 LEGAL ADVERTISEMENT SENT TO MAPC & BZA
- 1 NOTICES SENT TO APPLICANT/AGENT
- 13 NOTICES SENT TO ADJOINING PROPERTY OWNERS
- 5 NOTICES SENT TO BZA MEMBERS

NOTICES SENT 1-29-88

- 1 NOTICES SENT TO CPO
- 2 NOTICES SENT TO CITY MANAGER & CITY COUNCIL REPRESENTATIVE TO DISTRICT
- 4 NOTICES TO MAPD STAFF

Jack Galbraith
Louise Olivarez
Barbara Harris
Karen Crook

(_____) Published in The Daily Record, January 29, 1988

OFFICIAL NOTICE

NOTICE IS HEREBY given that on the 23rd day of February, 1988, the Board of Zoning Appeals of the City of Wichita, Kansas, in the Board Room, First Floor, City Hall, 455 North Main, Wichita, Kansas will consider the following applications beginning at 1:30 p.m.

1. Case No. BZA 1-88 - Killarney Investments, Inc., 8400 Killarney, Wichita, Kansas, pursuant to Section 2.12.590.C, Code of the City of Wichita, requests an exception to permit the establishment of a single-bay automatic car wash as an accessory use to a service station on property zoned the "LC" Light Commercial District and legally described as follows:

The East 170 feet of the North 210 feet of Lot 1, Block 1, Killarney First Addition, an addition to Wichita, Sedgwick County, Kansas. Generally located at the southwest corner of Rock Road and 32nd Street North.

2. Case No. BZA 2-88 - Harold L. Warner, Jr., 330 S. Colby, Valley Center, Kansas 67147, pursuant to Section 2.12.590.C, Code of the City of Wichita, requests an exception to permit the establishment of a 6-bay self-service car wash on property partially zoned the "LC" Light Commercial District and the balance approved for Light Commercial and legally described as follows:

Lot 28, Gilder's Riverside Addition, being replatted as Lot 1, Lamar First Addition, Wichita, Sedgwick County, Kansas. Generally located at the southeast corner of Amidon and 26th Street North.

3. Case No. BZA 3-88 - Westlink Church of Christ, 10025 W. Central, Wichita, KS, 67212 pursuant to Section 2.12.590.B, Code of the City of Wichita, requests a variance to increase the permitted area of a bulletin board sign from 25 square feet to 51 square feet on property zoned the "AA" One-family Dwelling District and legally described as follows:

Lot 12, Block E, Westlink Village Fourth Addition, Wichita, Sedgwick County, Kansas. Generally located on the south side of Central between Crestline and Valleyview.

4. Case No. BZA 4-88 - New Jerusalem Missionary Baptist Church, Inc., 1625 N. Madison, Wichita, KS 67214, pursuant to Section 2.12.590.B, Code of the City of Wichita, requests a variance to reduce the front and side yard setbacks from 25 feet and 6 feet to 0 feet for parking purposes only on property zoned the "A" Two-family Dwelling District and legally described as follows:

Lots 88, 90, 92, and 94 on Campbell Avenue now Madison Avenue, Logan Addition to Wichita, Kansas and Lots 88, 90, 92, and 94 on Strong Avenue now Ash Avenue, Logan Addition to Wichita, Kansas. Generally located at the northeast corner of 15th and Madison and the northeast corner of 15th and Ash.

As provided in City Ordinances hereinabove described and Section 2.12.560 et. seq., Code of the City of Wichita, Sedgwick County, Kansas, the same will then and there be discussed and considered by the said Board of Zoning Appeals and all persons interested in said matters will be heard at this time concerning their views and wishes in the premises, and any protest against any of the provisions of the exceptions and the variances will be considered by the Board of Zoning Appeals as by law provided.

WITNESS my hand and seal this 28th day of January, 1988.

Jack H. G. arth, Secretary

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

January 29, 1988

NOTICE OF PUBLIC HEARING:

CASE NO. BZA 2-88

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 Harold L. Warner, Jr. 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 6-bay self-service car wash on property partially zoned the "LC" Light Commercial District and the balance approved for the Light Commercial District. A legal description of the applicant's property is as follows:

Lot 28, Gilder's Riverside Addition, being replatted as Lot 1, Lamar First Addition, Wichita, Sedgwick County, Kansas. Generally located at the southeast corner of Amidon and 26th Street North.

This application has been assigned Case No. BZA 2-88. It will be considered by the Board of Zoning Appeals on Tuesday, February 23, 1988 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 in or objections to 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.

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

NOTE: We have been advised by the Citizen Participation Organization staff that CPO Council 5B, Northwest, will consider this case at their meeting to be held on Wednesday, February 17, 1988, at 7:15 p.m., in Senior Services, at Orchard Park Community Center, 4808 West 9th Street. Additional information regarding this CPO meeting may be obtained by calling the CPO office at 268-4516.



APPLICATION FOR EXCEPTION

I. Name of Applicant HAROLD L. WARNER, Jr.
Mailing Address 330 So. Colby Valley Center Ks 67147 Phone 755-1464
Name of Authorized Agent _____
Mailing Address _____ Phone _____
Relationship of applicant to property is that of Contract Purchaser
(Owner, Tenant, Lessee, Other)

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 a 6 bay Self-Service Car Wash

on property ^{partially} zoned light Commercial and the balance appropiated for Light Commercial located at the southeast corner of Amidon and 26th Street North and legally described as: Lot 28, Gilder's Riverside Addition being replatted as Lamar First Addition Lot 1,

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. 39-285); 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, and 4 of the instructions.

Applicant Harold L. Warner, Jr.
Authorized Agent _____

CPO SB 2-17-88

OFFICE USE ONLY: Received in Office of Secretary, Board of Zoning Appeals, (a.m./p.m.), Jan 20, 1988, together with appropriate fee of 400.00.

Signed Louise Oliveira

Map No. S350A (N) LC (S) AA (T) AA (W) AA

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:

Record Owners within 200 feet of:

West 100 feet of Lot 28, GILDERS RIVERSIDE ADDITION, Wichita, Sedgwick County, Kansas.



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.)

<u>DESCRIPTIONS</u>	<u>RECORD OWNERS</u>
West 100 feet of Lot 28, GILDERS RIVERSIDE,	✓ Robert M. & Norma L. Daniels 130 Miles Avenue Valley Center, Kansas 67147
Lot 28, EXCEPT the West 100 feet, GILDERS RIVERSIDE,	✓ Vernon E. Galyardt R. R. #2, Box 176 Valley Center, Kansas 67147
Lot 15, GILDERS RIVERSIDE,	✓ Amidon Street Baptist Church 2634 Amidon Wichita, Kansas 67204
Lot 16, EXCEPT the South 62.4 feet, GILDERS RIVERSIDE,	✓ Jerry O. Hayworth and Donna J. Timmermeyer 2647 Coolidge Wichita, Kansas 67204
South 62.4 feet of Lot 16, GILDERS RIVERSIDE,	✓ Kevin L. King 2635 Coolidge Wichita, Kansas 67204
Lot 17, EXCEPT the South 58 feet more or less, and the East 151 feet more or less, GILDERS RIVERSIDE,	✓ Leon J. & Pauline H. Porter 2653 Coolidge Wichita, Kansas 67204

Fidelity  Title
COMPANY, INC.

DESCRIPTIONS

RECORD OWNERS

Beginning at the Southeast corner of Lot 17, GILDERS RIVERSIDE, thence West along the South line of Lot 17, 134.11 feet; thence North 58 feet; thence East parallel with the South line of Lot 17, a distance of 151 feet; thence 51 feet in a Southeasterly direction to point of beginning,

✓ Robert L. & Doris M. Meek
2651 Coolidge
Wichita, Kansas 67204

Lot 27, EXCEPT the West 100 feet of the South 125 feet of Lot 27, GILDERS RIVERSIDE,

✓ Vernon E. Galyardt
R. R. #2, Box 176
Valley Center, Kansas 67147

West 100 feet of the South 125 feet of Lot 27, GILDERS RIVERSIDE,

✓ K. S. Inc.
2601 N. Broadway
Wichita, Kansas 67219

North Half of Lot 29, GILDERS RIVERSIDE,

✓ Amidon Street Baptist Church, Inc.
2634 Amidon
Wichita, Kansas 67204

South Half of Lot 29, GILDERS RIVERSIDE,

✓ Amidon Street Baptist Church
2634 Amidon
Wichita, Kansas 67204

Lot 30, GILDERS RIVERSIDE,

✓ Payne Street Baptist Church now Amidon Street Baptist Church
2634 Amidon
Wichita, Kansas 67204

Lot 1, EXCEPT the West 84 feet, Block 2, NORTHWEST GARDENS ADDITION,

✓ Everett A. & Florence H. Wood
819 W. 13th Street
Wichita, Kansas 67203

West 84 feet of Lot 1, Block 2, NORTHWEST GARDENS ADDITION,

✓ Kenneth H. & Myreta M. Lungwitz
P.O. Box 4705
Wichita, Kansas 67204

Lot 3, Block 1, NORTHWEST GARDENS ADDITION,

✓ Arthur F. & Austa S. Newton
2635 Amidon
Wichita, Kansas 67204

Lot 4, Block 1, NORTHWEST GARDENS ADDITION,

✓ Harry H. & Ivy A. McLean
2645 Amidon
Wichita, Kansas 67204

Lot 5, Block 1, NORTHWEST GARDENS ADDITION,

✓ Vernon E. Galyardt
R. R. #2, Box 176
Valley Center, Kansas 67147

Dated at Wichita, Kansas, this 17th day of September, 1987
at 7:00 A.M.

FIDELITY TITLE COMPANY, INC.

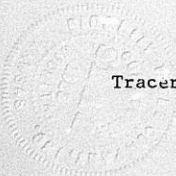
Medina K. Sitter
By

Administrative Secretary

Tracer No. 74033

Fidelity  **Title**
COMPANY, INC.

Continued



DESCRIPTIONS

RECORD OWNERS

dup
Lot 17, Except the South 58 feet more or less, and the East 151 feet more or less, GILDERS RIVERSIDE ADDITION

Leon J. & Pauline H. Porter
2653 Coolidge
Wichita, Kansas 67204

dup
Beginning at the Southeast corner of Lot 17, GILDERS RIVERSIDE ADDITION, thence West along the South line of Lot 17, 134.11 feet; thence North 58 feet; thence East parallel with the South line of Lot 17, a distance of 151 feet; thence 51 feet in a Southeasterly direction to POB.

Robert L. & Doris M. Meek
2651 Coolidge
Wichita, Kansas 67204

dup
Lot 27, Except the West 100 feet of the South 125 feet of Lot 27, GILDERS RIVERSIDE ADDITION

Vernon E. Galyardt
R. R. #2, Box 176
Valley Center, Kansas 67147

dup
The West 100 feet of the South 125 feet of Lot 27, GILDERS RIVERSIDE ADDITION

K. S. INC.
2601 N. Broadway
Wichita, Kansas 67219

dup
The North Half of Lot 29, GILDERS RIVERSIDE ADDITION

Amidon Street Baptist Church, Inc.
2634 Amidon
Wichita, Kansas 67204



dup
The South Half of Lot 29, GILDERS RIVERSIDE ADDITION

Amidon Street Baptist Church
2634 Amidon
Wichita, Kansas 67204

dup
Lot 30, GILDERS RIVERSIDE ADDITION

Payne Street Baptist Church n/k/a
Amidon Street Baptist Church
2634 Amidon
Wichita, Kansas 67204

Lot 1, Except the West 84 feet, Block 2, NORTHWEST GARDENS ADDITION

Everett A. & Florence H. Wood
819 W. 13th Street
Wichita, Kansas 67203

The West 84 feet of Lot 1, Block 2, NORTHWEST GARDENS ADDITION

Kenneth H. & Myreta M. Lungwitz
P. O. Box 4205
Wichita, Kansas 67204

Lot 3, Block 1, NORTHWEST GARDENS ADDITION

Arthur F. & Austa S. Newton
2635 Amidon
Wichita, Kansas 67204

Lot 4, Block 1, NORTHWEST GARDENS ADDITION

Harry H. & Ivy A. McLean
2645 Amidon
Wichita, Kansas 67204

Lot 5, Block 1, NORTHWEST GARDENS ADDITION

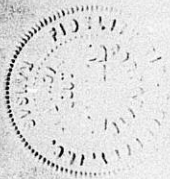
Vernon E. Galyardt
R. R. #2, Box 176
Valley Center, Kansas 67147

Lots 1 and 2, BAUGHER ADDITION

Duane Edward Baugher
3641 Arkansas
Wichita, Kansas 67204



Dated at Wichita, Kansas, this 12th day of November, 1987
at 7:00 A.M.



FIDELITY TITLE COMPANY, INC.

By Michael S. Olson
Assistant Vice President



Tracer No. 74074

Fidelity  Title
COMPANY, INC.

**MICROFILMED
FROM THE BEST
AVAILABLE COPY**

FORM 20 021

PAYMENT NOTICE
City of Wichita

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

Planning

DESCRIPTION	406 ⁰⁰	AMOUNT
NAME		
ADDRESS		
FUND	DUE DATE	
COMMENTS		
DATE	BY	