

52A 31-67 - American Oil Co., requests
Exception to permit Automatic Car Wash
in "LC" at the SE corner of 13th and
St. Paul

M.A.P.C.

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

POSTED
8-31-67

ACTION

Sya COMMITTEE Approved DATE 9-26-67

M.A.P.C. _____

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

52A 31-67 - American Oil Co., requests
Exception to permit Automatic Car Wash
in "IG" at the SE corner of 13th and
St. Paul

October 5, 1967

Mr. Theodore H. Hill, Attorney
810 West Douglas
Wichita, Kansas 67203

Dear Mr. Hill:

Re: BZA 31-67 - Request for Exception

Enclosed is a signed copy of the Resolution adopted by the Board of Zoning Appeals on September 26, 1967, in connection with your application for an exception to permit the location of an automatic car wash on property located generally at the southeast corner of St. Paul and 13th Street. This Resolution reflects the official action of the Board and sets out the conditions of approval.

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

Very truly yours,

John D. Gist
Planner II

JDG:ber
Enclosure

cc: American Oil Company
810 West Douglas

A. E. Danielson
810 West Douglas

Glen Lytle, Superintendent
of Central Inspection

Ralph Eberly
City Clerk

R E S O L U T I O N N O . B Z A 3 1 - 6 7

WHEREAS, American Oil Company, 810 West Douglas, Wichita, Kansas, by A. E. Danielson, 810 West Douglas, Wichita, Kansas, requests an exception as provided in Section 2.12.590.3, Code of the City of Wichita, to permit the installation or construction of an automatic car wash on property zoned "LC" Light Commercial and legally described as follows:

Beginning at the northwest corner of the NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 13, Township 27 South, Range 1 West of 6th P.M.; thence south 247 feet; thence east 164 feet; thence north 247 feet; thence west 164 feet to beginning, EXCEPT street, all in the City of Wichita, Sedgwick County, Kansas. Generally located at the southeast corner of 13th Street and St. Paul.

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 September 26, 1967, consider said application; and

WHEREAS, the Board of Zoning Appeals has jurisdiction to consider said request for an exception under the provisions of Section 2.12.590.3, Code of the City of Wichita; and

WHEREAS, the Board of Zoning Appeals has authority to permit the installation or construction of an automatic car wash located in an "LC" Light Commercial area 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 an automatic car wash on property zoned "LC" Light Commercial, and legally described as follows:

Beginning at the northwest corner of the NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 13, Township 27 South, Range 1 West of 6th P.M.; thence south 247 feet; thence east 164 feet; thence north 247 feet; thence west 164 feet to beginning, EXCEPT street, all in the City of Wichita, Sedgwick County, Kansas. Generally located at the southeast corner of 13th Street and St. Paul.

subject to the following:

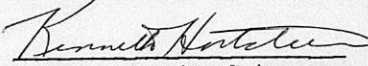
1. Development shall proceed in accordance with the plan approved by the Board of Zoning Appeals.
2. There shall be a minimum lot area of 2,500 square feet for each 20 lineal feet of automatic car washing structure, provided that the minimum lot area shall not be less than 7,500 square feet.
3. The car washing building or facilities shall be set back a distance of not less than 35 feet from both 13th Street and St. Paul; however, in the event the required set back is amended, the buildings or facilities shall be set back in conformance with that required by the Zoning Ordinance.

4. No structure shall be placed closer than 60 feet to the rear property line.
5. 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.
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 any structure.
9. Off-street holding spaces shall be provided on the property in the following ratio:


Not less than 3 parking spaces for each 20 lineal feet of automatic car washing aisle.
10. Off-street drying spaces shall be provided on the property in the following ratio:

Not less than 2 spaces for each automatic car washing aisle.
11. One off-street parking space shall be provided for each two employees.
12. 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 east property line to within 35 feet of 13th Street and same fence shall be constructed along the south property line and shall be reduced to 3 feet in height within 25 feet of the east right-of-way line of St. Paul.
13. All parking areas shall have adequate guards to prevent the extension or overhanging of vehicles beyond the property lines or parking spaces.
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 by inspections by the owners or operator to insure proper maintenance of the fence and removal of trash.
16. All conditions of approval by the Board must be complied with prior to the occupancy of the property for the proposed automatic car wash facility.

ADOPTED AT WICHITA, KANSAS, this 26th day of September, 1967.


Kenneth Hartstein, Chairman

ATTEST:


Jack H. Galbraith, Secretary

RESOLUTION NO. BEA 31-67

WHEREAS, American Oil Company, 810 West Douglas, Wichita, Kansas, by A. E. Danielson, 810 West Douglas, Wichita, Kansas, requests an exception as provided in Section 2.12.590.3, Code of the City of Wichita, to permit the installation or construction of an automatic car wash on property zoned "LC" Light Commercial and legally described as follows:

Beginning at the northwest corner of the NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 13, Township 27 South, Range 1 West of 6th P.M.; thence south 247 feet; thence east 164 feet; thence north 247 feet; thence west 164 feet to beginning, EXCEPT street, all in the City of Wichita, Sedgwick County, Kansas. Generally located at the southeast corner of 13th Street and St. Paul.

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 September 26, 1967, consider said application; and

WHEREAS, the Board of Zoning Appeals has jurisdiction to consider said request for an exception under the provisions of Section 2.12.590.3, Code of the City of Wichita; and

WHEREAS, the Board of Zoning Appeals has authority to permit the installation or construction of an automatic car wash located in an "LC" Light Commercial area 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 an automatic car wash on property zoned "LC" Light Commercial, and legally described as follows:

Beginning at the northwest corner of the NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 13, Township 27 South, Range 1 West of 6th P.M.; thence south 247 feet; thence east 164 feet; thence north 247 feet; thence west 164 feet to beginning, EXCEPT street, all in the City of Wichita, Sedgwick County, Kansas. Generally located at the southeast corner of 13th Street and St. Paul.

subject to the following:


1. Development shall proceed in accordance with the plan approved by the Board of Zoning Appeals.
2. There shall be a minimum lot area of 2,500 square feet for each 20 lineal feet of automatic car washing structure, provided that the minimum lot area shall not be less than 7,500 square feet.
3. The car washing building or facilities shall be set back a distance of not less than 35 feet from both 13th Street and St. Paul; however, in the event the required set back is amended, the buildings or facilities shall be set back in conformance with that required by the Zoning Ordinance.

4. No structure shall be placed closer than 60 feet to the rear property line.
5. 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.
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 any structure.
9. Off-street holding spaces shall be provided on the property in the following ratio:

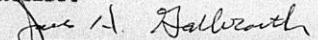
Not less than 3 parking spaces for each 20 lineal feet of automatic car washing aisle.
10. Off-street drying spaces shall be provided on the property in the following ratio:

Not less than 2 spaces for each automatic car washing aisle.
11. One off-street parking space shall be provided for each two employees.
12. 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 east property line to within 35 feet of 13th Street and same fence shall be constructed along the south property line and shall be reduced to 3 feet in height within 25 feet of the east right-of-way line of St. Paul.
13. All parking areas shall have adequate guards to prevent the extension or overhanging of vehicles beyond the property lines or parking spaces.
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 by inspections by the owners or operator to insure proper maintenance of the fence and removal of trash.
16. All conditions of approval by the Board must be complied with prior to the occupancy of the property for the proposed automatic car wash facility.

ADOPTED AT WICHITA, KANSAS, this 26th day of September, 1967.


Kenneth Hartstein, Chairman

ATTEST:


Jack E. Galbraith, Secretary

September 26, 1967

Mr. Theodore H. Hill, Attorney
810 West Douglas
Wichita, Kansas 67203

Subject: BZA 31-67 - Request for exception to permit an automatic car wash on property zoned "LC" at the southeast corner of 13th and St. Paul

At the regular meeting of the Board of Zoning Appeals on September 26, 1967, your request for an exception to permit the location of an automatic car wash on property zoned "LC" Light Commercial and generally located at the southeast corner of St. Paul and 13th Street, was considered.

It was the action of the Board to approve this request, subject to the following conditions:

1. Development shall proceed in accordance with the plan approved by the Board of Zoning Appeals.
2. There shall be a minimum lot area of 2,500 square feet for each 20 lineal feet of automatic car washing structure, provided that the minimum lot area shall not be less than 7,500 square feet.
3. The car washing building or facilities shall be setback a distance of not less than 35 feet from both 13th Street and St. Paul, however, in the event the required setback is amended, the buildings or facilities shall be setback in conformance with that required by the Zoning Ordinance.
4. No structure shall be placed closer than 60 feet to the rear property line.
5. 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.

6. All lights shall be shielded to reflect or direct light away from adjacent property. No string type lighting or banners shall be permitted.
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Not less than 3 parking spaces for each 20 lineal feet of automatic car washing aisle.
10. Off-street drying spaces shall be provided on the property in the following ratio:

Not less than 2 spaces for each automatic car washing aisle.
11. One off-street parking space shall be provided for each two employees.
12. 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 east property line to within 35 feet of 13th Street and same fence shall be constructed along the south property line and shall be reduced to 3 feet in height within 25 feet of the east right-of-way line of St. Paul.
13. All parking areas shall have adequate guards to prevent the extension or overhanging of vehicles beyond the property lines or parking spaces.
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 by inspections by the owner or the operator to insure proper maintenance of the fence and removal of trash.
16. All conditions of approval by the Board must be complied with prior to the occupancy of the property for the proposed automatic car wash facility.

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

If you have any questions, please call.

Very truly yours,

Jack H. Galbraith
Secretary

JHG:ber

cc: American Oil Company
810 West Douglas

A. E. Danielson
810 West Douglas

Glen Lytle, Superintendent of Central Inspection

Ralph Eberly, City Clerk

SECRETARY'S REPORT

CASE NO. BZA 31-67

APPLICANT: American Oil Company, 810 West Douglas, Wichita, Kansas

AGENT: A. E. Danielson, 810 West Douglas, Wichita, Kansas

REQUEST: Exception pursuant to Section 2.12.590.3, Code of the City of Wichita to permit the construction or installation of an automatic car wash on property zoned "LC" Light Commercial

GENERAL LOCATION: Southeast corner of 13th Street and St. Paul

LAND USE: Subject property is presently utilized for a service station to the south and east are single family dwellings, to the north is a fire station, and west is an office

ZONING: Subject property and that to the east is zoned "LC", to the west is "BB" and "LC", to the south is "AA" and to the north is "B".

JURISDICTION

The Board has jurisdiction to consider this request under the provisions outlined under Section 2.12.590.3, Code of the City of Wichita. The Board may grant the exception providing the conditions as set out under Section 28.04.183.4 can be met.

COMMENTS BY THE SECRETARY

The applicant presently has a service station on subject property. However, there is a substantial amount of land at the rear of the property which is undeveloped. The applicant is, therefore, requesting an exception in order to install an automatic car wash to be utilized in conjunction with the service station.

There have been several other car wash applications approved in this general area and inasmuch as the car wash facility is to be operated in conjunction with a service station it is the opinion of the Secretary that the application is logical and proper. A plot plan has been submitted and approved by the Traffic Engineer.

There are single family dwellings located adjacent to the south and east property lines and so that the car wash operations will be

compatible with the area it is the opinion of the Secretary that these two property lines should be properly screened.

Recommendation

It is the recommendation of the Secretary that the exception be approved to permit the installation of the automatic car wash subject to the following conditions:

1. Development shall proceed in accordance with the plan approved by the Board of Zoning Appeals.
2. There shall be a minimum lot area of 2,500 square feet for each 20 lineal feet of automatic car washing structure, provided that the minimum lot area shall not be less than 7,500 square feet.
3. The car washing building or facilities shall be setback a distance of not less than 35 feet from both 13th Street and St. Paul.
4. No structure shall be placed closer than 60 feet to the rear property line.
5. 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.
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15. The area shall be properly policed by inspections by the owner or operator to insure proper maintenance of the fence and removal of trash.
16. All conditions of approval by the Board must be complied with prior to the occupancy of the property for the proposed automatic car wash facility.



STANDARD OIL
DIVISION OF AMERICAN OIL COMPANY

810 W. DOUGLAS, SUITE C WICHITA 1, KANSAS

September 12, 1967

C. L. LaCasse
District Manager

The City of Wichita, Kansas
Board of Zoning Appeals
104 South Main
Wichita, Kansas 67202

Gentlemen:

Standard Oil, Division of American Oil Company, desires to construct an automatic car wash with a service station located at Thirteenth Street and St. Paul, Wichita, Sedgwick County, Kansas.

It is our opinion that in view of the number of car washes that have been approved in this area, this would be compatible with the intended development. The board has jurisdiction to consider this request under Section 2.12.590.3, Code of the City of Wichita, and may approve the request provided the conditions outlined in Section 2004183.4 can be complied with.

Yours truly,

A. E. Danielson
Area Engineer

AEDanielson:ww



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

September 11, 1967

NOTICE TO ADJOINING PROPERTY OWNERS

Case No. BZA 31-67

An application has been filed by American Oil Company, 810 West Douglas, by A. E. Danielson, 810 West Douglas, Wichita, Kansas, pursuant to Section 2.12.590.3, Code of the City of Wichita, requesting an exception to permit the installation or construction of an automatic and self-service car wash on property zoned "LC" Light Commercial and legally described as follows:

Beginning at the N.W. corner of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 13, Township 27 South, Range 1 West, thence south 247 feet; thence east 164 feet; thence north 247 feet; thence west 164 feet to beginning, except the north 50 feet, and except the west 30 feet thereof for streets. Generally located at the southeast corner of 13th Street and St. Paul.

This application has been assigned Case No. BZA 31-67, and will be considered by the Board of Zoning Appeals at its meeting on Tuesday, September 26, 1967, 1:30 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

APPLICATION FOR EXCEPTION

I. Name of Applicant American Oil Co
Mailing Address 810 W. Douglas Phone AM 2-7411
Name of Authorized Agent A. E. Hamelton
Mailing Address 810 W. Douglas Phone AM-27411
Relationship of applicant to property is that of Owner
(owner, tenant, lessee, other).

II. Application is made for an exception as provided in Section
2404 183.4, Code of the City of Wichita, Kansas
(Zoning Ordinance); to permit the installation or construction
of 1 Bay Auto Car Wash
~~2~~ on property zoned
LC, located S.E. Corner 13th & St Paul
and legally described as:

_____, 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 American Oil Co
Authorized Agent A. E. Hamelton

OFFICE USE ONLY: Received in office of Secretary, Board of Zoning Appeals, 8:15 (a.m.) - p.m.), Sept 6, 1967, together with appropriate fee of \$50.00.

Signed Ronald H. Williamson

OWNERSHIP LIST

LOT	ADDITION	PROPERTY OWNER	ADDRESS
1	Sroade Gardens	✓ K. J. Blanchat Betty N. Blanchat	2909 W 13th 67203
2	"	✓ William Sallee Grace C. Sallee Opal M. Sallee	2955 W. 13th 67203
10	"	X Susie Marie Hammer	no address found
1	DeNeen-Klement	✓ Thomas A. Pirotte Doris J. Pirotte	2801 W 13th 67203
2	"	✓ D. I. DeNeen Mary W. De Neen	1316 N. St Paul 67203
3	"	✓ Ruth Heflin	1312 N. St. Paul 67203
1	Orie Johnson 2nd	✓ Orie Johnson Gertrude Johnson	1309 N. Edwards 67203
3	"	"	"
4	NOT IN 200' RING	"	"
5 Blk. 1	Farha	✓ Frank Lary Tena B. Lary	1423 N. Sheridan 67203
Block C	Sandlian 3rd	✓ Indian Hills Apartments Inc.	2740 W 13th 67203
	Beg 30 ft E & 40 ft N of SW cor SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 12-27-1W, N parl. to W ln of SE $\frac{1}{4}$ 140 ft. E parl with S line sd SE $\frac{1}{4}$ 100 ft S 140 ft W 100 ft to beg	City of Wichita	
	Beg NW cor NE $\frac{1}{4}$ NE $\frac{1}{4}$ S 247 ft E 164 ft N 247 ft W 164 ft to beg exc. N 50 ft & exc. W 30 ft for st. Sec. 13-27-1W	✓ American Oil Co.	810 W. Douglas 67203
	Beg 247 ft S of NW cor NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 13-27-1W, E 257 ft S 83 ft W 257 ft N 83 ft to beg.	✓ Louis D. Covington Charlotte Covington	1320 N. St. Paul 67203
	Beg. 164 ft E of NW cor NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 13-27-1W S 247 ft E 93 ft N 247 ft W 93 ft	✓ F. J. Klement D. J. DeNeen	1316 N. St. Paul 67203

We hereby certify the foregoing to be a true and correct list of property owners in a 200 foot radius of a tract Beginning at the Northwest corner of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 13-Twp.27-S. Rg. 1West, thence South 247 feet, thence E 164 feet, thence North 247 feet, thence West 164 feet to beginning, except street, as shown by the records in the office of the Register of Deeds of Sedgwick County Kansas, this the 7th day of September 1967 A. D. at 7:00 A. M.

THE SECURITY ABSTRACT & TITLE CO. INC.

By *John M. Ball* Vice President

Order No.
146881

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.	Plbk. Cert.
Sanitation	Sewer	Signs	Sidewalk
Street	Trailer		

DESCRIPTION	AMOUNT
BZA Exemption	\$50.00

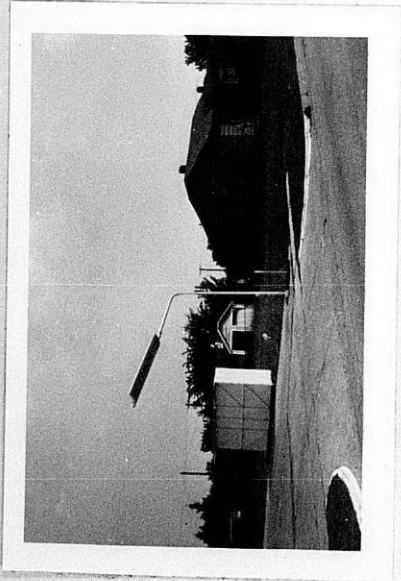
Name: American Oil Company
Address: 810 W. Douglas
Type: _____ Due Date: _____

Comments: R-71-C

Date: 9-6-67 By: Halloway



2



1

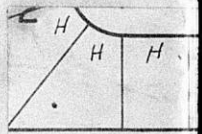


3

Map No. 5248
 Sec. _____
 Twp. _____
 Range _____

- AREA DATA:
1. Acres: 0.6
 2. Adjoining Zoning _____
 3. Land Use: East _____
West _____
 4. Sketch Plan Land _____
 5. Present Land Use _____
 6. Area (is) (is not) _____

PHOTO DATA:
 Taken by TZ



ARHA / 4
 ADP

13TH

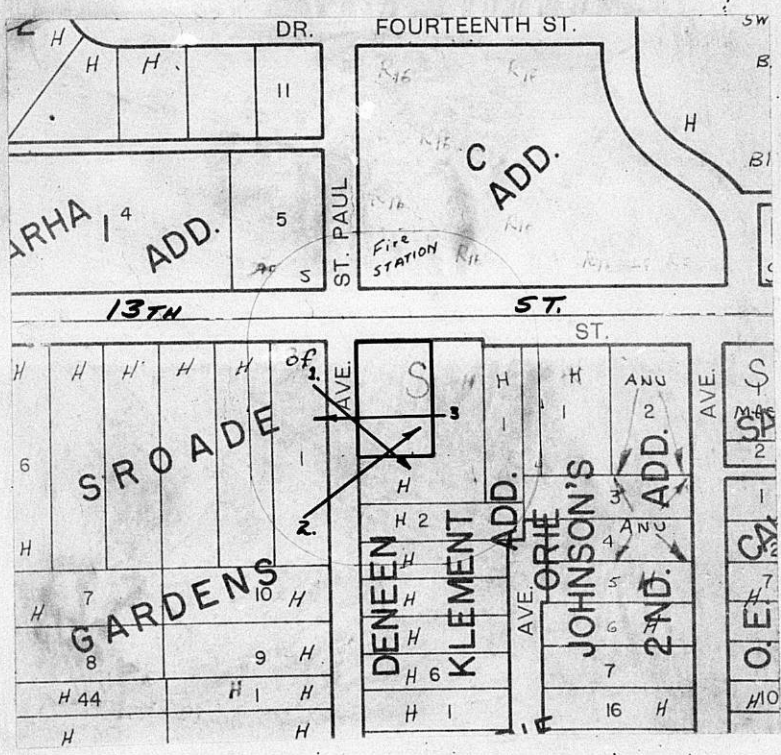
H	H	H	H
6	S R O		
H			
H	7	GARDE	
	8		
	H 44		
	H		

Map No. 5248
 Sec. _____
 Twp. _____
 Range _____

BZA 31-67
 SCZ- _____
 CU- _____
 Filed _____

- AREA DATA:
1. Acres: 0.60 (134' ft. by 197' ft.)
 2. Adjoining Zoning: E LC S AA W LC + BB N B
 3. Land Use: East SINGLE FAM. South SINGLE FAM.
 West OFFICE North FIRE STAT.
 4. Sketch Plan Land Use is for: RESIDENTIAL
 5. Present Land Use is for: SERVICE STATION
 6. Area (is) (is not) platted.

PHOTO DATA:
 Taken by TE Date 9-11-67 Time 3:30 P.M.



*

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