

Case No. BZA 46-78 Gerald B. Maloney requests exception to establish self-service car wash on property zoned LC located NW corner of Meridian & 27th St. S.

*POSTED*  
*11-3-78*  
*MMPP*  
*ETJ*  
*2-6-79*

**ACTION**

**BZA**  
**46-78**

COMMITTEE denied DATE 11-28-78

~~PLANS~~ approved 12-19-78

~~PLANS~~

Map No. 5244  
 Sec. 1  
 Twp. 28  
 Range 1W

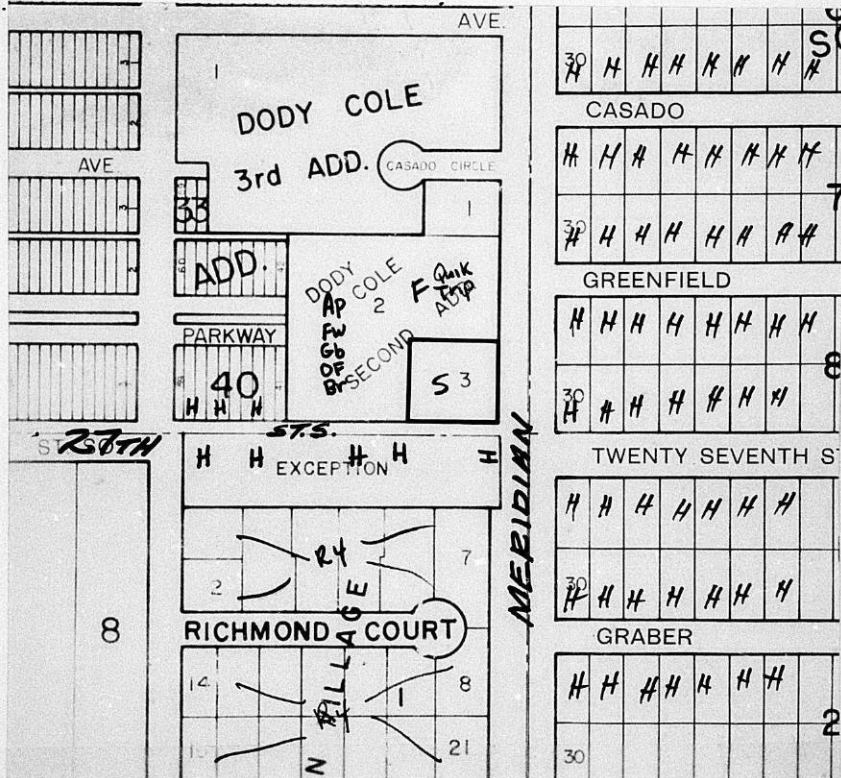
BZA- 46-78  
 SCZ- \_\_\_\_\_  
 CU- \_\_\_\_\_  
 Filed \_\_\_\_\_

AREA DATA:

1. Acres: 0.5 ( 140 ft. by 160 ft.)
2. Adjoining Zoning: E \_\_\_\_\_ S \_\_\_\_\_ W \_\_\_\_\_ N \_\_\_\_\_
3. Land Use: East SINGLE FAM South Single Fam  
 West Shopping Center North Out Trip
4. Sketch Plan Land Use is for: \_\_\_\_\_
5. Present Land Use if for: \_\_\_\_\_
6. Area (is) (is not) platted. \_\_\_\_\_

PHOTO DATA:

Taken by \_\_\_\_\_ Date \_\_\_\_\_ Time \_\_\_\_\_



Called 5 left  
 message for Walder  
 reminding him of 12/14/78 443  
 12/17/78

No. 2153C  
 Sinead  
 HASTINGS, MN - LOS ANGELES  
 LOAN ON - MCGREGOR, TX U. S. A.

January 5, 1979

Robert Walden  
Manager, Retail Sales  
Universal Motor Oils Co.  
2824 N. Ohio  
Wichita, Kansas 67219

Re: Case No. BEA46-78  
Request for Exception

Dear Mr. Walden:

Enclosed is a signed copy of the Resolution adopted by the Board of Zoning Appeals on December 19, 1978, in connection with your request for an exception to establish a 4-bay, self-service car wash on property zoned the "LC" Light Commercial District, and generally located at the northwest corner of Meridian and 27th St. South (2799 South Meridian).

This Resolution reflects the official action of the Board to approve the 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,

Larry Dobson  
Assistant Secretary

LD:bbc  
Enclosure

cc: Gerald B. Maloney, 2824 N. Ohio 67219  
Robert Feldner, Superintendent of Central Inspection  
Joe Donnelly, Housing and Zoning Administrator  
Don Gisick, City Clerk

RESOLUTION NO. BZA 46-78

WHEREAS, Gerald B. Maloney, 2824 N. Ohio, Wichita, Kansas, requests an exception as provided in Section 2.12.590.C, Code of the City of Wichita, to permit the establishment of a self-service car wash facility on property zoned the "LC" Light Commercial District, and legally described as:

Lot 3, Dody Cole Second Addition to Wichita, Sedgwick County, Kansas. Generally located at the northwest corner of Meridian and 27th St. South (2799 South Meridian).

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 November 28, 1978 consider said application; and

WHEREAS, the Board of Zoning Appeals, being unable to secure the necessary three votes to take action on said application, deferred the case to the next regularly scheduled meeting; and

WHEREAS, the Board of Zoning Appeals did, at the meeting of December 19, 1978, consider said application; and

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

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

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

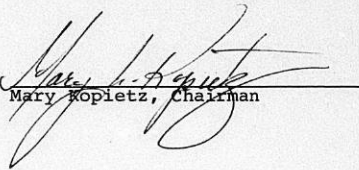
Lot 3, Dody Cole Second Addition to Wichita, Sedgwick County, Kansas. Generally located at the northwest corner of Meridian and 27th St. South (2799 South Meridian).

subject to the following conditions:

1. The car washing buildings shall maintain a minimum 60 feet setback from the street right-of-way lines of 27th Street South and Meridian.
2. There shall be a minimum lot area of 3,500 square feet for each self-service car washing stall; provided the minimum lot area shall be not less than 7,500 square feet.
3. All of 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 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 so as to be heard outside of any structure.

7. Off-street holding spaces shall be provided on the property at the ratio of not less than four parking spaces for each self-service car washing stall.
8. Off-street drying spaces shall be provided on the property at the ratio of not less than two parking spaces for each self-service car washing stall.
9. One off-street parking space shall be provided for each two employees.
10. All parking areas shall have adequate guards to prevent the extension or overhanging of vehicles beyond property lines or parking spaces.
11. 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.
12. The area shall be properly policed through inspection by the owner or operator to insure proper maintenance and removal of trash.
13. A six to eight foot high solid fence constructed of masonry, cedar, or redwood, shall be erected along the south 60 feet of the west property line and along the west 85 feet of the south property line.
14. There shall be no ingress or egress from 27th Street South unless provision is made for two free moving lanes at all times.
15. A site plan shall be approved by the Office of Traffic Engineering, two copies of which shall be provided to the Secretary of the Board. Location of the car wash facility and the gasoline pump island shall be in accordance with the approved site plan.
16. All above conditions of approval must be complied with prior to the operation of the new four-bay structure and within one year from the date of approval or the Resolution shall become null and void.

ADOPTED AT WICHITA, KANSAS, this 19th day of December, 1978.

  
Mary Kopietz, Chairman

ATTEST:

\_\_\_\_\_  
Larry Dobson, Assistant Secretary

December 20, 1978

Robert Walder  
Manager, Retail Sales  
Universal Motor Oils Co.  
2824 Ohio  
Wichita, Kansas 67219

Re: Case No. BZA 46-78  
Request for Exception

Dear Mr. Walden:

At the regular meeting of the Board of Zoning Appeals on Tuesday, December 19, 1978, your request for an exception to establish a 4-bay, self-service car wash on property zoned the "LC" Light Commercial District, and generally located at the northwest corner of Meridian and 27th St. South (2799 South Meridian), was considered.

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

1. The car washing buildings shall maintain a minimum 60 feet setback from the street right-of-way lines of 27th Street South and Meridian.
2. There shall be a minimum lot area of 3,500 square feet for each self-service car washing stall; provided the minimum lot area shall be not less than 7,500 square feet.
3. All of 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 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.

Page 2  
December 20, 1978  
Robert Walden  
Re: BZA 46-78

6. No sound projecting devices or loudspeakers shall be used so as to be heard outside of any structure.
7. Off-street holding spaces shall be provided on the property at the ratio of not less than four parking spaces for each self-service car washing stall.
8. Off-street drying spaces shall be provided on the property at the ratio of not less than two parking spaces for each self-service car washing stall.
9. One off-street parking space shall be provided for each two employees.
10. All parking areas shall have adequate guards to prevent the extension or overhanging of vehicles beyond property lines or parking spaces.
11. 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.
12. The area shall be properly policed through inspection by the owner or operator to insure proper maintenance and removal of trash.
13. A six to eight foot high solid fence constructed of masonry, cedar, or redwood, shall be erected along the south 60 feet of the west property line and along the west 85 feet of the south property line.
14. There shall be no ingress or egress from 27th Street South unless provision is made for two free moving lanes at all times.
15. A site plan shall be approved by the Office of Traffic Engineering, two copies of which shall be provided to the Secretary of the Board. Location of the car wash facility and gasoline pump island shall be in accordance with the approved site plan.
16. All above conditions of approval must be complied with prior to the operation of the new four-bay structure and within one year from the date of approval or the Resolution shall become null and void.

Page 2  
December 20, 1978  
Robert Walden  
Re: BZA 46-78

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.

Sincerely,

Larry Dobson  
Assistant Secretary

LD:bbc

cc: Robert Feldner, Superintendent of Central Inspection *w/site plan*  
Joe Donnelly, Housing and Zoning Administrator  
Don Gisick, City Clerk  
Bill McKinley, Traffic Engineering Department  
Gerald B. Maloney, 2824 N. Ohio, 67219

November 30, 1978

Max Gonge  
Universal Motor Oils Co.  
2824 Ohio  
Wichita, Kansas 67219

Re: Case No. BZA 46-78  
Request for Exception

Dear Mr. Gonge:

At the regular meeting of the Board of Zoning Appeals on Tuesday, November 28, 1978, your request for an exception to establish a 4-bay, self-service car wash on property zoned the "LC" Light Commercial District, and generally located at the northwest corner of Meridian and 27th St. South (2799 South Meridian), was considered.

The Board was unable to secure the necessary three votes to dispose of this application and therefore, the case is deferred to the Board meeting of December 19, 1978.

Dissenting Board members suggested that you contact Traffic Engineering staff in another effort to resolve site plan problems, indicating that without Traffic Engineering's approval of your plan they could not support your request. It was also suggested that you consider a reduction of proposed uses or elimination of same. This refers to the proposed use of subject property as a Quik Mart-Self Service Gasoline Station and four-bay car wash, with the implication that this was bordering on over-utilization of a limited site.

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

Sincerely,

Larry Dobson  
Assistant Secretary

LD:bbo

Page 2  
November 30, 1978  
Max Gonge  
Re: BEA 46-78

cc: Robert Feldner, Superintendent of Central Inspection  
Joe Donnelly, Housing and Zoning Administrator  
Don Gisick, City Clerk  
Robert M. Walden, 2824 N. Ohio, 67219  
Gerald B. Maloney, 2824 N. Ohio, 67219

*McKinley*

SECRETARY'S REPORT  
CASE NO. BZA 46-78

APPLICANT: Gerald B. Maloney, 2824 N. Ohio, Wichita, Kansas

AGENT: Robert M. Walden, 2824 N. Ohio, Wichita, Kansas

REQUEST: Exception pursuant to Section 2.12.590.C, Code of the City of Wichita to permit the establishment of a self-service car wash facility on property zoned "LC" Light Commercial.

GENERAL LOCATION: Northwest corner of Meridian and 27th Street South.

ZONING: Subject property is zoned the "LC" Light Commercial District as are properties to the north and west. Properties to the south and east are zoned the "AA" Single Family Dwelling District.

LAND USE: Subject property is developed with a service station, now vacant. North is a Quik-Trip. West is a small strip shopping center. South and east is single family residential development.

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:

This is a request for an exception to permit the installation and operation of a four-bay self-service car wash facility on property zoned "LC" Light Commercial, located at the northwest corner of Meridian and 27th Street South.

Subject property is presently occupied with a vacant service station structure. The applicant proposes to build a four-bay car washing facility extending from the west side of the existing building. The service station would also be reopened and operated on the site.

A site plan has been submitted with the application showing that the required holding and drying spaces can be provided on the site. The Traffic Engineer's office has reviewed this plan, but as of this writing has not approved the plan. There are still questions to be resolved dealing with pump island location and driveway location, deemed to be important to the overall workability of this combined use on subject property. The applicant will be meeting with the Traffic Engineering staff and hopefully will have agreed on a workable plan prior to the hearing of this case.

The applicant states that it is not economically feasible to operate a service station alone on this site and that a car wash facility would benefit the residents of this area because there are none in close proximity to this location.

The residential district to the south could potentially be affected by the operation of a car wash on the site in that the car washing operation and drying operation would be clearly visible from the south. However, it is the opinion of the Secretary that with screening for the residential neighborhood and Traffic Engineering's approval of a site plan that this would be a logical and proper expansion of the service station use.

RECOMMENDATION:

It is the opinion of the Secretary that, if the Board determines this to be an appropriate location for a car wash facility, the approval of the exception be subject to the following conditions:

1. The car washing buildings shall maintain a minimum 60 feet setback from the street right-of-way lines of 27th Street South and Meridian.
2. There shall be a minimum lot area of 3,500 square feet for each self-service car washing stall; provided the minimum lot area shall be not less than 7,500 square feet.
3. All of 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 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 so as to be heard outside of any structure.
7. Off-street holding spaces shall be provided on the property at the ratio of not less than four parking spaces for each self-service car washing stall.
8. Off-street drying spaces shall be provided on the property at the ratio of not less than two parking spaces for each self-service car washing stall.

9. One off-street parking space shall be provided for each two employees.
10. All parking areas shall have adequate guards to prevent the extension or overhanging of vehicles beyond property lines or parking spaces.
11. 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.
12. The area shall be properly policed through inspection by the owner or operator to insure proper maintenance and removal of trash.
13. A six to eight foot high solid fence constructed of masonry, cedar, or redwood, shall be erected along the south 60 feet of the west property line and along the west 85 feet of the south property line.
14. There shall be no ingress or egress from 27th Street South unless provision is made for two free moving lanes at all times.
15. A site plan shall be approved by the Office of Traffic Engineering, two copies of which shall be provided to the Secretary of the Board.
16. All above conditions of approval must be complied with prior to the operation of the new four-bay structure and within one year from the date of approval or the Resolution shall become null and void.

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

November 3, 1978

NOTICE TO ADJOINING PROPERTY OWNERS:

Case No. BZA 46-78

An application has been filed by Gerald B. Maloney, 2824 North Ohio, Wichita, Kansas, pursuant to Section 2.12.590.C, Code of the City of Wichita, requesting an exception to permit the establishment of a self-service car wash facility on property zoned the "LC" Light Commercial District, and legally described as:

Lot 3, Dody Cole Second Addition to Wichita, Sedgwick County, Kansas. Generally located at the northwest corner of Meridian and 27th St. South (2799 South Meridian).

This application has been assigned case No. BZA 46-78 and will be considered by the Board of Zoning Appeals at its meeting on Tuesday, November 28, 1978, at 1:30 p.m., in the Board Room, First Floor, City Hall, 455 North Main, Wichita, Kansas, at which time you may appear if you so desire, either in person or by agent or attorney.

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

Jack H. Galbraith  
Secretary

BZA CASE NO. 46-78

<u>2</u>	NOTICES SENT TO APPLICANT/AGENT
<u>10</u>	NOTICES SENT TO MAPC
<u>1</u>	NOTICES SENT TO CPO
<u>14</u>	NOTICES SENT TO ADJOINING PROPERTY OWNERS
<u>27</u>	TOTAL NOTICES SENT <u>11-3-78</u>

BOARD OF ZONING APPEALS  
CITY OF WICHITA, KANSAS

CASE NO. 46-78  
FILED 10-31

APPLICATION FOR EXCEPTION

I. Name of Applicant Gerald B. Maloney  
Mailing Address 2824 North Ohio <sup>19</sup> Phone 832-0151  
Name of Authorized Agent Robert M. Walden  
Mailing Address 2824 North Ohio Phone 832-0151  
Relationship of applicant to property is that of Owner  
(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 Universal Service Stations - Universal Quik Mart - Automatic Self Serve Car Wash (4-bay, self-service car wash) on property zoned LC, located 2799 South Meridian and legally described as: Lot 3, Dody Cole Second Addition to Wichita, Sedgwick County, Kansas

\_\_\_\_\_ 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 Gerald B. Maloney  
Authorized Agent Robert M. Walden

*View corner of ~~27th~~ Meridian & 27th St. South*

OFFICE USE ONLY: Received in the office of the Secretary, Board of Zoning Appeals, 4:25 (a.m. p.m.), 10/30, 19 78, together with appropriate fee of \$50.00

Signed Larry Johnson

*Site plan coming*

TO: THE BOARD OF ZONING APPEALS  
CITY OF WICHITA  
CITY HALL, 455 North Main

RE: JUSTIFICATION FOR THE EXCEPTION APPLIED FOR:

We are applying for this exception because under the zoning ordinance it is necessary to have an exception for an automatic self-serve Car Wash in Light Commercial zoning. We feel that a self-service automatic car wash area would greatly benefit the residents because there are none in close proximity to this location. Also, it is not economically feasible for us to operate a service station alone on that site that we have purchased and we feel that using it for a car wash would make much better use of the property.

*Robert M. Walsh*

OWNERSHIP LIST

Lot	Block	Addition	Property Owner
5, 6, & 7	1	Meridian Village	Meridian Village Inc. 2502 Wildwood Wichita, Kansas 67217
1 ex. the E 140'		Dody Cole Second	Gene Warr 7300 N. Comanche Oklahoma City, Oklahoma 73132
E 140' of Lot 1		"	Gibraltar Investments, Inc. Address unknown
2		"	C & R Diversified Investments, Inc. % Christopher Redmond 619 W. Douglas Wichita, Kansas 67213
3		"	Gerald B. Maloney 850 Tara Lane Wichita, Kansas 67206
1		Dody Cole Third	Land Enterprises Co. 3900 E. Harry Wichita, Kansas 67218
1 and the W 1' of 2	1	Second Addition to Southwest Village	Alex J. Soerries, Jr. Jana S. Soerries 1983 Greenfield Wichita, Kansas 67217
2 ex. the W 1'	"	"	Wilma Caroline Elston 1945 S. Lorraine Wichita, Kansas 67211
30	7	First Addition to Southwest Village	Roy G. Wenke 2428 Greenfield Wichita, Kansas 67217
1	8	"	C. T. Young Mae Young Address unknown
2	"	"	Russell A. Bozarth Sue Bozarth 2421 Greenfield Wichita, Kansas 67217
29	"	"	John K. Waller Jan E. Waller Address unknown
30	"	"	Joe D. Means Nadene E. Means 2428 W. 27th So. Wichita, Kansas 67217

*Not listed*

**D**

*2427 Greenfield*

*[Signature]*

*152 Taylor*

*12*



434 NORTH MAIN  
WICHITA, KANSAS 67202  
267-8371

page 2 - continued

Beg. 311.4' W of the NE corner  
of SE $\frac{1}{4}$ , Sec 1, Tp 28S, R 1W,  
thence S 135', thence W 100',  
thence N 135', thence E 100'  
to the point of beginning

Beg. at the NE corner of the SE $\frac{1}{4}$ ,  
Sec 1, Tp 28S, R 1W, thence W 211.5',  
thence S 135', thence E 211.5', thence  
N 135' to the point of beginning

Beg. 211.5' West of the NE corner of  
SE $\frac{1}{4}$ , Sec 1, Tp 28S, R 1W, thence S  
135', thence W 100', thence N 135',  
thence E 100' to the point of beginning.

*6498. Rutan*

Harry E. Cheney  
D.M. Cheney  
~~2535 W. 27th St. So.~~  
Wichita, Kansas 67217

John P. Campbell  
~~Yvonne Campbell~~  
2506 W. 15th  
Wichita, Kansas 67203

Charles W. Bringolf  
~~2531 W. 27th St. So.~~  
Wichita, Kansas 67217

The Security Abstract and Title Company, Inc., hereby certifies the foregoing to be a true and correct list of property owners within a 200 foot radius of Lot 3, Dody Cole Second Addition, Wichita, Sedgwick County, Kansas, as shown by the last deeds of record in the Office of the Register of Deeds of Sedgwick County, Kansas, on this 26th day of October, 1978 at 7:00 o'clock A.M.

The Security Abstract and Title Company, Inc.

By

*Mary Deble*

Vice President

No. 270494  
sk

FORM 22-1

PAYMENT NOTICE  
City of Wichita

Bldg.	Use of Str.	Code Bks	Copies
Elec	Elev. Insp.	Hse Moving	Lic.
Mech	Boiler Insp.	Pav. Cuts	Cert.
Pibg	Exam Fees	Sewer	Elev.
Signs	Plan <del>...</del>	Cement	M.S.P.

DESCRIPTION	AMOUNT
824 Excavating	450.00
Application	

NAME: Robert M. Walden  
 ADDRESS: 2234 N. Ohio  
 FUND: 110-11-00-40071 | DUE DATE: 11-03-00-000  
 COMMENTS:  
 DATE: 11/20/78 | BY: [Signature]

WICHITA - SEDGWICK COUNTY



METROPOLITAN AREA PLANNING DEPARTMENT

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

ADDRESSEE UNKNOWN  
RETURN TO SENDER

Important! Notice of Meeting Enclosed



*with here*

*Ben*

*647  
S. Rutan*

Harry E. Cheney & D. M. Cheney  
2535 W. 27th St. South  
Wichita, Kansas 67217

*Resent 11-8-78*

*46-78*



\*

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

Roll # 2