

5/27/82-83: Morin Dev. Corp./Wm. F. Morin  
requests exception to permit establishment  
of detached single-bay auto car wash in  
assn w/proposed Amoco svc sta

NW cor Maple & Main

2001/2 Sec 5-3-88  
Checked ff  
Host 5/12  
Record ✓

**ACTION**

B.Z.A. 12-88 *Approved* 4-26-88  
DATE

*2001/4 Sec* 5-3-88  
*Checked* FO  
*that* 5-12  
*Record* ✓

2001-88-10711 DEV. Corp./In. F. Morin  
requests exception to permit estab. shift  
of detached single-bay auto car wash in  
asn w/ proposed Amoco svc sta. [redacted]  
NW Car Wash & Mat'g

DATA SHEET

MAP NO.: 4747B

CASE NO. BZA 12-88

(CPO *SA* 4-20-88

REQUEST: Exception to permit the establishment of a detached, single bay, automatic car wash in association with a proposed Amoco service station.

EXISTING ZONING: "LC"

GENERAL LOCATION: The Northwest corner of Maple and Maize Road

APPLICANT: Morin Development Corporation - William F. Morin  
 ADDRESS: 4011 E. Kellogg

PHONE: 683-3807

AGENT: P.E.C., P.A. - Gary Wiley  
 ADDRESS: 1440 E. English

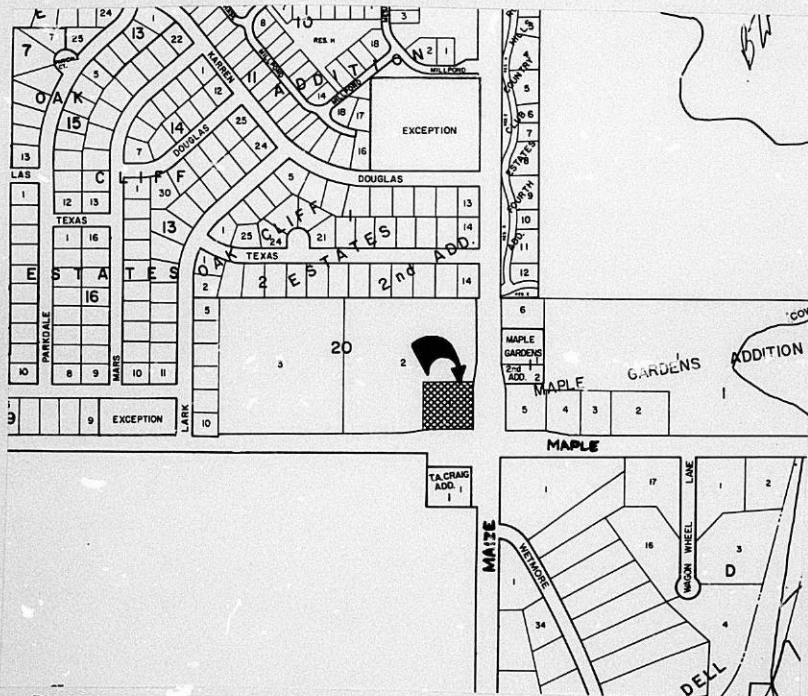
PHONE: 262-2691

AREA DATA

Acres: .9 (200 ft. by 200 ft.)

Adjacent Zoning and Land Use:

North	"LC"	<i>Undeveloped</i>
South	"LC"	<i>Undeveloped</i>
East	"LC"	<i>Convenience Store w/ gasline sales</i>
West	"LC"	<i>Undeveloped</i>



PL10066

LOS ANGELES-CINCINNATI-LOUISIANA  
 INCORPORATED, 17400 CRESCENT GROVE, DALLAS, TEXAS

**Standard**  
 No. 2413C

BZA INSPECTION SHEET

MAP NO: 4747B

CASE NO. BZA 12-88

REQUEST: Exception to permit the establishment of a detached, single bay, automatic car wash in association with a proposed Amoco service station.

EXISTING ZONING: "LC"

GENERAL LOCATION: The Northwest corner of Maple and Maize Road

APPLICANT: Morin Development Corporation - William E. Morin

ADDRESS: 4011 E. Kellogg

PHONE: 683-3807

AGENT: P.E.C., P.A. - Gary Wiley

ADDRESS: 1440 E. English

PHONE: 262-2691

-----  
HEARING DATE: April 26, 1988

BZA ACTION: Approved, subject to 11 development conditions specified in the BZA resolution. Complete by 4/27/89.

FOLLOW-UP DATE: 4/27/89

RESPONSE BY CID:

BZA 12-88 File

RESOLUTION NO. BZA 12-88

WHEREAS, Morin Development Corporation, 4011 E. Kellogg, Wichita, KS, 67218, pursuant to Section 2.12.590.C, Code of the City of Wichita, requests an exception to permit the establishment of a detached, single bay, automatic car wash in association with a proposed Amoco service station on property zoned the "LC" Light Commercial District and legally described as follows:

Lot 1, Block 20, Oak Cliff Estates to Wichita, Sedgwick County, Kansas. Generally located at the northwest corner of Maple and Maize.

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 April 26, 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 detached, single bay automatic car wash as an accessory use to a service station 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 detached, 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:

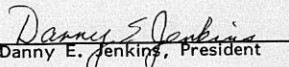
Lot 1, Block 20, Oak Cliff Estates to Wichita, Sedgwick County, Kansas. Generally located at the northwest corner of Maple and Maize.

subject to the following conditions:

1. The automatic car wash facility shall provide not less than three holding spaces for each 20 lineal feet of car washing aisle and not less than two drying spaces.
2. 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.
3. All lights shall be shielded to reflect or direct light away from adjacent property. No string-type lighting or banners shall be permitted.
4. Signs shall be limited to that permitted by the associated C.U.P. (DP-104).
5. No sound projecting devices or loudspeakers shall be used so as to be heard outside of any structure.
6. Off-street parking spaces shall be provided for the total facility, as required by the zoning ordinance.
7. All parking spaces and drying spaces shall have adequate guards or curbs to prevent the extension or overhanging of vehicles beyond property lines, surfaced driveways and parking spaces.
8. Grades and drains shall be established on the property satisfactory to the Superintendent of Sewer Maintenance to direct the wash water in the car wash to a mud trap and sanitary sewer, and to prevent the intrusion of stormwater runoff into the sanitary sewer. The car wash shall be roofed to prevent stormwater infiltration.

9. 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 into the street.
10. 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.
11. The car wash shall be constructed with a dryer and shall not be operated without the dryer if the temperature is projected to drop below freezing within 12 hours.
12. 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 26th day of April, 1988.

  
\_\_\_\_\_  
Danny E. Jenkins, President

ATTEST:

  
\_\_\_\_\_  
Louise Olivarez, Assistant Secretary

THE CITY OF WICHITA



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

April 27, 1988

Gary Wiley  
P.E.C., P.A.  
1440 E. English  
Wichita, KS 67211

Re: BZA 12-88 - Exception to permit the establishment of a detached, single-bay, automatic car wash in association with an Amoco service station

Dear Mr. Wiley:

Enclosed is a signed copy of the above-referenced BZA Resolution adopted by the Board of Zoning Appeals on April 26 1988. This Resolution reflects the official action of the Board to approve 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

LO/jcm  
Enclosure

cc: William E. Morin, Morin Development Corporation, 4011 E. Kellogg,  
Wichita, KS 67218  
Monty Robson, Superintendent of Central Inspection  
Joe Donnelly, Zoning Administrator  
Dale Rea, Deputy City Clerk

FILE COPY

THE CITY OF WICHITA

OFFICE OF Citizen Participation      DATE    April 21, 1988

TO      Louise Oliverez, Principal Planner

FROM    Barry L. Carroll, CPO Staff <sup>BLC</sup>

SUBJECT    BZA 12-88: Northwest corner  
             of Maple and Maize Streets

On Wednesday, April 20, CPO West Side Neighborhood Council 5A considered the captioned case, a request for an exception to permit the establishment of a detached, single-bay automatic car wash as an accessory use to a proposed service station.

The Council members were provided the notice to adjoining property owners, a map of the area and MAPD staff comments. After a brief discussion, the Council voted 9-0 to recommend approval of the request.

The applicant, William Morin, and agent, Dick Linn, were present to describe the request and respond to questions from the Council. Mr. Linn explained that the applicant wanted to begin construction around July 1, 1988. There were no area residents present to either support or oppose the request.

Please provided the Council's recommendation to the Board of Zoning Appeals when case BZA 12-88 is considered.

BLC:dm

RECEIVED

APR 21 1988

METROPOLITAN PLANNING

ROUTE  \_\_\_\_\_  
 \_\_\_\_\_

April 26, 1988

SECRETARY'S REPORT

CASE NUMBER: BZA 12-88

OWNER/APPLICANT/AGENT: Morin Development Corporation (applicant)  
Gary Wiley, P.E.C. (agent)

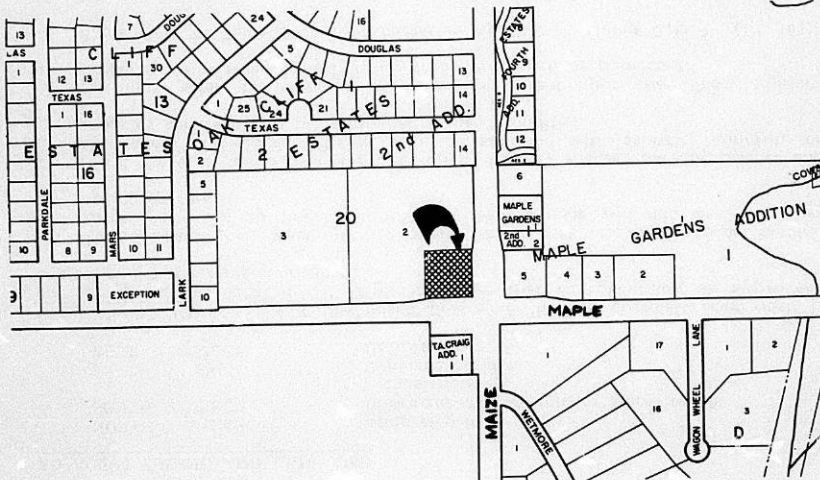
REQUEST: Exception pursuant to Section 28.04.183.4 Code of the City of Wichita to permit the establishment of a detached, single-bay automatic car wash as an accessory use to a proposed service station.

CURRENT ZONING: "LC" Light Commercial District

SITE SIZE: 204 feet x 204 feet

LOCATION: Northwest corner of Maple and Maize

PROPOSED USE: Single-bay, detached car wash in association with proposed service station.



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 single-bay, detached automatic car wash as an accessory use to a proposed service station at the northwest corner of Maple and Maize. This property is part of the Oak Cliff Estates C.U.P. and has been zoned "LC" but undeveloped since 1982.

**ADJACENT ZONING AND LAND USE:**

NORTH	"LC"	Undeveloped
SOUTH	"LC"	Undeveloped (convenience store under construction)
EAST	"LC"	Convenience store
WEST	"LC"	Undeveloped

**RECOMMENDATION:** Should the Board determine that an automatic car wash is appropriate at this location, it is recommended that the exception be approved, subject to the following conditions:

1. The automatic car wash facility shall provide not less than three holding spaces for each 20 lineal feet of car washing aisle and not less than two drying spaces.
2. 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.
3. All lights shall be shielded to reflect or direct light away from adjacent property. No string-type lighting or banners shall be permitted.
4. Signs shall be limited to that permitted by the associated C.U.P. (DP-104).
5. No sound projecting devices or loudspeakers shall be used so as to be heard outside of any structure.
6. Off-street parking spaces shall be provided for the total facility, as required by the zoning ordinance.
7. All parking spaces and drying spaces shall have adequate guards or curbs to prevent the extension or overhanging of vehicles beyond property lines, surfaced driveways and parking spaces.
8. Grades and drains shall be established on the property satisfactory to the Superintendent of Sewer Maintenance to direct the wash water in the car wash to a mud trap and sanitary sewer, and to prevent the intrusion of stormwater runoff into the sanitary sewer. The car wash shall be roofed to prevent stormwater infiltration.
9. 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 into the street.
10. 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.

11. The car wash shall be constructed with a dryer and shall not be operated without the dryer if the temperature is projected to drop below freezing within 12 hours.
12. 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.



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

April 1, 1988

NOTICE OF PUBLIC HEARING:

CASE NO. BZA 12-88

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 Morin Development Corporation requesting an exception.

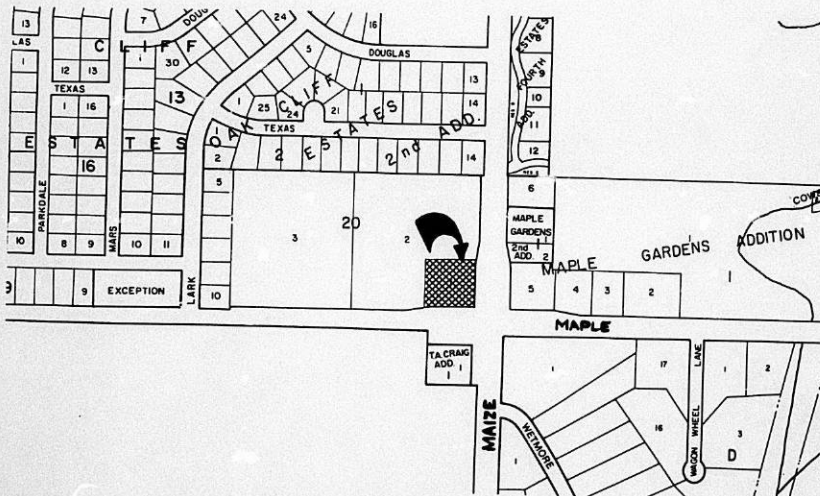
Pursuant to Section 2.12.590.C of the Code of the City of Wichita, the applicant is requesting an exception to permit the establishment of a detached, single-bay, automatic car wash in association with a proposed Amoco service station on property zoned the "LC" Light Commercial Zoning District. A legal description of the applicant's property is as follows:

Lot 1, Block 20, Oak Cliff Estates to Wichita, Sedgwick County, Kansas. Generally located at the northwest corner of Maple and Maize.

This application has been assigned Case No. BZA 12-88. It will be considered by the Board of Zoning Appeals on Tuesday, April 26, 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 5A, West Side, will consider this case at their meeting to be held on Wednesday, April 20, 1988, at 7 p.m., at the American National Bank, 10222 W. Central. Additional information regarding this CPO meeting may be obtained by calling the CPO office at 268-4516.



( \_\_\_\_\_ ) Published in The Daily Reporter, April 1, 1988

OFFICIAL NOTICE

NOTICE IS HEREBY given that on the 26th day of April, 1988, the Board of Zoning Appeals of the City of Wichita, Kansas, meeting 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 12-88 - Morin Development Corporation, pursuant to Section 2.12.590.C, Code of the City of Wichita, requests an exception to permit the establishment of a detached, single-bay, automatic car wash in association with a proposed Amoco service station on property zoned the "LC" Light Commercial District and legally described as follows:

Lot 1, Block 20, Oak Cliff Estates to Wichita, Sedgwick County, Kansas. Generally located at the northwest corner of Maple and Maize.

2. Case No. BZA 13-88 - Troy M. Botkin, 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:

Beginning at the Southwest Corner of the Southwest Quarter of Section 17, Township 27 South, Range 2 East of the 6th P.M., Sedgwick County, Kansas; thence North 190 feet; thence East 200 feet; thence South 190 feet; thence West 200 feet to the point of beginning, except the South 50 feet and the West 50 feet thereof for roads. Generally located at the northeast corner of Central and Rock Road.

3. Case No. BZA 14-88 - FCB Limited Partnership and Farm Credit Banks of Wichita, pursuant to Section 2.12.590.B, Code of the City of Wichita, requests a variance to decrease the required number of off-street parking spaces from 1,040 to 557 on property zoned the "E" Light Industrial District and legally described as follows:

Lot 1, Block 1, and Lot 1, Block 2, Farm Credit Banks of Wichita Addition to Wichita, Kansas. Generally located at the southwest and northwest corners of Waco and Second Streets.

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 31st day of March, 1988.

Jack H. Galbraith, Secretary

BZA CASE NO. 12-88

23 LEGAL ADVERTISEMENT SENT TO MAPC & BZA

2 NOTICES SENT TO APPLICANT/AGENT

7 NOTICES SENT TO ADJOINING PROPERTY OWNERS

5 NOTICES SENT TO BZA MEMBERS

14 NOTICES SENT 4/8/88

- 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

*for 4-26-88 mtg.*

APPLICATION FOR EXCEPTION

I. Applicant Morin Development Corporation - William F. Morin  
Address 4011 East Kellogg Zip Code 67218 Phone 683-3807  
Agent P.E.C., P.A. - Gary Wiley  
Address 1440 East English Zip Code 67211 Phone 262-2691  
Relationship of applicant to property is that of Contract Purchaser  
(Owner, Tenant, Lessee, Other)

II. Application is made for an exception to permit the establishment of  
A detached, single bay, automatic car wash in association with a proposed Amoco service station.  
on property zoned LC (DP-104) which is  
200 ft by 200 ft (or 0.9 acres) in size, legally described as:  
Lot 1, Block 20, Oak Cliff Estates

and located The northwest corner of Maple and Maize Road  
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 MORIN DEVELOPMENT CORPORATION

Authorized Agent *Gary Wiley*  
GARY WILEY - P.E.C., P.A.

OFFICE USE ONLY:

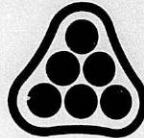
Map No. 4747B Zoning: (N) LC (S) LC (E) LC (W) LC CPO 5A 4/24/88

Received in Office of Secretary, Board of Zoning Appeals, 10:45 (a.m./p.m.),  
April 7, 1988 together with appropriate fee of \$406.00

Signed *Robert L. Young*

**DIRECTORS**

C. O. KNOP, P.E.  
C. J. FREUND, P.E.  
W. H. KETNER, P.E.  
R. D. PLETCHER, P.E.  
F. D. MIDDLETON, JR., P.E.  
D. E. MALTBY, P.E.  
M. D. SCHOMAKER, P.E.  
G. D. SCHOCK, P.E.  
J. H. BAILEY, P.E., PH.D.  
D. I. NORTON, P.E.



**PROFESSIONAL  
ENGINEERING  
CONSULTANTS**  
PROFESSIONAL ASSOCIATION

March 7, 1988

Board of Zoning Appeals  
City of Wichita  
10th Floor, City Hall  
455 N. Main  
Wichita, KS 67202

Attention: Louise Olivarez, Senior Planner

Reference: Request for an Exception for Lot 1, Block 20,  
Oak Cliff Estates  
PEC File No. 36-88075-2122

Dear Louise:

Morin Development Corporation has employed our firm to request an exception, through the Board of Zoning Appeals, to permit a detached, single bay, automatic car wash in association with a proposed Amoco Station on the above mentioned lot.

Section 28.04.183, paragraph 4 of the Zoning Ordinance, City of Wichita, allows the Board of Zoning Appeals to grant exceptions and authorize automatic car wash operations in the LC zoning district, subject to following the conditions and land requirements in paragraphs 4.1 through 4.17.

Enclosed is our site plan that has been prepared to comply with the applicable conditions and requirements mentioned above.

Should you need additional information, please advise.

Very truly yours,

PROFESSIONAL ENGINEERING CONSULTANTS, P.A.

*Gary Wiley*  
Gary Wiley  
Land Development

cc: Morin Development Corporation

GW/cs

1440 EAST ENGLISH  
WICHITA, KANSAS 67211  
(316) 262-2691

OWNERSHIP LIST

Property Description			Property Owner
Lot 1	Block 20	Oak Cliff Estates Addition	Fleming Companies, Inc. 6601 N. Broadway Oklahoma City, OK  Notice of Interest  Morin Development Corporation 4011 E. Kellogg Wichita, KS 67218
Lot 2	"	"	SAME AS ABOVE
Lot 5	Block 1	Maple Gardens Addition	Ivan Morrow Wanda Morrow 1122 E. Indian Wells Rd Tucson, AZ 85718
Lot 1	Block 1	Maple Gardens Second Addition	J. Larry Fugate 36 Rolling Hills Wichita, KS 67212
Lot 2	"	"	Charles R. Ford, M.D.P.A , Ks Corp. 232 S. Maize Rd Wichita, KS 67212

That part of Lot 1, Block B,  
The Dell Addition, described  
as: Beginning at the Northwest  
corner of Lot 1, thence South  
along the West line of said Lot  
1 a distance of 280.35 feet to  
the Southwesterly corner of said  
Lot 1; thence Southeasterly along  
the Southwesterly line of said  
Lot 1, being a curve to the right  
having a radius of 148 feet for  
a distance of 119.89 feet more  
or less to a point 25.08 feet  
Northwesterly of the most Southerly  
Corner of said Lot 1; thence  
Northeasterly parallel with and  
25 foot distant from the Southeasterly  
line of said Lot 1, a distance of  
150 feet; thence Northwesterly a  
distance of 297.42 feet to a point  
in the North line of said Lot 1;  
thence West 60 feet to the point  
of beginning.

Paul R. Shinogle  
Louise V. Shinogle  
336 Wetmore  
Wichita, KS 67209

Page 2

Property Description

Property Owner

Beginning at the Northeast corner of Section 30, Township 27 South, Range 1 West of the Sixth P.M., Sedgwick County, Kansas; thence bearing South 0°14'39" West along the East line of said Section 30, a distance of 250 feet; thence bearing South 90°00'00" West, parallel with the North line of said Section 30, a distance of 250.00 feet; thence bearing North 0°14'39" East, a distance of 250.00 feet to a point in the North line of said Section 30; thence bearing North 90°00'00" East along said North line a distance of 250.00 feet to the point of beginning, except the North 30 feet and except the east 50 feet thereof.

Thomas A. Craig  
Trustee of Edward  
Craig Trust and  
Thomas A. Craig,  
Trustee of the  
Ruth M. Craig Trust  
763 Edgewater  
Wichita, KS 67230

The East half of the Northeast Quarter, except the South 677.2 feet and except the above described tract.

Summerfield, Inc.  
11216 W. Maple  
Wichita, KS 67209

We herby certify the foregoing to be a true and correct list of the property owners of the hereinbefore described lots and tracts within a 200 foot radius of:

Lot 1, Block 20, Oak Cliff Estates to Wichita, Sedgwick County, Kansas.

as shown by the last deed of record on file in the Office of the Register of Deeds, Sedgwick County, Kansas, on the 18th day February, 1988, at 7:00 o'clock A.M.

THE SECURITY ABSTRACT AND TITLE  
COMPANY, INC.

BY:

*Mary Kalle*  
Sr. Vice President

Order No. 391074  
cd

MICROFILMED  
FROM THE BEST  
AVAILABLE COPY

N<sup>o</sup> 00027

METROPOLITAN AREA PLANNING DEPARTMENT

Description HAZARD EXCEPTN FOR CAR WASH (DP-104)  
Name MORIN DEVELOPMENT CORP.  
Address 4011 E. KELLOGG, GLENDALE, KS. 67218  
Fund No. (circle one) 755-40710-003 (fees) 755-40710-004  
(books, xerox) 755-40710-026 (microfilm)  
Amount 4406.<sup>00</sup>  
Date 3/7/88 Due Date 3/7/88 By RLP

Form 00-000

\*

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

Roll # 3