

ACTION

DATE

10-24-72

Approved

BZA COMMITTEE

M.A.P.C.

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

BZA 28-72 Quality Marine Service  
Inc. requests exception for sales  
Lot on the East side of Oliver in  
an area North of New Jersey Dr.

POSTED  
9-29-72  
/H

WAPV  
E.I.V.  
11-13-72

ACTION

	DATE
BZA COMMITTEE	<u>Approved</u> <u>10-24-72</u>
M.A.P.C.	_____
B.C.C./B. CO. C.	_____

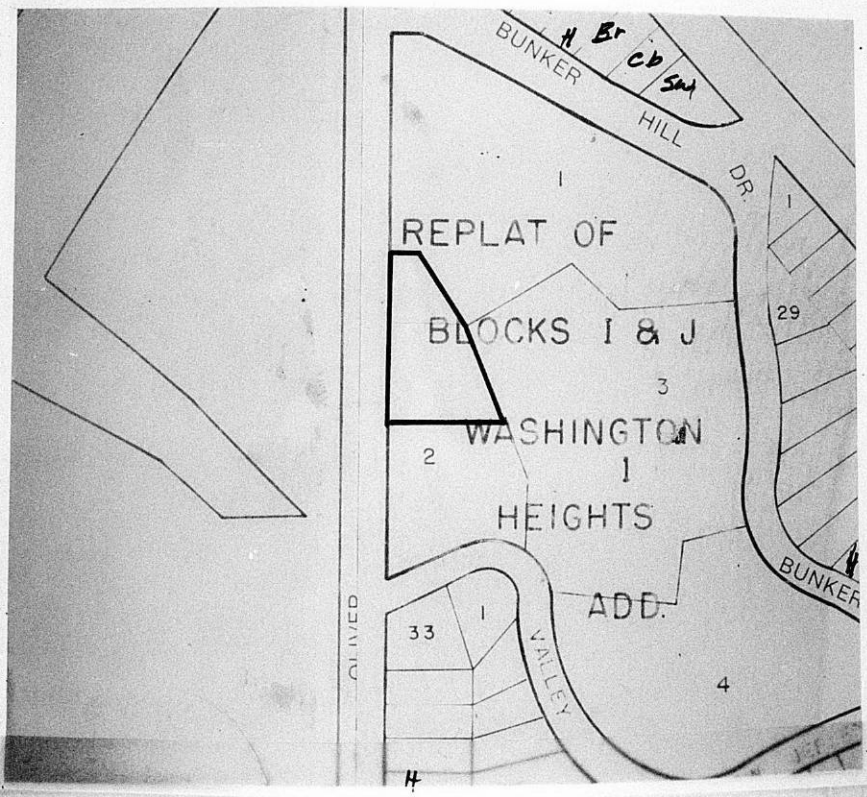
BZA 28-72 Quality Marine Service  
Int. requests exception for sales  
lot on the East side of Oliver in  
an area North of New Jersey Dr.

Map No. 5844  
Sec. 28  
Twp. 7E  
Range 1E

BZA- 28-72  
SCZ- \_\_\_\_\_  
CU- \_\_\_\_\_  
Filed \_\_\_\_\_

- AREA DATA:
1. Acres: 0.96 ( 200 IRREGULAR ft. by 300 ft.)
  2. Adjoining Zoning: E \_\_\_\_\_ S \_\_\_\_\_ W \_\_\_\_\_ N \_\_\_\_\_
  3. Land Use: East UNDEVELOPED South UNDEVELOPED  
West UNDEVELOPED North UNDEVELOPED
  4. Sketch plan Land Use is for: \_\_\_\_\_
  5. Present Land Use if for: UNDEVELOPED
  6. Area (is) (is not) platted.

PHOTO DATA:  
Taken by \_\_\_\_\_ Date \_\_\_\_\_ Time \_\_\_\_\_



THE CITY OF WICHITA



BOARD OF ZONING APPEALS  
ADDRESS 2-8311 - AREA CODE 316  
CITY BUILDING ANNEX  
104 S. MAIN ST.  
WICHITA, KANSAS 67202

November 29, 1972

Mr. Robert E. Branson  
Sandlian Management, Inc.  
443 North St. Francis Suite 3  
Wichita, Kansas 67202

Subject: Case No. BZA 28-72  
Request for Exception

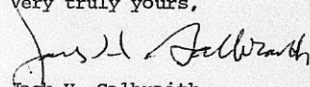
Dear Mr. Branson:

Enclosed is a signed copy of the Resolution adopted by the Board of Zoning Appeals on October 24, 1972, in connection with your request for permitting the installation or construction of a sales lot for boats and associated marine equipment, on property zoned "LC" Light Commercial, and generally located on the East side of Oliver in an area North of New Jersey Drive.

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 any questions concerning this matter, please call our office.

Very truly yours,

  
Jack H. Galbraith  
Chief Planner

JHG:rw

enclosure

cc: Quality Marine Service, Inc., 3227 S. Oliver, 67210  
Robert Feldner, Supt of Central Inspection  
Ralph Eberly, City Clerk  
Joe Donnelly, Central Inspection

RESOLUTION NO. BZA 28-72

WHEREAS, Quality Marine Service, Inc., 3227 South Oliver, Wichita, Kansas, 67210, requests an exception as provided in Section 2.12.590.C, Code of the City of Wichita, to permit the installation or construction of a sales lot for boats and associated marine equipment, on property zoned "IC" Light Commercial, and legally described as follows:

The North 300 feet of Lot 2, Replat of Blocks I and J, Washington Heights Addition to Wichita, Sedgwick County, Kansas. Generally located on the East side of Oliver in an area North of New Jersey Drive.

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 October 24, 1972, consider said application; and

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

WHEREAS, the Board of Zoning Appeals has authority to permit the installation or construction of a sales lot for boats and associated marine equipment, on property zoned "LC" Light Commercial, subject to the conditions outlined in Section 28.04.183.2, 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 a sales lot for boats and associated marine equipment, on property zoned "IC" Light Commercial, and legally described as follows:

The North 300 feet of Lot 2, Replat of Blocks I and J, Washington Heights Addition to Wichita, Sedgwick County, Kansas. Generally located on the East side of Oliver in an area North of New Jersey Drive.

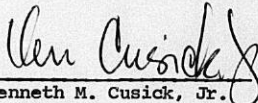
subject to the following conditions:

1. All storage and display areas shall be paved with concrete, asphalt, or other comparable material.
2. All lights shall be shielded to direct light away from adjoining property. No string type lighting or banners shall be permitted.
3. No sign shall exceed 30 feet in height or shall be placed so as to project over any public right-of-way.
4. No sound projecting devices or loudspeakers shall be used (so as to be heard outside any structure.)
5. The area shall be properly policed through inspections by the owner or operator for the proper maintenance and removal of trash.
6. All parking spaces abutting property lines shall have adequate guards, to prevent the extension or over-hanging of vehicles.


boats, or marine equipment beyond property lines. All parking areas shall have adequate markings for channelization and movement of vehicles.

7. No repair work shall be done except within an enclosed building.
8. The applicant shall install all of the required improvements prior to the occupancy of the site for a boat and associated marine equipment sales lot.

ADOPTED AT WICHITA, KANSAS, this 24th day of October, 1972.

  
\_\_\_\_\_  
Kenneth M. Cusick, Jr.  
Chairman

ATTEST:

  
\_\_\_\_\_  
Jack H. Galbraith  
Secretary

November 2, 1972

Mr. Robert E. Branson  
Sandlian Management, Inc.  
443 North St. Francis Suite 3  
Wichita, Kansas 67202

Subject: BEA Case No. 28-72 - Request for Exception

Dear Mr. Branson:

At the regular meeting of the Board of Zoning Appeals on October 24, 1972, your request for an exception to permit the installation or construction of a sales lot for boats and associated marine equipment, on property zoned "LC" Light Commercial, and generally located on the East side of Oliver in an area North of New Jersey Drive, was considered.

It was the action of the Board to approve this request to permit the installation or construction of a sales lot for boats and associated marine equipment subject to the following conditions:

1. All storage and display areas shall be paved with concrete, asphalt, or other comparable material.
2. All lights shall be shielded to direct light away from adjoining property. No string type lighting or banners shall be permitted.
3. No sign shall exceed 30 feet in height or shall be placed so as to project over any public right-of-way.
4. No sound projecting devices or loudspeakers shall be used (so as to be heard outside any structure.)

Mr. Robert E. Brannon

Page 2

5. The area shall be properly policed through inspections by the owner or operator for the proper maintenance and removal of trash.
6. All parking spaces abutting property lines shall have adequate guards, to prevent the extension or over-hanging of vehicles, boats, or marine equipment beyond property lines. All parking areas shall have adequate markings for channelization and movement of vehicles.
7. No repair work shall be done except within an enclosed building.
8. The applicant shall install all of the required improvements prior to the occupancy of the site for a boat and associated marine equipment sales lot.

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

If you have any questions, please call our office.

Very truly yours,

Jack H. Galbraith  
Secretary

JMB:rv

cc: Quality Marine Service, Inc., 3227 South Oliver, 67210  
Robert Feldner, Supt of Central Inspection  
Ralph Eberly, City Clerk  
Joe Donnelly, Central Inspection

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

October 4, 1972

NOTICE TO ADJOINING PROPERTY OWNERS:

Case No. BZA 28-72

An application has been filed by Quality Marine Service, Inc., 3227 South Oliver, Wichita, Kansas, pursuant to Section 2.12.590.C, Code of the City of Wichita, requesting an exception to permit the installation or construction of a sales lot for boats and associated marine equipment, on property zoned "LC" Light Commercial, and legally described as follows:

The North 300 feet of Lot 2, Replat of Blocks I and J, Washington Heights Addition to Wichita, Sedgwick County, Kansas. Generally located on the East side of Oliver in an area North of New Jersey Drive.

This application has been assigned Case No. BZA 28-72, and will be considered by the Board of Zoning Appeals at its meeting on Tuesday, October 24, 1972, at 1:30 p.m., in Room 401 City Building Annex, 104 South Main Street, Wichita, Kansas, at which time you may appear, if you so desire, either in person or by agent or attorney.

Jack H. Galbraith  
Secretary

4 notices to Property Owners sent 10.4.72  
8 " " " " " " Planning  
Commissioners



**Sandlian Management, Inc. / Commercial Real Estate**

443 North St. Francis, Wichita, Kansas 67202  
316 / 267-4357

September 25, 1972

To: Board of Zoning Appeals  
City of Wichita, Kansas

Re: Application for Exception  
Applicant: Quality Marine Service, Inc.  
Location: South Oliver

Reason for Request:

The nature of the business makes peak demands on space. Before and after a holiday, more boats are brought to the business location to be worked on than inside space can accommodate. Even with a basement planned for the new building for boat storage, business will require some boats to be parked outside while waiting to be worked on.

Every boat dealer in town has this problem. Quality Marine specializes in "stem-drive" work - works on boats for other dealers.

SANDLIAN MANAGEMENT, INC.

ROBERT E. BRANSON  
President

REB:jb

SECRETARY'S REPORT

CASE NO. EZA 28-72

APPLICANT: Quality Marine Service, Inc., 3227 South Oliver,  
Wichita, Kansas 67210

AGENT: Robert E. Branson of Sandlian Management, Inc., 443 North  
St. Francis, Suite 3, Wichita, Kansas 67202

REQUEST: Exception pursuant to Section 2.12.590.C, Code of the  
City of Wichita to permit the installation or construc-  
tion of a sales lot for boats and associated marine  
equipment.

GENERAL LOCATION: On the East side of Oliver in an area North of  
New Jersey Drive.

LAND USE: Subject property as well as that to the North, East,  
and South is undeveloped, property to the West is owned by the  
City and is partially developed for recreational purposes.

ZONING: Subject property is zoned "LC" Light Commercial as is  
that to the South; North and East is "B" Multiple Family with  
"AA" Single Family to the West.

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 28.04.183.2, Code of the City  
of Wichita, can be complied with.

COMMENTS BY THE SECRETARY:

The applicant is requesting an exception to the Zoning Ordinance  
to permit the establishment of a boat and associated marine  
equipment sales lot on property zoned "LC" Light Commercial and  
located on the East side of Oliver in an area North of New Jersey  
Drive.

On March 4, 1965, the Planning Commission considered a request  
for a change of zoning (Z-0631), from "LC" Light Commercial to  
"B" Multiple Family, for the land adjacent to the North and East  
of the area contained in this request. The applicant at that  
time stated that the property was going to be developed for apart-  
ments and that the property was unusable for commercial use.  
Action of the Planning Commission was to recommend that the ap-  
plication be approved. This recommendation was concurred in by  
the City Commission.

Boat and marine sales lots are highway oriented uses and usually other similar uses, such as mobile home sales, new and used car sales and other uses of a heavier commercial nature congregate in the same area. Basically, the majority of these uses are located on North and South Broadway and East and West Kellogg, which are two of the major highways in the City.

The Board may grant exceptions in the "LC" Light Commercial district to permit the establishment of boat and marine sales lots, subject to conditions and requirements outlined in the Zoning Ordinance. The primary purpose for this is that boat and marine sales lots are not appropriate in every light commercial area and it is to be the decision of the Board as to where the proper locations should be. If it were felt that these boat and marine sales lots were appropriate in all "LC" areas, then the use would be permitted out right without Board of Zoning Appeals approval.

RECOMMENDATION:

In the event the Board determines that this is a logical and proper use for the area and recommends approval of the application, it is the recommendation of the Secretary that it be approved subject to the following conditions:

1. All storage and display areas shall be paved with concrete, asphalt, or other comparable material.
2. All lights shall be shielded to direct light away from adjoining property. No string type lighting or banners shall be permitted.
3. No sign shall exceed 30 feet in height or shall be placed so as to project over any public right-of-way.
4. No sound projecting devices or loudspeakers shall be used (so as to be heard outside any structure).
5. The area shall be properly policed through inspections by the owner or operator for the proper maintenance and removal of trash.
6. All parking spaces abutting property lines shall have adequate guards, to prevent the extension or over-hanging of vehicles, boats or marine equipment beyond property lines. All parking areas shall have adequate markings for channelization and movement of vehicles.

BZA 23-72  
Secretary's Report  
Page 3

7. No repair work shall be done except within an enclosed building.
8. The applicant shall install all of the required improvements prior to the occupancy of the site for a boat and associated marine equipment sales lot.

BOARD OF ZONING APPEALS

CASE NO. 28-72

CITY OF WICHITA, KANSAS

FILED 9.25.72

APPLICATION FOR EXCEPTION

I. Name of Applicant QUALITY MARINE SERVICE INC  
 Mailing Address 3227 S. OLIVER 67210 Phone 686-9111  
 Name of Authorized Agent ROBERT E. BRANSON  
SANDLIAN MANAGEMENT INC 67202  
 Mailing Address 443 N. ST. FRANCIS - SUITE E Phone 267-4357  
 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

(Zoning Ordinance); to permit the installation or construction

of ~~A~~ <sup>sales lot for</sup> ~~marina~~ <sup>marina area for the marina</sup> ~~the~~  
~~sales of boats + associated marina~~ on property zoned "LC"

~~equipment, with outdoor display~~ located SOUTH OLIVER

and legally described as: THE NORTH 300'

OF LOT 2 IN REPLAT OF BLOCKS I & J, WASHINGTON  
HEIGHTS ADDITION TO WICHITA, SEDGWICK COUNTY, KANSAS

in the City of Wichita.

*the legal  
from zoning  
dept*

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 QUALITY MARINE SERVICE INC  
 Authorized Agent Robert E. Branson

OFFICE USE ONLY: Received in office of Secretary, Board of Zoning Appeals, \_\_\_\_\_ (a.m. p.m. Sept 25), 19 72, together with appropriate fee of \$50.00.

T9-403

Signed Rhonda L. Wagner  
Secretary

OWNERSHIP LIST

Lot	Addition	Property Owner
1	Replat of Blocks I & J Washington Heights Addition	Randall L. Curtis Address Unknown
2	Same	✓ Richard R. Madden Address Unknown
3	Same	✓ Colby B. Sandlian 435 North Broadway Wichita, Kansas 67202 Mary E. Golding Address Unknown
	That part of the Southeast Quarter of Section 2-28-1E, lying South and East of right of way of Kansas Turnpike Authority	✓ City of Wichita City Building 204 South Main Wichita, Kansas 67202

The Security Abstract and Title Company, Inc., hereby certifies the foregoing to be a true and correct list of property owners of:

*see foot  
legal*

200 foot radius of <sup>LT</sup> the North 300 feet of Lot 2,  
Replat of Blocks I and J, Washington Heights  
Addition to Wichita, Sedgwick County, Kansas ]

as shown by the records on file in the Office of the Register of Deeds of Sedgwick County, Kansas, on this 25th day of September, 1972 at 7:00 o'clock A.M.

THE SECURITY ABSTRACT AND TITLE  
COMPANY, INC.

By

*Mary Sable*

Assistant Vice President

Order No. 194893  
wh

Form 225-021

**PAYMENT NOTICE**  
City of Wichita

**PAY AT TREASURER'S OFFICE - FIRST FLOOR**

Bldg & Elev.	Elec.	Elev. Insp.	Exam. Fees
Hse. Mvr.	Hse. Moving	Licse.	Mech.
Oil Well	Pav. Cuts	Plan.	Plbg. Cert.
Sanitation	Sewer	Signs	Sidewalk
Street	Trailer		

DESCRIPTION	AMOUNT
22A Inspection	250.00

Name  
Quality Water Service Inc

Address  
227 S. Olive

Type  
77-46763

Due Date

Comments:

Date  
9-25-72

By  
RLW

\*

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