

**B2A**  
5-68 - MELVYN J. STEVEN requests  
Exception to permit installation of  
car wash on east side of Woodlawn,  
south of Lincoln

POSTED  
3-5-68  
H

**ACTION**

B3a COMMITTEE Approve <sup>DATE</sup> 3-26-68

~~M.A.P.C.~~

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

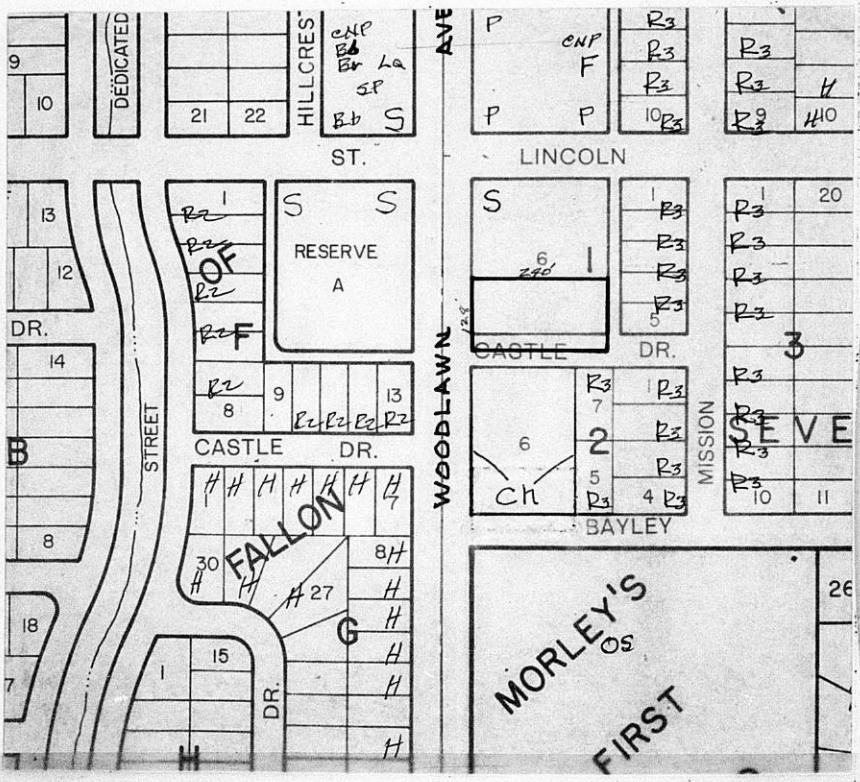
MZM ✓  
CZM ✓  
10-11-69

Map No. 5946  
 Sec. 30  
 Twp. 27  
 Range 2E

B2A 5-68  
 SCZ- \_\_\_\_\_  
 CU- \_\_\_\_\_  
 Filed \_\_\_\_\_

- AREA DATA:
1. Acres: 0.70 (128 ft. by 240 ft.)
  2. Adjoining Zoning: E RB S RB W LC N LC
  3. Land Use: East Multi-family South MULTI-FAMILY CHURCH  
 West VAC North SERV. STAT & VAC
  4. Sketch Plan Land Use is for: RESIDENTIAL
  5. Present Land Use is for: VAC
  6. Area (is) (is not) platted.

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



RESOLUTION NO. BZA 5-68

WHEREAS, Melvyn J. Steven, 1700 N. Nevada, Wichita, Kansas, by Mearle D. Mason, Suite D, 810 W. Douglas, Wichita, Kansas, requests an exception as provided in Section 2.12.590.C, Code of the City of Wichita, for a self-service car wash on property zoned "LC" Light Commercial, and legally described as follows:

Lot 6, Block 1, except the North 175 feet, in Eastridge Seventh Addition to Wichita, Sedgwick County Kansas. Generally located on the east side of Woodlawn, south of Lincoln.

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 March 26, 1968, 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 a self-service car wash in an "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 for a self-service car wash on property zoned "LC" Light Commercial and legally described as follows:

The west 150 feet of Lot 6, Block 1, except the North 175 feet, in Eastridge Seventh Addition to Wichita, Sedgwick County, Kansas being platted as Lot 1, Melvyn' Addition. Generally located on the east side of Woodlawn, south of Lincoln.

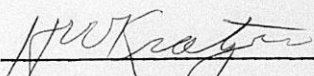
subject to the following conditions:

1. Development shall proceed in accordance with the plan approved by the Board of Zoning Appeals.
2. Approval of vacation Case No. V-0457 by the Boards of the City and County Commissioners.
3. Recording of S/D 66-18 - Melvyn Addition with the Register of Deeds.
4. There shall be a minimum of 3,500 square feet for each self-service car wash stall, provided that the minimum lot area shall not be less than 7,500 square feet.

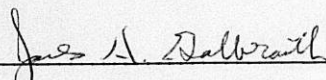
5. The car washing building or facilities shall set back a distance of not less than 60 feet from the south property line and not less than 35 feet from the east line of Woodlawn as indicated on the plat of S/D 66-18 - Melvyn Addition.
6. All the area to be utilized by the washing and drying operation, including all ingress and egress areas, shall be paved with concrete, asphalt, or asphaltic concrete.
7. All lights shall be shielded to reflect or direct light away from the adjacent property. No string type lighting or banners shall be permitted.
8. No signs shall exceed 25 feet in height or be placed so as to project over any public right-of-way.
9. No sound projecting devices or loudspeakers shall be used so as to be heard outside of any structure.
10. Off-street holding spaces shall be provided on the property in the following ratio: Not less than four (4) parking spaces for each self-service car washing stall.
11. Off-street drying spaces shall be provided on the property in the following ratio: Not less than two (2) parking spaces for each self-service car washing stall.
12. One off-street parking space shall be provided for each two employees.
13. In the event Lot 2 of Melvyn Addition is developed as a residence, the applicant or owner of the car wash operation shall construct a six foot high solid or semi-solid fence of masonry, architectural tile, wood, louvered wood, or other similar materials along the east line of Lot 1, Melvyn Addition.
14. All parking areas shall have adequate guards to prevent the extension or overhanging of vehicles beyond the property lines or parking spaces.
15. 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.

16. The area shall be properly policed through inspections by the owner or operator for proper maintenance and removal of trash.
17. 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 March, 1968.

  
\_\_\_\_\_  
H. W. KRATZER, Chairman

ATTEST:

  
\_\_\_\_\_  
JACK H. GALBRAITH, Secretary

May 3, 1968

Mr. Robert Feldner  
Superintendent, Central Inspection  
City Building Annex  
104 South Main Street  
Wichita, Kansas 67202

Subject: Case No. BZA-5-68  
Request for an exception

Dear Mr. Feldner:

Enclosed is a signed copy of the Resolution adopted by the Board of Zoning Appeals on March 26, 1968, in connection with a request for an exception for a self-service car wash on the east side of Woodlawn, south of Lincoln.

This Resolution reflects the official action of the Board and indicate the conditions of approval. This Resolution would not normally be forwarded to you or the applicant until all conditions of approval have been complied with, however, it has been brought to our attention that your office has already issued a building permit for this use. We would suggest that since the vacation case V-0457, indicated in Condition No. 2, has not been approved by the Board of County Commissioners, that you not issue a change of occupancy until you have evidence that this street has been vacated through the Board of County Commission.

Although we realize that a mistake was made in the issuance of a permit, we would suggest that as in the past that permits not be issued on Board of Zoning Appeal cases unless the Resolution has been forwarded to your office.

If you have any questions concerning this matter, please contact our office.

Sincerely,

Jack H. Galbraith  
Senior Planner

JHG:js

Robert Feldner  
May 3, 1968  
Page 2

cc: Ralph Eberly,  
City Clerk

Melvyn J. Steven  
1700 N. Nevada  
Wichita, Kansas 67212

Marle D. Mason  
Hill and Mason  
Attorney-at-Law  
810 W. Douglas  
Wichita, Kansas 67202

Board of Zoning Appeals  
Wichita, Kansas  
Attn: Mr. Jack Galbraith  
Secretary

Dear Mr. Galbraith

The Woodlawn Ave. Baptist Church, an adjoining property owner involved in Case No. BZA 5-68 does not desire that a masonry wall be built on the  $\frac{1}{2}$  of vacated Castle Drive.

Yours truly

*Joseph F. Herr*

Joseph F. Herr  
Pres. - Chairman of  
the Board of Trustees,  
Woodlawn Ave Baptist  
Church



March 29, 1968

Mearle D. Mason  
Suite D  
810 W. Douglas  
Wichita, Kansas 67202

Dear Mr. Mason;

Subject: Case No. BZA 5-68  
Request for Exception.

At the regular meeting of the Board of Zoning Appeals on March 26, 1968, your request for an exception to permit the construction or installation of a self-service car wash on property zoned "LC" Light Commercial, and generally located on the east side of Woodlawn, south of Lincoln, 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. Approval of vacation Case No. V-04/57 by the Boards of City and County Commissioners.
3. Recording of S/D 66-13 - Melvin Addition with the Register of Deeds.
4. There shall be a minimum of 3,500 square feet for each self-service car washing stall, provided that the minimum lot area shall not be less than 7,500 square feet.
5. The car washing building or facilities shall set back a distance of not less than 60 feet from the

Page 2 - Letter to  
Mearle D. Mason  
March 29, 1968

south property line and not less than 35 feet from the east line of Woodlawn as indicated on the plat of S/D 66-18 - Melvyn Addition.

6. 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.
7. All lights shall be shielded to reflect or direct light away from the adjacent property. No string type lighting or banners shall be permitted.
8. No signs shall exceed 25 feet in height or be placed so as to project over any public right-of-way.
9. No sound projecting devices or loudspeakers shall be used so as to be heard outside of any structure.
10. Off-street holding spaces shall be provided on the property in the following ratio: Not less than four (4) parking spaces for each self-service car washing stall.
11. Off-street drying spaces shall be provided on the property in the following ratio: Not less than two (2) parking spaces for each self-service car washing stall.
12. One off-street parking space shall be provided for each two employees.
13. 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 south property line. Said fence shall be reduced to 3 feet in height within 35 feet of the east right-of-way line of Woodlawn.

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Mearle D. Mason  
March 29, 1968

14. In the event Lot 2 of Melvyn Addition is developed as a residence, the applicant or owner of the car wash operation shall construct a six foot high solid or semi-solid fence of masonry, architectural tile, wood, louvered wood, or other similar materials along the east line of Lot 1, Melvyn Addition.
15. All parking areas shall have adequate guards to prevent the extension or overhanging of vehicles beyond the property lines or parking spaces.
16. 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.
17. The area shall be properly policed through inspections by the owner or operator for proper maintenance and removal of trash.
18. 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.

Regarding condition number 13, pertaining to constructing a fence between the church property and the car-wash operation, it was pointed out that the church did not desire the fence. The action of the Board was to instruct the Secretary to eliminate the condition if the church submitted a letter stating they were not desirous of having the fence.

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.'

Page 4 - Letter to  
Mearle D. Mason  
March 29, 1968

Very truly yours,

Jack H. Galbraith  
Secretary

JHG:skb

cc: Melvyn J. Steven, 1700 N. Nevada 67212  
Woodlawn Avenue Baptist Church, 960 S. Woodlawn  
c/o Robert Sands 67218  
Robert B. Feldner, Superintendent of Central Inspection  
Ralph Eberly, City Clerk

SECRETARY'S REPORT

CASE NO. BZA 5-68

APPLICANT: Melvyn J. Steven

AGENT: Hill and Mason by Mearle D. Mason

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

GENERAL LOCATION: East side of Woodlawn, south of Lincoln

LAND USE: Subject property is vacant, to the west is an ice cream business, to the north is a service station and Kau Kau Carry Out with a church and multiple family residence to the south, and multi-family residences on the east.

ZONING: To the north and west is "LC"; to the south and east is "RB"

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 providing the conditions as set out under Section 28.04.183.4 can be met.

COMMENTS BY THE SECRETARY

The applicant is applying for an exception to the Zoning Ordinance to permit the installation of a self-service car wash on land zoned "LC" Light Commercial. Subject property has sufficient area to install the proposed facility and a plan has been submitted and approved by the Traffic Engineer for the east 125 feet of the west 150 feet of the application area. The applicant is presently in the process of vacating Castle Drive on the south (V-0457) and replatting the area into two lots (S/D 6-18 - Melvyn Addition), the area approved by the Traffic Engineer being that area shown as Lot 1 on the plat.

It should be pointed out that Lot 2 of the proposed plat could at some point in time be developed for a residential use and would be subject to viewing the stacking lanes and car washing process unless some preventive screening is provided. It should also be pointed out that the same conditions exist for the church property to the south which also should be protected and screened.

RECOMMENDATION

It is the recommendation of the Secretary that the exception be approved for the east 125 feet of the west 150 feet (Lot 1, Melvyn Addition) to permit the installation of a self-service car wash, subject to the following conditions:

1. Development shall proceed in accordance with the plan approved by the Board of Zoning Appeals.
2. Approval of vacation Case No. V-0457 by the Boards of City and County Commissioners.
3. Recording of S/D 66-18 - Melvin Addition with the Register of Deeds.
4. There shall be a minimum of 3,500 square feet for each self-service car washing stall, provided that the minimum lot area shall not be less than 7,500 square feet.
5. The car washing building or facilities shall set back a distance of not less than 60 feet from the south property line and not less than 35 feet from the east line of Woodlawn as indicated on the plat of S/D 66-18 - Melvyn Addition.
6. 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.
7. All lights shall be shielded to reflect or direct light away from the adjacent property. No string type lighting or banners shall be permitted.
8. No signs shall exceed 25 feet in height or be placed so as to project over any public right-of-way.
9. No sound projecting devices or loudspeakers shall be used so as to be heard outside of any structure.
10. Off-street holding spaces shall be provided on the property in the following ratio: Not less than 4 parking spaces for each self-service car washing stall.
11. Off-street drying spaces shall be provided on the property in the following ratio: Not less than 2 parking spaces for each self-service car washing stall.

12. One off-street parking space shall be provided for each two employees.
13. 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 south property line. Said fence shall be reduced to 3 feet in height within 35 feet of the east right-of-way line of Woodlawn.
14. In the event Lot 2 of Melvyn Addition is developed as a residence, the applicant or owner of the car wash operation shall construct a six foot high solid or semi-solid fence of masonry, architectural tile, wood, louvered wood, or other similar materials along the east line of Lot 1, Melvyn Addition.
15. All parking areas shall have adequate guards to prevent the extension or overhanging of vehicles beyond the property lines or parking spaces.
16. 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.
17. The area shall be properly policed through inspections by the owner or operator for proper maintenance and removal of trash.
18. 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.

BOARD OF ZONING APPEALS

Room 402 City Building Annex  
104 S. Main Street  
Wichita, Kansas 67202

March 18, 1968

NOTICE TO ADJOINING PROPERTY OWNERS

Case No. BZA 5-68

An application has been filed by Melvyn J. Steven, 1700 N. Nevada, Wichita, Kansas, by Mearle D. Mason, 810 W. Douglas, Suite D, Wichita, Kansas, pursuant to Section 2.12.590.C, Code of the City of Wichita, requesting an exception to permit installation or construction of self-service car wash operation, on property zoned "LC" Light Commercial, and legally described as follows:

Lot 6 except the north 175 feet thereof, together with the N $\frac{1}{2}$  of vacated Castle Drive, adjacent on the south, Block 1, Eastridge Seventh Addition, Wichita, Kansas.  
Generally located on the east side of Woodlawn, south Of Lincoln.

This application has been assigned Case No. BZA 5-68, and will be considered by the Board of Zoning Appeals at its meeting on Tuesday, March 26, 1968, at 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

BOARD OF ZONING APPEALS  
CITY OF WICHITA, KANSAS

CASE NO. 5-68  
FILED 2-26-68

APPLICATION FOR EXCEPTION

I. Name of Applicant Melvyn J. Steven Kansas 12  
Mailing Address 1700 North Nevada, Wichita, Phone WH 3-5454  
Name of Authorized Agent Hill and Mason by Mearle D. Mason  
Mailing Address 810 West Douglas-Suite D, Wichita, Phone AM 5-3247 02 Kansas  
Relationship of applicant to property is that of owner  
(owner, tenant, lessee, other).

II. Application is made for an exception as provided in Section  
28.04.183.4  
212.590.c, Code of the City of Wichita, Kansas  
(Zoning Ordinance); to permit the installation or construction  
of a car wash, operation  
of \_\_\_\_\_ on property zoned

\_\_\_\_\_ on property zoned  
light commercial located Woodlawn and Lincoln,  
\_\_\_\_\_ and legally described as:  
\_\_\_\_\_  
Steven's replat of a portion of lot 6, Block 1,  
Eastridge 7th Addition; \_\_\_\_\_, in the City of Wichita.

(Give metes and bounds description below if appropriate).

lot 6 except the north 175 feet thereof, together  
with the N 1/2 of vacated Castle Drive adjacent on  
the south, Block 1, Eastridge Seventh Addition to  
Wichita, Kansas. Generally located on the east  
side of Woodlawn south  
of Federal

- 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 Melvyn J. Steven  
MELVYN J. STEVEN  
Authorized Agent Mearle D. Mason  
MEARLE D. MASON

OFFICE USE ONLY: Received in office of Secretary, Board of Zoning Appeals, 3:30 (a.m. (p.m.)), February 26, 1968, 1968, together with appropriate fee of \$50.00.

Signed Lynne Shirkley, Planner  
LS

CERTIFICATE OF OWNERSHIP

CALLAHAN GUARANTEE TITLE CO., INC., hereby certifies the following to be a true and correct list of the property owners as shown by the last deed of record in the office of the Register of Deeds of Sedgwick County, Kansas, of the real estate within a radius of 200 feet of and including the following described property, to-wit:

Lot 6, Block 1, except the North 175 feet, in  
Eastridge Seventh Addition to Wichita, Sedgwick  
County, Kansas.

Description	Owners	Address
<u>Eastridge Seventh Addition</u>		
<u>Block 1</u>		
S 75' of N 175' of Lot 6	Frances Monson	✓ c/o Sandlian Realty 443 N. St. Francis 02
Lot 6, except N. 175'	<del>Melvyn Steven &amp; Sandra</del>	<del>1700 No. Nevada 12</del>
N 100' of W 100' of Lot 6	Harley P. Moon and Mattie F. Moon	✓ 1610 Salina 03
E 140' of N 100' of Lot 6	Ridgewood Development, Inc.	✓ 1905 Southwest Blvd. 13
Lots 1-2-3-4-5	Do	Do
<u>Block 2</u>		
Lots 1-2-3	Do	Do
Lot 5	William C. Merrill and Mildegard Merrill	✓ 1414 Fairmount 08
Lot 6	Woodlawn Avenue Baptist Church	✓ 960 S. Woodlawn 18
Lot 7	<del>Ridgewood Development, Inc.</del>	<del>1905 Southwest Blvd.</del>
<u>Replat of Trollope-Fallon Addition</u>		
<u>Block F</u>		
S 200' of Reserve A	McClellan-Fallon, Inc.	✓ 1302 Iroquois 03
E 100' of N 100' Res. A	American Oil Co.	✓ 810 West Douglas 03
Lots 11-12-13	Leon H. McClellan and Hazel K. McClellan	✓ 1302 Iroquois 03
E. 46' of Lot 6, and W 6' of Lot 7	Frank Mlady, Jr. & Patricia Ann Mlady	✓ 6135 Castle Drive 18
E 56' of Lot 7	Alvin Eugene Graham & Donna L. Graham	✓ 1001 So. Woodlawn 18

WITNESS our Hand and Seal this the 28th day of February, 1968 at 7:00 AM

CALLAHAN GUARANTEE TITLE CO., Inc.,

By *Nellie M. Pestinger*  
Vice-President.

Order No. 15770

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	Plbg. Cert.
Sanitation	Sewer	Signs	Sidewalk
Street	Trailer	9 50.00	

DESCRIPTION	AMOUNT
<i>BZA Application</i>	

Name *Meloynd L. Stuenkel*  
 Address *6 Duane Mason, 810 N. Douglas*  
 Type *R-7-C* Date *2-26-68*  
 Comments:

Date *2-26-68* By *[Signature]*

\*

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