

Joe Basch 4-6-87

Sub 5-1-87

Record ✓

CASE NO. BZA 42-86 Jackie W. Bunyard & Melba K. Bunyard request an exception to permit the construction of an automatic carwash to be utilized in conjunction with the existing service station on the south & located on property zoned "R1"

ACTION

B.Z.A. 42-86 APPROVED 10/23/76
DATE

5644B

Joe Base's 4-6-87

Shoh 5-1-87
Record ✓

CASE NO. BZA 42-86 Jackie W. Buryard & Melba K. Buryard request an exception to permit the construction of an automatic carwash to be utilized in conjunction with the existing service station on the south & located on property zoned R-2.

March 23, 1987

Mr. Al Ahre, Architect
2126 South Volusia
Wichita, Kansas 67211

RE: BZA 42-86 (exception for carwash) 3165 South Hillside.

Dear Mr. Ahre:

Attached hereto is a copy of Resolution BZA 42-86 setting forth the conditions of approval by the Board of Zoning Appeals on October 28, 1986. The latest site plan has been approved subject to the inclusion of parking barriers or curbs being placed adjacent to the public right-of-way lines and adjacent to any unimproved portion of the zoning lot.

This resolution is being furnished to you for your files and you should now be able to secure the permit for the construction of the carwash. If you have any questions, please give me a call at 268-4421.

Sincerely,

Glen E. Lytle
Assistant Secretary

GEL:lw

Attachment

cc: Donald E. Hill, Attorney, 800 N. Market, Wichita, KS 67214
Jackie & Melba Bunyard, Route 1, Box 139, Leon, KS 67074
Monty Robson, Superintendent of Central Inspection (2)
Dale Rea, Deputy City Clerk

PL/0085/1

RESOLUTION CASE NO. 42-86

WHEREAS, Jackie W. Bunyard and Melba K. Bunyard, Route 1, Box 139, Leon, Kansas, pursuant to Section 2.12.590.C, Code of the City of Wichita, requests an exception to permit the construction of an automatic carwash to be utilized in conjunction with the existing service station on the south and located on property zoned the "LC" Light Commercial District and legally described as follows:

Lots 12, 13 and 14, Edminster Gardens, an addition to Wichita, Sedgwick County, Kansas. Generally located on the northwest corner of Hillside and 31st Street South (3165 S. Hillside).

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 28, 1986, 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 an automatic car wash 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 construction of an automatic carwash to be utilized in conjunction with the existing service station on the south and located on property zoned the "LC" Light Commercial District and legally described as follows:

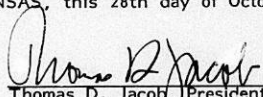
Lots 12, 13 and 14, Edminster Gardens, an addition to Wichita, Sedgwick County, Kansas. Generally located on the northwest corner of Hillside and 31st Street South (3165 S. Hillside).

subject to the following conditions:

1. A revised site plan shall be submitted to the Secretary for approval showing all required off-street parking, holding and drying spaces in conformance with the zoning ordinance.
2. 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. Only one automatic car wash facility is allowed by this resolution.
3. All of the area to be used for circulation, holding spaces, parking spaces and all ingress and egress drives, including common access drives, shall be surfaced with asphalt, concrete or asphaltic concrete and be maintained in good condition.
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. Signs shall be limited to that permitted by the zoning ordinance for the "LC" Light Commercial District.
6. No sound projecting devices or loudspeakers shall be used so as to be heard outside of any structure.
7. Off-street parking spaces shall be provided for the total facility as required by the zoning ordinance.

8. All parking spaces and drying spaces shall have adequate guards or curbs to prevent the extension of overhanging of vehicles beyond property lines, circulation aisles and parking spaces.
9. All circulation drives adjacent to public right-of-way shall be provided with adequate guards to prevent vehicles from driving over the adjacent sidewalks.
10. Grades shall be established on the property to prevent the intrusion of surface drainage from entering the sanitary sewer. This shall include a roof over the car wash and the installation of the mud trap at a location under the roof or at a grade satisfactory to the Superintendent of Sewer Maintenance.
11. 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.
12. The car wash shall be provided with a blower for the removal of excess water and shall not be operated without the dryer if the temperature is projected to drop below freezing within 12 hours.
13. Prior to the release of the resolution, and prior to the start of any construction, the applicants shall submit and complete the replatting of Lot 12, Edminster Gardens Addition, which will effectuate and complete zoning case Z-2792.
14. All of the above conditions of approval must be complied with within 360 days of the action by the Board of the resolution shall become null and void.

ADOPTED AT WICHITA, KANSAS, this 28th day of October, 1986.


Thomas D. Jacob, President

ATTEST:


Glen E. Lytle, Assistant Secretary

AL AHRE, AIA
ARCHITECT
 2126 S. Volusia
 WICHITA, KANSAS 67211

LETTER OF TRANSMITTAL

TO Mr. Glen Lytle
Metro Planning
City Bldg, Wichita, Ks.

DATE	Mar 20, 1987	JOB NO.
ATTENTION		
RE	Car Wash for Glen Lytle, head of Bunyard's Sewer Station 9th & 31st St South Wichita, Ks	

WE ARE SENDING YOU Attached Under separate cover via _____ the following items:

- Shop drawings Prints Plans Samples Specifications
 Copy of letter Change order _____

COPIES	DATE	NO.	DESCRIPTION
3	Mar 20, 1987		C-1 8-29
1	prints		letter to Mr. Glen Lytle dated Mar 20, 1987
3	copy		replat of lot 12, Edminister Gardens Sedgewick County, Ks.
3	prints		Site plan 3-20-87

THESE ARE TRANSMITTED as checked below:

- For approval Approved as submitted Resubmit _____ copies for approval
 For your use Approved as noted Submit _____ copies for distribution
 As requested Returned for corrections Return _____ corrected prints
 For review and comment _____
 FOR BIDS DUE _____ 19 _____ PRINTS RETURNED AFTER LOAN TO US

REMARKS _____

COPY TO _____

SIGNED: Al Ahre

AL AHRE, AIA
ARCHITECT

2126 S. VOLUTSIA
WICHITA, KANSAS 67211

316-684-0646

March 20, 1987

Mr. Glen Guetersloh
Bunyard's Service Station
Hillside & 31st. St. South
Wichita, Ks.

Re: Car Wash

Dear Glen:

I have prepared a revised plan per your approval for submittal to Robin Riddell of Central Inspection and Glen Lytle of Metro Planning.

Mr. Lytle gave me a copy of the letter of Oct. 29, 1986 to Mr. Hill which I have included and printed on the site plan drawing with a notation that the items listed in that letter will be complied with.

Mr. Lytle mentioned an additional consideration not contained in the letter. This additional consideration included a land use barrier to prevent parking on unimproved ground west of the car wash.

If after further plan-review, any barriers should be required, I assume we will receive official notification and code references from the City.

Sincerely,



Al Ahre AIA

c.c. Riddell & Lytle

October 29, 1986

Donald E. Hill
500 North Market
Wichita, Kansas 67214

Re: BZA 42-86 - Request for Exception (On the northwest corner of Hillside and 31st Street South)

Dear Mr. Hill:

At the regular meeting of the Board of Zoning Appeals on October 28, 1986, your request for an exception was considered. It was the action of the Board to grant the exception subject to the following conditions:

1. A revised site plan shall be submitted to the Secretary for approval showing all required off-street parking, holding and drying spaces in conformance with the zoning ordinance.
2. 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. Only one automatic car wash facility is allowed by this resolution.
3. All of the area to be used for circulation, holding spaces, parking spaces and all ingress and egress drives, including common access drives, shall be surfaced with asphalt, concrete or asphaltic concrete and be maintained in good condition.
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. Signs shall be limited to that permitted by the zoning ordinance for the "LC" Light Commercial District.
6. No sound projecting devices or loudspeakers shall be used so as to be heard outside of any structure.
7. Off-street parking spaces shall be provided for the total facility as required by the zoning ordinance.

8. All parking spaces and drying spaces shall have adequate guards or curbs to prevent the extension of overhanging of vehicles beyond property lines, circulation aisles and parking spaces.
9. All circulation drives adjacent to public right-of-way shall be provided with adequate guards to prevent vehicles from driving over the adjacent sidewalks.
10. Grades shall be established on the property to prevent the intrusion of surface drainage from entering the sanitary sewer. This shall include a roof over the car wash and the installation of the mud trap at a location under the roof or at a grade satisfactory to the Superintendent of Sewer Maintenance.
11. 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.
12. The car wash shall be provided with a blower for the removal of excess water and shall not be operated without the dryer if the temperature is projected to drop below freezing within 12 hours.
13. Prior to the release of the resolution, and prior to the start of any construction, the applicants shall submit and complete the replatting of Lot 12, Edminster Gardens Addition, which will effectuate and complete zoning case Z-2792.
14. All of the above conditions of approval must be complied with within 360 days of the action by the Board of the resolution shall become null and void.

The release of the resolution is subject to the submission of a revised site plan and the completion of the replatting of the property.

If you have any questions, please call our office.

Sincerely yours,

Glen E. Lytle
Assistant Secretary

GEL:lw

cc: Jackie W. and Melba K. Bunyard, Route 1, Box 139, Leon, KS 67074
Monty Robson, Superintendent of Central Inspection (2)
Don Gisick, City Clerk

THE CITY OF WICHITA

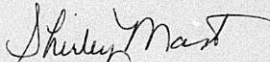
OFFICE OF Citizen Participation DATE October 15, 1986

TO Glen Lytle, Special Assistant for Zoning

FROM Shirley Mast, Administrative Aide III


SUBJECT BZA 42-86: Northeast corner of
31st Street South and Hillside
3165 South Hillside

Due to the lack of a quorum at its October 14 meeting, CPO Neighborhood Council "D" will be unable to provide a recommendation to the Board of Zoning Appeals for the captioned case.


Shirley Mast
Administrative Aide III

SM:dm

Noted:


Annie K. Montgomery
CRS Director

RECEIVED

OCT 16 1986

METROPOLITAN PLANNING

ROUTE _____

SECRETARY'S REPORT
CASE NO. BZA 42-86

APPLICANT: Jackie W. and Melba K. Bunyard, Route 1, Box 139, Leon, KS 67074

AGENT: Donald E. Hill, 500 N. Market, Wichita, KS 67214

REQUEST: Exception pursuant to Section 28.04.183.4 Code of the City of Wichita to permit the establishment of an automatic car wash.

GENERAL LOCATION: On the northwest corner of Hillside and 31st Street South.

ZONING: Subject property is zoned the "LC" Light Commercial District as are the properties to the north, west and south. To the east is the "RB" Four-family Dwelling District and the "LC" Light Commercial District.

LAND USE: Subject property is occupied by a service station and a vacant lot. Property to the west and south is commercial development and to the east is vacant land and four-family dwellings. To the north is a mixture of residential and commercial 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:

The applicant is requesting an exception to permit the construction of an automatic car wash to be operated in conjunction with the existing full service station located on the corner. The one lot proposed to be utilized by the car wash was just recently approved for "LC" Light Commercial zoning subject to the property being replatted. This will result in the dedication of additional right-of-way and the standard setback of 35 feet from the new right-of-way line. As of this date, no surveyor or engineer has started proceedings on this plat.

It should be noted that this proposal has been the intent of the use of the property since the zoning change request was first made. The location is in conformance with the limitations as required by the ordinance and should be adequate in size to accommodate the proposed use. It should be noted, however, that the location as shown by the applicant's site plan does not conform to the desired standards as set forth in the ordinance. In addition, the proposed additional car washes to the west will compound the on-site circulation even more severely. It is the Secretary's opinion that the use is appropriate, but should be redesigned to allow adequate holding spaces without interference with the other use on site.

RECOMMENDATION:

Should the Board determine that the use of the property for an automatic car wash is appropriate, then it is the Secretary's recommendation that the exception be approved subject to the following conditions:

1. A revised site plan shall be submitted to the Secretary for approval showing all required off-street parking, holding and drying spaces in conformance with the zoning ordinance.
2. 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 for the proposed and future car wash aisles.

3. All of the area to be used for circulation, holding spaces, parking spaces and all ingress and egress drives, including common access drives, shall be surfaced with asphalt, concrete or asphaltic concrete and be maintained in good condition.
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. Signs shall be limited to that permitted by the zoning ordinance for the "LC" Light Commercial District.
6. No sound projecting devices or loudspeakers shall be used so as to be heard outside of any structure.
7. Off-street parking spaces shall be provided for the total facility as required by the zoning ordinance.
8. All parking spaces and drying spaces shall have adequate guards or curbs to prevent the extension of overhanging of vehicles beyond property lines, circulation aisles and parking spaces.
9. All circulation drives adjacent to public right-of-way shall be provided with adequate guards to prevent vehicles from driving over the adjacent sidewalks.
10. Grades shall be established on the property to prevent the intrusion of surface drainage from entering the sanitary sewer. This shall include a roof over the car wash and the installation of the mud trap at a location under the roof or at a grade satisfactory to the Superintendent of Sewer Maintenance.
11. 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.
12. The car wash shall be provided with a blower for the removal of excess water and shall not be operated without the dryer if the temperature is projected to drop below freezing within 12 hours.
13. Prior to the release of the resolution, and prior to the start of any construction, the applicants shall submit and complete the replatting of Lot 12, Edminster Gardens Addition, which will effectuate and complete zoning case Z-2792.
14. All of the above conditions of approval must be complied with within 360 days of the action by the Board of the resolution shall become null and void.

BZA CASE NO. 42-86

<u>2</u>	NOTICES SENT TO APPLICANT/AGENT
<u>14</u>	LEGAL ADVERTISEMENT SENT TO MAPC & BZA
<u>1</u>	NOTICES SENT TO CPO
<u>10</u>	NOTICES SENT TO ADJOINING PROPERTY OWNERS
<u>13</u>	TOTAL NOTICES SENT <u>10/6/86</u>

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

October 6, 1986

NOTICE TO ADJOINING PROPERTY OWNERS:

CASE NO. BZA 42-86

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 Jackie W. Bunyard and Melba K. Bunyard, Route 1, Box 139, Leon, Kansas, 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 construction of an automatic carwash to be utilized in conjunction with the existing service station on the south and located on property zoned the "LC" Light Commercial District. A legal description of the applicant's property is as follows:

Lots 12, 13 and 14, Edminster Gardens, an addition to Wichita, Sedgwick County, Kansas. Generally located on the northwest corner of Hillside and 31st Street South (3165 S. Hillside).

This application has been assigned Case No. BZA 42-86. It will be considered by the Board of Zoning Appeals on October 28, 1986 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 or objections regarding 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.

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.

If you have any questions about the application, please feel free to call the Wichita-Sedgwick County Metropolitan Area Planning Department at 268-4421.

Glen E. Lytle
Assistant Secretary

BOARD OF ZONING APPEALS

CASE NO. 42-86

CITY OF WICHITA, KANSAS

FILED _____

APPLICATION FOR EXCEPTION

I. Name of Applicant Jackie W. Bunyard
Melba K. Bunyard
 Route 1, Box 139
 Mailing Address Leon, KS 67074 Phone 316-394-2359

Name of Authorized Agent Donald E. Hill
 500 North Market
 Mailing Address Wichita, KS 67214 Phone 316-263-3200

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 automatic car wash

_____ on property zoned Light Commercial,
 located at 3163 South Hillside and legally
 described as: Lot 12, Edminster Gardens Addition,
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. 39-285); and that the appropriate fee is here-with 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.

Jackie W. Bunyard
 Jackie W. Bunyard
 Applicant Melba K. Bunyard
 Melba K. Bunyard
 Authorized Agent Donald E. Hill
 Donald E. Hill

OFFICE USE ONLY: Received in Office of Secretary, Board of Zoning Appeals, 11:30 (a.m./p.m.), Sept 29, 1986 together with appropriate fee of 400.00.

Signed _____

Applicant intends to sell the property to a corporation, Bunyard Service Center, Inc., which intends to erect a car wash facility on the property, in accordance with the attached site plan, to serve the existing service station facility to the south of the property.

The Board has jurisdiction of this matter pursuant to City of Wichita Ordinance 28.04.183.

The car wash facility will be consistent with the other commercial uses in the area.

O W N E R S H I P L I S T

<u>Lot</u>	<u>Addition</u>	<u>Property Owner</u>
Lot 9	Edminster Gardens Addition	Progress Builders Inc. 1617 W. Harry Wichita, KS 67213
Lots 10 & 11 except the South 10 feet and except the North 92 feet	"	Gary Mark Hutton Kay M. Hutton 3116 E. 31st South Wichita, KS 67216
The North 92 feet of Lots 10 & 11	"	Melba Kay Bunyard 3165 S. Hillside Wichita, KS 67216
Lot 12	"	Same As Above
Lots 13 & 14	"	Bunyard Service Center Inc. 3165 S. Hillside Wichita, KS 67216
Lots 1 & 2, Block A	Hillside Heights Addition	James K. Barnett Carolyn E. Barnett 794 Road 7 Erie, CO 80516
Lot 3, Block A	"	Daisy Lenora Reddick 3105 S. Hillside Wichita, KS 67216
Lot 8, Block D	Dunham Addition	Thomas E. Reedy Marie G. Reedy 3023 Dunham Wichita, KS 67216
Lot 9, Block D	"	Ane Sourivong and Bouaphann Sourivong and Sangviene Sourivong 3031 Dunham Wichita, KS 67216
Lot 10, Block D	"	Walter J. Mason Doris L. Mason 3101 Dunham Wichita, KS 67216
Lots 43 & 44, Block C	Planeview Subdivision No. 2	Land Enterprises Co. Bldg. 1, Suite 227 555 N. Woodlawn Wichita, KS 67208
Lots 45, 46 & 47, Block C	"	Dewey D. Garrison Colleen M. Garrison 3072 S. Hillside Wichita, KS 67216

Page 2

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

Lot 12, Edminster Gardens, 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 16th day of July, 1986, at 7:00 o'clock A.M.

THE SECURITY ABSTRACT AND TITLE COMPANY, INC.

Mary Eable

By

Sr. Vice-President

Order No: 364525

nj

MICROFILMED
FROM THE BEST
AVAILABLE COPY

FORM 29-000

PAYMENT NOTICE
 City of Wichita

Bldg.	Use of Str.	Code Bks	Copies
Elec	Elev. Insp.	Hse Moving	Lic.
Mech	Boiler Insp.	Fav. Cuts	Cert.
Plbg	Exam Fees	Sewer	Elev.
Signs	Plan Rev. (P.W.)	Cement	M.S.P.

Planning

DESCRIPTION	AMOUNT
32A x plan	400
NAME	Wichita Journal Center
ADDRESS	3165 S. Hill Avenue 67210
FUND	711-103
COMMENTS	DUE DATE 7-29-86
DATE	7-29-86
	BY XL