

8. Landscaping shall be provided within the west portion of this property as follows: At least one shade tree or two ornamental trees within the south 18 feet (minimum caliper of 1" for ornamental tree; 2" for shade tree) and enough shrubs within the north 32 feet to provide a 3- to 4-foot-tall screen adjacent to the parked cars. Grass or other groundcover shall be provided on the balance of the unpaved areas of the property. Within 60 days following approval of this use exception by the Board and prior to release of the resolution, the applicant shall submit a landscape plan (including names, sizes and quantities of plant materials) to the Secretary for review and approval. The method of providing water to the plant materials shall be noted on the plan. The plant materials shall be installed prior to the use of this new parking lot. If weather prohibits the planting, a monetary guarantee of sufficient amount to cover the cost and installation of the plant materials shall be submitted to Central Inspection as assurance that the plants will be installed during the next planting season.
9. All required improvements for this parking lot shall be satisfactorily completed within 12 months following approval by the Board, or the resolution shall be considered null and void.

ADOPTED AT WICHITA, KANSAS, this 25th day of June, 1991.



Keith A. Alter, President

ATTEST:



Louise Olivarez, Secretary

BZA RESOLUTION NO. 12-91

WHEREAS, Hillside Properties, pursuant to Section 2.12.590.C, Code of the City of Wichita, requests an exception to permit off-street parking in a residential ("RB" Four-Family Dwelling) district legally described as follows:

Lots 118 and 120 on Hillside Avenue in Fairmount, an addition to Wichita, Sedgwick County, Kansas. Generally located on the east side of Hillside in an area south of 15th Street.

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 June 25, 1991, 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 off-street parking in a residential ("RB" Four-Family Dwelling) district, subject to the conditions outlined in Section 28.04.145, Code of the City of Wichita.

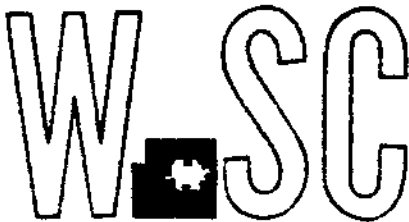
NOW, THEREFORE, BE IT RESOLVED by the Board of Zoning Appeals of the City of Wichita that this application be approved to permit off-street parking in a residential ("RB" Four-Family Dwelling) district legally described as follows:

Lots 118 and 120 on Hillside Avenue in Fairmount, an addition to Wichita, Sedgwick County, Kansas. Generally located on the east side of Hillside in an area south of 15th Street.

subject to the following conditions:

1. The parking lot shall be paved with concrete, asphaltic concrete or asphalt and shall be maintained in good condition and free of all weeds, dust, trash and other debris. The lot shall be striped in accordance with the approved plan. A second curb cut on Hillside, south of the existing driveway (which is on Burns-Willard Addition), would be acceptable as an amendment to this site plan if approved by the Traffic Engineer. A copy of any such amended site plan shall be submitted to the BZA secretary for the record.
2. The parking lot shall be used for passenger vehicles only, and in no case shall it be used for sales, repair work, storage, dismantling or servicing of any vehicles, equipment, materials or supplies.
3. Only such signs as are necessary for the proper operation of the parking lot shall be permitted.
4. In no case shall a fee be charged for parking facilities provided by this use exception.
5. Parking areas shall have adequate guards to prevent extension of vehicles beyond property lines or parking spaces, and parking areas shall have adequate markings for channelization and movement of vehicles.
6. If lighting facilities are provided, they shall be so arranged as to deflect or direct light away from any adjacent dwelling district.
7. A solid screening fence or wall not less than 6 feet nor more than 8 feet in height shall be erected along the east property line and along the south property line to extend to within 20 feet of the front property line. The support members of a fence shall be placed on the inside.

WICHITA — SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

CITY HALL — TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202-1888
(316) 268-4561

September 13, 1991

Hillside Properties
358 N. Rock Road
Wichita, KS 67206

Re: BZA 12-91 - Exception to permit off-street parking in a residential district on property zoned the "RB" Four-Family Dwelling District, located on the east side of Hillside in an area south of 15th Street.

Dear Sir:

Enclosed is a signed copy of the above-referenced BZA resolution adopted by the Board of Zoning Appeals on June 25, 1991. This resolution reflects the official action of the Board to grant your request and sets out the conditions of approval. It is forwarded to you for your information and files now that the landscape plan has been submitted. The trees, shrubs and grass identified on the plan must be planted this fall.

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

Sincerely,

Louise Olivarez
Louise Olivarez, Secretary
Board of Zoning Appeals

LO:jcm
Enclosure

cc: Tom Jacob, 2400 N. Woodlawn, Ste. 125, 67220
Paul Hays, OCI
J.R. Cox, OCI
Ray Sledge, OCI
Pat Burnett, Deputy City Clerk

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3. Only such signs as are necessary for the proper operation of the parking lot shall be permitted.
4. In no case shall a fee be charged for parking facilities provided by this use exception.
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7. A solid screening fence or wall not less than 6 feet nor more than 8 feet in height shall be erected along the east property line and along the south property line to extend to within 20 feet of the front property line. The support members of a fence shall be placed on the inside.
8. Landscaping shall be provided within the west portion of this property as follows: At least one tree within the south 18 feet (minimum caliper of 1" for ornamental tree; 2" for shade tree) and enough shrubs within the north 32 feet to provide a 3- to 4-foot-tall screen adjacent to the parked cars. Grass or other ground-cover shall be provided on the balance of the unpaved areas of the property. Within 60 days following approval of this use exception by the Board and prior to release of the resolution, the applicant shall submit a landscape plan (including names, sizes and quantities of plant materials) to the Secretary for review and approval. The method of providing water to the plant materials shall be noted on the plan. The plant materials shall be installed prior to the use of this new parking lot. If weather prohibits the planting, a monetary guarantee of sufficient amount to cover the cost and installation of the plant materials shall be submitted to Central Inspection as assurance that the plants will be installed during the next planting season.
9. All required improvements for this parking lot shall be satisfactorily completed within 12 months following approval by the Board, or the resolution shall be considered null and void.

BOARD OF ZONING APPEALS
WICHITA, KANSAS

AGENDA ITEM NO. 2

June 25, 1991

SECRETARY'S REPORT

CASE NUMBER: BZA 12-91

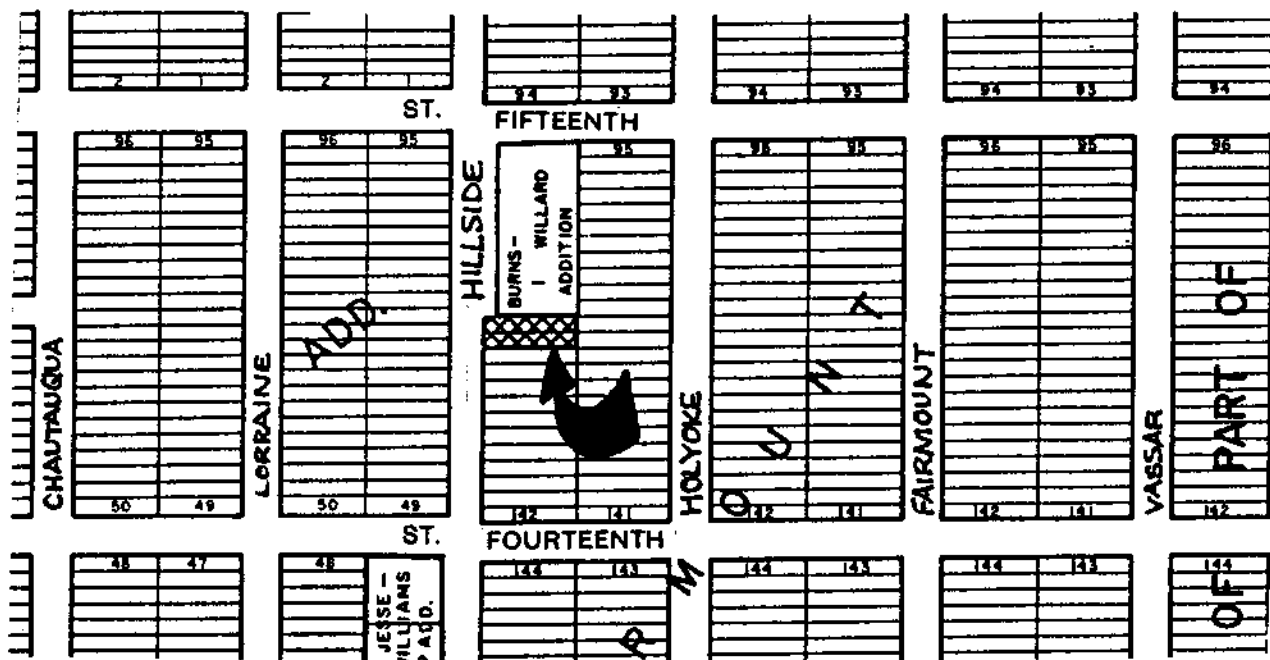
OWNER/APPLICANT/AGENT: Hillside Properties (owner/applicant)
Tom Jacob (agent)

REQUEST: Exception to permit off-street parking in a residential district.

CURRENT ZONING: "RB" Four-Family Dwelling District

SITE SIZE: 50 ft. x 150 ft.

LOCATION: East side of Hillside in an area south of 15th Street.



JURISDICTION: The Board has jurisdiction to consider this request under the provisions outlined in Section 2.12.590.C, Code of the City of Wichita. The Board may grant the exception, provided the conditions set out in Section 28.04.145 can be complied with.

BACKGROUND: In addition to the application area, which is a residential lot, the applicants own the building to the north, which is on "LC" property and currently leased to the Hyland Plasma Donor Center. That use needs additional parking which the owners hope to be able to provide on this application area. The site plan indicates that access to the new parking lot will be provided through the existing donor center parking lot. The existing residential-width driveway from the lot to Hillside will be closed. Because of a grade change between these two properties just south of the donor center building, the northeast portion of the application area will not be used for parking at this time, but with additional grading of the site could be available for an additional eight parking spaces in the future.

Although this request appears to represent an additional encroachment into a residential neighborhood, the zoning policy for Hillside, which has been adopted by the Planning Commission and City Council, favors the "BB" Office District zoning for this area. The policy was adopted in 1977, seven years after the property to the north was rezoned to "LC". Parking would be permitted in the "BB" district and would even be permitted within the front yard setback of 20 feet. If rezoning were requested, however, replatting would be required and 20 feet of additional right-of-way for Hillside would have to be dedicated, the same as occurred on the "LC" lot to the north, thus putting the parking back at the line proposed on the site plan submitted with this application.

Parking is not permitted in the 20-foot front yard setback in "RB" and the site plan indicates that all paving will be behind this 20-foot setback line. A 6- to 8-foot screening fence is required along the east and south property lines because of adjacent residential zoning. The Board may require a 3- to 4-foot fence parallel to Hillside at the setback line, if determined appropriate. However, considering that the existing parking lot in "LC" is not screened from the street, it would seem more appropriate to require the 20-foot setback to be landscaped. Staff recommends that minimum landscape requirements consist of shrubs within the north 32 feet to provide a 3- to 4-foot-tall screen adjacent to the cars and at least one shade tree or two ornamental trees within the south 18 feet, preferably behind the setback line. Grass or other groundcover shall also be provided on the lot wherever there is no paving.

ADJACENT ZONING AND LAND USE:

NORTH	"LC"	Blood donor center
SOUTH	"RB"	Residence
EAST	"A"	Residence
WEST	"RB"	Residence

RECOMMENDATION: Should the Board determine that a parking lot is appropriate at this location, it is recommended that the exception be approved, subject to the following conditions: