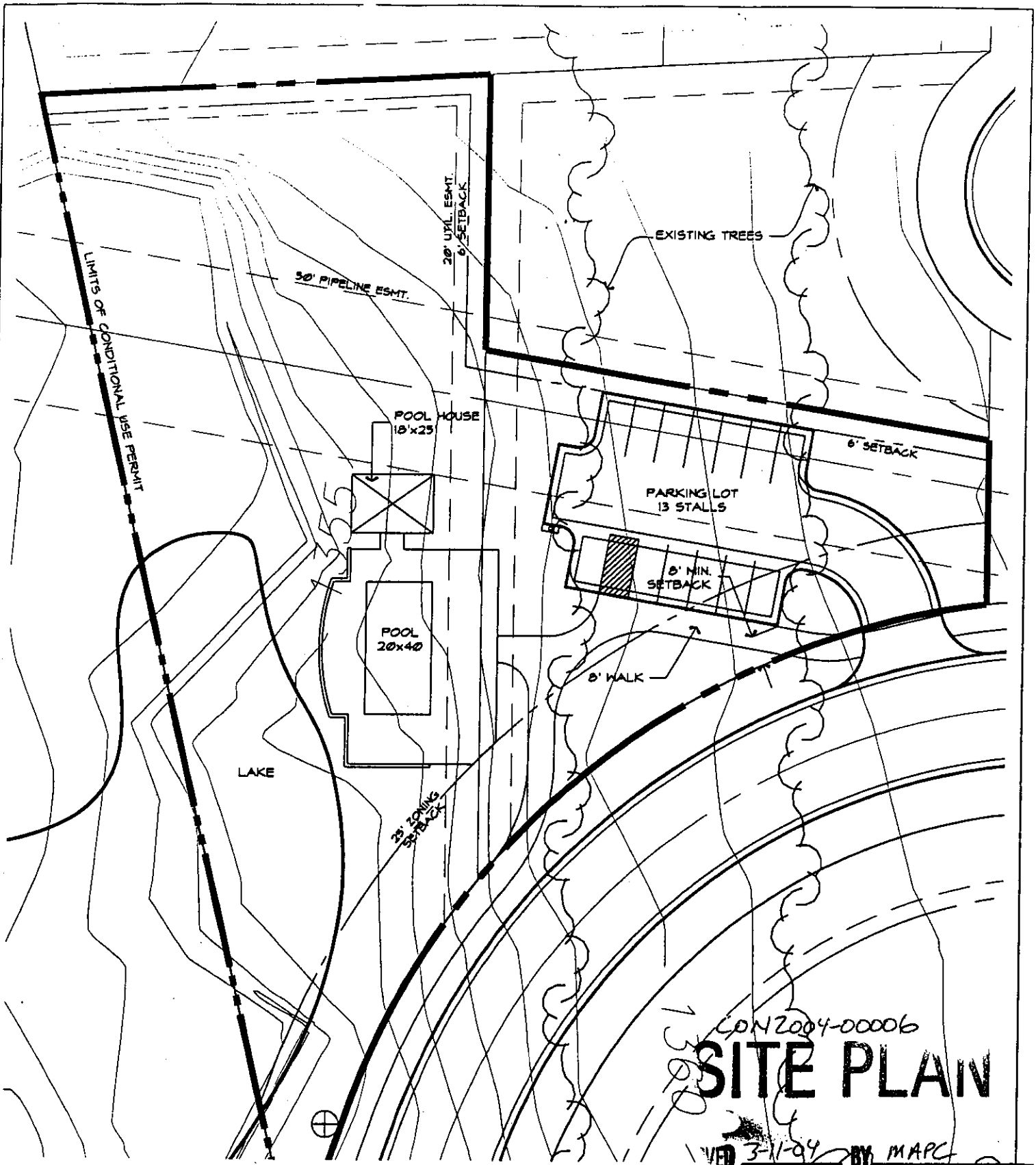


CON2004-00006

SITE PLAN

VED 3-1-04 BY MAPC

0 20 40 80

SCALE: 1" = 40'

MKEC ENGINEERING CONSULTANTS
411 N. WEBB ROAD
WICHITA, KS. 67206
316 - 684 - 9488

H:\CIVIL\02167\DWG\poolarea\CLUBHOUSE.dwg

THE HAWTHORNE
PROJECT NAME

POOLHOUSE SITE PLAN
SHEET TITLE

LAB	LAB	JAG
DESIGN BY:	DRAWN BY:	CHECKED BY:
FEBRUARY 2004	02167	1 / 1
DATE	JOB NO.	SHEET/OF

allows and adjustment to waive the screening requirement when the building is located adjacent to an open space reserve and when the four conditions required by Section V-I.6. of the Unified Zoning Code are met. We find that allowing the parking area within the front setback and waiving the screening requirement as proposed meets the four conditions required by Section V-I.6. of the Unified Zoning Code as set out below:

1) Impact on safety and convenience of vehicular and pedestrian circulation: The proposal should have no impact on the safety and convenience of vehicular and pedestrian circulation in the vicinity because sufficient separation between the parking area and the property line will remain to prevent the encroachment of vehicles onto the right-of-way.

2) Impact on existing uses in surrounding areas: There should be no negative impact on the existing uses in surrounding areas as a result of the adjustments, as the neighborhood swimming pool will be a community amenity and providing sufficient parking will increase its utility to the neighborhood and screening the swimming pool from open space areas will detract from the appearance of the neighborhood.

3) Compatibility with existing or permitted uses on abutting sites: The proposed neighborhood swimming pool has been found to be compatible with abutting sites by the Metropolitan Area Planning Commission through approval of the Conditional Use.

4) Effect on public health, safety or welfare: There will be no encroachment into public utility easements or right-of-way; therefore, there should not be a negative impact on the public health, safety or welfare nor will properties or improvements in the vicinity be materially injured.

Our signatures below indicate that Zoning Adjustments to permit a parking area to be located within the front setback in a residential zoning district but no closer than 8 feet from the property line and to waive the screening requirement along the east and west property lines where adjacent to an open space reserve are hereby granted, subject to the following conditions:

1) The site shall be developed and operated in conformance with all conditions of Conditional Use CON2004-00006.

2) If the Zoning Administrator finds that there is a violation of any of the conditions of the Zoning Adjustment, the Zoning Administrator, in addition to enforcing the other remedies set forth in the Unified Zoning Code, may, with the concurrence of the Planning Director, declare that the Zoning Adjustment is null and void.

The development application sign may now be removed from the property.

John L. Schlegel
Planning Director

Kurt A. Schroeder
Superintendent of Central Inspection

cc: Greg Allison, MKEC, 411 N. Webb Rd., Wichita, KS 67206
Kurt Schroeder, Office of Central Inspection
Paul Hays, Office of Central Inspection
Randy Sparkman, Office of Central Inspection
J.R. Cox, Office of Central Inspection

CITY OF WICHITA

FILE COPY

Wichita-Sedgwick County Metropolitan Area Planning Department

March 12, 2004

Tim Buchanan
Twenty First Growth LLC
354 N. Riverview, Suite 610
Wichita, KS 67202

Re: **BZA2004-00006: Zoning Adjustments for a neighborhood swimming pool to permit a parking area to be located within the front setback in a residential zoning district and to waive the screening requirement along the east and west property lines where adjacent to an open space reserve.**

Legal Description: A portion of Reserve A, Hawthorne Second Addition, Wichita, Sedgwick County, Kansas; said portion being more particularly described as follows: beginning at the Southwest most corner of Lot 10, Block 1, of said Addition, said point being coincident with the Northerly line of said Reserve A; thence along said Northerly line on a platted bearing of N85°40'02"E, 136.34 feet; thence continuing along said Northerly line, S01°25'27"E, 83.31 feet; thence continuing along said Northerly line, S81°34'54"E, 156.38 feet to the Southeast corner of Lot 7, Block 1, said addition; thence S01°25'27"E, 50.07 feet to a point on a curve to the left, said curve being the Northerly right-of-way line of Camden Chase Street; thence along said curve and along said Northerly right-of-way line, 264.98 feet, said curve having a central angle of 65°26'24", a radius of 232.00 feet, and a long chord distance of 250.81 feet, bearing S49°23' 40"W to a point on a curve to the right; thence along said curve, also being coincident with the Northerly right-of-way line of said Camden Chase Street, 40.42 feet to the Southwest corner of said addition, said curve have a central angle of 05°56'19", a radius of 390.00 feet, and a long chord distance of 40.41 feet, bearing S19°38'37"W; thence along the West line of said Reserve A, N14°31'30"W, 358.68 feet to the point of beginning. Generally located north of 21st Street North and east of 127th Street East.

Dear Mr. Buchanan:

We have reviewed your request for Zoning Adjustments to permit a parking area within the front setback and to waive the screening requirement where adjacent to open space reserves. From reviewing your application, we understand that you propose to construct a neighborhood swimming on the property per the Conditional Use (CON2004-00006) approved by the Metropolitan Area Planning Commission on March 11, 2004. Condition #4 for the Conditional Use requires approval of the requested Zoning Adjustments prior to the issuance of a building permit for the proposed neighborhood swimming pool. From reviewing your site plan, we have determined that a portion of the southeast corner of the parking area encroaches into the front setback and that the west property line and a portion of the east property line for the subject property are adjacent to open space reserves used for drainage and utility purposes.

Section V-I.2.l. of the Unified Zoning Code allows an adjustment to permit a parking area within the front and street side setbacks in a residential zoning district but in no case closer than eight feet from the property line when the four conditions required by Section V-I.6. of the Unified Zoning Code are met. Section V-I.2.m. of the Unified Zoning Code