BZA RESOLUTION NO. 14-89

WHEREAS, Michael J. Boyd, pursuant to Section 2.12.590.C, Code of the City of Wichita, requests an exception to permit a retail exercise equipment store on property zoned the "OC" Office Commercial District and legally described as follows:

> Lot 2, Katherine Boyd Addition to Wichita, Sedgwick County, Kansas. Generally located on the north side of Central between Edgemoor and Old Manor.

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 April 25, 1989, 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 retail exercise equipment store on property zoned the "OC" Office Commercial District, subject to the conditions outlined in Section 28.04.085, 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 a retail exercise equipment store on property zoned the "OC" Office Commercial District and legally described as follows:

> Lot 2, Katherine Boyd Addition to Wichita, Sedgwick County, Kansas. Generally located on the north side of Central between Edgemoor and Old Manor.

subject to the following conditions:

1. The maximum floor area for this exercise equipment store shall not exceed 5,000 square feet.

2. No equipment shall be displayed outside of an enclosed building.

3. Exterior lighting fixtures shall be shaded so that light is directed away from adjacent residential properties.

ADOPTED AT WICHITA, KANSAS, this 25th day of April, 1989.

Randy Phillips, Vice President

ATTEST:

Jack H. Galbraith, Secretary

WICHITA — SEDGWICK COUNTY

W-SC

METROPOLITAN AREA PLANNING DEPARTMENT
CITY HALL — TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202-1688
(316) 268-4561

April 26, 1989

Michael J. Boyd
403 Courtleigh
Wichita, KS 67218

Re: BZA 14-89 - Exception to permit a retail exercise equipment store on the north side of Central between Edgemoor and Old Manor.

Dear Mr. Boyd:

Enclosed is a signed copy of the above-referenced BZA resolution adopted by the Board of Zoning Appeals on April 25, 1989. 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.

This is a reminder that the zoning adjustment signs should now be removed from the property. If you have any questions concerning this matter, please contact our office.

Sincerely,

Louise Olivarez

Louise Olivarez
Assistant Secretary
Board of Zoning Appeals

LO:jcm
Enclosure

cc: Monty Robson, Superintendent of Central Inspection
Joe Donnelly, Zoning Administrator, CID
Dale Rea, Deputy City Clerk

FILE COPY

BACKGROUND: The applicant is requesting a determination that a retail exercise equipment store is a use comparable to the listed uses in the "OC" District and is therefore permitted in that district. A review of the listed retail uses reveals that medical and orthopedic appliance stores are permitted. Staff believes the proposed exercise equipment store is very similar to that use. The 3,000-square-foot size of the proposed store space is well within the 5,000-square-foot maximum floor area allowed for any one use in the "OC" district. The building which will house this use has not yet been constructed. The specific business which wishes to locate on this site is Mid-States Health Products, which is currently in business at 5626 E. Central.

ADJACENT ZONING AND LAND USE:

NORTH	"B" & "AA"	One-family dwellings
SOUTH	"LC"	Restaurants
EAST	"LC"	Stained glass studio and sales
WEST	"OC"	New office and commercial building

RECOMMENDATION: Should the Board determine that a retail exercise equipment store is similar to permitted uses listed in the "OC" District, it is recommended that the exception be approved, subject to the following conditions:

1. The maximum floor area for this exercise equipment store shall not exceed 5,000 square feet.

2. No equipment shall be displayed outside of an enclosed building.

3. Exterior lighting fixtures shall be shaded so that light is directed away from adjacent residential properties.

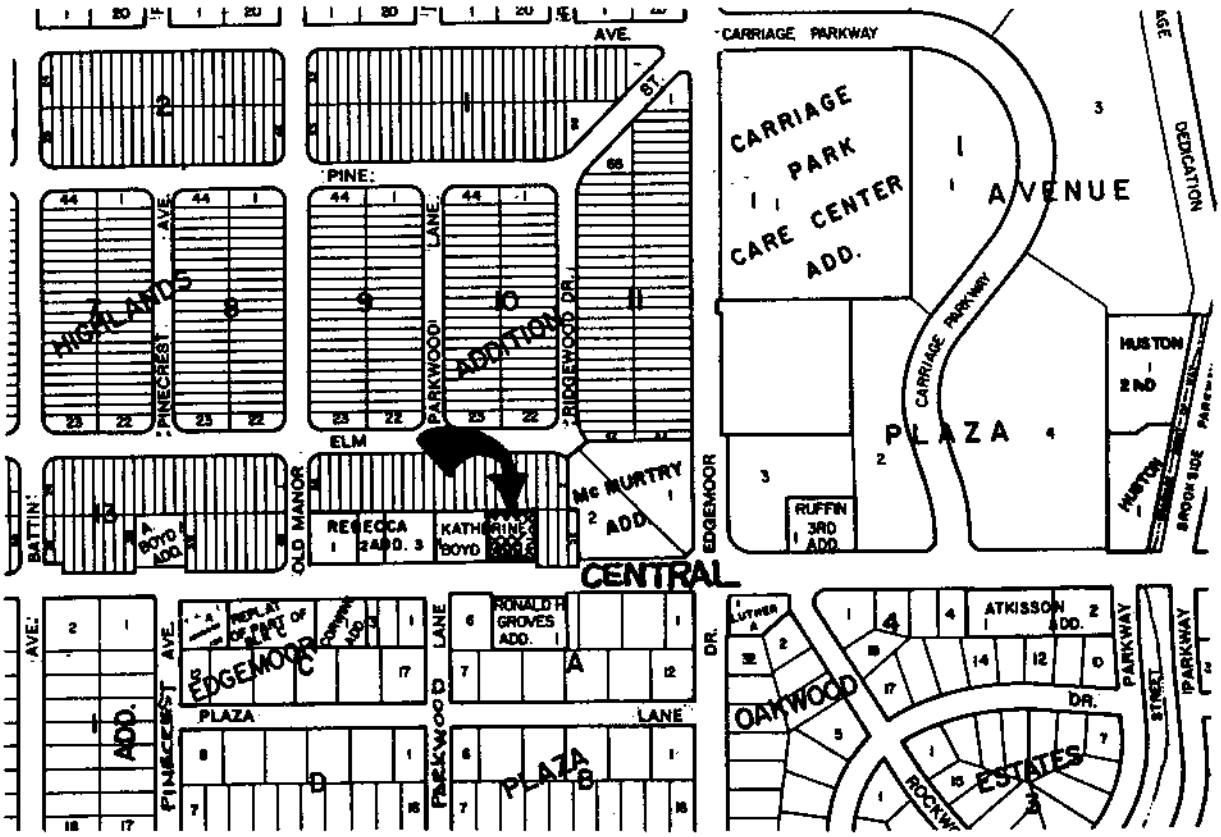
BOARD OF ZONING APPEALS
WICHITA, KANSAS

AGENDA ITEM NO. 5

April 25, 1989

SECRETARY'S REPORT

CASE NUMBER:	BZA 14-89
OWNER/APPLICANT/AGENT:	Michael J. Boyd (owner/applicant)
REQUEST:	Exception to permit a retail exercise equipment store.
CURRENT ZONING:	"OC" Office Commercial District
SITE SIZE:	125 ft. x 120 ft.
LOCATION:	North side of Central between Edgemoor and Old Manor.



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 28.04.085 can be complied with.