

the authority to permit, by use exception, a neighborhood association swimming pool upon a finding that the location of such use "is reasonable and is in harmony with the surrounding area and the objectives of the comprehensive plan and will preserve property values, personal and property rights, and will promote the general welfare of the community." The chosen site, being adjacent to the neighborhood playground as well as just off the main through street, is in harmony with the surrounding area. Providing a neighborhood pool is directly in line with one of the comprehensive plan's suggested strategies for developing a park-land system which is to "increase neighborhood participation in the maintenance of neighborhood parks and placement of equipment/facilities in these parks." The proposed pool development, with its provisions for fencing, landscaping, and parking, should preserve property values in the area and promote the general welfare of the Sterling Farms community.

ADJACENT ZONING AND LAND USE:

NORTH	AA W/DP-178	One-family dwellings
SOUTH	AA W/DP-178	Neighborhood Association playground
EAST	AA W/DP-178	Undeveloped
WEST	AA W/DP-178	One-family dwellings

RECOMMENDATION: Should the Board determine that a neighborhood association swimming pool is appropriate at this location, it is recommended that the exception be approved, subject to the following conditions:

1. Development of the application area shall proceed in accordance with the site plan as approved by the Board which includes a paved parking lot for 18 cars, a six-foot-tall wrought iron fence around the pool area, and an 18 ft. x 32 ft. pool house with rest room facilities and a pool equipment room and an outdoor vending alcove. These improvements shall be completed within one year or the use exception shall be considered null and void.

2. Within 60 days following approval of this use exception and prior to release of the resolution, the applicant shall submit to the Planning Department for review and approval eight copies of the landscape plan for this property. The plan shall provide for partial screening and beautification of the parking area, as specified on the C.U.P., as well as beautification of the north and east portions of the site to enhance the compatibility of this land use with nearby single-family residential lots.

3. Development and use of this site for a neighborhood association swimming pool shall be in accordance with all applicable codes including building and construction codes, health codes, and operational standards as specified in Section 28.04.182(1) of the City Code.

BOARD OF ZONING APPEALS
WICHITA, KANSAS

AGENDA ITEM NO. 6
June 22, 1993

SECRETARY'S REPORT

CASE NUMBER: BZA 16-93

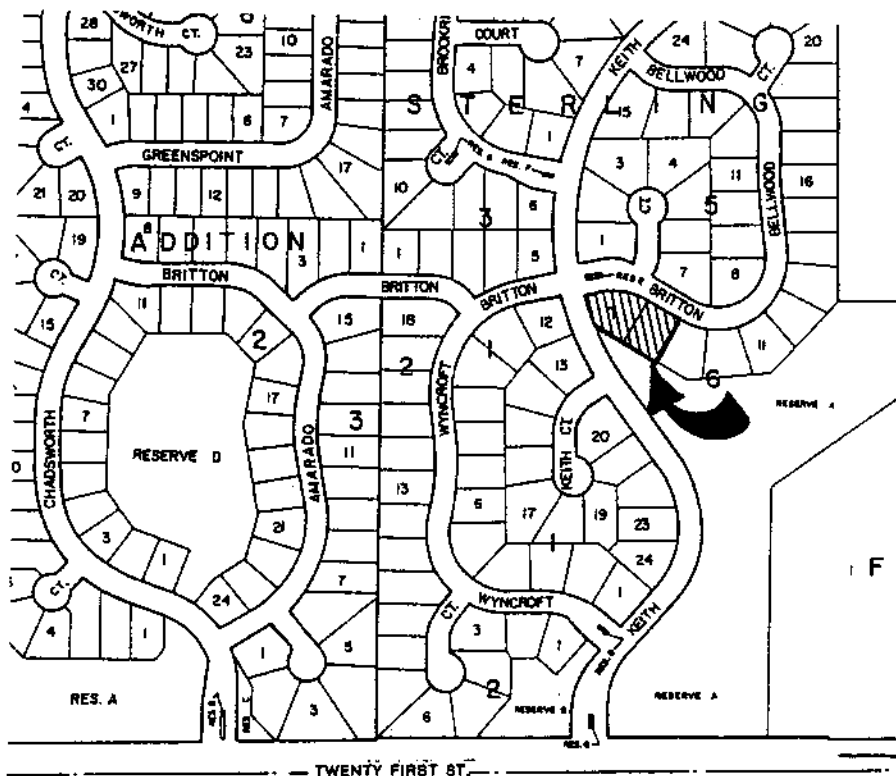
OWNER/APPLICANT/AGENT: Ritchie Development Corp. (owner/applicant)
Gary Wiley (agent)

REQUEST: Exception to permit: a neighborhood
association swimming pool.

CURRENT ZONING: AA(W/DP-178) - One family Dwelling District

SITE SIZE: 0.55 Acres

LOCATION: Southeast corner of Keith and Britton



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 28.04.182 (1) can be complied with.

BACKGROUND: The application site consists of two platted lots within the 120-acre Sterling Farms residential community which is located north of 21st Street and west of Tyler Road. The development plan for Sterling Farms includes a 14-acre open space reserve which permits such things as gazebos, walkways, lighting, playground equipment, swimming pools, etc. Two potential sites were identified on the original development plan as possible swimming pool sites. The site now proposed represents a third and different location, although close to one of the original options. It is north of, rather than south of, a neighborhood association playground area. Were it not for this change in location, the pool use would be permitted outright because of its identification on the development plan which has been approved through a series of public hearings. The proposed site is located on the corner of Keith, the main through street in the area and Britton/Bellwood, a loop street providing access to a limited number (33) of lots. If this pool location is approved, a walkway will connect it with the existing sidewalk system in the reserve area. The development plan for Sterling Farms specifies that any neighborhood association swimming pool shall be for residents and their guests only. Parking is to be provided at the rate of one space per 200 sq. ft. of clubhouse or 100 sq. ft. of pool area, whichever is greater. The proposed pool area (including kiddie pool) is 1480 sq. ft. which requires 15 parking spaces. Eighteen spaces are shown on the proposed site plan. The pool area is required by the development plan to be fenced with at least a 5-foot-tall fence. A six foot wrought iron fence is proposed.

It has been mentioned by the applicant that the hours of operation of the pool would be limited to daylight hours (dawn to dusk) and that the only lights proposed are motion detector lights. There is no clubhouse proposed, only a pool house with rest rooms and a pool equipment room. A small vending alcove will accommodate food vending machines. As the pool is eventually to be owned and maintained by the homeowners association, its operation will be subject to conditions set by the association. Because of this, the Board may wish to leave some flexibility (such as hours of use, lights, etc.) to the association to determine.

A platted utility easement between the two lots now proposed for the pool development has already been vacated and an alternate easement granted. A landscape plan for the area, especially for the purpose of providing some screening around the parking lots, should be provided. The development plan states that "low level (30") screening shall be provided in conjunction with conifers and deciduous trees around parking area to reduce impact."

Under Section 28.04.182(1) of the City Code, the Board has

WICHITA — SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

CITY HALL — TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202-1688
(316) 268-4421

August 2, 1993

Mr. Jack Ritchie
Ritchie Development Corp.
8100 E. 22nd St. North, Bldg 1000
Wichita, KS 67226

Re: **BZA 16-93** - Use exception to allow a neighborhood association swimming pool at the SE corner of Keith and Britton in Sterling Farms.

Dear Mr. Ritchie:

Enclosed is a signed copy of the above-referenced BZA resolution adopted by the Board of Zoning Appeals on June 22, 1993. 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, as required by condition two, has been submitted and approved.

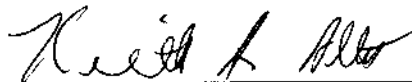
If you have any questions concerning this matter, please call our office.

Sincerely,


Louise Olivarez, Secretary
Board of Zoning Appeals

cc: Gary Wiley
Randy Sparkman, OCI
Paul Hays, OCI
Ray Sledge, OCI
Pat Burnett, Deputy City Clerk

ADOPTED AT WICHITA, KANSAS, this 22nd day of June, 1993.



Keith Alter, Vice-President

ATTEST:


Louise Olivarez, Secretary

BZA RESOLUTION NO. 16-93

WHEREAS, Ritchie Development Corp., pursuant to Section 2.12.590.C, Code of the City of Wichita, request an exception to permit a neighborhood association swimming pool on property zoned the "AA" One Family Dwelling District and legally described as follows:

Lots 7 and 8, Block 6, Sterling Farms Addition,
Wichita, Sedgwick County, Kansas

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 22, 1993, 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

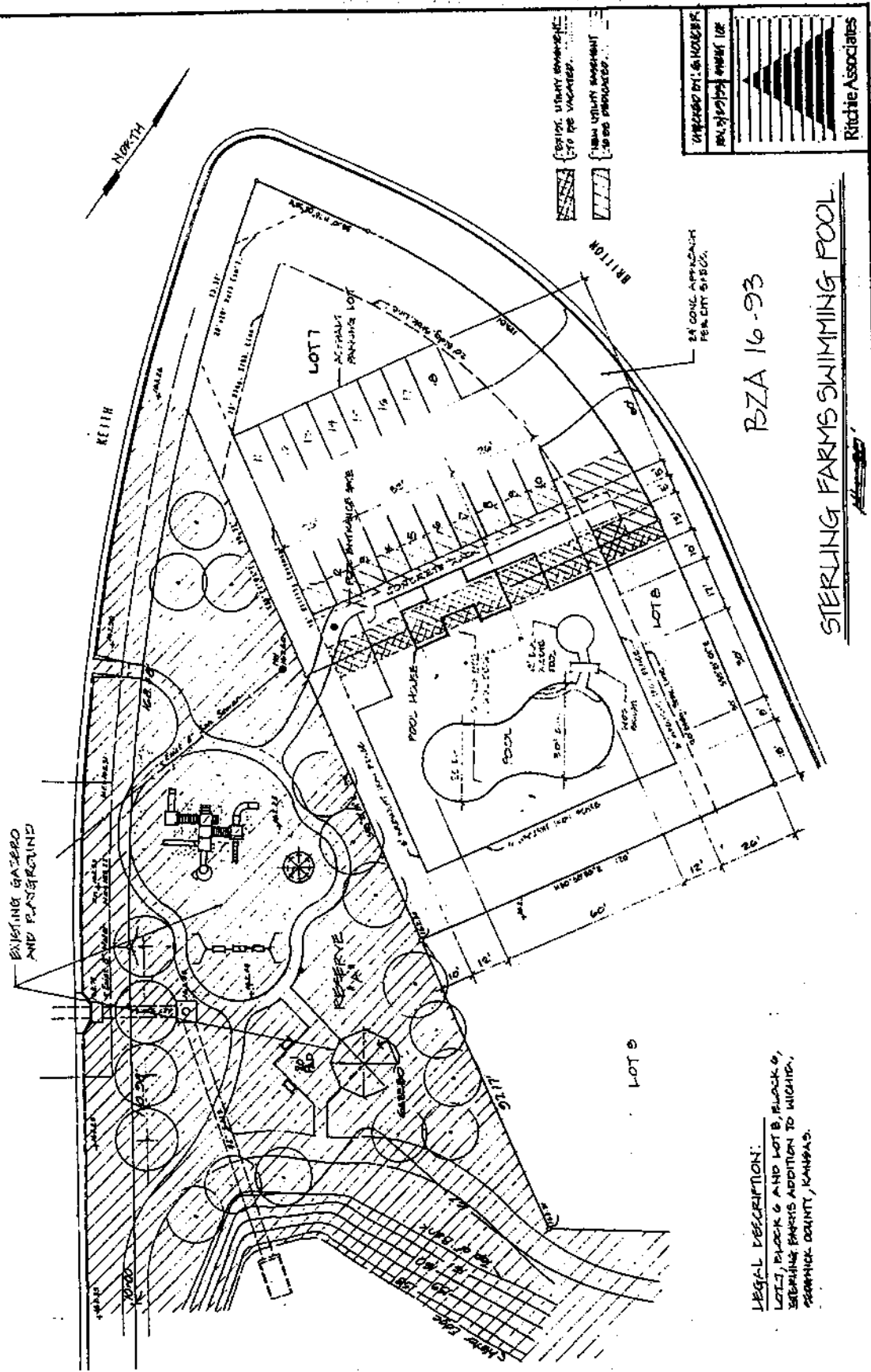
WHEREAS, the Board of Zoning Appeals has authority to permit a neighborhood association swimming pool on property zoned the "AA" One-Family Dwelling District, subject to the conditions outlined in Section 28.04.182(1), Code of the City of Wichita.

NOW, THEREFORE, BE IT RESOLVED by the Board of Zoning Appeals of the City of Wichita that this application be approved to permit a neighborhood association swimming pool on property zoned the "AA" One-Family Dwelling District and legally described as follows:

Lots 7 and 8, Block 6, Sterling Farms Addition,
Wichita, Sedgwick County, Kansas

subject to the following conditions:

1. Development of the application area shall proceed in accordance with the site plan as approved by the Board which includes a paved parking lot for 18 cars, a six-foot-tall wrought iron fence around the pool area, and an 18 ft. x 32 ft. pool house with rest room facilities and a pool equipment room and an outdoor vending alcove. These improvements shall be completed within one year or the use exception shall considered null and void.
2. Within 60 days following approval of this use exception and prior to release of the resolution, the applicant shall submit to the Planning Department for review and approval eight copies of the landscape plan for this property. The plan shall provide for partial screening and beautification of the parking area, as specified on the C.U.P., as well as beautification of the north and east portions of the site to enhance the compatibility of this land use with nearby single-family residential lots.
3. Development and use of this site for a neighborhood association swimming pool shall be in accordance with all applicable codes including building and construction codes, health codes, and operational standards as specified in Section 28.04.182 (1) of the City Code.



LEGAL DESCRIPTION:
 LOT 7, BLOCK 6 AND LOT 8, BLOCK 6,
 STERLING FARMS ADDITION TO HIGHWAY,
 GRAMMICK COUNTY, KANSAS.

BZA 16-93

STERLING FARMS SWIMMING POOL

Ritchie Associates

DESIGNED BY: RITCHIE ASSOCIATES

DATE: 10/1/93

EXIST. UTILITY REMAINS TO BE VACATED.

NEW UTILITY REMAINS TO BE PROTECTED.

