

existing hospital blocks this view and the relocation of the emergency entrance twenty feet further south will not significantly affect the residences on the south side of Central, as there will still be four lanes of arterial street traffic separating these uses.

HARDSHIP: It is the opinion of staff that the strict application of the provisions of the zoning ordinance may constitute an unnecessary hardship upon the applicant, and more specifically upon emergency room patients who arrive by private car, inasmuch as without this setback variance, the emergency room public entrance would have to be uncovered and persons using this entrance would be subjected to all weather elements.

PUBLIC INTEREST: It is the opinion of staff that the requested variance would not adversely affect the public interest inasmuch as there will be no encroachments into street right-of-way, nor will vehicular sight distances or Central Avenue turning movements be disturbed.

SPIRIT AND INTENT: It is the opinion of staff that the granting of the variance requested would not be opposed to the general spirit and intent of the zoning ordinance inasmuch as the encroachment will extend for a distance of only 42 feet, more or less, which is less than 5% of the Central Avenue frontage of this hospital property.

RECOMMENDATION: Should the Board determine that all five conditions necessary to the granting of a variance can be found to exist, then it is the recommendation of the Secretary that the variance be granted, subject to the following conditions:

1. This front yard setback variance from 20 feet to 0 feet is granted for an unenclosed, canopied drive-through area only. The encroachment may extend for an area of approximately 42 feet and shall be in the general location identified on the site plan submitted with this application.
2. There shall be no encroachments into street right-of-way unless a minor street privilege is obtained.

**BOARD OF ZONING APPEALS
WICHITA, KANSAS**

AGENDA ITEM NO. 6

November 26, 1991

SECRETARY'S REPORT

CASE NUMBER:

BZA 33-91

OWNER/APPLICANT/AGENT:

Riverside Hospital (owner/applicant)
Dan Winter Architects (agent)

REQUEST:

Variance to reduce the front yard setback
from 20 feet to 0 feet to accommodate a new
covered entrance for Riverside Hospital
emergency room.

CURRENT ZONING:

"BB" Office District

SITE SIZE:

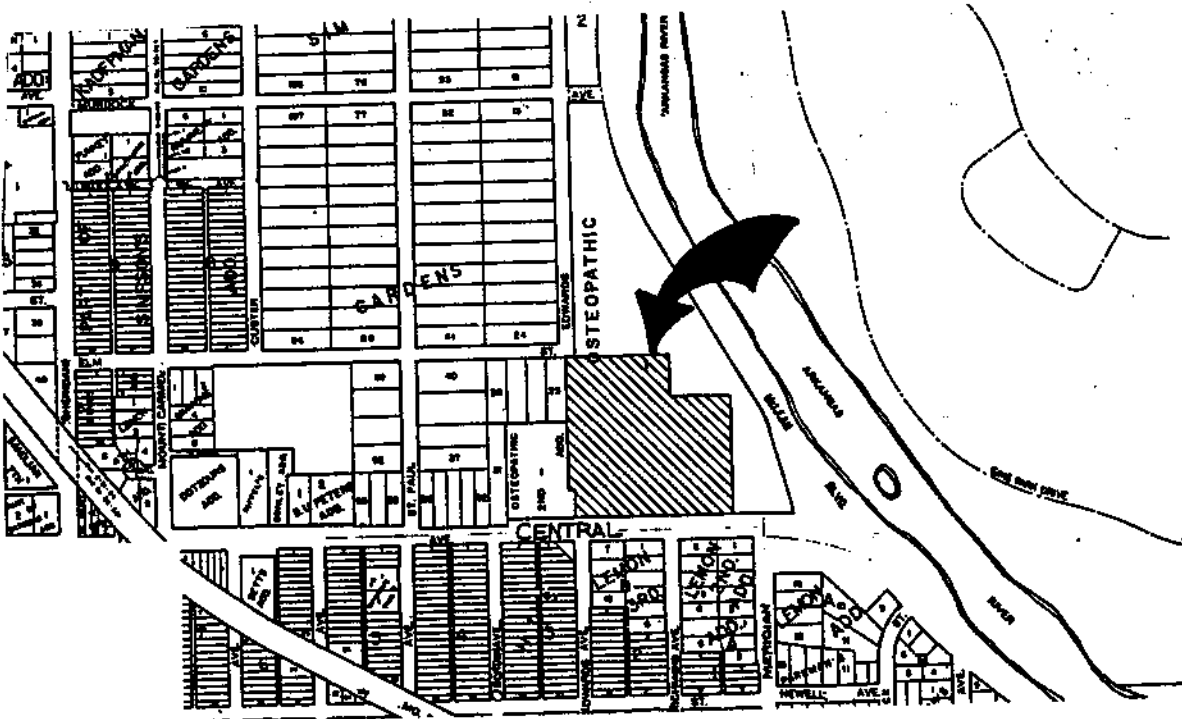
7.6 acres

LOCATION:

North side of Central in an area west of
McLean Boulevard.

PROPOSED USE:

Addition to existing hospital



JURISDICTION: The Board has jurisdiction to consider the variance request under the provisions outlined in Section 2.12.590.B, Code of the City of Wichita. The Board may grant the request when all five conditions, as required by the State Statutes, are found to exist.

BACKGROUND: Riverside Hospital is currently expanding its facility to help meet the medical needs of the rapidly expanding west side of Wichita. New floors are being added to the hospital and the area now serving as the covered emergency patient drop-off is to be enclosed to meet present departmental needs. Since the south face of the building is built right at the required 20-foot setback line from Central, there is no area for an alternate covered emergency entrance on the south, unless an encroachment into the front setback is permitted. The proposed encroachment is for a distance of approximately 42 feet only.

The architect has advised that ambulances will be accommodated in a separate area on the east side of the building, behind the setback line. The covered front entry will be only for emergency room patients arriving by passenger vehicle. The driveway beneath the covered entrance will be one-way eastbound. After the patient is dropped off, the driver can park in the lot to the east. Whereas it might be more desirable to travel westbound through this driveway so that the passenger side of the vehicle is nearest the building, such an arrangement would require the driver to exit onto Central, travel a short distance east on Central, then cross traffic again in order to access the hospital parking lot.

The Traffic Engineer has reviewed this proposal and determined that with a widening of the proposed entrance drive from 24 feet to 30 feet to better accommodate the sharp turn, this layout can work. There may be times when cars are double-parked in this drive, but that would probably occur regardless of the width of the drive. Fifty feet of right-of-way already exists for the north half of Central adjacent to the hospital, which is the standard required right-of-way for arterial streets. There are no current projections of need for additional right-of-way at this location.

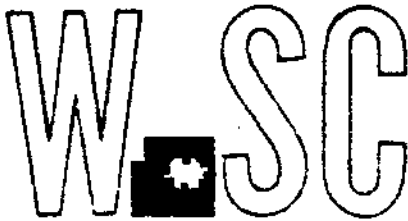
ADJACENT ZONING AND LAND USE:

NORTH	"BB"	Hospital
SOUTH	"RB" & "A"	One-family and three-family dwellings
EAST	"BB"	Hospital parking lot
WEST	"BB"	Pharmacy

UNIQUENESS: It is the opinion of staff that this property is unique inasmuch as the existing site size limitations, as well as existing hospital layout, proposed expansion needs and economic restraints, dictate that the existing emergency room covered entrance area be converted to interior space, thereby creating the need for expansion south into the front yard building setback area.

ADJACENT PROPERTY: It is the opinion of staff that the granting of the variance requested will not adversely affect the rights of adjacent property owners inasmuch as the location of the proposed canopy will not block the view of the adjacent pharmacy any more than the

WICHITA — SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

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

December 16, 1991

Dan Winter Architects
1024 E. First
Wichita, KS 67214

Re: BZA 33-91 - Variance to reduce the front yard setback from
20 ft. to 0 ft. to accommodate a new covered entrance for
Riverside Hospital emergency room (2622 W. Central).

Gentlemen:

Enclosed is a signed copy of the above-referenced BZA resolution
adopted by the Board of Zoning Appeals on November 26, 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.

Enclosed is a copy of the approved site plan, also for your
files. If you have any questions concerning this matter, please
contact our office.

Sincerely,


Louise Olivarez, Secretary
Board of Zoning Appeals

LO:jcm
Enclosures

cc: Riverside Hospital, 2622 W. Central, 67203
Paul Hays, OCI
J.R. Cox, OCI
Ray Sledge, OCI
Pat Burnett, Deputy City Clerk

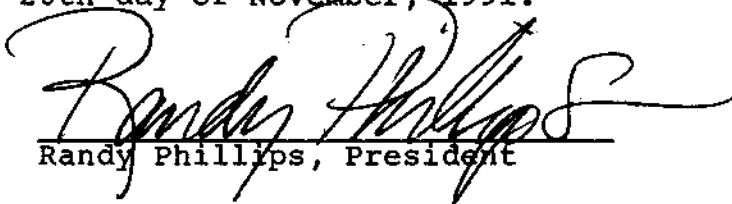
NOW, THEREFORE, BE IT RESOLVED by the Board of Zoning Appeals of the City of Wichita that this request be approved for a variance to reduce the front yard setback from 20 feet to 0 feet to accommodate a new covered entrance for Riverside Hospital emergency room on property zoned the "BB" Office District and legally described as follows:

A tract described as beginning at the southwest corner of Lot 1, Osteopathic Addition to Wichita, Kansas; thence North 100 feet; thence West 25 feet; thence North 485 feet; thence East 400 feet; thence South 150 feet; thence East 230 feet; thence South 435.78 feet, more or less, to a point on the south line of said Addition; thence West along said south line 605 feet to the point of beginning. Generally located on the north side of Central in an area west of McLean Boulevard (2622 W. Central).

subject to the following conditions:

1. This front yard setback variance from 20 feet to 0 feet is granted for an unenclosed, canopied drive-through area only. The encroachment may extend for an area of approximately 42 feet and shall be in the general location identified on the site plan submitted with this application.
2. There shall be no encroachments into street right-of-way unless a minor street privilege is obtained.

ADOPTED AT WICHITA, KANSAS, this 26th day of November, 1991.


Randy Phillips, President

ATTEST:


Louise Olivarez, Secretary

BZA RESOLUTION NO. 33-91

WHEREAS, Riverside Hospital, pursuant to Section 2.12.590.B, Code of the City of Wichita, requests a variance to reduce the front yard setback from 20 feet to 0 feet to accommodate a new covered entrance for Riverside Hospital emergency room on property zoned the "BB" Office District and legally described as follows:

A tract described as beginning at the southwest corner of Lot 1, Osteopathic Addition to Wichita, Kansas; thence North 100 feet; thence West 25 feet; thence North 485 feet; thence East 400 feet; thence South 150 feet; thence East 230 feet; thence South 435.78 feet, more or less, to a point on the south line of said Addition; thence West along said south line 605 feet to the point of beginning. Generally located on the north side of Central in an area west of McLean Boulevard (2622 W. Central).

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 November 26, 1991, consider said application; and

WHEREAS, the Board of Zoning Appeals has proper jurisdiction to consider said request for a variance under the provisions of Section 2.12.590.B, Code of the City of Wichita; and

WHEREAS, the Board of Zoning Appeals has found that the variance arises from such condition which is unique to the property in question and which is not ordinarily found in the same zone or district; and is not created by an action or actions of the property owner or the applicant inasmuch as the existing site size limitations, as well as existing hospital layout, proposed expansion needs and economic restraints dictate that the existing emergency room covered entrance area be converted to interior space, thereby creating the need for expansion south into the front yard building setback area; and

WHEREAS, the Board of Zoning Appeals has found that the granting of the permit for the variance will not adversely affect the rights of adjacent property owners or residents inasmuch as the location of the proposed canopy will not block the view of the adjacent pharmacy any more than the existing hospital blocks this view and the relocation of the emergency entrance twenty feet further south will not significantly affect the residences on the south side of Central, as there will still be four lanes of arterial street traffic separating these uses; and

WHEREAS, the Board of Zoning Appeals has found that the strict application of the provisions of Title 28 (Zoning Ordinance) of which variance is requested will constitute unnecessary hardship upon the property owners represented in the application, and more specifically upon emergency room patients who arrive by private car, inasmuch as without this setback variance, the emergency room public entrance would have to be uncovered and persons using this entrance would be subjected to all weather elements; and

WHEREAS, the Board of Zoning Appeals has found that the variance desired will not adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare, due to the fact that there will be no encroachments into street right-of-way, nor will vehicular sight distances or Central Avenue turning movements be disturbed; and

WHEREAS, the Board of Zoning Appeals has found that the granting of the variance desired will not be opposed to the general spirit and intent of Title 28 (Zoning Ordinance) inasmuch as the encroachment will extend for a distance of only 42 feet, more or less, which is less than 5% of the Central Avenue frontage of this hospital property; and

WHEREAS, each of the five conditions required by Section 2.12.590.B, Code of the City of Wichita, to be present before a variance can be granted has been found to exist.