3. Parking shall be provided and maintained in accordance with City codes.

4. The location of all playground equipment shall comply with the setback requirements of the zoning district (25-foot front, 20-foot rear, and 6-foot side).

5. Release of this resolution shall supersede and make null and void Resolution No. BZA 19-91.

BOARD OF ZONING APPEALS
WICHITA, KANSAS

AGENDA ITEM NO. 2

April 27, 1993

SECRETARY'S REPORT

CASE NUMBER: BZA 8-93

OWNERS/APPLICANTS: Riverside Christian Church & Little Miracles Preschool

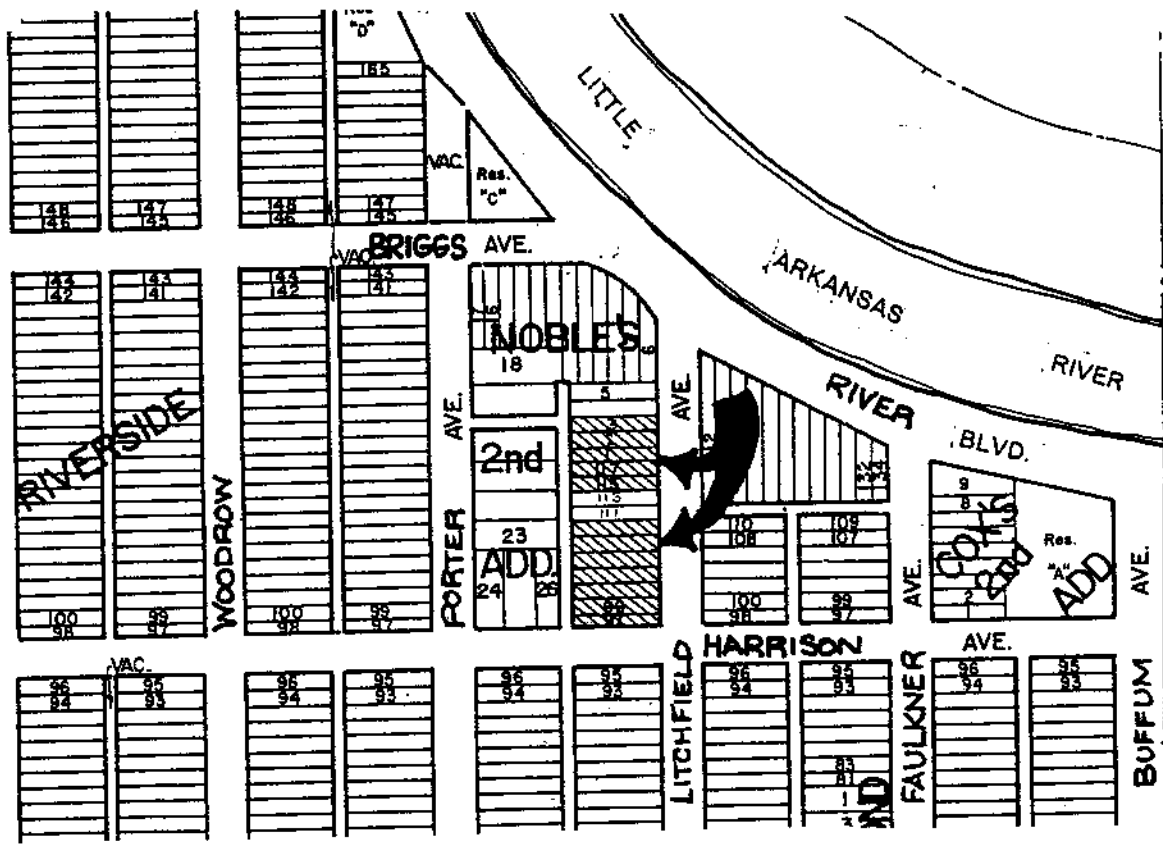
AGENT: Brent Schock

REQUEST: Exception to permit expansion of a previously approved preschool to include an outdoor playground

CURRENT ZONING: "A" Two-Family Dwelling District

SITE SIZE: .96 acre

LOCATION: West side of Litchfield, north of Harrison (1001 Litchfield)



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 28.04.185(2) can be complied with.

BACKGROUND: In August 1991, the Board approved a use exception for a preschool to be operated within the existing Riverside Christian Church facility at 1001 Litchfield. The south 175 feet of the church's ownership was included in the application. This area included the church building and the 15-car paved parking lot just north of the church. The preschool was approved for a maximum of 22 children at any one session. Ages of the children were to range from 2½ years to kindergarten age (usually 5 years). Two sessions were planned: M-W-F, 9-11:30 a.m., and T-Th, 9-11:30 a.m. Because of the limited hours per session, an outdoor play area is not required and was not proposed at that time.

The church and preschool (Little Miracles Preschool) now desire to provide a playground on vacant land the church owns further north in this block, about 150 feet north of the church building. It is situated between the church's second paved 15-car parking lot and the Riverview Condominiums, which are located in a five-story structure on the corner of Litchfield and West River Boulevard.

A custom-built play structure is proposed for this playground, pictures and a written description of which are attached.

Because the lots which are to accommodate the playground were not included in the 1991 use exception for a preschool (BZA 19-91) and because a private playground is not a use permitted by right in the "A" district, this amended preschool use exception was filed and must be approved before the playground can be installed. The agent has stated that all other aspects of this preschool operation (maximum number of children per session, number of sessions, hours of operation, etc.) will remain as originally presented.

ADJACENT ZONING AND LAND USE:

NORTH	"A"	Residential multi-story condominiums
SOUTH	"A"	One-family dwelling
EAST	"A"	One-family dwellings
WEST	"A"	One- and two-family dwellings

RECOMMENDATION: Should the Board determine that expansion of a preschool to include an outdoor playground is appropriate at this location, it is recommended that the exception be approved, subject to the following conditions:

1. The preschool shall comply with the regulatory requirements of the state and local Health Departments and with the building and fire safety regulations of the City and State.

2. The maximum number of children shall not exceed 22 at any one session.

WICHITA — SEDGWICK COUNTY
W-SC
METROPOLITAN AREA PLANNING DEPARTMENT
CITY HALL — TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202-1688
(316) 268-4421

April 30, 1993

Little Miracles Preschool
Attn: Kathie J. Dyer, Director
c/o Riverside Christian Church
1001 Litchfield
Wichita, KS 67203

Re: BZA 8-93 - Exception to allow expansion of a previously approved preschool to include an outdoor playground (1001 Litchfield).

Dear Ms. Dyer:

Enclosed is a signed copy of the above-referenced BZA resolution adopted by the Board of Zoning Appeals on April 27, 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.

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 yours,

Louise Olivarez, Secretary
Board of Zoning Appeals

LO:sm
cc: Brent Schock, 125 N. Gordon, Wichita 67203
Paul Hays, OCI
Randy Sparkman, OCI
Ray Sledge, OCI
Pat Burnett, Deputy City Clerk

BZA RESOLUTION NO. 8-93

WHEREAS, Little Miracles Preschool, pursuant to Section 2.12.590.C, Code of the City of Wichita, requests an exception to permit expansion of a previously approved pre-school to include an outdoor playground on property zoned the "A" Two-Family Dwelling District and legally described as follows:

> Odd lots 97 through 117, EXCEPT Lots 111 and 113, on Litchfield Avenue in Riverside Addition, AND Lots 1, 2 and 3 in Noble's 2nd Addition, all in Wichita, Sedgwick County, Kansas. Generally located on the west side of Litchfield, north of Harrison (1001 Litchfield).

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 27, 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 pre-school on property zoned the "A" Two-Family Dwelling District, subject to the conditions outlined in Section 28.04.185(2), 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 expansion of a previously approved pre-school to include an outdoor playground on property zoned the "A" Two-Family Dwelling District and legally described as follows:

> Odd lots 97 through 117, EXCEPT Lots 111 and 113, on Litchfield Avenue in Riverside Addition, AND Lots 1, 2 and 3 in Noble's 2nd Addition, all in Wichita, Sedgwick County, Kansas. Generally located on the west side of Litchfield, north of Harrison (1001 Litchfield).

subject to the following conditions:

1. The preschool shall comply with the regulatory requirements of the state and local Health Departments and with the building and fire safety regulations of the City and State.

2. The maximum number of children shall not exceed 22 at any one session.

3. Parking shall be provided and maintained in accordance with City codes.

4. The location of all playground equipment shall comply with the setback requirements of the zoning district (25-foot front, 20-foot rear, and 6-foot side).

5. Release of this resolution shall supersede and make null and void Resolution No. BZA 19-91.

ADOPTED AT WICHITA, KANSAS, this 27th day of April, 1993.

Mitchell Faroh

Mitchell Faroh, President

ATTEST:

Louise Olivarez

Louise Olivarez, Secretary