

Case No. BZA 38-80 - West Side
United Methodist Church - request
an exception to permit the
establishment of a child day
care center on property zoned
R-1

*POSTED
9-11-80*

ACTION

*BZA
38-80*

COMMITTEE APPROVED DATE 9-23-80

M.A.P.C. _____

B.C.C./B. CO. C. _____

5345 B

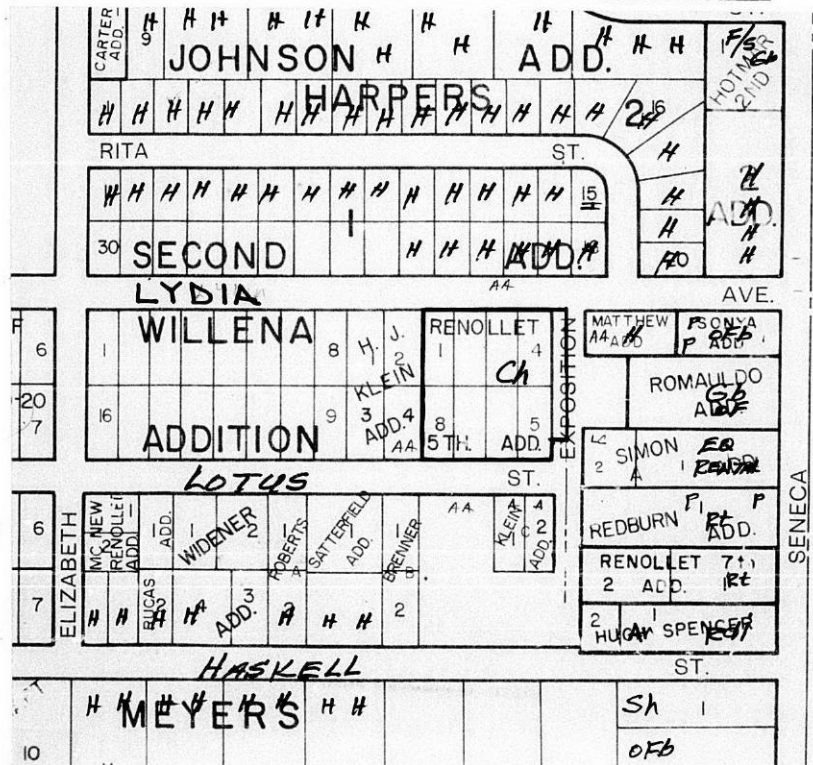
*Rec'd Sec 11-7-80
Checked 11-20-80
Shot 11-21-80
Recorded 11-14-80*

Map No. 5345 B
 Sec. 31
 Twp. 27
 Range 1E

BZA- 38-80
 SCZ- _____
 CU- _____
 Filed _____

- AREA DATA:
 1. Acres: 1.58 (IRREGULAR) (250 ft. by 265 ft.)
 2. Adjoining Zoning: E _____ S _____ W _____ N _____
 3. Land Use: East SINGLE FAMI & OFFICE South _____
 West _____ North SINGLE FAMI
 4. Sketch Plan Land Use is for: _____
 5. Present Land Use if for: CONCRETE
 6. Area (is) (is not) platted.

PHOTO DATA:
 Taken by _____ Date _____ Time _____



SHAW.
 No. 2-153C
 HASTINGS, MN
 LOS ANGELES-CHICAGO-LOGAN, OH
 MCGREGOR, TX-LOCUST GROVE, GA
 U.S.A.

BZA 38-80

RESOLUTION NO. BZA 38-80

WHEREAS, the West Side United Methodist Church, 1313 West Lydia, Wichita, Kansas requests an exception as provided in Section 2.12.590.C, Code of the City of Wichita, to permit the establishment of a Child Day Care Center on property zoned the "AA" One-family Dwelling District and legally described as follows:

Lots 1, 2, 3, 4, 5, 6, 7, and 8, and one-half vacated Exposition Street, adjacent to Lot 4 and adjacent to the north 96.01 feet of Lot 5, Renollet 5th Addition to Wichita, Sedgwick County, Kansas. Generally located on the south side of Lydia west of Seneca (1313 W. Lydia).

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 September 23, 1980, 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 the establishment of a Child Day Care Center on property zoned the "AA" One-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 the establishment of a Child Day Care Center on property zoned the "AA" One-family Dwelling District and legally described as follows:

Lots 1, 2, 3, 4, 5, 6, 7, and 8, and one-half vacated Exposition Street, adjacent to Lot 4 and adjacent to the north 96.01 feet of Lot 5, Renollet 5th Addition to Wichita, Sedgwick County, Kansas. Generally located on the south side of Lydia west of Seneca (1313 W. Lydia).

subject to the following conditions:

1. The center shall comply with all licensing requirements of the Kansas State Department of Health, including all building and fire safety regulations of the State of Kansas and the City of Wichita.
2. The number of children to be permitted at the center shall not exceed that determined by the Department of Community Health.
3. The facility shall comply with all the requirements of the zoning ordinance including off-street parking and loading and the surfacing of said spaces.

ADOPTED AT WICHITA, KANSAS, this 23rd day of September, 1980.

Angela Squires
Angela Squires, Vice-Chairman

ATTEST:

Glen E. Lytle
Glen E. Lytle, Assistant Secretary

September 26, 1980

Karen Carnahan
2827 South Osage
Wichita, Kansas

Re: Case No. BZA 38-80
Request for Exception

Dear Ms. Carnahan:

At the regular meeting of the Board of Zoning Appeals on September 23, 1980, your request for an exception to permit the establishment of a child day care center in a residential zoning district on property zoned "AA" One-family Dwelling District and generally located on the south side of Lydia and west of Seneca (1313 West Lydia) was considered.

It was the action of the Board to approve your request subject to the following conditions:

1. The center shall comply with all licensing requirements of the Kansas State Department of Health, including all building and fire safety regulations of the State of Kansas and the City of Wichita.
2. The number of children to be permitted at the center shall not exceed that determined by the Department of Community Health.
3. The facility shall comply with all the requirements of the zoning ordinance including off-street parking and loading and the surfacing of said spaces.

A Resolution setting forth the official action of the Board is being prepared and you will be mailed a copy as soon as the signatures of the Chairman and Secretary have been obtained.

If you have any questions, please call our office.

Sincerely yours,

Glen E. Lytle
Assistant Secretary

GEL:sad

cc: West Side United Methodist Church, 1313 West Lydia, Wichita
Robert Feldner, Superintendent of Central Inspection (2)
Don Gisick, City Clerk
Leola Lindahl, Health Department, 1900 East 9th, Wichita

THE CITY OF WICHITA

OFFICE OF CITIZEN PARTICIPATION

DATE September 19, 1980

TO Glen Lytle, Special Assistant for Zoning

FROM Stan Scott, CPO Administrative Aide

SUBJECT BZA 38-80: South Side of Lydia
West of Seneca (1313 Lydia)

On Tuesday, September 16, CPO Neighborhood Council "B" considered the captioned case, a request for an exception to permit the establishment of a child day care center on property zoned "AA" One Family Dwelling District.

Karen Carnahan, Chairperson of the Good Shephard Preschool Committee, appeared before the Council to describe the requested exception. The Good Shephard Preschool Committee is responsible for establishing a day care center at the West Side United Methodist Church. There was no one present to speak in opposition to the exception.

The Council voted 6-0 to recommend approval of the requested exception. Council member Gerry Winget, pastor of the West Side Methodist Church, abstained from voting due to a conflict of interest.


Please provide the Council's recommendation to the Board of Zoning Appeals when it considers BZA 38-80 on September 23.



Stan Scott
CPO Administrative Aide

SS:rs

Noted:



Sarah Gilbert
Assistant CP Coordinator

RECEIVED

SEP 19 1980

METROPOLITAN PLANNING

ROUTE _____

SECRETARY'S REPORT
CASE NO. BZA 38-80

APPLICANT: West Side United Methodist Church, 1313
West Lydia, Wichita, Kansas

AGENT: Karen Carnahan, 2827 South Osage, Wichita,
Kansas

REQUEST: Exception pursuant to Section 28.04.185.2
Code of the City of Wichita to permit the
establishment of a Child Day Care Center
in a Residential Zoning District.

GENERAL LOCATION: On the south side of Lydia and west of
Seneca (1313 West Lydia).

ZONING: Subject property is zoned "AA" One-family
Dwelling District as are the properties to
the north and west. Property to the south
is zoned "AA" and "A". Properties to the
east are zoned "AA" One-family and "LC"
Light Commercial.

LAND USE: Subject property is occupied by a church.
Properties to the north, west and south are
developed as residential. Properties to
the east are developed residential and
commercially.

JURISDICTION:

The Board has jurisdiction to consider this request under the provisions outlined under 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.

COMMENTS BY THE SECRETARY:

The applicant is requesting an exception to permit the establishment of a Child Day Care Center in the "AA" One-family Dwelling District which is to be located in the existing church. The church has an adequate parking and loading area to comply with the regulations to accommodate a child care facility. There is also adequate area on the east of the property for the required play area that will be fenced.

The Health Department has indicated that they could approve the facility for a maximum of 20 children. The facility will be subject to compliance with the requirements of the Fire Prevention Division, Department of Community Health and Central Inspection prior to licensing as a Child Day Care Center.

Page 2
BZA 38-60
BZA AGENDA
9-23-80

RECOMMENDATION:

It is the recommendation of the Secretary that the exception to permit the operation of a child care center be approved subject to the following conditions:

1. The center shall comply with all licensing requirements of the Kansas State Department of Health, including all building and fire safety regulations of the State of Kansas and the City of Wichita.
2. The number of children to be permitted at the center shall not exceed that determined by the Department of Community Health.
3. The facility shall comply with all the requirements of the zoning ordinance including off-street parking and loading and the surfacing of said spaces.

BZA CASE NO. 38-80

2 NOTICES SENT TO APPLICANT/AGENT

10 NOTICES SENT TO MAPC

1 NOTICES SENT TO CPO

31 NOTICES SENT TO ADJOINING PROPERTY OWNERS

44 TOTAL NOTICES SENT 9-1-80

BOARD OF ZONING APPEALS
Tenth Floor - City Hall
455 North Main, Wichita, Kansas 67202

September 1, 1980

NOTICE TO ADJOINING PROPERTY OWNERS:

CASE NO. BZA 38-80

An application has been filed by West Side United Methodist Church, 1313 West Lydia, Wichita, Kansas, pursuant to Section 2.12.590.C, Code of the City of Wichita, requesting an exception to permit the establishment of a child day care center on property zoned the "AA" One-family Dwelling District and legally described as follows:

Lots 1, 2, 3, 4, 5, 6, 7, and 8, and one-half vacated Exposition Street, adjacent to Lot 4 and adjacent to the north 96.01 feet of Lot 5, Renollet 5th Addition to Wichita, Sedgwick County, Kansas. Generally located on the south side of Lydia west of Seneca (1313 W. Lydia).

This application has been assigned case No. BZA 38-80, and will be considered by the Board of Zoning Appeals at its meeting on Tuesday, September 23, 1980, at 1:30 p.m., in the Board Room, First Floor, City Hall, 455 North Main, Wichita, Kansas, at which time you may appear if you so desire, either in person or by agent or attorney. If you have any questions about this application, please call 268-4390 and ask for Lynn Shirkey or 268-4394 and ask for Glen Lytle.

It should be noted that the Citizen Participation Organization Area Council may consider this case at its next meeting. Additional information about such a meeting may be obtained by calling the CPO Office, 268-4516.

Jack H. Galbraith
Secretary

BOARD OF ZONING APPEALS

CASE NO. BZA 38-80

CITY OF WICHITA, KANSAS

FILED 8-15-80

APPLICATION FOR EXCEPTION

I. Name of Applicant West Side United Methodist
 Mailing Address ^W1313 Lydia Phone 264-6605
 Name of Authorized Agent Karen Carnahan
 Mailing Address 2827 S. Osage Phone 582-2701
 Relationship of applicant to property is that of _____
 (Owner, Tenant, Lessee, Other).

II. Application is made for an exception as provided in Section
 2.12.590.C, Code of the City of Wichita, Kansas, to permit
 the establishment of a child day care center
a preschool

_____ on property zoned
~~residential~~ ^{AA} on the south side of Lydia west of Seneca
 located (1313 W. Lydia)

*use legal on
 zoning
 list*

_____ and legally described as: W 85 Ft Lot 1
and 1/2 Vac. Exposition on W Block 1 Matthew Addition
W 115 ft of Tr - Beg 1088 ft N. of SE Cor SE 1/4 sec
31 W 26 RDS N 130 Ft. E 26, in the City of Wichita.
Rds. to beg. Sec. 31-27-18

- III. The applicant herein, or his authorized agent, acknowledges:
- That he has received an instruction sheet concerning the filing and hearing of this matter;
 - That he has been advised of the fee requirements established by Section 2.12.580 of the Code of the City of Wichita (Ordinance No. 24-606); and that the appropriate fee is herewith tendered;
 - That all documents are attached hereto as noted in paragraphs 2, 3, and 4 of the instructions.
 - That he has been advised of his right to bring action in the District Court of Sedgwick County to appeal the decision of the Board.

Applicant West Side United Methodist Church
 Authorized Agent Karen Carnahan

OFFICE USE ONLY: Received in the office of the Secretary, Board of Zoning Appeals, 3:02 p.m., Aug 15, 1980, together with appropriate fee of \$50.00 - 200.00

Signed [Signature]

CERTIFICATE OF OWNERSHIP

REALTY TITLE CO., INC., hereby certifies the following to be the true and correct property owners as shown by the last deeds of record in the Office of the Register of Deeds, Sedgwick County, Kansas; to-wit:

[Lots 1, 2, 3, 4, 5, 6, 7, and 8, and one-half vacated Exposition Street, adjacent to Lot 4 and adjacent to the north 96.01 feet of Lot 5, Renollet 5th Addition to Wichita, Sedgwick County, Kansas

together with all real estate lying within a 200-foot radius thereof.

<u>DESCRIPTION</u>	<u>OWNERS AND ADDRESSES</u>
<u>RENOLLET 5th</u>	
Lots 1, 2, 3, 4, 5, 6, 7, & 8, & one-half vacated Exposition St., adj. to Lt 4 & adj. to north 96.01ft of Lt 5,	<i>Deed</i> Trustees of West Side Evangelical United Brethren Church 1313 Lydia Wichita, Kansas 67213
<u>H.J. KLEIN ADDITION</u>	
Lot 1	Melvin R. Endsley Helen V. Endsley ✓ 1339 Lydia Wichita, Kansas 67213
Lot 2	George A. Jordon, a/k/a George Anthony Jordon ✓ Twila R. Jordon 1333 Lydia Wichita, Kansas 67213
Lot 3	Myron L. Wilson Debbra A. Wilson ✓ 1338 Lotus Wichita, Kansas 67213
Lot 4	<i>Deed</i> Trustees of West Side United Brethren Church 1313 Lydia Wichita, Kansas 67213
<u>WILLENA ADDITION</u>	
Lot 7	Jack E. Shelton Sonja Ann Shelton ✓ 1409 Lydia Wichita, Kansas 67213
Lot 8	Gerald D. Snively Merry Dee Snively ✓ 1403 Lydia Wichita, Kansas 67213
Lot 9	Donald W. Hardin Rozelia M. Hardin ✓ 1402 Lotus Wichita, Kansas 67213
Lot 10	Jerry Wayne Siegel Delores D. Siegel ✓ 1408 Lotus Wichita, Kansas 67213

DESCRIPTION
HARPERS 2nd ADDITION
BLOCK 1

Page 2
OWNERS AND ADDRESSES

Lot 24	✓ Donna R. Biggs 1408 Lydia Wichita, Kansas 67213
Lot 23	✓ Administrator of Veterans Affairs 901 George Washington Blvd Wichita, Kansas 67211
Lot 22	✓ Orville D. Scherer Helen R. Scherer 1338 Lydia Wichita, Kansas 67213
Lot 21	✓ Richard F. Wolf Judy L. Wolf 1332 Lydia Wichita, Kansas 67213
Lot 20	✓ Tommie D. Nelson Janis K. Nelson 1326 Lydia Wichita, Kansas 67213
Lot 19	✓ Gerald Henry Morrison Geneva Morrison 1320 Lydia Wichita, Kansas 67213
Lot 18	✓ Gilbert L. Burchard Hattiebelle Burchard 1314 Lydia Wichita, Kansas 67213
Lot 17	✓ H. Edward McCormick 1308 Lydia Wichita, Kansas 67213
Lot 16	✓ Steven E. Angle Cynthia S. Angle 1231 Rita Wichita, Kansas 67213
Lot 15	✓ Richard L. Powell Cindy R. Hodson 1301 Rita Wichita, Kansas 67213
Lot 14	✓ Sheridan J. Finney Genevera F. Finney 819 S. Meridian Wichita, Kansas 67213
Lot 13	✓ Randall Gil Walker Denise Ray Walker 1315 Rita Wichita, Kansas 67213
Lot 12	✓ James W. Stone Bonnie Marie Stone 1321 Rita Wichita, Kansas 67213

DESCRIPTION
HARPERS 2nd ADDITION
BLOCK 1 cont'd

OWNERS AND ADDRESSES

Lot 11

✓ Carl W. Underwood
 Ellin Jane Underwood
 a/k/a Ellin J. Underwood
 915 Country Acres
 Wichita, Kansas 67212

Lot 10

Dwg.
 Administrator of
 Veterans Affairs
 901 Geo Washington Blvd
 Wichita, Kansas 67211

Lot 9

Dwg.
 Administrator of
 Veterans Affairs
 901 Geo. Washington Blvd
 Wichita, Kansas 67211

BLOCK 2

Lot 20

✓ Marie E. Henning
 1234 Rita
 Wichita, Kansas 67213

Lot 19

✓ Alfred Reece Boyle
 Cleo Faye Boyle
 1240 Rita
 Wichita, Kansas 67213

MATTHEW ADDITION
BLOCK 1

Lot 1 & one-half vacated
 Exposition St. adj. on the west

George L. Goodwin
 Vera M. Goodwin
 ✓ 1233 Lydia
 Wichita, Kansas 67213

ROMAULDO ADDITION

Commencing at a point on the east line of Lot 1, Romauldo Addn. to Wichita, Kansas which point is 60ft north of the SE/corner of sd Lt 1; thence west on a line parallel with the south line of sd Lt 1 a distance of 175ft to a point; thence south on a line parallel to the east line of sd Lt 1 a distance of 60ft to a point on the south line of said lot; thence west 89ft m/l to the SE/corner of sd lot; thence north 130ft m/l to the NW/corner of sd lt; thence east 264ft m/l to NE/corner of sd lt; thence south along the east lot line of sd lt a distance of 70ft m/l to point of beg.

Richard M. Ferguson
 ✓ Sonya M. Ferguson
 2205 S. Seneca
 Wichita, Kansas 67213

SIMON ADDITION

Lots 1 & 2 & one-half vacated Exposition St. adj. on the west

✓ Rental Exchange Systems, Inc.
 2219 S. Seneca
 Wichita, Kansas 67213

REDBURN ADDITION

Lot 1 & one-half vacated Exposition St. adj. on the west

Dwg.
 Rental Exchange Systems, Inc.
 2219 S. Seneca
 Wichita, Kansas 67213

RENOLLETT 7th

Lot 2 & one-half vacated Exposition St. adj. on the west

✓ Michael C. Foley
 8509 Huntington
 Wichita, Kansas 67206

DESCRIPTIONOWNERS AND ADDRESSESROBERTS-BRENNER-KLEIN
BLOCK C

Lots 1 & 2, & one-half vacated
Exposition St. adj. on the east

✓ Carl C. Canning
Mary Joan Canning
1305 Lotus
Wichita, Kansas 67213

BLOCK B

Lots 1 & 2

✓ Herman J. Klein
Carman R. Klein
14974 E. Meta
Whittier, Calif. 40604

The east 132ft of tract beg. 660ft
north & 561ft west of the SE/corner
of the SE $\frac{1}{4}$, Section 31, Twnp 27S,
Rng 1 East of the 6th P.M., Sedgwick
County, Kansas, thence north 330ft'
thence west 330ft; thence south 330ft;
thence east to place of beg., exc.
the south 20ft for road.

✓ Robert L. Brown
Gretchen M. Brown
1328 W. Haskell
Wichita, Kansas 67213

Beg. 660ft north & 429ft west of the
SE/corner of SE $\frac{1}{4}$ 31-27S-1E of the 6th
P.M., Sedgwick County, Kansas, thence
north 165ft; thence west 132ft; th. south 165ft,
place of beg., exc. south 20ft for road.

✓ Jerry D. Reed
Mary K. Reed
1320 W. Haske11
Wichita, Kansas 67213

The west 115ft of a tract beg. 1088ft north
of SE/corner of 31-27S-1E of 6th P.M., Sedgwick
County, Kansas; thence west 26 rods, north 130ft,
east 26 rods, south to place of beg. *Duff*

Trustees of West Side
Evangelical United
Brethern Church
1313 Lydia
Wichita, Kansas 67213

Dated at Wichita, Kansas
this 22nd day of July,
1980, at 7:00 A.M.

REALTY TITLE CO., INC.

By *Linda Ayala*
Linda Ayala -
Vice President

R22780

THE CITY OF WICHITA



BOARD OF ZONING APPEALS
CITY HALL - TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202
(316) 258-4421

October 1, 1980

Karen Carnahan
2827 South Osage
Wichita, Kansas

Re: Case No. BZA 38-80
Request for Exception

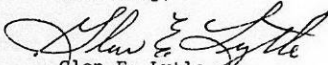
Dear Ms. Carnahan:

Enclosed is a signed copy of the Resolution adopted by the Board of Zoning Appeals on September 23, 1980, in connection with your request for an exception to permit the establishment of a child day care center in a residential zoning district on property zoned "AA" One-family Dwelling District and generally located on the south side of Lydia and west of Seneca (1313 West Lydia).

This Resolution reflects the official action of the Board to approve your request, and sets out the conditions of approval. It is forwarded to you for your information and files.

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

Sincerely,


Glen E. Lytle
Assistant Secretary

GEL:sad
Enclosure

cc: West Side United Methodist Church, 1313 West Lydia, Wichita
Robert Feldner, Superintendent of Central Inspection (2)
Don Gisick, City Clerk
Leola Lindahl, Health Department, 1900 East 9th, Wichita

**MICROFILMED
FROM THE BEST
AVAILABLE COPY**

FORM 021 PAYMENT NOTICE
City of Wichita

Bldg.	Use of Str.	Code Bks	Copies
Elec	Elev. Insp.	Hse Moving	Lic.
Mech	Boiler Insp.	Fav. Cuts	Cert.
Plbg	Exam Fees	Sewer	Elev.
Signs	Plan Rev. (P.W.)	Cement	M.S.P.

Planning

DESCRIPTION	AMOUNT
LIT. BZA EXCISE	200 ⁰⁰

NAME WESTSIDE Hill Me - Ch
ADDRESS 1313 W 6th St
FUND 110-00-000-40071- DUE DATE 03-00-000
COMMENTS

DATE 5/15/80 BY H. Lytle

*

This BZA. Case
Has a Large Drawing
On 35mm Microfilm
Roll # 2