

POSTED
5-12-75

MAD ✓
C.I. ✓
6-25-75

ACTION

BZA COMMITTEE Approved DATE 5-22-75

M.A.P.C. _____

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

BZA 18-75 - Lorraine Ave. Mennonite Church requests EXCEPTION for child care center at north-east corner of Taft & Knight.

Map No. 5246
 Sec. 25
 Twp. 27
 Range 1W

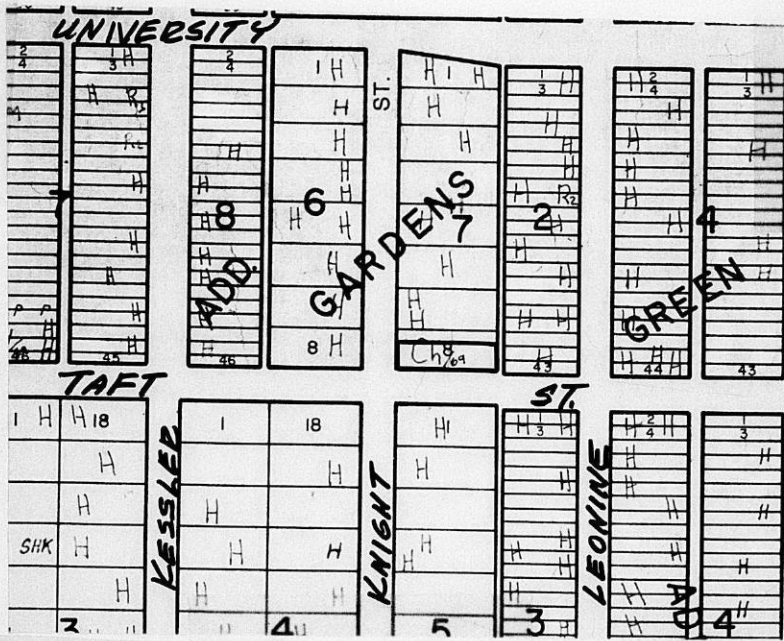
BZA- 18-75
 SCZ- _____
 CU- _____
 Filed _____

AREA DATA:

1. Acres: 0.21 (50 ft. by 187 ft.)
2. Adjoining Zoning: E _____ S _____ W _____ N _____
3. Land Use: East SINGLE FAM South SINGLE FAM
 West SINGLE FAM North SINGLE FAM
4. Sketch Plan Land Use is for: _____
5. Present Land Use if for: CHURCH
6. Area (is) (is not) platted. _____

PHOTO DATA:

Taken by _____ Date _____ Time _____



HASTINGS, MN. - LOS ANGELES
 LOOAN OH - McCREGOR, TX U.S.A.

Smead
 No. 2-153C

RESOLUTION NO. BZA 18-75

WHEREAS, Lorraine Avenue Mennonite Church, 655 South Lorraine, Wichita, Kansas, requests an exception as provided in Section 2.12.590.C, Code of the City of Wichita, to permit the operation of a child care center on property zoned the "AA" Single Family Dwelling District, and legally described as follows:

The south 50 feet of Lot 8, Block 7, Eureka Gardens, Wichita, Sedgwick County, Kansas.
Generally located at the northeast corner of Taft and Knight.

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 May 27, 1975, 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 operation of a child care center on property zoned the "AA" Single Family Dwelling District subject to the conditions outlined in Section 28.04.185.B, 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 operation of a child care center on property zoned the "AA" Single Family Dwelling District and legally described as follows:

The south 50 feet of Lot 8, Block 7, Eureka Gardens, Wichita, Sedgwick County, Kansas.
Generally located at the northeast corner of Taft and Knight.

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 Wichita-Sedgwick County Department of Community Health shall determine the maximum number of children to be permitted in the center.
3. Outdoor play shall be limited to the hours between 7:30 a.m. and 6:30 p.m. when any part of the fenced play area is within 100 feet of any occupied residence.

Resolution No. BZA 18-75
Page Two

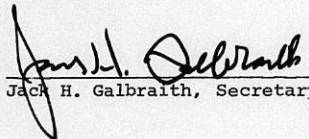
4. Off-street parking shall be provided on the premises for each teacher and employee, plus one off-street parking space for each vehicle used in the operation of the child care center; or the applicant shall obtain this Board's approval of a variance from this requirement.
5. When the capacity of the child care center exceeds twelve, one off-street loading space shall be provided for each ten children or major fraction thereof; or the applicant shall obtain this Board's approval of a variance from this requirement.

ADOPTED AT WICHITA, KANSAS, this 27th day of May, 1975.



Marjorie L. Taylor, Chairman

ATTEST:



Jack H. Galbraith, Secretary

THE WICHITA-SEDGWICK COUNTY DEPARTMENT OF COMMUNITY HEALTH

OFFICE OF Personal Health Services DATE October 7, 1975

TO Mr. Larry Dodson, Planning Dept.

FROM Leola Lindahl, R.N.

SUBJECT

Eureka Gardens Community Center
3406 Taft
Wichita, Kansas
GROUP CARE CENTER

Dear Larry:

I am unable to locate the waiver on the above center. If you mailed it, please let me know.

Thank you for your assistance.

Leola Lindahl, R.N.

Leola Lindahl, R.N.
Care Home Supervisor

*Mailed resolution
10/8/75*



April 23, 1975

J. Michael Peters, Attorney
First National Bank Bldg.
Wichita, Kansas 67202

Subject: Proposed Day Care Center -
3406 Taft Street

Dear Mr. Peters:

As a follow-up to our earlier telephone conversation, this letter is to advise you that the ordinance relating to the requirements for off-street parking and off-street loading for child care centers was approved on first reading yesterday by the City Commission.

Although this ordinance must still obtain City Commission approval on second reading and be published in the official City paper, we will accept an application for Exception to permit a Child Care Center and an application for Variance to reduce the required number of off-street parking and loading spaces, based on the premise that the ordinance will be official by the time we would need to advertise the cases.

The closing date for the May 27, 1975 Board of Zoning Appeals meeting is April 29, 1975. Please advise if I can be of assistance to you in getting your cases filed by the April 29 closing date.

Sincerely,

Larry Dobson
Assistant Secretary

LD:js

June 19, 1975

J. Michael Peters
923 First National Bank Bldg.
Wichita, Kansas 67201

Subject: Case No. BEA 18-75
Request for Exception

Dear Mr. Peters:

Enclosed is a signed copy of the Resolution adopted by the Board of Zoning Appeals on May 27, 1975, in connection with your request for an exception to permit the establishment of a child care center on property zoned the "AA" Single Family Dwelling District, and generally located at the northeast corner of Taft and Knight.

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

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

Sincerely,

Jack H. Galbraith
Secretary

JHG:js

cc: Lorraine Avenue Mennonite Church, 655 S. Lorraine, 67211
Robert Feldner, Supt. of Central Inspection
Donald Gisick, City Clerk
Joe Donnelly, Central Inspection Division

May 30, 1975

J. Michael Peters
923 First National Bank Bldg.
Wichita, Ks. 67201

Subject: Case No. BZA 18-75
Request for Exception

Dear Mr. Peters:

At the regular meeting of the Board of Zoning Appeals on May 27, 1975, your request for an exception to permit the establishment of a child care center on property zoned the "AA" Single Family Dwelling District and generally located at the northeast corner of Taft and Knight, was considered.

It was the action of the Board to approve this request subject to the conditions listed in the Secretary's report. 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,

Jack H. Galbraith
Secretary

JHG:js

cc: Lorraine Avenue Mennonite Church, 655 S. Lorraine, 67211
Robert Feldner, Supt. of Central Inspection
Donald Sisick, City Clerk
Joe Donnelly, Central Inspection Division

SECRETARY'S REPORT

CASE NO. HZA 18-75

APPLICANT: Lorraine Avenue Mennonite Church, 655 South Lorraine, Wichita, Kansas

AGENT: J. Michael Peters, 923 1st National Bank Building, Wichita, Kansas.

REQUEST: Exception pursuant to Section 2.12.590.C, Code of the City of Wichita to permit the establishment of a child care center.

GENERAL LOCATION: Northeast corner of Taft and Knight.

LAND USE: Subject property is developed as a community activity center. All surrounding properties are single family residences.

ZONING: Subject property and all surrounding properties are zoned the "AA" Single Family Dwelling District.

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.B can be complied with.

COMMENTS BY THE SECRETARY

The Lorraine Avenue Mennonite Church is requesting an exception to permit the operation of a Child Care Center on property that is owned by the church and operated as the Eureka Gardens Community Center. Subject property is located at the northeast corner of .. Knight and Taft Streets.

The applicant states that a Family Day Care Home is currently being operated at the subject property, which is limited to six children by the provisions of the Zoning Ordinance. An exception is now requested to allow an expanded enrollment of up to 16 children per session. The applicant further explains that this expanded service is badly needed at this location and feels that the church can be of substantial benefit to the community if allowed to continue with this service on a larger scale. The proposed child care program would operate three hours per day, five days per week. The hours of operation would be from approximately 8:30 a.m. to 11:30 a.m. On Monday, Wednesday and Friday the program would involve 4-year olds and on Tuesdays and Thursdays the program would be geared to 3-year olds.

Secretary's Report
Case No. BZA 18-75
Page Two

A plot plan has been submitted with this application which indicates that adequate off-street parking and off-street loading spaces could be provided on subject property. However, this property presently has no off-street parking facilities, and the following case on your agenda, BZA 19-75, is a request for a variance to reduce the off-street parking and off-street loading requirements to zero.

The Department of Community Health, Department of Public Works and the Fire Department have inspected the premises and set forth the conditions which must be met in order to bring the facility into compliance with state and local codes and licensing requirements.

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.

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 Wichita-Sedgwick County Department of Community Health shall determine the maximum number of children to be permitted in the center.
3. Outdoor play shall be limited to the hours between 7:30 a.m. and 6:30 p.m. when any part of the fenced play area is within 100 feet of any occupied residence.
4. Off-street parking shall be provided on the premises for each teacher and employee, plus one off-street parking space for each vehicle used in the operation of the child care center; or the applicant shall obtain this Board's approval of a variance from this requirement.
5. When the capacity of the child care center exceeds twelve, one off-street loading space shall be provided for each ten children or major fraction thereof; or the applicant shall obtain this Board's approval of a variance from this requirement.

BOARD OF ZONING APPEALS
Room 402 City Building Annex
104 South Main Street
Wichita, Kansas 67202

May 5, 1975

NOTICE TO ADJOINING PROPERTY OWNERS:

Case No. BZA 18-75

An application has been filed by Lorraine Avenue Mennonite Church, 655 South Lorraine, Wichita, Kansas, pursuant to Section 2.12.590.C, Code of the City of Wichita, requesting an exception to permit the operation of a child care center on property zoned the "AA" Single Family Dwelling District and legally described as follows:

The south 50 feet of Lot 8, Block 7, Eureka Gardens, Wichita, Sedgwick County, Kansas.
Generally located at the northeast corner of Taft and Knight.

This application has been assigned Case No. BZA 18-75, and will be considered by the Board of Zoning Appeals at its meeting on Tuesday, May 27, 1975, at 1:30 p.m., in Room 401 City Building Annex, 104 South Main Street, Wichita, Kansas, at which time you may appear, if you so desire, either in person or by agent or attorney.

JACK H. GATBRAITH
Secretary

19 notices to adjoining property owners mailed 5-6-75
10 notices to MAPC mailed 5-6-75

NE corner of
Jeff & Knight
MAP 5246

5246

BOARD OF ZONING APPEALS

CASE NO. 18-75

CITY OF WICHITA, KANSAS

FILED 4-29-75

APPLICATION FOR EXCEPTION

I. Name of Applicant Lorraine Avenue Mennonite Church

Mailing Address 655 S. Lorraine 11 Phone 682-4555

Name of Authorized Agent J. Michael Peters

Mailing Address 923 1st Nat'l. Bank Bldg Phone 263-8218

Relationship of applicant to property is that of Owner
(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 care center

_____ on property zoned

AA, located at 3406 Taft

_____ and legally described as: The

South 50 feet of Lot 8, Block 7, Eureka Gardens Addition

_____, in the City of Wichita.

III. The applicant herein, or his authorized agent, acknowledges:

- a. That he has received an instruction sheet concerning the filing and hearing of this matter;
- b. 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;
- c. That all documents are attached hereto as noted in paragraphs 2, 3, and 4 of the instructions.
- d. 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.

Lorraine Avenue
Applicant: Mennonite Church

Authorized Agent J. Michael Peters

OFFICE USE ONLY: Received in the office of the Secretary, Board of
Zoning Appeals, 2:00 (a.m. P.M.), 4/29, 1975,
together with appropriate fee of \$50.00

Signed Larry Dolson

OWNERSHIP LIST

Lot	Block	Addition	Property Owner
25	2	Dugans Addition to College Green	✓ Cecilia C. Pshigoda and Sam Pshigoda 427 Leonine Road 67213
27	2	Same	Same
29	2	Same	✓ Bernard P. Dette & Irene M. 239 S. Fountain 67218
31	2	Same	Same
33	2	Same	Same
35	2	Same	Same
37	2	Same	✓ Fred L. Byers & Lila M. 1216 N. Dellrose 67208
39	2	Same	Same
41	2	Same	✓ Fred L. Darnell & Edna Mae 3404 Taft 67213
43	2	Same	Same
1	3	Same	✓ Robert E. Lieurance and Delores J. Lieurance 501 Leonine Road 67213
3	3	Same	Same
5	3	Same	Same
7	3	Same	Same
9	3	Same	✓ Claude H. Schambron & Edna 517 Leonine Road 67213
11	3	Same	Same
5	6	Eureka Gardens	✓ John R. Elmer 411 South Knight 67213
6	6	Same	John Elmer & Hazel L. 411 South Knight 67213
7	6	Same	✓ Alex J. Soerries Jr. 1983 Greenfield Avenue 67217
8	6	Same	✓ Lee H. Phelps & Lucille 453 South Knight 67213
5	7	Same	✓ F. E. Ward & Alice 420 South Knight 67213

Lot	Block	Addition	Property Owner
6	7	Eureka Gardens	✓ Keith G. Schrag & Rhoda 440 South Knight 67213
S 50' lot 8	7	Same	✓ Lorraine Avenue Mennonite Church 655 S. Lorraine 67211
S 25' lot 7	7	Same	✓ Paul Z. Beshirs & Nancy Jane 454 S. Knight 67213
N 25' lot 8	7	Same	Same
N 50' lot 7	7	Same	✓ Virgil Howe & Loretta 452 S. Knight 67213
18	4	Same	✓ Eugene F. Lakey Jr & Martha A. 503 S. Knight 67213
19	4	Same	✓ Charlie E. Fultz & Diana L. 511 S. Knight 67213
1	5	Same	✓ Orin T. Claybrook and Hazel R. Claybrook 512 South Knight 67213
2	5	Same	Same

The Security Abstract and Title Company, Inc.,
hereby certifies the foregoing to be a true and correct list of
property owners of:

A 200 foot radius of: The South 50
feet of Lot 8, Block 7, Eureka Gardens,
Sedgwick County, Kansas

as shown by the records on file in the Office of the Register of
Deeds of Sedgwick County, Kansas, on this 22nd day of August,
1974 at 7:00 o'clock A.M.

THE SECURITY ABSTRACT AND TITLE COMPANY, INC.

By

Mary Sable

Vice President

Order No. 217002
wh

Ownership List No. 217002 is hereby extended to April 25, 1975
at 7:00 A.M. No changes in ownership except those indicated.

THE SECURITY ABSTRACT & TITLE COMPANY INC.

By

Asst. John Byson
Asst. Vice President

BOARD OF ZONING APPEALS
CITY OF WICHITA, KANSAS

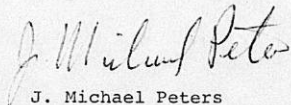
APPLICATION FOR EXCEPTION
STATEMENT JUSTIFYING EXCEPTION

1. Section 28.04.185b provides that the Board of Zoning Appeals may, by special permit, grant exceptions and authorize child care centers to be located in AA residential zoning districts subject to certain conditions and requirements.

2. A child care center is currently being operated at the subject property under license number F7721 with the current capacity limited to 6. It is believed that a license will be available, once proper zoning is obtained, to increase the capacity to 16.

3. The property is owned and operated by Lorraine Avenue Mennonite Church as a community ministry service and is a much needed service at its location. This service is not now capable of meeting the demand in the local community. It is felt that the Church can be of substantial benefit to this community if allowed to continue with this service on a larger scale.

Respectfully submitted,


J. Michael Peters

DEPARTMENTS OF DISPOSITION-FIRE-HEALTH
WICHITA, KANSAS
Inter-Departmental Referral Notice for Examination
of
Structures Proposed for Adult and Child Care

Agency Initiating Referral _____ Case No. _____ Date 11-12-74

Respective Applicant Name	J. Michael Peters	Address	Phone
		923 1st National Bank	263-8218

Respective Site Address	Present Use
3406 Taft	Family Day Care
	Proposed Use
	Child Care Center
	16 children 3 teachers

Owner	Address	Phone
Lorraine Ave. Mennonite Church	655 South Lorraine	

Preliminary Report of Improvements for Initial Approval Status
(add additional sheets as necessary)

North wall is within 4'0" of property line, with four openings. All openings must be closed, and a two-hour exterior wall is required on north wall.

Section 504, Table #5-A, Group C occupancy requires that any building used for day care purposes for more than 6 children shall meet the below listed requirements:

Fire Resistance of Exterior Walls: 2 hours, less than 5 feet; 1 hour less than 10 ft.

Openings in Exterior Walls: Not permitted less than 5 feet.
Protected less than 10 feet.

Section 502, a change of occupancies would be required.

Five off-street parking spaces are required (two spaces for 16 children and three spaces for three teachers).

Off-street parking is not permitted within the required 6-foot south side yard.
(Submit revised parking layout).

The child care center use in A-A Zoning District and the existing nonconforming side yard setbacks (3'-9" on the north and 2'-2" on the south) shall be acted upon by the Board of Zoning Appeals.

[Handwritten Signature]

[Faint, mostly illegible text at the bottom of the page, possibly containing contact information or additional notes.]

KNIGHT ST

TRAFFIC ENGINEERING DIVISION APPROVED

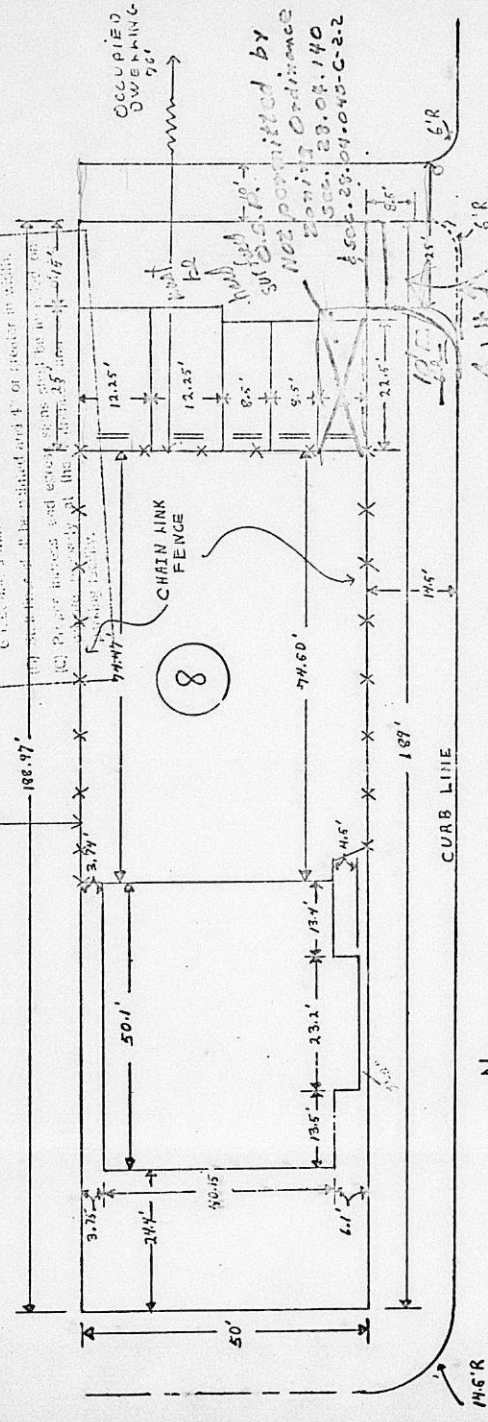
Case: Case 5826 8-22-24

(A) For the purpose of this plan, all locations that are indicated by dotted lines and all locations that are indicated by solid lines and have a minimum clearance of 6 feet from the roadway cross section of 5' x 4'.

(B) The location of the sidewalk and 4' of travel in width.

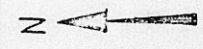
(C) The location of the curb and 15' of travel in width.

OCCUPIED DWELLING. 25'



OCCUPIED DWELLING 25'

NOT PERMITTED BY
ZONING ORDINANCE
SEC. 22.04.140
SEC. 22.04.040-C-2.2



TAF

APPROVED AS NOTED
By CITY ENGINEER OF WICHITA

Sanitary Sewers _____

Storm Sewers _____

Driveway Approaches 8-22-24

hmm

CITY OF WICHITA
DEPARTMENTS OF INSPECTION-FIRE-HEALTH
WICHITA, KANSAS

Inter-Departmental Referral Notice for Evaluation
of
Structures Proposed for Adult and Child Care

Agency Initiating Referral Health Department Case No. _____ Date 8-29-74

Prospective Applicant

Name	Address	Phone
Michael J. Peters, atty	106 W. Douglas	263-8218

Prospective Site

Address	Present Use	Church
3406 Taft	Proposed Use	Group Care Center
Owner	Address	
Lorraine Ave. Mennonite Church	655 S. Lorraine	
	Phone	
	682-4555	

Preliminary Report of Improvements for Initial Approval Status

(add additional sheets as necessary)

1. **Mark the rear exit with a sign -- letters 6-inches high.**
2. **Keep dust mops hung up off the floor.**
3. **Provide flameproofing of curtains. Flameproofing formula: 9 oz. borax, 4 oz. boric acid, and 1-gallon of water. Fabric should be well saturated and hung to dry. Application by steeping in a warm solution is preferable, but dipping, brushing or spraying can also be used.**
4. **Provide guards around heaters.**

Please contact the Fire Prevention office at 262-4451, extension 43, when the above items have been completed.

WICHITA FIRE DEPARTMENT
FIRE PREVENTION DIVISION
436 SO. EMPORIA
WICHITA, KANSAS 67202

Debra M. Hunter (FIRE)
Agency Representative

Routing of Referral: Original (white copy) to Health; 1st copy (green) to Inspection; 2nd copy (red) to Fire.
Intra Agency Routing: Central Inspection-Zoning, Building, Plumbing, Electrical Health-Environmental, Personal
Routing of Preliminary Reports: Photocopies from Health to Inspection and Fire; Inspection to Health and Fire; Fire to Health and Inspection

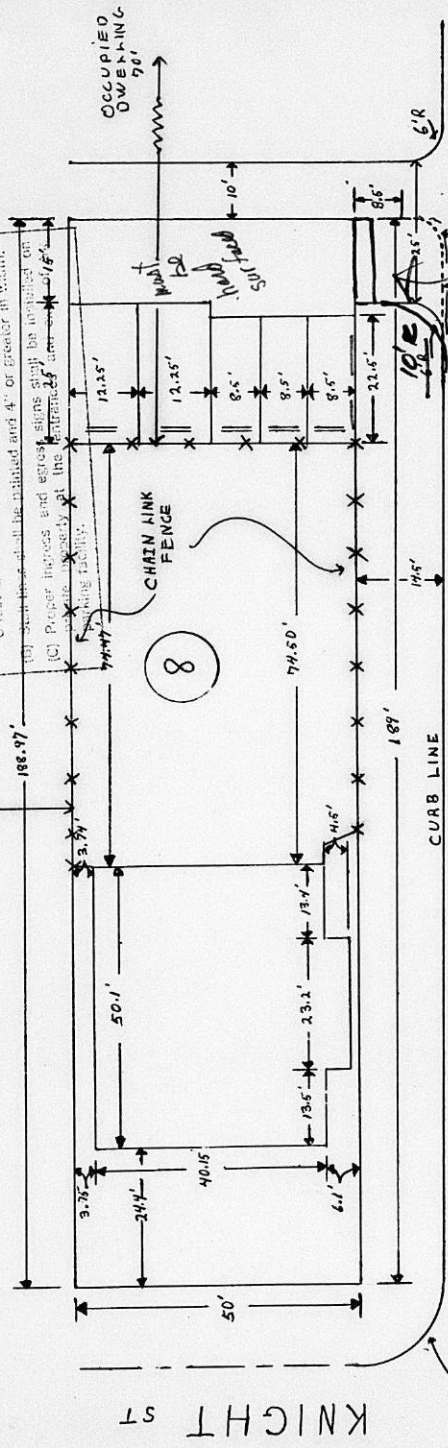
TRAFFIC ENGINEERING DIVISION APPROVED

Gene Becht
8-22-74

NOTE: Parking barriers shall be installed at all locations that are adjacent to public property so that vehicles will not encroach upon public property and have a minimum length of 6 feet and a minimum cross section of 4" x 4".

(C) Section shall be installed and egress signs shall be installed on the outside of the barrier.

OCCUPIED DWELLING 25'



See plan City Specs.



TAF

APPROVED AS NOTED
By CITY ENGINEER OF WICHITA

Sanitary Sewers
Storm Sewers
Driveway Approaches

8-22-74

MB

KNIGHT ST

Form 223-021

PAYMENT NOTICE

City of Wichita

PAY AT TREASURER'S OFFICE - FIRST FLOOR

Bldg & Elev.	Elec.	Elev. Insp.	Exam. Fees
Hse. Mvr.	Hse. Moving	Licse.	Mech.
Oil Well	Pav. Cuts	Plan.	Plbg. Cert.
Sanitation	Sewer	Signs	Sidewalk
Street	Trailer		

DESCRIPTION	AMOUNT

Name

Address

Type

Due Date

Comments:

Date

By