

BZA 2-74 - University Baptist
Church requests EXCEPTION for
child care center in "AA" at
southeast corner 21st & Oliver.

Revised

*M.A.P.C.
E.J.O.
2-23-74
E.H.*

ACTION

DATE 2.26.74

BZA COMMITTEE App. sub. to

condition

M.A.P.C. _____

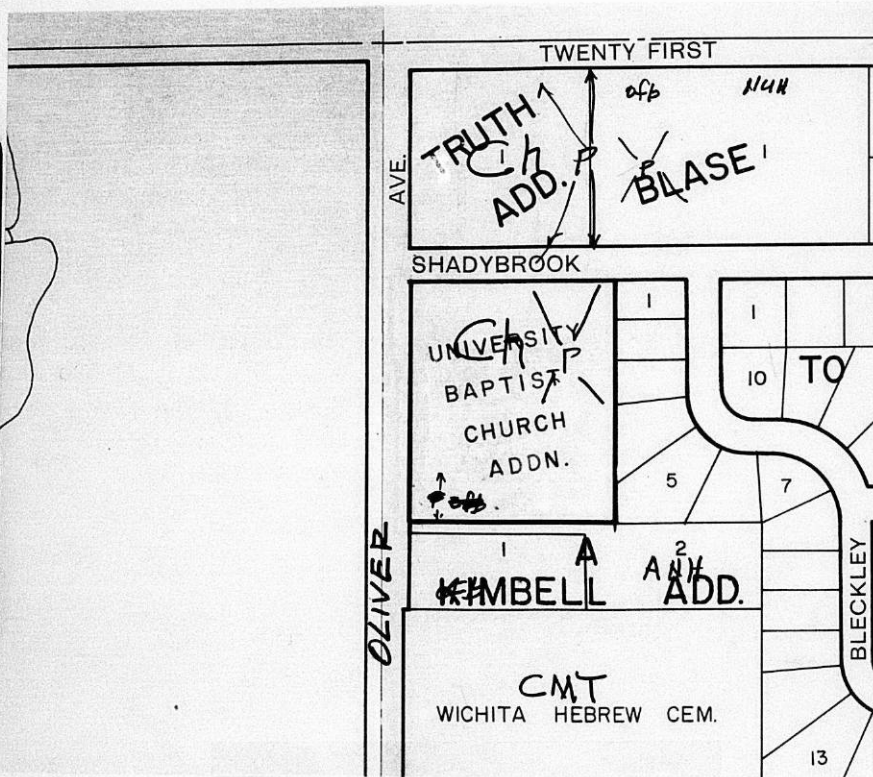
B.C.C./B. CO. C. _____

Map No. 5849
 Sec. 12
 Twp. 27
 Range 1E

BZA- 2-74
 SCZ- _____
 CU- _____
 Filed _____

AREA DATA:
 1. Acres: 3.47 (360 ft. by 420 ft.)
 2. Adjoining Zoning: E _____ S _____ W _____ N _____
 3. Land Use: East UNDEVELOPED South OFFICE
 West W.S. GOLF COURSE North CHURCH
 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 _____



WICHITA - SEDGWICK COUNTY



DEPARTMENT OF COMMUNITY HEALTH
1900 E. 9TH ST.—WICHITA, KAN. 67214

March 28, 1974

Martha McMurry
Metropolitan Area Planning Commission
104 South Main
Wichita, Kansas

RE: University Baptist Church
2130 North Oliver
Group Care Center

Representatives of the Wichita-Sedgwick County Department of Community Health have recently made an evaluation of the above location.

The facilities that have been provided for this Center will be adequate to permit the approval of operation.

Based on rooms designated for use, the equipment that has been provided activities would only be limited by staff qualifications.

Jack E. Milburn, Supervisor
Institutional Services

JEM:dg

cc Leola Lindahl
John Ridell, Central Inspection



March 28, 1974

Mr. Douglas Sharp
3910 East 24th Street North
Wichita, Kansas 67220

Dear Mr. Sharp:

Subject: Case No. BZA 2-74
Request for Exception

Enclosed is a signed copy of the Resolution adopted by the Board of Zoning Appeals on February 26, 1974, in connection with your request for an exception to permit the operation of a child care center on property zoned the "AA" Single Family Dwelling District and generally located on the east side of Oliver in an area south of 21st Street.

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

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

Very truly yours,

Jack H. Galbraith
Secretary

JHG:js

Encl.

cc: University Baptist Church, 2130 North Oliver, 67208
Robert Feldner, Superintendent of Central Inspection
Ralph Eberly, City Clerk
Joe Donnelly, Central Inspection

R E S O L U T I O N NO. BZA 2-74

WHEREAS, University Baptist Church, 2130 North Oliver, Wichita, Kansas, by Douglas Sharp, 3910 East 24th Street North, 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:

Lot 1, University Baptist Church Addition, Wichita, Sedgwick County, Kansas. Generally located on the east side of Oliver in an area south of 21st Street.

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 February 26, 1974, 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 28.04.185.2, 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 a child care center, on property zoned the "AA" Single Family District, and legally described as follows:

Lot 1, University Baptist Church Addition, Wichita Sedgwick County, Kansas. Generally located on the east side of Oliver in an area south of 21st Street.

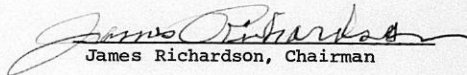
subject to the following conditions:

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 at 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.

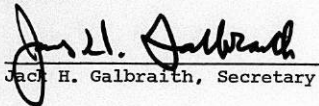
Resolution No. BZA 2-74
Page 2

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.

ADOPTED AT WICHITA, KANSAS, this 26th day of February,
1974.


James Richardson, Chairman

ATTEST:


Jack H. Galbraith, Secretary

February 28, 1974

Mr. Douglas Sharp
4910 East 24th St. North
Wichita, Kansas 67220

Dear Mr. Sharp:

Subject: Case No. BZA 2-74
Request for an Exception

At the regular meeting of the Board of Zoning Appeals on February 26, 1974, your request for an exception to permit the operation of a child care center on property zoned the "AA" Single Family Dwelling District, and generally located on the east side of Oliver in an area south of 21st Street, was considered.

It was the action of the Board to approve the request subject to the conditions contained in the Secretary's report. However, during discussion of the case, it was pointed out that the Division of Central Inspection had contacted the Secretary relative to the need to provide another fire exit and an additional copy of the building plans. You will need to contact John Riddell of the Central Inspection Division in regard to resolving these problems.

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 contact our office.

Sincerely,

Jack H. Galbraith
Secretary

JHG:MM:js

Mr. Douglas Sharp
February 28, 1974

cc: University Baptist Church
2130 North Oliver
Wichita, Kansas 67208

Robert Feldner,
Superintendent of Central Inspection

Ralph Eberly
City Clerk

Joe Donnelly
Central Inspection

SECRETARY'S REPORT
CASE NO. BZA 2-74

APPLICANT: University Baptist Church, 2130 North Oliver, Wichita, Kansas, 67208'

AGENT: Douglas Sharp. 4910 East 24th St. North, Wichita, Kansas 67220

REQUEST: Exception pursuant to 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.

GENERAL LOCATION: On the east side of Oliver in an area south of 21st Street.

LAND USE: Subject property contains a church, as does that property to the north. To the west is a golf course, and the property to the south contains an office and an animal hospital.

ZONING: Subject property is zoned the "AA" Single Family, as are these properties to the north and west. To the south is the "BB" Office District, and to the east is "B" Multiple Family zoning.

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, Code of the City of Wichita, can be complied with.

COMMENTS BY THE SECRETARY:

The University Baptist Church is requesting an exception to permit the operation of a child care center in the "AA" Single Family Dwelling District. The statement of justification submitted with the application states that the church currently has a pre-school in operation, which is limited to six children by the provisions of the Zoning Ordinance. The agent for the applicant explains that while the church has no desire to make this a profit-making operation, the limit of six children per session does not permit economical operation of the child care center. The exception is requested to allow an expanded enrollment of up to twenty children per session.

Secretary's Report
Case No. BZA 2-74
Page Two

The applicant has submitted a plot plan, approved by the Division of Traffic Engineering, which indicates that ample parking and off-street loading space is available. 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 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.
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.
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.

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

February 5, 1974

NOTICE TO ADJOINING PROPERTY OWNERS:

An application has been filed by University Baptist Church, 2130 North Oliver, 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:

Lot 1, University Baptist Church Addition,
Wichita, Sedgwick County, Kansas. Generally
located on the east side of Oliver in an area
south of 21st Street.

This application has been assigned Case No. BZA 2-74, and will be considered by the Board of Zoning Appeals at its meeting on Tuesday, February 26, 1974, at 1:30 p.m., in Room 401 City Building Annex, 104 South Main Street, Wichita, Kansas. If you desire, you may write to the Board of Zoning Appeals at 104 South Main to express your opinion on this matter. You are also welcome to speak or be represented by a spokesman at the Board of Zoning Appeals meeting when this matter will be considered.

If additional information is desired so that you may be fully informed on this matter, please call the Metropolitan Area Planning Department at 262-0611, Extension 205.

Jack H. Galbraith
Secretary

10 Notices to Adjoining Property Owners mailed 2-5-74
10 Notices to waive members mailed 2-5-74

January 30, 1974

Mr. Douglas Sharp
Pre-School Board
University Baptist Church
2130 North Oliver
Wichita, Kansas 67208

Dear Mr. Sharp:

Enclosed is the receipt for the \$50 filing fee associated with your application for an Exception to permit the operation of a child care center on property zoned the "AA" Single Family Dwelling District. This case has been assigned Case No. EZA-2-74 and scheduled for public hearing on February 26, 1974, at 1:30 p.m. in Room 401 of the City Building Annex, 104 South Main. If you have any questions concerning this matter, please call our office.

Sincerely,

M. McMurry
Junior Planner

MM:js
Encl.

4910 East 24th St. No.
Wichita, Kansas 67220
December 28, 1973

Board of Zoning Appeals
Room 402 City Building Annex
104 South Main
Wichita, Kansas 67202

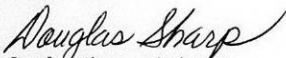
Gentlemen:

University Baptist Church is applying for an exception to the provision that limits property in AA zoning from having a pre-school with more than six children enrolled. Specifically, we would like permission to have an enrollment of up to twenty children per session of our pre-school operation.

University Baptist Church currently has a pre-school operation. However, the limit of six children per session does not permit this operation to be economical. While we have no desire to be a profit-making operation, we do feel a need to break-even in terms of the cost of this ministry.

We appreciate your consideration.

Sincerely,



Douglas Sharp, Chairman
Pre-School Board
University Baptist Church

THE CITY OF WICHITA



FIRE DEPARTMENT
THIRD AND WATER STREETS
WICHITA, KANSAS 67202

December 18, 1973

Mr. Douglas Sharp
University Baptist Church
2130 North Oliver
Wichita, Kansas 67208

Re: Pre-school located at 2130 North Oliver

Dear Mr. Sharp:

On February 27, 1973, I made a fire safety evaluation of the above property and issued the following requirements:

1. Flameproof all curtains.
2. Provide outlets with safety covers.
3. Clean furnace rooms; these are not to be used for storage.
4. Provide furnace rooms with a solid core (1-3/4") door.
5. Move fire extinguisher out of furnace rooms.
6. Replace ceiling in the furnace room.
7. Provide a manual fire alarm system.
8. Mark the exit doors with signs (letters 6" high).
9. Provide an evacuation plan and post in each room. Practice a fire drill monthly.

Compliance with the above requirements has been made and this property approved for a child care facility.

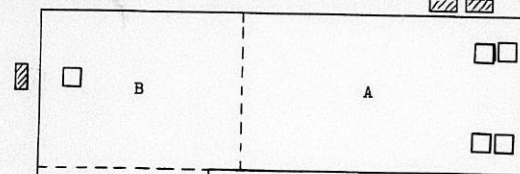
Sincerely,

THE WICHITA FIRE DEPARTMENT

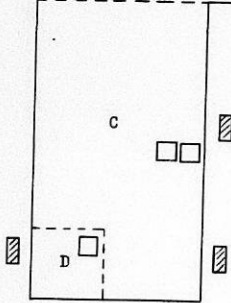
Dolan M. Martin
Dolan M. Martin
Fire Prevention Training Instructor

DMM:pp

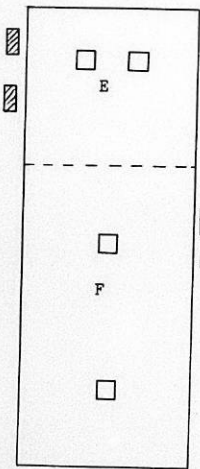
cc: Central Inspection Zoning
Wichita-Sedgwick County Health Department



NORTH 



1st. Floor



2 nd. Floor

Heating Equipment		Air-Conditioning Equipment	
A - Sanctuary	4-150000 BTU Units	2-10 Ton Units	
B - Pre-school Dept.	1-130000 BTU Units	1-5 Ton Unit	
C - Adult Dept & Auditorium	2-120000 BTU Units	2-5 Ton Units	
D - Office	1-100000 BTU Unit	1-2½ Ton Unit	
E - Primary Dept.	2-125000 BTU Units	2-3 Ton Units	
F - Jr. High & Adult Depts.	2-120000 BTU Units	2-5 Ton Units	

UNIVERSITY BAPTIST CHURCH
2130 N. Oliver

Scale: 1/32" = 1'-0

1-23-74 GIS

STRUCTURES ADJACENT TO PROPERTY

(1) NORTH OF CHURCH BUILDING

Unity Church Educational Building is approximately 90 feet from the property line.

(2) NORTHEAST OF PROPERTY LINE

Northeast Nursing Home is approximately 200 feet from northeast of property line.

(3) SOUTHEAST OF PROPERTY LINE

Animal Hospital is approximately 30 feet from southeast of property line.

(4) SOUTH OF PROPERTY LINE

G.M.A.C. office is approximately 30 feet from south of property line.

(5) DUE EAST OF PROPERTY LINE

Vacant.

(6) DUE WEST OF PROPERTY LINE

Wichita State University Golf Course

WICHITA - SEDGWICK COUNTY HEALTH DEPT.

WILL PROVIDE LETTER AS SOON AS OFFICIALLY NOTIFIED OF OUR APPLICATION.

HAVE MADE VISIT. ONLY CHANGES REQUIRED:

- (1) Canvas seats on two swings
- (2) Posting of fire inf. signs.

BOARD OF ZONING APPEALS

CASE NO. _____

CITY OF WICHITA, KANSAS

FILED _____

APPLICATION FOR EXCEPTION

I. Name of Applicant University Baptist Church

2130 No. Oliver
Mailing Address Wichita, KS 67208 Phone 684-5296

Name of Authorized Agent Douglas Sharp

4910 E. 24th No.
Mailing Address Wichita, KS 67220 Phone 685-3752

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 Pre-School Center enrolling twenty students on property zoned AA, located 2130 North Oliver, Wichita, Kansas 67208 and legally described as: Lot 1, University Baptist Church 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.

Applicant University Baptist Church

Authorized Agent Douglas Sharp

OFFICE USE ONLY: Received in the office of the Secretary, Board of Zoning Appeals, 2:20 (a.m. - p.m.), Jan 24, 19 74, together with appropriate fee of \$50.00

Signed Marilyn M. Murry

CERTIFICATE OF OWNERSHIP

GUARANTEE TITLE CO., Inc., hereby certifies the following to be a true and correct list of the property owners as shown by the last deed of record in the office of the Register of Deeds of Sedgwick County, Kansas, within a 200 foot radius of and including the following described property, viz:

Lot 1, in University Baptist
Church Addition, Wichita,
Sedgwick County, Kansas.

DESCRIPTION	OWNER/OWNERS/ADDRESS	
<u>Truth Addition</u>		
Lot 1	Unity Church, Inc. 2160 N. Oliver	67208
<u>University Baptist Church Add.</u>		
Lot 1	University Baptist Church of Wichita 2130 N. Oliver	67208
<u>Blase Addition</u>		
Lot 1 (W 160')	Don L. Miller 3026 Stafford	67211
Lot 1 (E 330')	Kingsford Inn of Wichita, Inc. P.O. Box 1033 Louisville, Kentucky	40201
<u>First Addition to Crestview Heights</u>		
<u>Flock 1</u>		
Lots 1-2-3-4-5-6	Center Development Co., Inc. c/o Paul V. Smith 200 W. Douglas	67202
<u>Flock 3</u>		
Lots 1 & 10	Center Development Co., Inc. c/o Paul V. Smith 200 W. Douglas	67202
E $\frac{1}{2}$ of NE $\frac{1}{4}$ of Sec. 11-27-1E	Wichita Public Building Commission c/o City Clerk 204 S. Main	67202
N 165' of: Beg SW cor N $\frac{1}{2}$ NW $\frac{1}{4}$ of Sec. 12, Twp 27-1E, N 330', E 660', S 330', W to beg. (Kansas Hebrew Congregation of Wichita Cemetery)	Ahavath Achim Hebrew Congregation 1850 N. Woodlawn	67208
<u>Kimbell Addition</u>		
<u>Block A</u>		
Lot 1	A & J Investment Company, Inc. 1400 Vickers KEB & T Bldg.	67202
Lot 2	Kenneth E. C. Kimbell 2225 N. Belmont	67220
Dated this 19th day of December, 1973, 7:00 A. M.		
GUARANTEE TITLE CO., Inc.		
By <i>Grant R. Hawkins</i> Vice-President		
No. 47532/f		

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	<u>Plan.</u>	Pibg. Cert.
Sanitation	Sewer	Signs	Sidewalk
Street	Trailer		


150.00

DESCRIPTION	AMOUNT
<i>BZA application</i>	

Name: _____
 Address: *Douglas Sharp*
4912 E. 24th
 Type: *BZA 407103* Due Date: *1-30-74*
 Comments: _____

 Date: _____ By: *Joyce Smith*

THE CITY OF WICHITA





BOARD OF ZONING APPEALS
 CITY BUILDING ANNEX
 104 S. MAIN ST.
 WICHITA, KANSAS 67202


BZA 2-74


Kenneth E. C. Kimbell
 2225 N. Belmont
 Wichita, Kansas 67220

Moved, left no address
 No such number
 Moved, not forwardable
 Addressee unknown

2/25/74

RETURN TO WRITER 



*

This BZA. Case
Has a Large Drawing
On 35mm Microfilm
Roll # 1