

200'14 Sec 6-3-86

Sub 6-11-86

Record ✓

Case No. 8-86 - Hillside Christian Church requests an exception to permit the establishment of a child day care center on property zoned the "AA" One-family Dwelling District & generally located on the north side of Douglas

Posted
3-24-86

ACTION

BZA. 8-86 APPROVED 4/22/86
FOR 1 YR. UNLESS DATE
SIDEWALK PETITION SUBMITTED

200'14 Sec 6-3-86
Shot 6-11-86
Record ✓

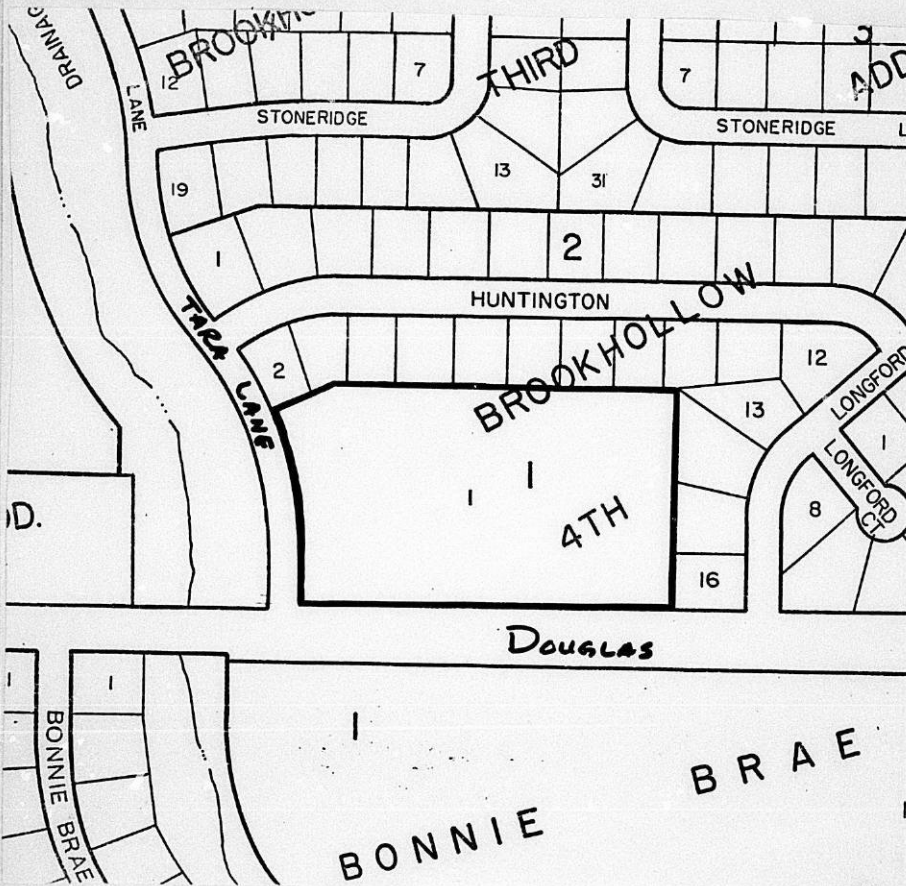
Case No. 8-86 - Hillside Christian Church requests an exception to permit the establishment of a child day care center on property zoned the "AM" One-family Dwelling District & generally located on the north side of Douglas

Map No. 6047-D

BZA 8-86
Filed _____

AREA DATA:

1. Acres: _____ (_____ ft. by _____ ft.)
2. Adjoining Zoning: E "AA" S "AA" W "B-1-R-5" N "AA"
3. Land Use: East I-F South SCHOOL
West Apts. North I-F
4. Area (is) (~~is not~~) platted.



LOS ANGELES-CINCINNATI-LOGAN, OH
MEMPHIS, TN-COAST GROVE, GA
1944

Shaw
No. 2453C

April 23, 1986

Hillside Christion Church
8330 East Douglas
Wichita, Kansas 67207

Re: BZA 8-86 Request for Exception (On the north side of Douglas
and east of Tara Lane - 8330 East Douglas)

Dear Sir:

Enclosed is a signed copy of the Resolution adopted by the Board of
Zoning Appeals on April 23, 1986.

It was the decision of the Board of Zoning Appeals to approve the
request for a Child Day Care Center in the present church building.
Due to neighborhood concerns expressed about the lack of sidewalks in
the 100 block of North Tara Lane, it was their decision to approve the
application for only one year beginning on August 15, 1986, unless a
valid petition for the installation of sidewalks is submitted.

I have had the City Engineer prepare the petition for your convenience.
It should be noted that this also includes the one residence to the
north. As you are no doubt aware, the sidewalks on Tara Lane were a
requirement of the original approval for the plat in 1975 and for some
reason have not been installed.

If you have questions, please give me a call at 268-4421.

Sincerely,

Glen E. Lytle
Assistant Secretary

GEL/lw

Enclosure

cc: Martin Bauer, 8301 E. Douglas, Wichita, KS 67207
Katrina Stockton, 8301 E. Douglas, Wichita, KS 67207
Monty Robson, Superintendent of Central Inspection (2)
Don Gisick, City Clerk

RESOLUTION CASE NO. 8-86

WHEREAS, Hillside Christian Church, 8330 East Douglas, Wichita, Kansas, pursuant to Section 2.12.590.C, Code of the City of Wichita, requests 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:

Lot 1, Block 1, Brookhollow Fourth Addition to Wichita, Sedgwick County, Kansas. Generally located on the north side of Douglas and east of Tara Lane (8330 East Douglas).

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 22, 1986, 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.

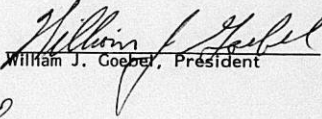
NOW, THEREFORE, BE IT RESOLVED by the Board of Zoning Appeals of the City of Wichita, that this application be approved to permit the establishment of a child day care center on property zoned the "AA" One-family Dwelling District legally described as follows:

Lot 1, Block 1, Brookhollow Fourth Addition to Wichita, Sedgwick County, Kansas. Generally located on the north side of Douglas and east of Tara Lane (8330 East Douglas).

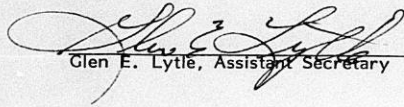
subject to the following conditions:

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 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. One off-street parking space 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. One off-street loading space shall be provided for each ten (10) children or major fraction thereof.
6. The location of the spaces and the driveway widths shall be in conformance to the plan approved by the Traffic Engineer and shall be surfaced and improved as required by Section 28.04.143 of the zoning ordinance.
7. The application shall be approved only for a one year period beginning August 15, 1986 unless a valid sidewalk petition is signed by the property owners of the property on the east side of Tara Lane.

ADOPTED AT WICHITA, KANSAS, this 22nd day of April, 1986.


William J. Goebel, President

ATTEST:


Glen E. Lytle, Assistant Secretary

THE CITY OF WICHITA

OFFICE OF Citizen Rights & Services DATE April 8, 1986

TO Glen Lytle, Special Assistant for Zoning
FROM Barry L. Carroll, Administrative Aide III

SUBJECT BZA 8-86: North side of
Douglas and east of Tara Lane
(8330 East Douglas)

On Wednesday, April 7, 1986, CPO Council Area "H" considered the above captioned case, a request for an exception to permit the establishment of a child day care center on property zoned the "AA" One-Family Dwelling District. Council members were provided the notice to adjoining property owners, a map of the area, and MAPD staff comments. After extensive discussion, the Council voted 6-0 to recommend approval of the request.

The agent, Katrina Stockton, was present to describe the request and respond to questions from the Council members and area residents. Ms. Stockton explained that she wanted to utilize existing space within the Hillside Christian Church for a preschool program. According to Ms. Stockton, no changes to the building, parking lot, etc, would be necessary.

Council members were very supportive of the request.

Please provide these comments to the Board of Zoning Appeals when Case BZA 8-86 is considered.

Barry L. Carroll
Barry L. Carroll
Administrative Aide III

BLC:dm

Noted:

Annie K. Montgomery
Annie K. Montgomery
CRS Director

RECEIVED
APR 08 1986
METROPOLITAN PLANNING
ROUTE _____

RE: AGENDA ITEM NO. 6

SECRETARY'S REPORT
CASE NO. BZA 8-86

APPLICANT: Hillside Christian Church, 8330 E. Douglas, Wichita, KS 67207

AGENT: Katrina Stockton, 8301 E. Douglas, Wichita, KS 67207

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.

GENERAL LOCATION: On the north side of Douglas and east of Tara Lane (8330 E. Douglas).

ZONING: Subject property is zoned the "AA" One-family Dwelling District as are the properties to the north, east and south. To the west is "B" Multiple-family and the "R-5" General Residence District.

LAND USE: Subject property is occupied by a church and accessory parking. To the east and north are one-family dwellings. To the south is a school and to the west are apartments.

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 establish a child day care center in the existing church facilities. The applicant is proposing to utilize four rooms in the building and will accommodate up to 44 children.

Since the building has been constructed as a church, there is more than adequate off-street parking and loading to comply with the conditions required by Section 28.04.185.2 of the zoning ordinance. The applicant has had the property inspected by Health, Fire and Central Inspection and can comply with their requirements.

The site is bordered by two streets and the rear yards of existing dwellings on the north and east. The majority of activity of this facility will be within an enclosed building and should not have an adverse affect on the adjacent properties.

RECOMMENDATION:

Should the Board determine that the proposal to establish a child day care facility at this location is appropriate, then it is the recommendation of the Secretary that the exception 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 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. One off-street parking space 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. One off-street loading space shall be provided for each ten (10) children or major fraction thereof.
6. The location of the spaces and the driveway widths shall be in conformance to the plan approved by the Traffic Engineer and shall be surfaced and improved as required by Section 28.04.143 of the zoning ordinance.

BZA CASE NO. 8-86

<u>2</u>	NOTICES SENT TO APPLICANT/AGENT
<u>15</u>	LEGAL ADVERTISEMENT SENT TO MAPC & BZA
<u>1</u>	NOTICES SENT TO CPO
<u>29</u>	NOTICES SENT TO ADJOINING PROPERTY OWNERS
<u>32</u>	TOTAL NOTICES SENT <u>3/27/86</u>

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

MARCH 27, 1986

NOTICE TO ADJOINING PROPERTY OWNERS:

CASE NO. BZA 8-86

As required by law, all property owners of record, within 200 feet of a property to be considered for an exception or variance by the Board of Zoning Appeals, are to be notified of the public hearing. An application has been filed by Hillside Christian Church, 8330 East Douglas, Wichita, Kansas requesting an exception.

Pursuant to Section 2.12.590.C, of the Code of the City of Wichita, the applicant is requesting an exception to permit the establishment of a child day care center on property zoned the "AA" One-family Dwelling District. A legal description of the applicant's property is as follows:

Lot 1, Block 1, Brookhollow Fourth Addition to Wichita, Sedgwick County, Kansas. Generally located on the north side of Douglas and east of Tara Lane (8330 East Douglas).

This application has been assigned Case No. BZA 8-86. It will be considered by the Board of Zoning Appeals on April 22, 1986 at 1:30 p.m. in the Board Room, First Floor of City Hall, 455 North Main Street, Wichita, Kansas. If you have no interest or objections regarding the requested exception, you have no obligation to appear or comment. If you desire to appear at the Board meeting, you are invited to do so, either in person or by agent or attorney.

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.

If you have any questions about the application, please feel free to call the Wichita-Sedgwick County Metropolitan Area Planning Department at 268-4421.

Glen E. Lytle
Assistant Secretary

BOARD OF ZONING APPEALS

CASE NO. B-86

CITY OF WICHITA, KANSAS

FILED _____

APPLICATION FOR EXCEPTION

I. Name of Applicant HILLSIDE CHRISTIAN CHURCH
Mailing Address 8330 E. DOUGLAS Phone _____
Name of Authorized Agent KATELINA STOCKTON
Mailing Address 8301 E. DOUGLAS Phone 684-5462
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 day care center

_____ on property zoned AA
located on the north side of Douglas and east of 13th Lane (8330' E. Douglas) and legally
described as: Lot 1, Block 1, Brook Hollow Farm Addn.

_____, 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. 39-285); 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 Hillside Christian Church

Authorized Agent Katelina Stockton

OFFICE USE ONLY: Received in Office of Secretary, Board of Zoning Appeals, 1:15 (a.m.p.m.), MARCH 20, 1986, together with appropriate fee of 300.00.

Signed [Signature]

OWNERSHIP LIST

<u>Lot</u>	<u>Block</u>	<u>Addition</u>	<u>Property Owner</u>
Lot 1	Block 1	Brookhollow 4th Addition	✓ Hillside Christian Church 8330 E. Douglas Wichita, KS 67207
Lot 2	Block 1	"	✓ Steven R. Nyquist 8311 Huntington Wichita, KS 67206
Lot 3	Block 1	"	✓ Mary R. Harlow 8325 Huntington Wichita, KS 67206
Lot 4	Block 1	"	✓ Robert J. Werne Sr. Naomi J. Werne 8329 Huntington Wichita, KS 67206
Lot 5	Block 1	"	✓ Robert A. Worsing Jr. Linda S. Worsing 8409 Huntington Wichita, KS 67206
Lot 6	Block 1	"	✓ Ronald L. Yoder Lola I. Yoder 8425 Huntington Wichita, KS 67206
Lot 7	Block 1	"	✓ Dean E. Britting Deborah A. Britting 8433 Huntington Wichita, KS 67206
Lot 8	Block 1	"	✓ Alan A. Koerv 8509 Huntington Wichita, KS 67206
Lot 9	Block 1	"	✓ John E. Curfman Joan K. Curfman 8510 Huntington Wichita, KS 67206
Lot 10	Block 1	"	✓ Carl B. Hall Dorothy A. Hall 8529 Huntington Wichita, KS 67206
Lot 11	Block 1	"	✓ Arthur Gunther Rebecca Gunther 8609 Huntington Wichita, KS 67206
Lot 12	Block 1	"	✓ Thick Gon Mar Yue Chung Mar 133 Longford Lane Wichita, KS 67206

Lot	Block	Addition	Property Owner
Lot 13, Block 1, and that part of Lot 14, Block 1, described as beginning at the NW/c; th. SE'ly along the line common to said Lots 13 & 14, 100 feet; th. NW'ly 86.99 feet to a point on the West line of Lot 14, said point being 30 feet South of the NW/c of Lot 14; th. North 30 feet to the p.o.b.		Brookhollow 4th Addition	✓ Lloyd E. Poston W. June Poston 125 Longford Ln. Wichita, KS 67206
Lot 14, Block 1, except the foregoing described portion in said Lot.		"	✓ John J. Krupka Elaine K. Krupka 119 Longford Wichita, KS 67206
Lot 15, Block 1		"	✓ Revilo R. Oetinger Patricia J. Oetinger 109 Longford Ln. Wichita, KS 67206
Lot 16, Block 1		"	✓ Thomas H. Guerra 103 Longford Ln. Wichita, KS 67206
Lot 1, Block 2, and that part of Lot 2, Block 2 described as beginning at the SW/c of Lot 2; th. North along the West line 141.15 feet to the NW/c; th. East and NE'ly along the North line 45.49 feet to point of intersection in the North line of Lot 2; th. S'ly 146.18 feet to p.o.b.		"	✓ Dr. E. Holmes Brinton Judith M. Brinton 8310 Huntington Wichita, KS 67206
Lot 2, Block 2, except above described portion in said Lot.		"	✓ Arthur H. Bailey Sandra M. Bailey 1420 Linden Cr. Wichita, KS 67206
Lot 3	Block 1	"	✓ John Edward Kice Barbara Louise Kice 8330 Huntington Wichita, KS 67206
Lot 4	Block 1	"	✓ Jin-tze Wu Chein-Goh Wu 8410 Huntington Wichita, KS 67206
Lot 5	Block 1	"	✓ David Bayouth Hattie Beth Bayouth 8420 Huntington Wichita, KS 67206
Lot 6	Block 2	"	✓ Antonio P. Barba Jr. Estrella G. Barba 8430 Huntington Wichita, KS 67206
Lot 7	Block 2	"	✓ Daniel J. Zaloudek Brenda L. Zaloudek 8510 Huntington Wichita, KS 67206

Lot	Block	Addition	Property Owner
Lot 8	Block 2	Brookhollow 4th Addition	Arthur J. Glass Jule P. Glass 8520 Huntington Wichita, KS 67206
Lot 9	Block 2	"	Kenneth A. Toon Leona K. Toon 8530 Huntington Wichita, KS 67206
Lot 10	Block 2	"	Elvin W. Cramer Ruth A. Cramer 1420 W. Westland Wichita, KS 67206
		That part of Lot 7, Block 3, described as beginning at the SW/c of Lot 7; th. North 0°15'15" East a distance of 72.28 feet; th. North 50°16' East a distance of 100.26 feet; th. South 30°16' West a distance of 53.61 feet; th. South 0°15'15" West a distance of 90.29 feet; th. North 89°44'45" West a distance of 50 feet to the p.o.b.	" W. Mike Adams 110 Longford Wichita, KS 67206
		Lot 7, Block 3, except the foregoing described portion.	" Elliot A. Magidson Rita Magidson 116 Longford Ct. Wichita, KS 67206
		A portion of Lot 1, Block 1, Bonnie Brae Third Addition to Wichita, described as follows: Beginning at the NW/c of said Lot 1; th. East along the North line of said Lot, a distance of 375 feet; th. South along a line perpendicular to the North line of said Lot 1, a distance of 220 feet; th. West along a line parallel to the North line of said Lot 1, to the W'ly line of said Lot 1, a distance of 362 feet, more or less; th. NW'ly and North along the West line of said Lot, a distance of 222 feet, more or less to the p.o.b.	" The Independent School, Inc. 8301 E. Douglas Wichita, KS 67207
		Lot 1, Block 1, Bonnie Brae Third Addition, except above described portion.	" Jean K. Garvey 300 W. Douglas Wichita, KS 67202

Page 4

We hereby certify the foregoing to be a true and correct list of the property owners of the hereinbefore described lots within a 200 foot radius of:

Lot 1, Block 1, Brookhollow Fourth Addition
To Wichita, Sedgwick County, Kansas.

as shown by the last deed of record on file in the Office of the Register of Deeds, Sedgwick County, Kansas, on the 20th day of March, 1986, at 7:00 o'clock A.M.

THE SECURITY ABSTRACT AND TITLE COMPANY, INC.

Mary Gable

By
Sr. Vice-President

Order No: 357866
nj

February 26, 1986

10:00 a.m.

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 LL Case No. 2 Date 2/24/86

Prospective Applicant		
Name	Address	Phone
Katrina Stockton	8301 E. Douglas	684-5462

Prospective Site	
Address	Present Use Church
8330 E. Douglas	Proposed Use <u>Center</u>

Owner	Address	Phone
Hillside Christian Church		

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

The four rooms measured for the proposed child care center have a respective area of 351 square feet, 423 square feet, 459 square feet and 315 square feet or sufficient space for licensing of 44 children.

1. Provide all electrical outlets with receptacle covers.
2. Comply with City of Wichita building and fire safety codes.
3. Comply with provisions of K.A.R. 28-4-420 through 28-4-441.

cc: Leola Lindahl
Glen Lytle, Planning ✓
Jim Harris, Fire Dept.
Delores Mask, CID

Jerry F. King
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

MICROFILMED
FROM THE BEST
AVAILABLE COPY

FORM 29-021

PAYMENT NOTICE
 City of Wichita

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

Planning

DESCRIPTION	AMOUNT
City BZA E... ..	7,100 ⁰⁰
NAME <i>Wichita Planning Service</i>	
ADDRESS <i>241 E. Douglas</i>	
FUND <i>17-4076-063</i>	DUE DATE
COMMENTS	
DATE <i>March 24 1976</i>	BY <i>[Signature]</i>