

Case No. BZA 43-78 Church of
God requests exception to permit
establishment of a child care
center on property zoned "AA"
located at 8605 W. Maple

7370
M.A.P.C.

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

POSTED
10-27-78

MAPOV
C.I.V.
1-6-79

ACTION

BZA
43-78

COMMITTEE Approved DATE 11-28-78

M.A.P.C. _____

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

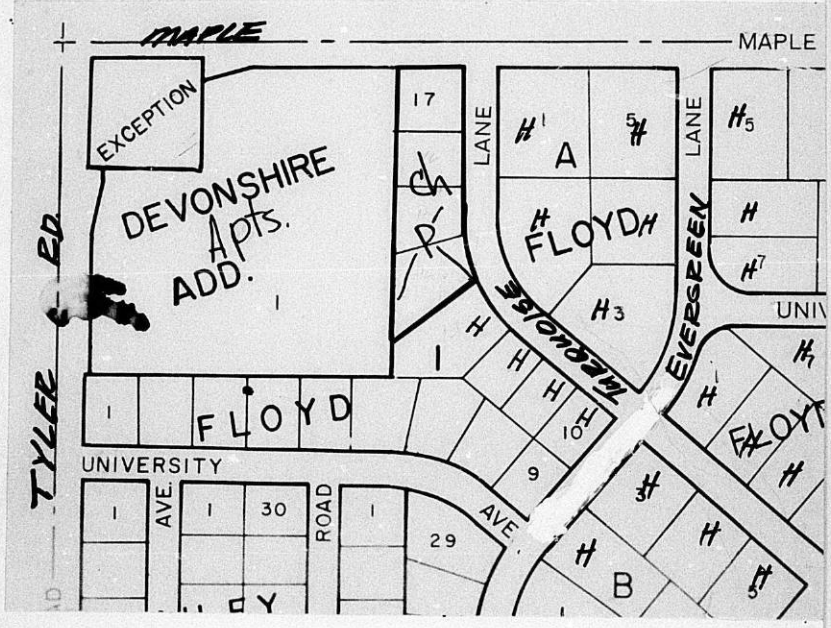
Case No. BZA 43-78 Church of
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center on property zoned "AA"
located at 8605 W. Maple

Map No. 4946
 Sec. 28
 Twp. 27
 Range 14

BZA- 43-78
 SCZ- _____
 CU- _____
 Filed _____

- AREA DATA:
1. Acres: 1.5 (150 ft. by 443 ft.)
 2. Adjoining Zoning: E _____ S _____ W _____ N _____
 3. Land Use: East SINGLE FAM South Single Fam
 West Apts North Single and Multi-F
 4. Sketch Plan Land Use is for: _____
 5. Present Land Use if for: _____
 6. Area (is) (is not) platted. _____

PHOTO DATA:
 Taken by _____ Date _____ Time _____



Symantec
 No. 2153C
 HASTING, MN. LOS ANGELES
 LOBAN OH - MCKENRICH, TX U. S. A

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

November 3, 1978

NOTICE TO ADJOINING PROPERTY OWNERS:

Case No. BZA 43-78

An application has been filed by the Church of God, 8605 W. Maple, 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 care center on property zoned the "AA" Single Family Dwelling District, and legally described as follows:

Lots 13, 14, 15, 16 and 17, Block 1, in Floyd Bailey Fourth Addition, Wichita, Sedgwick County, Kansas. Generally located at the southwest corner of Maple and Turquoise (8605 W. Maple).

This application has been assigned case No. BZA 43-78 and will be considered by the Board of Zoning Appeals at its meeting on Tuesday, November 28, 1978, 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.

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
Tenth Floor - City Hall
455 North Main, Wichita, Kansas 67202

November 3, 1973

NOTICE TO ADJOINING PROPERTY OWNERS:

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Jack H. Galbraith
Secretary

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Tenth Floor - City Hall
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November 3, 1978

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Jack H. Galbraith
Secretary

December 12, 1978

Reverend Charles Duncan
Church of God
8605 W. Maple
Wichita, Kansas 67209

Re: Case No. BIA 43-78
Request for Exception

Dear Reverend Duncan:

Enclosed is a signed copy of the Resolution adopted by the Board of Zoning Appeals on November 28, 1978, 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 southwest corner of Maple and Turquoise (8605 W. Maple).

This Resolution reflects the official action of the Board to approve the 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,

Larry Dobson
Assistant Secretary

LD:bbc
Enclosure

cc: Robert Feldner, Superintendent of Central Inspection
Joe Donnelly, Housing and Zoning Administrator
Don Gisick, City Clerk
Leola Lindahl, Health Dept.

RESOLUTION NO. BZA 43-78

WHEREAS, Church of God, 8605 W. Maple, 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 care center on property zoned the "AA" Single Family Dwelling District, and legally described as follows:

Lots 13, 14, 15, 16 and 17, Block 1, in
Floyd Bailey Fourth Addition, Wichita,
Sedgwick County, Kansas. Generally located
at the southwest corner of Maple and
Turquoise (8605 W. Maple).

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 November 28, 1978 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 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 the establishment of a child care center on property zoned the "AA" Single Family Dwelling District, and legally described as follows:

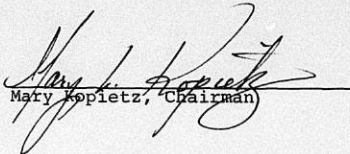
Lots 13, 14, 15, 16 and 17, Block 1, in
Floyd Bailey Fourth Addition, Wichita,
Sedgwick County, Kansas. Generally located
at the southwest corner of Maple and
Turquoise (8605 W. Maple).

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. 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.

Resolution
Case No. BZA 43-78
Page Two

ADOPTED AT WICHITA, KANSAS, this 28th day of November,
1978.


Mary Kopietz, Chairman

ATTEST:


Larry Dobson, Assistant Secretary

THE CITY OF WICHITA
OFFICE OF CITIZEN PARTICIPATION

DATE November 20, 1978

TO Larry Dobson, BZA

FROM Gail Williams, CPO Administrative Aide

SUBJECT BZA Case 43-78: 8605 West Maple

At its meeting of November 15, CPO Council "A" considered the captioned case and voted 7-0 to recommend approval of the requested zoning exception.

There were no area residents present to express opposition to the proposed child care center, and, based on their understanding that the center will utilize the facilities of a church at that location, the Council voted to approve the church's request.

Gail Williams

Gail Williams,
CPO Administrative Aide

GW:m1

NOTED:

David Furnas
David Furnas
Citizen Participation Coordinator



November 30, 1978

Reverend Charles Duncan
Church of God
8605 W. Maple
Wichita, Kansas 67209

Re: Case No. BEA 43-78
Request for Exception

Dear Reverend Duncan:

At the regular meeting of the Board of Zoning Appeals on Tuesday, November 28, 1978, 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 on the southwest corner of Maple and Turquoise (8605 W. Maple), was considered.

It was the action of the Board to approve the 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 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.

November 20, 1978
Reverend Charles Duncan
Re: BEA 43-78

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.

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,

Larry Dobson
Assistant Secretary

LD:hbc

cc: Robert Feldner, Superintendent of Central Inspection
Joe Donnelly, Housing and Zoning Administrator
Don Gisick, City Clerk

SECRETARY'S REPORT
CASE NO. BZA 43-78

APPLICANT: Church of God, 3605 W. Maple, Wichita, Kansas

AGENT: Reverend Charles Duncan, 341 Turquoise, 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: Southwest corner of Maple and Turquoise (8605 W. Maple).

ZONING: Subject property is zoned the "AA" Single Family Dwelling District as are properties to the south and east. Property to the west is zoned the "LC" Light Commercial District. North is the "AA" Single Family Dwelling District and "R-5" General Residence District.

LAND USE: Subject property is developed with a church facility. West is an apartment development. South and east is single family residential development. North is single family and multi-family residential.

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 Rolling Hills Church of God is requesting an exception to permit the operation of a child care center in the church facilities.

The center would provide pre-school child care to a maximum of eleven (11) children. The center would be open from 7:00 a.m. to 6:00 p.m., Monday through Friday. A minimum of two (2) staff persons would be involved.

The applicants have submitted a site plan which shows that ample parking space is available. The plan also shows the location of the proposed playground space, west of the church building. An addition to the church is presently under construction and present plans are to enlarge the capacity of the child care center after the new addition is completed, bringing the maximum number of children to approximately 24 or 25 children.

Case No. BZA 43-78
November 28, 1978
Page 2

The Department of Community Health, the Department of Public Works and the Fire Prevention Division 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. Of course, any future expansion into new facilities would also have to meet the requirements of these agencies.

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 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. 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
Tenth Floor - City Hall
455 North Main, Wichita, Kansas 67202

November 3, 1978

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Case No. BZA 43-78

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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

Case No. BZA 43-78

2 notices sent to applicant/agent
10 notices sent to MAPC
1 notice sent to CPO
19 sent to adjoining property owners

32 total notices sent

11-3-78

BOARD OF ZONING APPEALS

CASE NO. 43-78

CITY OF WICHITA, KANSAS

FILED _____

APPLICATION FOR EXCEPTION

I. Name of Applicant Church of God ✓

Mailing Address 8605 W. Maple (09) Phone 722-1251 or 722-6350

Name of Authorized Agent Rev. Charles Duncan ✓

Mailing Address 341 Turquoise (09) Phone 722-6350

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 Ch. C. Care center

_____ on property zoned

AA, located 8605 W. Maple, Wichita, Kansas

_____ and legally described as: Lots Thirteen[13],

Lots Fourteen [14], Fifteen [15], Sixteen [16], Seventeen [17],

Block One [1], in FLOYD BAILEY FOURTH ADDITION, Wichita, Sedgwick

County, Kansas, 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 Church of God

Authorized Agent Charles Duncan
Pastor

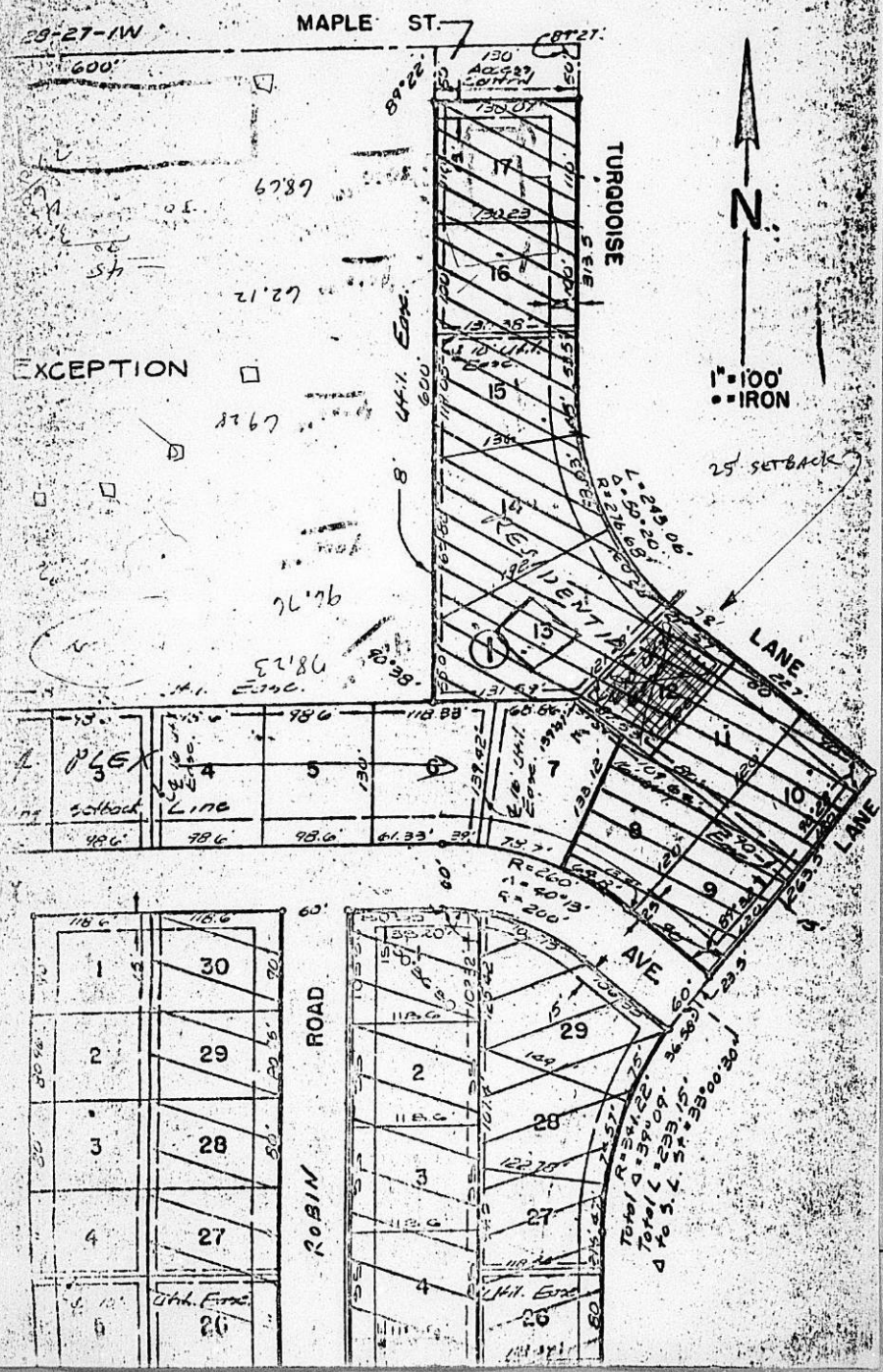
*SW corner of
Maple & Turquoise
Sec 24
T 275
E 1W
4946*

OFFICE USE ONLY: Received in the office of the Secretary, Board of Zoning Appeals, 2 (a.m. - 6 p.m.), Oct 29, 1978, together with appropriate fee of \$50.00

Signed Mike Meek

LOYD BAILEY FOURTH ADD.
 WICHITA, SEDGWICK COUNTY, KANSAS

With Fifth Overlay



1" = 100'
 •• IRON

1	2	3	4	5	6	7	8	9	10
48.6'	78.6'	98.6'	61.33'	39'	75.7'	129.12'	109.82'	109.82'	109.82'

1	30
2	29
3	28
4	27
5	26

1	2	3	4
118.6'	118.6'	118.6'	118.6'
118.6'	118.6'	118.6'	118.6'
118.6'	118.6'	118.6'	118.6'
118.6'	118.6'	118.6'	118.6'

SCHEDULED:
October 4, 1978
1:30 P.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 Health Department Case No. 42 Date 9-29-78

Prospective Applicant

Name	Address	Phone
Rev. Charles Duncan	8605 West Maple	722-6351

Prospective Site

Address	Present Use	Church
8605 West Maple	Proposed Use	Group Care
Owner	Address	Phone
Rolling Hills Church of God		

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

The four rooms evaluated have a total area of 795 sq. ft. which would allow an enrollment of 22 children, and there is adequate toilet facilities to handle this number. However, if full day care is offered and thus a kitchen is required, the Junior Room will not be licensable. This reduces the area to 401 sq. ft. and enrollment to 11 children.

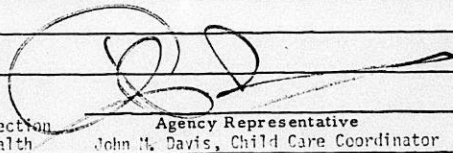
A suitably fenced and equipped outside play area will have to be provided.
Cots per each child to use for napping will have to be provided.

All rules as laid down in the February 1977 State Regulation will have to be followed.

No children are to be enrolled until facility is approved by this department.

If you have any questions, please call me at 268-8351.

cc: Larry Bohson-Planning
Jim Harris-Fire Dept.
Jim Cranford-Central Inspection
Leola Lindahl-Personal Health


Agency Representative
John M. Davis, Child Care Coordinator

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

OWNERSHIP LIST

Lot	Street	Addition	Property Owners
1	Robin Rd.	Park Acres Second	✓ J. Harold Ashton W. Pauline Ashton 6917 Stonegate Lane Wichita, Kansas 67206
32	"	"	✓ Henrietta Wolfe 254 N. Robin Rd. Wichita, Kansas 67212
W 159.5' of 32 except the S 20'	Evergreen Lane	Evergreen Place	✓ Stan E. Wisdom 51 Via Verda Wichita, Kansas 67230 and ✓ Daniel K. Roberts 3333 E. Central Wichita, Kansas 67208 and ✓ Lyle J. Darling 1070 Inverness St. Wichita, Kansas 67218
Lot 32 except the W 159.5' and except the S 20'	"	"	✓ John M. Roberts 104 N. Armour Wichita, Kansas 67206
1		Devonshire Addition	✓ S.W. Investments, LTD P.O. Box 1362 Wichita, Kansas 67201
1	Block A	Floyd Bailey Third	✓ Rudolph T. Eichenauer Betty J. Eichenauer 8511 Maple Wichita, Kansas 67213
2	"	"	✓ Ray L. Rumsey Virginia F. Rumsey 336 Turquoise Lane Wichita, Kansas 67209
3	"	"	✓ Annabel Malacky 351 S. Evergreen Lane Wichita, Kansas 67209
4	"	"	✓ Harold M. Unruh Nelva R. Unruh 335 Evergreen Lane Wichita, Kansas 67209
1, 2, 3, 4, 5, 6, & 7	Block 1	Floyd Bailey Fourth	✓ Rolland E. Klaassen Mildred V. Klaassen Address unknown

*Retired
no further*

*401 Paula
67209*

page 2 - continued

Lot	Block	Addition	Property Owner
8	1	Floyd Bailey Fourth	✓ Theodore P. Hilger Martha N. Hilger 8606 University Ave. Wichita, Kansas 67209
9	"	"	✓ Larry K. Mason Alicia S. Mason 2905 George Washington Blvd. Wichita, Kansas 67210
10	"	"	✓ Harold E. Wingett Diana K. Wingett 371 Turquoise Lane Wichita, Kansas 67209
11	"	"	✓ Michael L. Nelson Mary P. Nelson 361 Turquoise Lane Wichita, Kansas 67209
12	"	"	<i>P</i> Board of Trustees, Church of God Rolling Hills 8605 Maple Wichita, Kansas 67209
13	"	"	<i>P</i> Church of God, Board of Trustees 8605 Maple Wichita, Kansas 67209
14, 15, 16, & 17	"	"	✓ Church of God <i>231</i> McCormick St. Wichita, Kansas 13
29	4	"	✓ Joel Stanley Jones Darlene N. Jones 8609 University Ave. Wichita, Kansas 67209
1	2	Floyd Bailey Fifth	✓ Edgar Milton Cleaver Sylvia Mary Jeanne Cleaver 402 S. Robin Road Wichita, Kansas 67209



434 NORTH MAIN
WICHITA, KANSAS 67202
267-8371

The Security Abstract and Title Company, Inc., hereby certifies the foregoing to be a true and correct list of property owners within a 200 foot radius of Lots 13, 14, 15, 16, and 17, Block 1, in Floyd Bailey Fourth Addition, Wichita, Sedgwick County Kansas, as shown by the last deeds of record in the Office of the Register of Deeds of Sedgwick County, Kansas, on this 13th day of October, 1978 at 7:00 o'clock A. M.

The Security Abstract and Title Company, Inc.

By

Mary Gable

Vice-president

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

November 3, 1978

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Jack H. Galbraith
Secretary

WICHITA - SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

CITY HALL - TENTH FLOOR
455-NORTH-MAIN-STREET
WICHITA, KANSAS 67202

ADDRESSEE
UNKNOWN
RETURN TO SENDER



Ray L. & Virginia F. Rumsey
336 Turquoise Lane
Wichita, Kansas 67209

43-78

W. Ber
M. H. King

FORM 2021

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.	Cement	M.S.P.

50.00

DESCRIPTION	AMOUNT
Board of zoning Appeals Application for Child Care Center	
NAME: Charles Dunson	
ADDRESS: 8605 W. Maple	
FUND: 110 00 000 4007	DUE DATE: 003 000 000
COMMENTS	
DATE: Oct 24, 1978	BY: Mike Meek

*

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

Roll # 2