

Case No. BZA 55-79 - Janice G.
Claassen requests exception to
permit establishment of a child
day care center on prop. zoned
"A" & gen. loc. at the SW corner
of [redacted] (601 S. [redacted])

REC

1

ACTION

BZA
55-79

COMMITTEE

APPROVED

DATE

10-23-79

Posted
10-4-79

M.A.P.C. _____

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

✓ 200' MAPD 10-31-79
✓ 200' CI 10-31-79
RECORDED

Case No. BZA\55-79 - Janice G. Claassen requests exception to permit establishment of a child day care center on prop. zoned "A" & gen. loc. at the SW corner (601 S.

Map No. 5746
 Sec. 26
 Twp. 27
 Range 1E

BZA- 55-79
 SCZ- _____
 CU- _____
 Filed _____

AREA DATA:

Acres: _____ (130 ft. by 150 ft.)
 Adjoining Zoning: E A S A W A N A
 Land Use: East SINGLE FAM South SINGLE FAM
 West SINGLE FAM North SINGLE FAM
 Sketch Plan Land Use is for: _____
 Present Land Use if for: CHURCH-SINGLE FAM
 Area (is) (is not) platted.

PHOTO DATA:

Taken by _____ Date _____ Time _____



HASTINGS, MIN-LOS ANGELES
 LOAN, OR - MEMPHIS, TX U. S. A.

Shimada
 No. 2153C

BZA 55-79 &
 BZA 56-79

November 6, 1979

Janice G. Claassen
2727 S. Washington
Wichita, Kansas

Re: Case No. BZA 55-79
Request for Exception

Dear Ms. Claassen:

Enclosed is a signed copy of the Resolution adopted by the Board of Zoning Appeals on October 23, 1979, in connection with your request for an exception to permit the establishment of a child day care center on property zoned "A" Two Family Dwelling, generally located at the southwest corner of Orme and Crestway.

This Resolution reflects the official action of the Board to approve this 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:bbc
Enclosure

cc: Robert Feldner, Superintendent of Central Inspection
Joe Donnelly, Housing and Zoning Administrator
Don Gisick, City Clerk
Rev. Robert R. Keller, 556 S. Belmont, Wichita, Ks.

RESOLUTION NO. BZA 55-79

WHEREAS, Janice G. Claassen, 2727 S. Washington, 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 "A" Two Family Dwelling District and legally described as follows:

Lots 1, 2, 3, 4, 5 and 6 on East now Crestway, Fairfax Addition to Wichita, Kansas. Generally located at the southwest corner of Orme and Crestway (601 S. Crestway).

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 October 23, 1979, 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 "A" Two Family Dwelling District, subject to the conditions outlined in Section 28.04.185.2, Code of the City of Wichita.

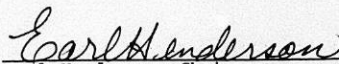
NOW, THEREFORE, BE IT RESOLVED by the Board of Zoning Appeals of the City of Wichita, that this application be approved to permit the establishment of a child care center on property zoned the "A" Two Family Dwelling District and legally described as follows:

Lots 1, 2, 3, 4, 5 and 6 on East now Crestway, Fairfax Addition to Wichita, Kansas. Generally located at the southwest corner of Orme and Crestway (601 S. Crestway)

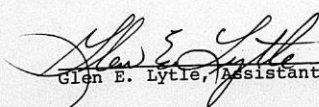
subject to the following conditions:

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 center shall be limited to a maximum of 20 children.
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.

ADOPTED AT WICHITA, KANSAS, this 23rd day of October, 1979.


Earl Henderson, Chairman

ATTEST:


Glen E. Lytle, Assistant Secretary

October 24, 1979

Janice G. Claassen
2727 S. Washington
Wichita, Kansas

Re: Case No. BEA 55-79
Request for Exception

Dear Ms. Claassen:

At the regular meeting of the Board of Zoning Appeals on Tuesday, October 23, 1979, your request for an exception to permit the establishment of a child day care center on property zoned the "A" Two Family Dwelling District, and generally located at the southwest corner of Orme and Crestway was considered.

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

1. Approval of associated BEA Case No. 56-79.
2. 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.
3. The center shall be limited to a maximum of 20 children.
4. 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.

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.

Page 2
October 24, 1979
BEA 55-79

If you have any questions, please call our office.

Sincerely yours,

Glen E. Lytle
Assistant Secretary

GEL:bbs
cc: Robert Feldner, Superintendent of Central Inspection
Joe Donnelly, Housing and Zoning Administrator
Don Gisick, City Clerk
Rev. Robert R. Keller, 556 S. Belmont, Wichita, Ks.

THE CITY OF WICHITA

OFFICE OF CITIZEN PARTICIPATION

DATE October 17, 1979

TO Glen Lytle, Special Assistant for Zoning

FROM Shirley Mast, CPO Administrative Aide

SUBJECT BZA 55-79 (Southwest corner of Orme
and Crestway - 601 S. Crestway)
BZA 56-79 (Southwest corner of Orme
and Crestway - 601 S. Crestway)

At their meeting of October 15, CPO Council "C" considered the captioned cases. After discussing the cases with the applicant and finding nothing objectionable in the requests, the Council voted 7-0 to recommend approval of the exception request to permit the establishment of a child care center and the variance to reduce the off-street parking and loading requirements to zero at the aforementioned location.

There were no adjoining property owners present to speak against the application.

Please provide the Council's recommendation to the Board of Zoning Appeals when these cases are considered at the October 23 meeting.

Shirley Mast
Shirley Mast
CPO Administrative Aide

SM:ml

Noted:

Sarah Gilbert
Sarah Gilbert
Assistant CP Coordinator

RECEIVED

OCT 19 1979

METROPOLITAN PLANNING

ROUTE _____

SECRETARY'S REPORT

CASE NO. BZA 55-79

APPLICANT: Janice G. Claassen, 2727 S. Washington,
Wichita, Kansas

AGENT: Rev. Robert R. Keller, 556 S. Belmont,
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 Orme and Crestway
(601 S. Crestway).

ZONING: Subject property is zoned "A" Two Family
as are those properties to the north,
south, east and west.

LAND USE: Subject property is occupied by a church
and single family residence. North, east,
south and west are single family residences.

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 operation of a child care center in the "A" Two Family Dwelling District on property located at the southwest corner of Orme and Crestway.

Supportive information submitted with the application indicates that the day care center will have an enrollment of 20 children with 2 adult workers. Based on the proposed enrollment and number of employees the parking requirement would be two off-street parking spaces and two off-street loading spaces. However, the applicant has filed an application for a variance to reduce the required parking and loading spaces to zero (BZA 56-79).

Case No. BZA 55-79
BZA AGENDA
10-23-79
Page 2

RECOMMENDATION:

If the Board determines that this exception request would not have an adverse affect or otherwise have a negative impact on the neighborhood, it is the recommendation of the Secretary that the exception be granted subject to the following conditions:

1. Approval of associated BZA Case No. 56-79.
2. 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.
3. The Department of Community Health shall determine the maximum number of children to be permitted in the center.
4. 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.

BZA CASE NO. 55-79

2 NOTICES SENT TO APPLICANT/AGENT

10 NOTICES SENT TO MAPC

1 NOTICES SENT TO CPO

~~27~~ NOTICES SENT TO ADJOINING PROPERTY OWNERS

40 TOTAL NOTICES SENT 10-3-79

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

October 3, 1979

NOTICE TO ADJOINING PROPERTY OWNERS:

CASE NO. BZA 55-79

An application has been filed by Janice G. Claassen, 2727 S. Washington, Wichita, Kansas, pursuant to Section 2.12.500.C, Code of the City of Wichita, requesting an exception to permit the establishment of a child day care center, on property zoned the "A" Two Family Dwelling District, and legally described as follows:

Lots 1, 2, 3, 4, 5 and 6 on East now Crestway, Fairfax Addition to Wichita, Kansas. Generally located at the southwest corner of Orme and Crestway (601 S. Crestway).

This application has been assigned case No. BZA 55-79, and will be considered by the Board of Zoning Appeals at its meeting on Tuesday, October 23, 1979, 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

CASE NO. 55-79

CITY OF WICHITA, KANSAS

FILED _____

APPLICATION FOR EXCEPTION

x I. Name of Applicant Janice G. Claassen
 Mailing Address 2727 S. Washington Phone 265-3674 67216
 Name of Authorized Agent Rev. Robert R. Keller 67218
 Mailing Address 556 S. Belmont Phone 686-9465
 Relationship of applicant to property is that of Church member
 (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 Child day care center on property zoned "A", located at the southeast corner of Orme and Crestway (601 So. Crestway) and legally described as: a Church

x

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 Janice G. Claassen

Authorized Agent Rev. Robert R. Keller
Christy Free Methodist Church

OFFICE USE ONLY: Received in the office of the Secretary, Board of Zoning Appeals, 4:10 (a.m. - p.m.), September 21, 19 79, together with appropriate fee of \$50.00

Signed G. Lynn Shirley

Sept. 17, 1979
1:30 Pm

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 Case No. 54 Date 9-7-1979

Prospective Applicant

Name	Address	Phone
Robert Keller Pastor	601 S. Crestway	682-3855

Prospective Site

Address	Present Use	Proposed Use
601 S. Crestway	Church	Group care

Owner	Address	Phone
Crestway Church	601 S. Crestway	682-3855

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

Sufficient space and toilet facilities are available to accomodate the request
twenty (20) children.

Prior to placing children in the center, the following items must be completed
and final approval given:

- 1) Provide safety plugs in all recepticles.
- 2) Provide at least twenty (20) food candles of light in all child use areas.
- 3) Provide hot water at lavatory in men's restroom.
- 4) Provide a mechanical dish machine or a a three-compartment stainless steel
sink in the kitchen.
- 5) Provide at least 2000 sq. ft. of fenced outdoor play area equip with
apparatus.
- 6) Provide gates or other barriers at outside stairs.
- 7) Comply with all regulations contained in the Child Care Center handbook,
May, 1979.

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

EXPLANATORY REMARKS

Instructions:

Use only to summarize or list deficiencies with object reference but include action taken and time improvements are to be accomplished.

8) Comply with all requirements noted by representatives of the Fire Department, and Central Inspection.
<i>Robert L. Lancaster</i>
Robert L. Lancaster
Food-Institution Services
RL/br
cc: Leola Lindahl
Jim Cranford, Central Inspection
Jim Harns, Fire Department
Glen Lytle, Planning Department

OWNERSHIP LIST

Lot	Addition	Property Owner
4	Belcrest Addition	✓ Richard N. Cooper and Eva C. Cooper, 547 S. Crestway, 67218
5	same	✓ John R. Mason, Jr & Judy B. Mason 551 S. Crestway, 67218
6	Same	✓ Henry Saed Farha, Jr & Joyce A. Farha, 555 S. Crestway, 67218
7 & S $\frac{1}{2}$ of 8	same	✓ Crestway Free Methodist Church, Inc, 601 S. Crestway, 67218
N $\frac{1}{2}$ of 8 & S. 37.5' of 9	same	✓ Harry E. McKnight & Willsjeane McKnight, 548 S. Belmont, 67218
N. 12.5' of 9	same	✓ Wennis A. Bearden & Sara E. Bearden, 542 S. Belmont, 67218
2 & 4, Crestway	Blue Grass Subdivision	✓ William P. Atkinson & Dorothy E. Atkinson, 602 S. Crestway, 67218
6 & 8, Crestway	same	✓ Maria A. Aguila 608 S. Crestway, 67218
10 & 12, Crestway	same	X Raymond L. Domey & Mildred L. Domey, Address unknown
14 & 16 Crestway	same	✓ Michael Roye Linkous & Brenda R. Linkous, 616 S. Crestway, 67218
18 & 20, Crestway	same	X Kenneth E. Banks, Address unknown
22 & 24, Crestway	same	✓ Frank W. Jefferies & Marjery Jefferies, 624 S. Crestway, 67218
26 & 28, Crestway	same	X Rebecca J. Stultz, Address unknown
1, 2, 3, 4, 5 & 6, Crestway	Fairfax Addition	✓ Trustees of Crestway Free Methodist Church 601 S. Crestway, 67218
7, 8 & N 51 of 9, Crestway	same	X Walter H. Asmann & Margie Asmann Address unknown
S 20' of 9, all of 10 and N. 15' of 11, Crestway	same	✓ Robert J. Blackburn & Dorothy M. Blackburn, 623 S. Crestway, 67218
S 10' of 11 all of 12 & 13 Crestway	same	✓ Reunie T. Hupp & Thelma Shepherd 627 S. Crestway, 67218
14, Crestway	same	✓ Laverne E. Longacre, 635 S. Crestway, 67218
133 & 135, Belmont	same	X Mary Jo Corbin, Address unknown
135 & 135, Belmont	same	✓ Margaret E. Hale and Marilyn S. Hale, 7711 Huntington, 67206
137 & 138, Belmont	same	✓ Faber U. Sjogren & Lorraine E. Sjogren, 622 S. Belmont, 67218
139 & 140, Belmont	same	✓ Jacquetta Harris 618 S. Belmont, 67218

Lot	Addition	Property owner
141 & 142, Belmont	Fairfax Addition	✓ Jodell R. Dacus 616 S. Belmont, 67218
143 & 145, Belmont	Same	✓ Opal Luce, 606 S. Belmont, 67218
145 & 146, Belmont	same	Lou E. Brown & Carolyn J. Brown 600 S. Belmont, 67218
165 & 166, Belmont	same	✓ Merlin L. Sunderman & Roberts L. Sunderman, 601 S. Belmont, 67218
167 & 168, Belmont	same	✓ John Szentes & Anna Szentes 607 S. Belmont, 67218
169 & 170, Belmont	same	✓ Ronald R. Ellsbury & Charice S. Ellsbury, 611 S. Belmont, 67218
171 & 172, Belmont	same	✓ John C. Schumacher & Helen O. Schumacher, 617 S. Belmont, 67218
N 30' of 19, Blk 1	Lincoln Heights 2nd Addition	✓ Gary L. Bohannon & Teresa B. Bohannon, 530 S. Crestway, 67218
S 17' of 19 & N. 43' of 21, Blk 1	same	✓ Rosalie A. Jordan, 540 S. Crestway 67218
S 4' of 21 & all of 23, Blk 1	Same	✓ Thomas A. Martin & Nancy J. Martin 5628 Polo Drive, 67208
24, Blk 1	same	X Stella D. Marks, Address unknown

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 1, 2, 3, 4, 5 and 6, on East now Crestway, Fairfax Addition to 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 27th day of September, 1979 at 7:00 o'clock A. M.

The Security Abstract and Title Company, Inc.

By

Mary Galle
Vice-President

Order No. 281452

MICROFILMED
 FROM THE BEST
 AVAILABLE COPY

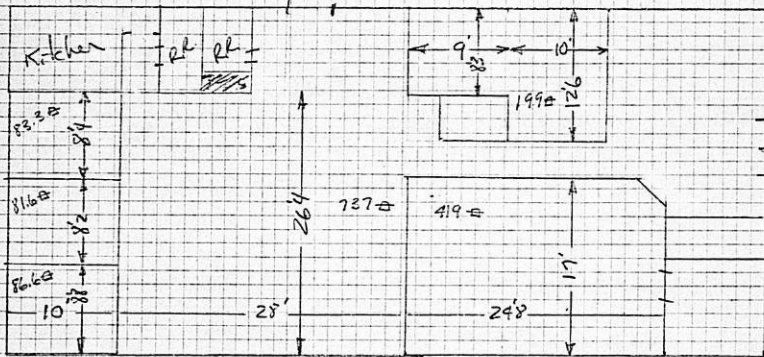
FORM 29-1 PAYMENT NOTICE
 City of Wichita

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

DESCRIPTION		AMOUNT
574 1/2		50
NAME		
ADDRESS		
FUND	DUE DATE	
110-4071-03		
COMMENTS		
DATE	BY	
1/21/71		

SKETCH OF FLOOR PLAN

CRESTWAY CHURCH
601 S. CRESTWAY



total area 1607 sq ft

Play Area

R. Lancaster
9/18/79