

BZA RESOLUTION NO. 38-88

WHEREAS, Sand Castle Professional Child Care, Inc., pursuant to Section 2.12.590.C, Code of the City of Wichita, requests an exception to establish a child care center on property zoned the "R-5" General Residence District and legally described as follows:

Lot 2, Block 1, Killarney Plaza Second Addition,  
an Addition to Wichita, Sedgwick County, Kansas.  
Generally located on the south side of 36th  
Street North in an area west of Rock Road.

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 August 23, 1988, 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 "R-5" General Residence District, subject to the conditions outlined in Section 28.04.185, Code of the City of Wichita.

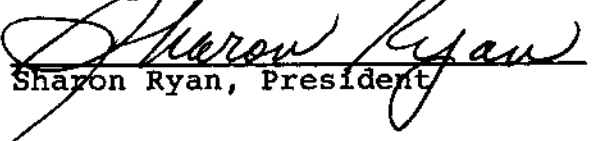
NOW, THEREFORE, BE IT RESOLVED by the Board of Zoning Appeals of the City of Wichita that this application be approved to establish a child care center on property zoned the "R-5" General Residence District and legally described as follows:

Lot 2, Block 1, Killarney Plaza Second Addition,  
an Addition to Wichita, Sedgwick County, Kansas.  
Generally located on the south side of 36th  
Street North in an area west of Rock Road.

subject to the following conditions:

1. The center shall comply with the licensing requirements of the Kansas State Department of Health, including all building and fire safety regulations of the state and the City.
2. 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.
3. Parking shall be provided at the ratio of one space for every teacher and employee in the largest working shift, plus one space for each vehicle used in the operation of the center. When the capacity of the center exceeds twelve, one off-street loading space shall be provided for each ten children or major fraction thereof.

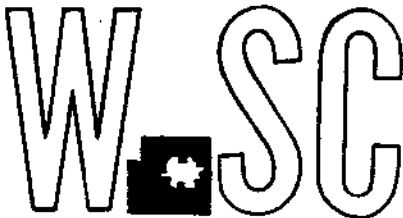
ADOPTED AT WICHITA, KANSAS, this 23rd day of August, 1988

  
Sharon Ryan, President

ATTEST:

  
Jack H. Galbraith, Secretary

WICHITA - SEDGWICK COUNTY



METROPOLITAN AREA PLANNING  
DEPARTMENT

CITY HALL - TENTH FLOOR  
455 NORTH MAIN STREET  
WICHITA, KANSAS 67202-1688  
(316) 268-4561

August 24, 1988

Jan H. Fry  
Sand Castle Professional Child Care, Inc.  
5226 W. Central  
Wichita, KS 67212

Re: BZA 38-88 - Exception to permit child care center (south  
side of 36th St. N. in an area west of Rock Road)

Dear Ms. Fry:

Enclosed is a signed copy of the above-referenced BZA resolution  
adopted by the Board of Zoning Appeals on August 23, 1988. This  
resolution reflects the official action of the Board to grant  
your request and sets out the conditions of approval. It is  
forwarded to you for your information and files.

This is a reminder that the zoning adjustment signs should now be  
removed from the property. If you have any questions concerning  
this matter, please contact our office.

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

Sincerely,

*Louise Olivarez*  
Louise Olivarez  
Assistant Secretary  
Board of Zoning Appeals

LO/jcm  
Enclosure

cc: Bill G. Yung Design, 4912 E. 29th St. N., Wichita, KS, 67220  
Northrock Realty Partners, 575 Fourth Financial Center,  
Wichita, KS, 67202  
Monty Robson, Superintendent of Central Inspection  
Joe Donnelly, Zoning Administrator, CID  
Dale Rea, Deputy City Clerk

FILE COPY

**BACKGROUND:** The applicants are requesting an exception to permit a child care center in the "R-5" district on a 3-acre lot recently platted in the Killarney Plaza Second Addition located on the south side of 36th Street North in an area west of Rock Road. The center will provide care for up to 250 children, from infant through 12 years old, and may eventually operate 24 hours a day, although a 12-hour-a-day operation is anticipated at first. These services will be offered in conjunction with area corporate employee benefits for child care needs. A new 18,000 sq. ft. building is proposed with parking for 45 cars.

**ADJACENT ZONING AND LAND USE:**

NORTH	"R-6"	Apartment complex
SOUTH	"R-5"	Undeveloped
EAST	"BB"	Undeveloped
WEST	"AA"	Undeveloped

**RECOMMENDATION:** It is recommended that this exception for a child care center in the "R-5" district be approved because of the center's compatibility with adjacent zoning and land uses and the community need which will be met by this use. This recommendation is subject to the following conditions:

1. The center shall comply with the licensing requirements of the Kansas State Department of Health, including all building and fire safety regulations of the state and the City.
2. 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.
3. Parking shall be provided at the ratio of one space for every teacher and employee in the largest working shift, plus one space for each vehicle used in the operation of the center. When the capacity of the center exceeds twelve, one off-street loading space shall be provided for each ten children or major fraction thereof.

August 23, 1988

SECRETARY'S REPORT

CASE NUMBER: BZA 38-88

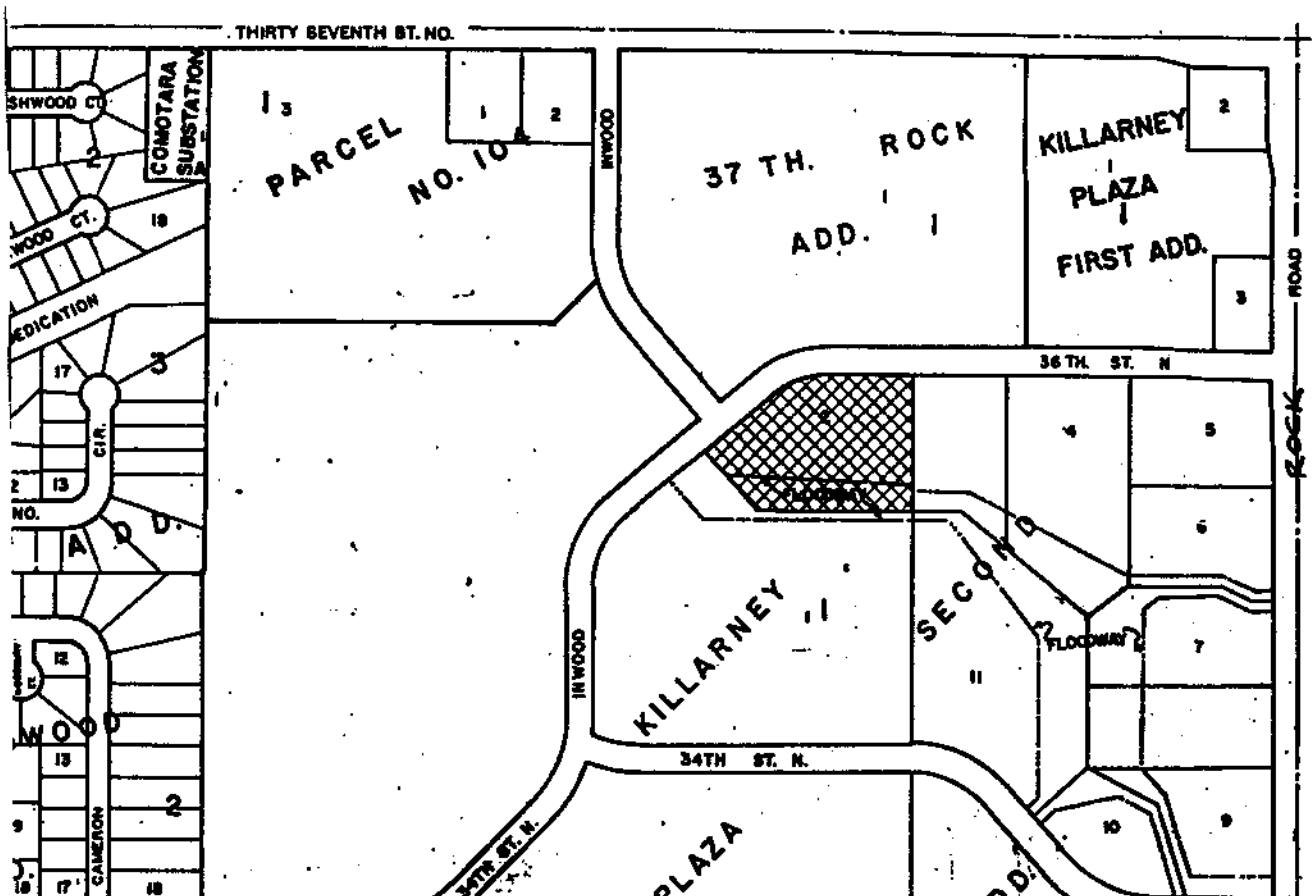
OWNER/APPLICANT/AGENT: Sand Castle Professional Child Care, Inc.  
(owner/applicant)  
Lucille Schauf & Jan Fry (agents)

REQUEST: Exception to permit the establishment of a child care center.

CURRENT ZONING: "R-5" General Residence District

SITE SIZE: 3 acres

LOCATION: South side of 36th Street North in an area west of Rock Road.



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 can be complied with.