

Case No. BZA 4-84 - Starkey Residential  
Inc. - Requests an exception to permit  
the establishment of a group home for  
mentally retarded adults on property  
zoned the "A" Two-family Dwelling  
District and generally located on the

POSTED  
1-30-84  
B.E.L.

62968

POSTED 3-8-84  
NOT 3-22-84  
RECORDED ✓

ACTION

BZA 4-84

APPROVED

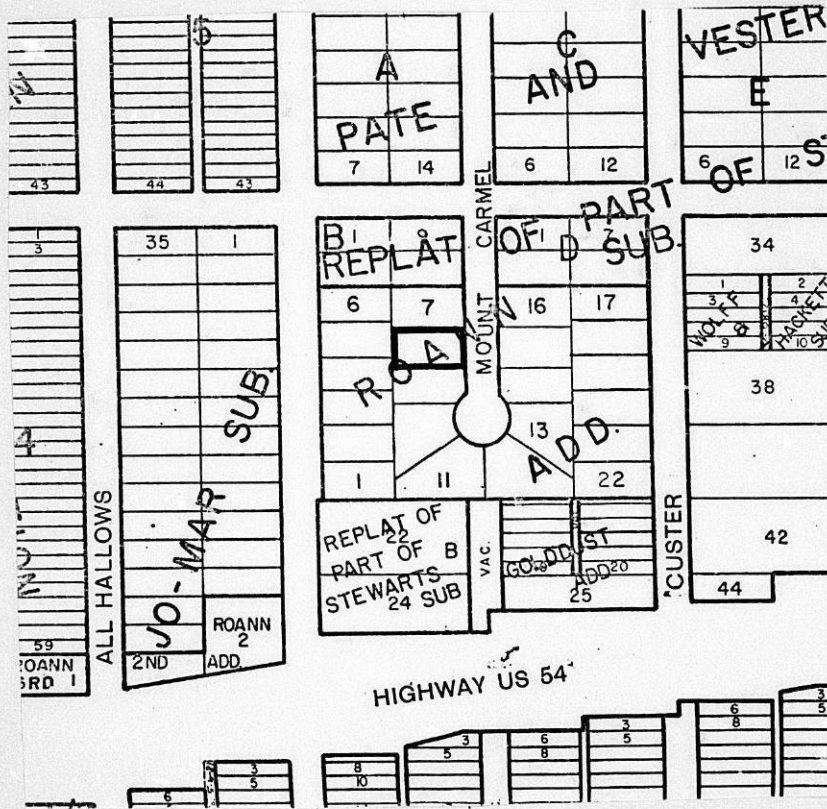
2-28-84  
DATE

Map No. 5246

BZA 4-84  
Filed \_\_\_\_\_

AREA DATA:

1. Acres: \_\_\_\_\_ ( \_\_\_\_\_ ft. by \_\_\_\_\_ ft.)
2. Adjoining Zoning: E \_\_\_\_\_ S \_\_\_\_\_ W \_\_\_\_\_ N \_\_\_\_\_
3. Land Use: East \_\_\_\_\_ South \_\_\_\_\_  
West \_\_\_\_\_ North \_\_\_\_\_
4. Area (is) (is not) platted.



HASTINGS, JR., LOS ANGELES  
LOGAN, OH - MEMPHIS, TX, U.S.A.

**Shindler**  
No. 2-153C

September 6, 1984

John C. Frye  
Starkey Residential Inc.  
144 South Young  
Wichita, Ks. 67209

Re: BZA 4-84 & BZA 5-84

Dear Mr. Frye:

This letter is to verify that the Board of Zoning Appeals approved the applications for the construction of group homes for mentally retarded adults in the "A" Two-family Dwelling District. As such, a group home may be constructed at each location in conformance with the conditions established by the Board of Zoning Appeals on February 28, 1984.

The attached copy of Resolutions BZA 4-84 and BZA 5-84 apply to the properties listed therein, which includes Lots 1 and 8, Roann Addition to Wichita, Sedgwick County, Kansas. These resolutions are applicable to the subject properties, for the use requested, even though ownership might change at some point in time.

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

Sincerely,

Glen E. Lytle  
Assistant Secretary

GEL:sad

Encl.

February 29, 1984

John C. Frye  
Starkey Residential, Inc.  
144 North Young  
Wichita, Ks.

Re: BZA 4-84 & 5-84  
Requests for Exceptions

Dear Mr. Frye:

Enclosed are signed copies of the Resolutions adopted by the Board of Zoning Appeals on February 28, 1984.

These Resolutions reflect the official action of the Board to approve the requests and set out the conditions of approval. These are 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:sad  
Enclosures

cc: Robert Feldner, Superintendent of Central Inspection (2)  
Don Gisick, City Clerk

RESOLUTION NO. BZA 4-84

WHEREAS, Starkey Residential Inc., 144 North Young, 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 group home for mentally retarded adults on property zoned the "A" Two-family Dwelling District and legally described as follows:

Lot 8, Roann Addition to Wichita, Sedgwick County, Kansas. Generally located on the west side of Mount Carmel and south of Taft (603-605 South Mt. Carmel).

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 28, 1984, 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 group home for mentally retarded adults on property zoned the "A" Two-family Dwelling District subject to the conditions outlined in Section 28.04.185.1, 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 group home for mentally retarded adults on property zoned the "A" Two-family Dwelling District and legally described as follows:

Lot 8, Roann Addition to Wichita, Sedgwick County, Kansas. Generally located on the west side of Mount Carmel and south of Taft (603-605 South Mt. Carmel).

subject to the following conditions:

1. The facility shall comply with all State and local codes, and prior to the start of construction, the Health Department, Fire Department and Central Inspection shall approve the facility. The applicant shall secure all the necessary permits and licenses.
2. The applicant shall provide not less than 2 off-street parking spaces.
3. If at any time the facility is enlarged to accommodate more than 8 clients, the applicant shall submit an application for said expansion.

ADOPTED AT WICHITA, KANSAS, this 28th day of February 28, 1984.

  
Earl Henderson, Vice President

ATTEST:

  
Glen E. Lytle, Assistant Secretary

**THE CITY OF WICHITA**

**OFFICE OF CITIZEN PARTICIPATION**

**DATE** February 22, 1984

**TO** Glen Lytle, Special Assistant for Zoning

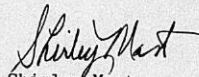
**FROM** Shirley Mast, Administrative Aide III

**SUBJECT** BZA 4-84 Located on the West  
side of Mt. Carmel and South  
of Taft (603-605 South Mt.  
Carmel)

CPO Council "O" considered the captioned case at its February 16th meeting and voted 8-0 to recommend approval of the exception to permit the establishment of a group home for mentally retarded adults on property zoned the "A" Two-Family Dwelling District at the aforementioned location.

Dale Koehn, Director of Business Services at Starkey Developmental Center was present and spoke in support of the application. No area residents or adjoining property owners were present to speak concerning the case.

Please provide the Council's recommendation to the Board of Zoning Appeals when the case is considered at their February 28th meeting.



Shirley Mast  
Administrative Aide III

SM:sm

**RECEIVED**

FEB 24 1984

METROPOLITAN PLANNING

ROUTE  \_\_\_\_\_  
 \_\_\_\_\_

SECRETARY'S REPORT  
CASE NO. BZA 4-84

APPLICANT: Starkey Residential, Inc., 144 North Young, Wichita, Kansas.

AGENT: John C. Frye, Starkey Residential, Inc., 144 North Young, Wichita, Kansas.

REQUEST: Exception pursuant to Section 28.04.185.1, Code of the City of Wichita to permit the establishment of a group home for mentally retarded adults.

GENERAL LOCATION: On the west side of Mt. Carmel and south of Taft (603-605 Mt. Carmel).

ZONING: Subject property is zoned the "A" Two-family Dwelling District as are all adjacent properties.

LAND USE: Subject property is vacant. The general area is developed with one-family, two-family and four-family dwellings.

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 28.04.185.1 can be complied with.

COMMENTS BY THE SECRETARY:

The applicant is requesting an exception in order to construct a group home for the housing of 8 mentally retarded adults and a house manager. The clients live in the home and are trained at other locations to function in society. None of the clients are capable of securing drivers licenses so the need for parking is minimal. In accordance with the applicant's site plan, two off-street parking spaces are being provided within a car port which will allow for additional parking on the driveway. The house manager will have an automobile at the home and on occasion the house manager will have a van on the premises for the transportation of the clients. Normally the off-street parking requirement for such a group home is one space for the residence plus one space for each roomer or boarder. In this case the requirement would be nine spaces, but in the approval of the exception the Board can determine the number of off-street parking spaces to protect the adjacent property owners. In this instance, as in the past, the need for parking is minimal and two spaces plus the driveway should be adequate.

RECOMMENDATION:

Should the Board determine that the use is appropriate at this location, then it is the opinion of the Secretary that the exception be approved subject to the following conditions:

1. The facility shall comply with all State and local codes, and prior to the start of construction, the Health Department, Fire Department and Central Inspection shall approve the facility. The applicant shall secure all the necessary permits and licenses.
  2. The applicant shall provide not less than 2 off-street parking spaces.
  3. If at any time the facility is enlarged to accommodate more than 8 clients, the applicant shall submit an application for said expansion.
-

BZA CASE NO. 4-84

2 NOTICES SENT TO APPLICANT/AGENT

10 LEGAL ADVERTISEMENT  
~~NOTICES~~ SENT TO MAPC

1 NOTICES SENT TO CPO

21 NOTICES SENT TO ADJOINING PROPERTY OWNERS

24 TOTAL NOTICES SENT 2-8-84

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

February 8, 1984

NOTICE TO ADJOINING PROPERTY OWNERS:

CASE NO. BZA 4-84

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 Starkey Residential, Inc., 144 North Young, 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 group home for mentally retarded adults on property zoned "A" Two-family Dwelling District. A legal description of the applicant's property is as follows:

Lot 8, Roann Addition to Wichita, Sedgwick County, Kansas. Generally located on the west side of Mount Carmel and south of Taft (603-605 South Mt. Carmel).

This application has been assigned Case BZA 4-84. It will be considered by the Board of Zoning Appeals on February 28, 1984 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.

Jack H. Galbraith  
Secretary

BOARD OF ZONING APPEALS

CASE NO. 4-84

CITY OF WICHITA, KANSAS

FILED 1-30-84

APPLICATION FOR EXCEPTION

I. Name of Applicant Starkey Residential, Inc.  
 Mailing Address 144 South Young  
Wichita, KS 67209 Phone (316) 942-4221

Name of Authorized Agent John C. Frye  
 Mailing Address 144 South Young  
Wichita, KS 67209 Phone (316) 942-4221

Relationship of applicant to property is that of Owner  
 (Owner, Tenant, Lessee, Other) Option To Purchase

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 Rehabilitation Group Home for Mentally Retarded Adults

on property zoned A  
 located 603-605 Mt. Carmel Ave.  
 and legally described as: Lot 8 Roann Addition  
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. 36-596); 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 Starkey Residential, Inc.

Authorized Agent John C. Frye  
John C. Frye

OFFICE USE ONLY: Received in Office of Secretary, Board of Zoning Appeals,  
2:30 (a.m. p.m.), JAN 30, 1984, together with  
 appropriate fee of 75.00.

Signed [Signature]

# Starkey Developmental Center, Inc.

144 South Young  
Wichita, Kansas 67209  
(316) 942-4221

Preschool  
School  
Adult/Work Activity  
Adult/Residential

January 27, 1984

TO: BOARD OF ZONING APPEALS  
FROM: STARKEY RESIDENTIAL, INC.  
SUBJECT: REQUEST FOR EXCEPTION TO A SINGLE A ZONE

Starkey is making plans to construct one (1) group home for mentally retarded adults who are considered moderate to severely mentally retarded. The facility will house eight (8) clients and a house manager. The clients will attend the workshop Monday through Friday during the day.

This project is being funded through a U.S. Department of Housing and Urban Development Section 202 Direct Loan and being guaranteed by Section 8. We have two such houses in operation.

The structure will meet the Life Safety Code; also, the 504 Regulation for accessibility to handicapped. As you can see by the detailed Plat Plan there will be two (2) off street parking spaces. The clients who live in the home are unable to secure driver licenses and none of them will have a car. The house manager will have his or her car and possibly there will be a van for house manager's use to transport the clients.

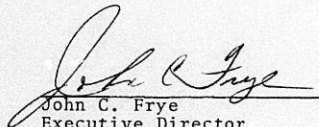


TO: Board of Zoning Appeals  
FROM: Starkey Residential, Inc.  
SUBJECT: Request for Exception to a Single A Zone

January 27, 1984

We are requesting an exception for Lot 8 Roann Addition Sedgwick County Kansas, which is Zone A. The Board of Zoning Appeals has the jurisdiction to grant exception under 28.04.185 Rehabilitation Homes, "1. Rehabilitation Homes. The Board of Zoning Appeals may, by special permit, grant exception and authorize rehabilitation homes for children "A" or "RB" residential zoning district." We understand that we are to meet the requirement stated in this section such as State and Local Codes, Parking, etc. This home will be licensed by the State Social and Rehabilitation Services and the State Board of Human Resources.

This program will not only be funded by H.U.D. Section 8, but it will also be funded by the State Social and Rehabilitation Services and the Sedgwick County Mental Health and Mental Retardation Board. Starkey always has contributions coming in which help fund their programs.



John C. Frye  
Executive Director  
STARKEY DEVELOPMENTAL CENTER, INC.  
STARKEY RESIDENTIAL, INC.



DESCRIPTIONS

RECORD OWNERS

North Half of Lot 6, ROANN ADDITION,

Robert J. & Joyce M. Mead  
~~512 S. Sheridan~~  
Wichita, Kansas 67213  
*returned*

South Half of Lot 6, ROANN ADDITION,

Kerwyn K. & Roxana L. Miller  
514 S. Sheridan  
Wichita, Kansas 67213

Beginning at the front corner common to Lots 10 and 11; thence Northwesterly 11.02 feet; thence Southwesterly 142.48 feet; thence South 55 feet to the Southwest corner of Lot 11; thence East 90 feet; thence Northeasterly 124.79 feet; thence Northwesterly 26.28 feet to the point of beginning, ROANN ADDITION,

Finney Properties  
2500 E. Central  
Wichita, Kansas 67214

Lot 10, EXCEPT beginning at the corner common of Lots 10 and 11; thence Northwest along front line of Lot 10, 11.02 feet; thence Southwesterly 142.48 feet; thence South 20 feet to Southwest corner of Lot 10; thence Northeast 153.39 feet to point of beginning, ROANN ADDITION,

Harry Reiland d/b/a  
Reiland Construction  
602 Rutland  
Wichita, Kansas 67206



Part of Lots 11 and 12, described as: Beginning at a point on front line of Lot 11, said point being 26.28 feet Southeasterly from the Northwest corner; thence Southwesterly 124.79 feet to point that is 90 feet East of the Southwest corner; thence East 140 feet; thence Northwesterly 124.61 feet, to a point on front line of Lot 12, being 27.9 feet Southwesterly from the Northeast corner; thence Westerly 37.3 feet to beginning, ROANN ADDITION,

Finney Properties  
2500 E. Central  
Wichita, Kansas 67214

Beginning at the front corner commons of Lots 12 and 13; thence Southwesterly 27.9 feet; thence Southeasterly 124.61 feet; thence East 96.15 feet; thence North 55 feet; thence Northwesterly 146.44 feet; thence Southwesterly 9.4 feet to beginning, ROANN ADDITION,

Finney Properties  
2500 E. Central  
Wichita, Kansas 67214

Beginning 9.4 feet Northeasterly from Southwest corner; thence Southeasterly 146.44 feet; thence North 119 feet to the Northeast corner; thence West 117.03 feet to the Northwest corner of Lot 13; thence Southerly 37.29 feet to beginning, ROANN ADDITION,

Omer R. & Jessie A. Finney  
6730 Ayesbury Circle  
Wichita, Kansas 67226

Lot 14, ROANN ADDITION,

S. J. Glaves  
120 One Twenty Building,  
Room 600  
Wichita, Kansas 67202



<u>DESCRIPTIONS</u>	<u>RECORD OWNERS</u>
Lot 15, ROANN ADDITION,	✓ Cody Homes Inc. 5420 W. 37th St. South Wichita, Kansas 67215
Lot 16, ROANN ADDITION,	Jimmie L. & Carmen Farrice ✓ 611 Westridge Wichita, Kansas 67203
Lot 2, Sheridan, JO-MAR SUBDIVISION,	Donna Tedder ✓ 507 S. Sheridan Wichita, Kansas 67213
Lots 3 and 4, Sheridan, JO-MAR SUBDIVISION,	Thomas A. Havel 513 S. Sheridan ✓ Wichita, Kansas 67213
Lots 5 and 6, Sheridan, JO-MAR SUBDIVISION,	Thomas E. Luinstra ✓ 7016 S. Magnolia Englewood, Colorado 80110
Lot 7, Sheridan, JO-MAR SUBDIVISION,	O.M. & Ruth B. Gasaway ✓ 529 S. Sheridan Wichita, Kansas 67213
Lot 1, Block B, PATE & VESTRING REPLAT OF PART OF STEWARTS SUBDIVISION,	Sandra & Larry Hopkins ✓ 3115 Taft Wichita, Kansas 67213
Lot 2, Block B, PATE & VESTRING REPLAT OF PART OF STEWARTS SUBDIVISION,	Benjamin J. & Helen R. Ruffner ✓ 506 S. Sheridan Wichita, Kansas 67213
Lot 9 and the North 5 feet of Lot 10, Block B, PATE & VESTRING REPLAT OF PART OF STEWARTS SUBDIVISION,	Michael & Leona Jarvis ✓ 501 S. Mt. Carmel Wichita, Kansas 67213
Lot 10, EXCEPT the North 5 feet, Block B, PATE & VESTRING REPLAT OF PART OF STEWARTS SUBDIVISION,	John A. & Huong Ahlstrom ✓ 505 S. Mt. Carmel Wichita, Kansas 67213
Lot 1, Block D, PATE & VESTRING REPLAT OF PART OF STEWARTS SUBDIVISION,	Charles E. & Karen S. Chrismer ✓ 3017 Taft Wichita, Kansas 67213
Lot 2, Block D, PATE & VESTRING REPLAT OF PART OF STEWARTS SUBDIVISION,	Larry W. & Linda E. Brewer ✓ 506 S. Mt. Carmel Wichita, Kansas 67213

Dated in Wichita, Kansas, this 23rd day of January,  
1983 at 7:00 A.M.

FIDELITY TITLE COMPANY, INC.

By *Chadina A. Suttie*  
Assistant Secretary

-Tracer No. 65314

**Fidelity**  **Title**  
COMPANY, INC.



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

February 8, 1984

NOTICE TO ADJOINING PROPERTY OWNERS:

CASE NO. BZA 4-84

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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.

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

Jack H. Galbraith  
Secretary

WICHITA - SEDGWICK COUNTY



BOARD OF ZONING APPEALS  
CITY HALL - TENTH FLOOR  
455 NORTH MAIN STREET  
WICHITA, KANSAS 67202

APPROVED  
NOT RETURNED  
RETURN TO SENDER

*Not listed in phone bk*  
WICHITA, KS  
FEB 14 1984

RECEIVED

FEB 15 1984  
METROPOLITAN PLANNING  
ROUTE  \_\_\_\_\_

ITJ Investments Inc.  
604 West Mona  
Wichita, KS 67217



1712  
2-13-84

WICHITA - SEDGWICK COUNTY



BOARD OF ZONING APPEALS  
CITY HALL - TENTH FLOOR  
455 NORTH MAIN STREET  
WICHITA, KANSAS 67202

APPROVED  
NOT RETURNED  
RETURN TO SENDER

*return to sender*  
WICHITA, KS  
FEB 14 1984

RECEIVED

FEB 15 1984  
METROPOLITAN PLANNING  
ROUTE  \_\_\_\_\_

Tracy N. Tarrant  
~~P. O. Box 1007~~  
Wichita, KS. 67201

*wrong P.O. Number*



WICHITA - SEDGWICK COUNTY



BOARD OF ZONING APPEALS  
CITY HALL - TENTH FLOOR  
455 NORTH MAIN STREET  
WICHITA, KANSAS 67202

FORWARDED  
ORDER EXP. 1984  
RETURN TO SENDER

*4.84*  
*Not listed in phone bk*  
WICHITA, KS  
FEB 13 1984

MEA 12 120929N1 02/09/84

RETURN TO SENDER  
NOT DELIVERABLE AS ADDRESSED  
UNABLE TO FORWARD

Robert J. & Joyce M. Mead  
512 South Sheridan  
Wichita, KS. 67213

RECEIVED

FEB 14 1984  
METROPOLITAN PLANNING  
ROUTE  \_\_\_\_\_



**MICROFILMED  
FROM THE BEST  
AVAILABLE COPY**

FORM 29-11

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
-------------	--------

NAME

ADDRESS

FUND

DUE DATE

COMMENTS

DATE

BY