

200'4 Sec 5-31-85

Sec 6-18-85

Record ✓

Case No. BZA 22-85 - Mr. & Mrs. Vernon Rogers - request an exception to permit the establishment of a group home for ten handicapped adults on property zoned the "AA" One-family Dwelling District and generally located on the northeast corner of ...

Mysc  
Posted  
3-27-85 KAL

ACTION

BZA ~~22-85~~ APR 1985 4-23-85  
DATE

200'4 Sec 5-31-85  
Chol 6-18-85  
Record ✓

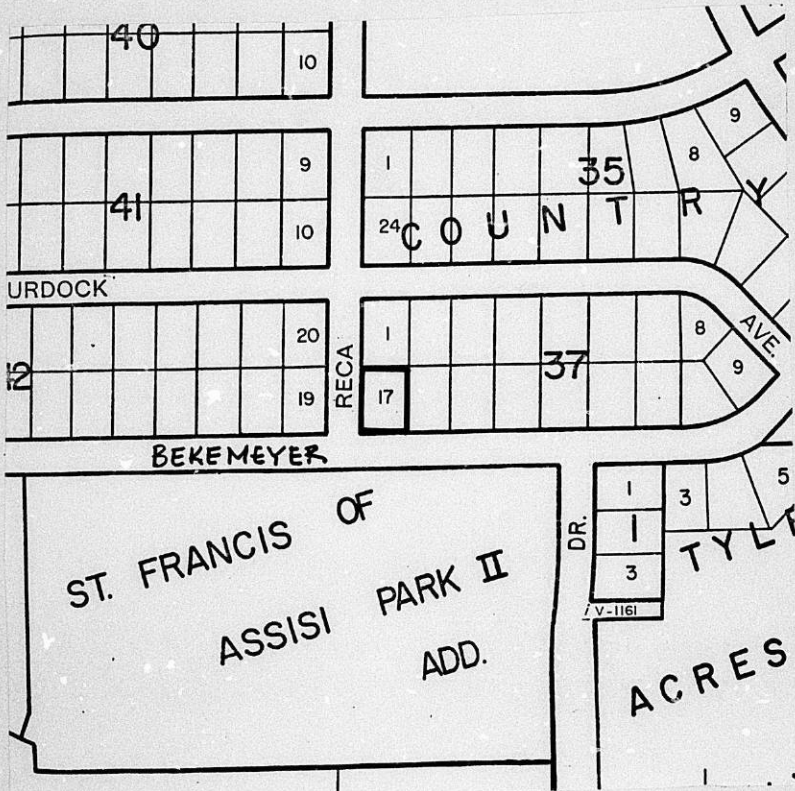
Case No. BZA 22-85 - Mr. & Mrs. Vernon Rogers - request an exception to permit the establishment of a group home for ten handicapped adults on property zoned the "M4" One-family Dwelling District and generally located on the

Map No. 4948C

BZA 22-85  
Filed \_\_\_\_\_

AREA DATA:

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



LOS ANGELES - CHICAGO - LOS AN, OH  
MOORESBORO, TX - LOCUST GROVE, GA  
U.S.A.

**Spaul.**  
N. 2-153C



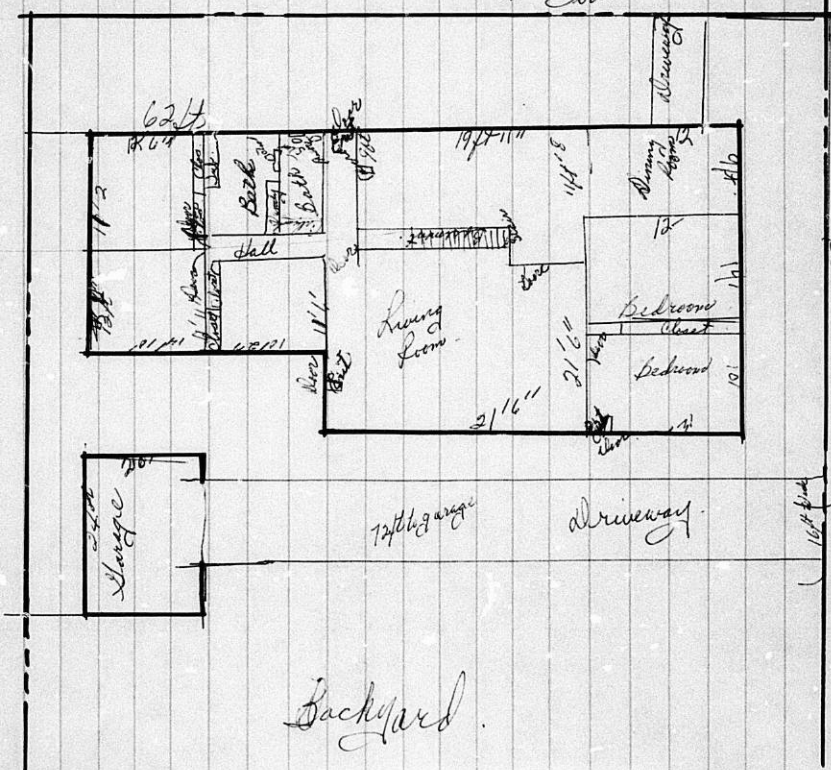
BZA 22-85

45 from Street

Bekemeyer Street

30 ft 6 in

Street



2-2

Backyard

May 2, 1985

Mr. & Mrs. Vernon Rogers  
8316 Bekemeyer  
Wichita, Ks. 67212

Re: BZA 22-85 - Request for Exception

Dear Mr. & Mrs. Rogers:

Enclosed is a signed copy of the Resolution adopted by the Board of Zoning Appeals on April 23, 1985.

This Resolution reflects the official action of the Board to approve, your 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:sad  
Encl.

cc: Monty Robson, Superintendent of Central Inspection (2)  
Don Gisick, City Clerk

RESOLUTION NO. BZA 22-85

WHEREAS, M & M Vernon Rogers, 8316 Bekemeyer, 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 ten handicapped adults on property zoned the "AA" One-family Dwelling District and legally described as follows:

Lot 17, Block 37, Country Acres Second Addition to Wichita, Sedgwick County, Kansas. Generally located on the north-east corner of Reca and Bekemeyer (8316 Bekemeyer).

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 23, 1985, 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 ten handicapped adults on property zoned the "AA" One-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 ten handicapped adults on property zoned the "AA" One-family Dwelling District and legally described as follows:

Lot 17, Block 37, Country Acres Second Addition to Wichita, Sedgwick County, Kansas. Generally located on the north-east corner of Reca and Bekemeyer (8316 Bekemeyer).


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 behind the required setback lines.
3. If at any time the facility is enlarged to accommodate more than 10 clients, the applicant shall submit an application for said expansion.

ADOPTED AT WICHITA, KANSAS, this 23rd day of April, 1985.

  
William Goebel, Vice President

ATTEST:

  
Glen E. Lytle, Assistant Secretary

THE CITY OF WICHITA

OFFICE OF Citizen Participation      DATE    April 8, 1985

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

SUBJECT    BZA 22-85: Northeast Corner  
            of Reca and Bekemeyer (8316)

On Wednesday, April 3, CPO Neighborhood Council "A" considered the captioned case, a request for a exception to permit the establishment of a group home for ten handicapped adults on property zoned the "AA" One-Family Dwelling District. After discussion the Council voted 6-0 to recommend approval of the requested variance.

Mrs. Vernon Rogers, applicant, was present to describe the request and respond to questions.

There were no individuals present to speak either favorably or in opposition to the request.

Council members were provided the notice to adjoining property owners and a map of the area. MAPD staff comments were not available.

Please provide the Council's recommendation to the Board of Zoning Appeals when BZA 22-85 is considered on Tuesday, April 23.

*Barry L. Carroll*

Barry L. Carroll  
Administrative Aide III

BLC:dm

Noted:

*Annie K. Montgomery*

Annie K. Montgomery  
CRS Director

RE: AGENDA ITEM NO. 8

SECRETARY'S REPORT  
CASE NO. BZA 22-85

APPLICANT: Mr. & Mrs. Vernon Rogers, 8316 Bekemeyer, Wichita, Kansas.

AGENT: None

REQUEST: Exception pursuant to Section 28.04.185.1 Code of the City of Wichita to permit the establishment of a group home for ten physically handicapped adults.

GENERAL LOCATION: On the northeast corner of Bekemeyer and Reca.

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

LAND USE: Subject property is occupied by a one-family dwelling as are the properties to the east, north and west. To the south is a church.

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 provide a group home for 10 handicapped adults on property located in the "AA" One-family Dwelling District. This applicant has operated this home at this location for a number of years under a license issued to the Elk's Training Center as an auxiliary facility. This has been discussed with Central Inspection and they advise they have no knowledge of any approval being given that would permit this use without the requested exception.

The applicants have indicated that they are removing their home from any association of the operation of the Elks Training program but wish to continue their home for the handicapped adults. Their first contact with this office was an inquiry for a change of zoning to "B" Multiple-family, and were advised that this was a more appropriate solution to their request.

With the operation of the home being there for a number of years without a great conflict with the neighborhood, it would appear logical to allow the use to continue. There are not more than two vehicles located on the property at any one time and there is more than adequate space on a paved driveway to accommodate additional vehicles should there be a need. Several of the clients at the home use the public transportation that is only a block away.

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 behind the required setback lines.
  3. If at any time the facility is enlarged to accommodate more than 10 clients, the applicant shall submit an application for said expansion.
-

BZA CASE NO. 22-85

<u>1</u>	NOTICES SENT TO APPLICANT/AGENT
<u>10</u>	LEGAL ADVERTISEMENT SENT TO MAPC
<u>1</u>	NOTICES SENT TO CPO
<u>13</u>	NOTICES SENT TO ADJOINING PROPERTY OWNERS
<u>15</u>	TOTAL NOTICES SENT <u>4-3-85</u>

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

April 3, 1985

NOTICE TO ADJOINING PROPERTY OWNERS:

CASE NO. BZA 22-85

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 Mr. and Mrs. Vernon Rogers, 8316 Bekemeyer, 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 ten handicapped adults on property zoned "AA" One-family Dwelling District. A legal description of the applicant's property is as follows:

Lot 17, Block 37, Country Acres Second  
Addition to Wichita, Sedgwick County,  
Kansas. Generally located on the north-  
east corner of Reca and Bekemeyer (8316  
Bekemeyer).

This application has been assigned Case BZA 22-85. It will be considered by the Board of Zoning Appeals on April 23, 1985 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. 22-85

CITY OF WICHITA, KANSAS

FILED 3-25-85

APPLICATION FOR EXCEPTION

I. Name of Applicant Mrs & Mrs Vernon Regard  
Mailing Address 9316 Beckmeyer 67212 Phone 7220004  
Name of Authorized Agent \_\_\_\_\_  
Mailing Address \_\_\_\_\_ Phone \_\_\_\_\_  
Relationship of applicant to property is that of \_\_\_\_\_  
(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 group home for ten handicapped  
adults

on property zoned "AA" One-family Dwelling Dist.

located on the northeast corner of Beca and Beckmeyer  
(8316 Beckmeyer)

and legally described as: Lot 17, Block 37,  
Country Acres Second Addition to 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. 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 Vernon Regard

Authorized Agent \_\_\_\_\_

OFFICE USE ONLY: Received in Office of Secretary, Board of Zoning Appeals,  
10:00 (a.m./p.m.), March 25, 1985, together with  
appropriate fee of 75.00.

Signed [Signature]

STATEMENT OF OWNERSHIP

STATE OF KANSAS )  
 ) SS  
SEDGWICK COUNTY )

The undersigned duly bonded and qualified abstracter within and for the County and State aforesaid, does hereby certify:

That we have examined the records in the office of the Register of Deeds of Sedgwick County, Kansas, with reference to the ownership of the following property in Sedgwick County, Kansas viz:

Record Owners within 200 feet of:  
Lot 17, Block 37, COUNTRY ACRES  
SECOND ADDITION, Wichita, Sedgwick  
County, Kansas.



And from such examination find that the owners thereof are as set opposite the description of the property below, viz: (Addresses as given are furnished as a service and not certified.)

DESCRIPTIONS

RECORD OWNERS

Lot 17, Block 37, COUNTRY ACRES SECOND ADDITION,	Vernon G. & Hilda M. Rogers 8316 Bekemeyer Wichita, Kansas 67212
Lot 1, Block 37, COUNTRY ACRES SECOND ADDITION,	Clarence Donald & Elizabeth J. Broadhead 3915 S. Seneca Wichita, Kansas 67217 <i>Same address in phone bk.</i>
Lot 2, Block 37, COUNTRY ACRES SECOND ADDITION,	Darrel E. & Orlene J. Fisher 8301 W. Murdock Wichita, Kansas 67212 <i>returned 4-8-85</i>
Lot 3, Block 37, COUNTRY ACRES SECOND ADDITION,	American Savings Association P.O. Box 92 Wichita, Kansas 67201
Lot 4, Block 37, COUNTRY ACRES SECOND ADDITION,	Darrell E. Zehr 8223 W. Murdock Wichita, Kansas 67212

Fidelity  Title  
COMPANY, INC.

DESCRIPTIONS

RECORD OWNERS

Lot 14, Block 37, COUNTRY ACRES  
SECOND ADDITION,

Thomas P. Russell and Leola L.  
Wong  
8224 Bekemeyer  
Wichita, Kansas 67212

Lot 15, Block 37, COUNTRY ACRES  
SECOND ADDITION,

Peter Michael & Jacqueline J.  
Seegert  
8232 Bekemeyer  
Wichita, Kansas 67212

Lot 16, Block 37, COUNTRY ACRES  
SECOND ADDITION,

Dennis M. & Virginia L. Schulte  
8300 Bekemeyer  
Wichita, Kansas 67212

Lot 23, Block 35, COUNTRY ACRES  
SECOND ADDITION,

Luan ~~Tan~~ Doan  
ADDRESS UNKNOWN

Lot 24, Block 35, COUNTRY ACRES  
SECOND ADDITION,

Paul ~~L.~~ & Peggy S. Marquardt  
ADDRESS UNKNOWN

Lot 10, Block 41, COUNTRY ACRES  
SECOND ADDITION,

United Methodist Youthville, Inc.  
P.O. Box 210  
Newton, Kansas 67114



Lot 18, Block 42, COUNTRY ACRES  
SECOND ADDITION,

O. P. & Betty L. Lamb  
8406 Bekemeyer  
Wichita, Kansas 67212

Lot 19, Block 42, COUNTRY ACRES  
SECOND ADDITION,

~~Mary R.~~  
Carol A. Hanson  
1338 S. St. Clair  
Wichita, Kansas 67213

Lot 20, Block 42, COUNTRY ACRES  
SECOND ADDITION,

Leonard J. & Eleanor P. Weilert  
208 N. St. Clair  
Wichita, Kansas 67203

Lot 21, Block 42, COUNTRY ACRES  
SECOND ADDITION,

Ralph L. Day and Paula J.  
Cavanaugh  
8413 W. Murdock  
Wichita, Kansas 67212

St. Francis of Assisi Church  
Catholic Diocese of Wichita  
424 N. Broadway  
Wichita, Kansas 67202

th day of March, 1985 at 7:00 A.M.

TY TITLE COMPANY, INC.

*Ina A. Suttler*  
Assistant Secretary

\* Brenda received phone call  
from Mary R. Hanson  
4-5-85.  
Received notice addressed  
to Carol A. Hanson  
at 1338 S. St. Clair  
should be Mary R. Hanson  
at that address.

*Shirley*

COMPANY,



Title

INC.

DESCRIPTIONS

Lot 14, Block 37, COUNTRY ACRES  
SECOND ADDITION,

Lot 15, Block 37, COUNTRY ACRES  
SECOND ADDITION,

Lot 16, Block 37, COUNTRY ACRES  
SECOND ADDITION,

Lot 23, Block 37, COUNTRY ACRES  
SECOND ADDITION,

RECORD OWNERS

Thomas P. Russell and Leola L.  
Wong  
8224 Bekemeyer  
Wichita, Kansas 67212

Peter Michael & Jacqueline J.  
Seegert  
8232 Bekemeyer  
Wichita, Kansas 67212

Dennis M. & Virginia L. Schulte  
8300 Bekemeyer  
Wichita, Kansas 67212

Luan ~~Tan~~ Doan  
ADDRESS UNKNOWN

Paul ~~D.~~ Peggy S. Marquardt  
ADDRESS UNKNOWN

United Methodist Youthville, Inc.  
P.O. Box 210  
Newton, Kansas 67114

O. P. & Betty L. Lamb  
8406 Bekemeyer  
Wichita, Kansas 67212

~~Mary R.~~  
Carol A. Hanson  
1338 S. St. Clair  
Wichita, Kansas 67213

Leonard J. & Eleanor P. Weilert  
208 N. St. Clair  
Wichita, Kansas 67203

Ralph L. Day and Paula J.  
Cavanaugh  
8413 W. Murdock  
Wichita, Kansas 67212

Lot 1, ST. FRANCIS OF ASSISI PART II, St. Francis of Assisi Church  
Catholic Dioese of Wichita  
424 N. Broadway  
Wichita, Kansas 67202

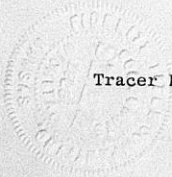
Dated at Wichita, Kansas, this 19th day of March, 1985 at 7:00 A.M.

FIDELITY TITLE COMPANY, INC.

*Medina A. Sutter*  
By

Assistant Secretary

Tracer No. 68385



**MICROFILMED  
FROM THE BEST  
AVAILABLE COPY**

FORM 2<sup>nd</sup> 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 Hall Exam	752

NAME VENNIE RUDOLPH  
 ADDRESS 3116 S. Seneca  
 FUND 155-46710-11 DUE DATE \_\_\_\_\_  
 COMMENTS \_\_\_\_\_  
 DATE Apr 25 1985 BY [Signature]

WICHITA - SEDGWICK COUNTY  
**W.S.C.**

BOARD OF ZONING APPEALS

CITY HALL - TENTH FLOOR  
154 NORTH MAIN STREET  
WICHITA, KANSAS 67202  
ADDRESS  
RETURN TO SENDER

2285

**RECEIVED**  
APR 08 1985  
METROPOLITAN PLANNING  
ROUTE  12

WICHITA, KS  
PM  
APR 5  
1985

Clarence D. & Elizabeth J. Broadhead  
3915 South Seneca  
Wichita, Ks. 67217

WICHITA  
APR-385  
KANS  
PH. 361926