

Case No. BZA 5-84 - 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  
G.E.L.

ACTION  
BZA 5-84 APPROVED 2-28-84  
DATE

5246 ✓

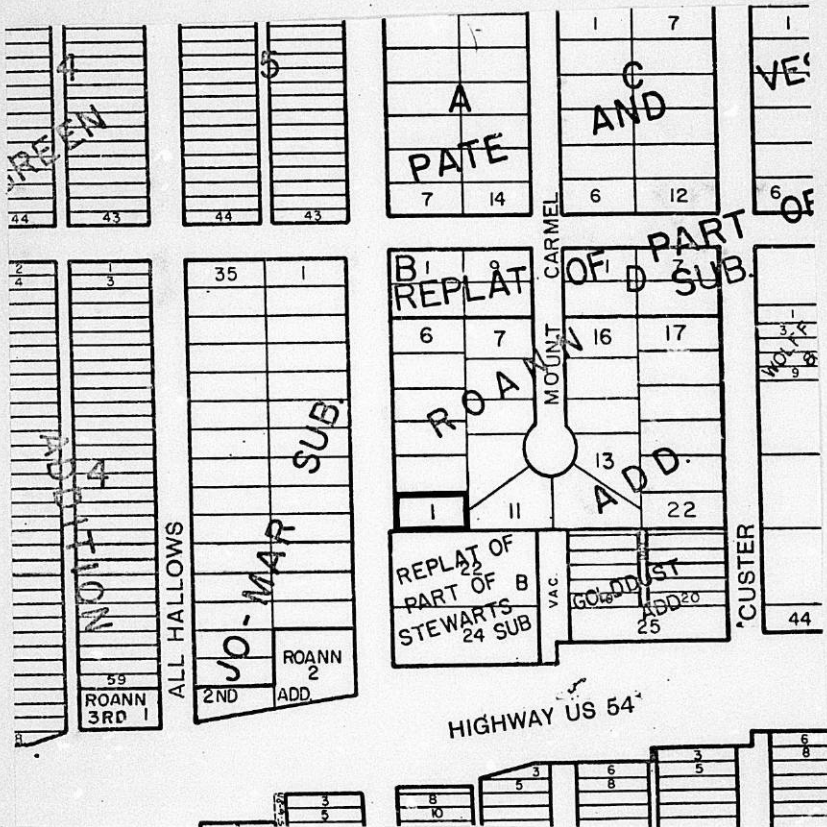
POSTED 3-8-84  
SHOT 3-20-84  
RECORDED ✓

Map No. 5246

BZA 5-84  
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.



LOS ANGELES-CHICAGO-LOANAN, OH  
MCGREGOR, TX-LOCUST GROVE, GA  
U.S.A.

No. 2153C  
S  
Hastings, MN

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 5-84

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 1, Roann Addition to Wichita, Sedgwick County, Kansas. Generally located on the east side of Sheridan and south of Taft (702-704 South Sheridan).

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.

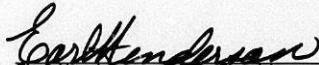
NOW, THEREFORE, BE IT RESOLVED by the Board of Zoning Appeals of the City of Wichita, that this application be approved to permit the establishment of a group home for mentally retarded adults on property zoned the "A" Two-family Dwelling District and legally described as follows:

Lot 1, Roann Addition to Wichita, Sedgwick County, Kansas. Generally located on the east side of Sheridan and south of Taft (702-704 South Sheridan).


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, 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 5-84 Located on the east  
side of Sheridan and south of  
Taft (702-704 South Sheridan)

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 5-84

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 establish-  
ment of a group home for mentally retarded  
adults.

GENERAL LOCATION: On the east side of Sheridan and south of Taft.

ZONING: Subject property is zoned the "A" Two-family  
Dwelling District. Properties to the south and  
west are "AA" One-family, to the east is "RB"  
Four-family and to the north is "A" Two-family.

LAND USE: Subject property is vacant. Adjacent properties  
are 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. 5-84

2 NOTICES SENT TO APPLICANT/AGENT  
LEGAL ADVERTISEMENT  
10 ~~NOTICES~~ SENT TO MAPC  
1 NOTICES SENT TO CPO  
19 NOTICES SENT TO ADJOINING PROPERTY OWNERS  
22 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 5-84

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 1, Roann Addition to Wichita, Sedgwick County, Kansas. Generally located on the east side of Sheridan and south of Taft (702-704 South Sheridan).

This application has been assigned Case BZA 5-84. 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. 5-84

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 702-704 Sheridan  
 and legally described as: Lot 1 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 J. Lytle

# 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.

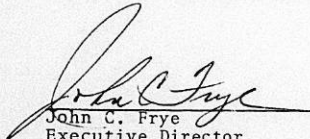


TO: Board of Zoning Appeals  
FROM: Starkey Residential, Inc.  
SUBJECT: Request for Exception to a Single A Zone

January 27, 1984

We are requesting an exception for Lot 1 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.

The 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 program.

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

STATEMENT OF OWNERSHIP

STATE OF KANSAS )  
 ) SS  
SEDGWICK COUNTY )

The undersigned duly bonded and qualified abstractor 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 1, ROANN 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 1, ROANN ADDITION,

*12-4-84*  
ITJ Investments Inc.  
~~604 W. Mona~~  
Wichita, Kansas 67217  
*returned*

Lots 2, 3, 4, 8 and 9, ROANN ADDITION,

ITJ Investments Inc.  
604 W. Mona  
Wichita, Kansas 67217

Lot 5, EXCEPT beginning at the North-west corner; thence South 31.27 feet; thence East to a point 32.81 feet South of the Northeast corner; thence North 32.81 feet; thence West 131.05 feet to point of beginning, ROANN ADDITION,

Diane Coen  
604 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 South-west 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,

D Finney Properties  
2500 E. Central  
Wichita, Kansas 67214



COMPANY, INC.

DESCRIPTIONS

RECORD OWNERS

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

✓ D. 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 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,

✓ D. Finney Properties  
2500 E. Central  
Wichita, Kansas 67214



South 125 feet of Lot 22, EXCEPT the East 65 feet and Lot 24, EXCEPT the East 65 feet of the North 100 feet, in STEWARTS SUBDIVISION of the Northeast Quarter of Section 25, Township 27 South, Range 1 West,

✓ General Conference of the  
Evangelical Methodist Church  
Inc.  
3000 W. Kellogg Drive  
Wichita, Kansas 67213

East 65 feet of the South 125 feet of Lot 22 and the East 65 feet of the North 100 feet of Lot 24, in STEWARTS SUBDIVISION in the Northeast Quarter of Section 25, Township 27 South, Range 1 West,

✓ D. General Conference of the  
Evangelical Methodist Church  
Inc.  
3000 W. Kellogg Drive  
Wichita, Kansas 67213

Lot 2, ROANN 2ND ADDITION,

✓ Benjamin Charles & Rosina Edith  
Bough  
9920 W. 10th Street  
Wichita, Kansas 67212

Lots 5 and 6, Sheridan, JO-MAR SUBDIVISION,

✓ D. Thomas E. Luinstra  
7016 S. Magnolia  
Englewood, Colorado 80110

Lot 7, Sheridan, JO-MAR SUBDIVISION,

✓ D. O.M. & Ruth B. Gasaway  
529 S. Sheridan  
Wichita, Kansas 67213

Lot 8, Sheridan, JO-MAR SUBDIVISION,

✓ Rozetta Jane Wagner  
535 S. Sheridan  
Wichita, Kansas 67213

Lot 9, Sheridan, JO-MAR SUBDIVISION,

✓ D. Lloyd & Gloria B. Simons  
779 S. Sheridan  
Wichita, Kansas 67213  
(Contract Purchasers)  
✓ Dennis R. & Christy K. Bingham  
545 S. Sheridan  
Wichita, Kansas 67213

Fidelity  Title  
COMPANY, INC.

DESCRIPTIONS

RECORD OWNERS

Lot 10, Sheridan, JO-MAR SUBDIVISION,	Paul Chester Dauster ✓ 4450 W. Douglas Wichita, Kansas 67212
Lot 11, Sheridan, JO-MAR SUBDIVISION,	✓ Lloyd & Gloria B. Simons ✓ 779 S. Sheridan Wichita, Kansas 67213
Lot 12, Sheridan, JO-MAR SUBDIVISION,	✓ Fred Royce Bellman (Record Owner) 232 Ranger Haysville, Kansas 67060 — Bruce W. & Clay Tafoya (Contract Purchasers) ✓ 1901 Bonn Wichita, Kansas 67213
Lot 13, Sheridan, JO-MAR SUBDIVISION,	✓ Harriet & Floyd F. Blakely P.O. Box 202 Winfield, Kansas 67156
Lot 25, All Hallows, JO-MAR SUBDIVISION,	✓ Robert & Maryen Bledsoe 554 All Hallows Wichita, Kansas 67213
Lot 26, All Hallows, JO-MAR SUBDIVISION,	✓ G. I. Bledsoe 546 All Hallows Wichita, Kansas 67213
Lot 27, All Hallows, JO-MAR SUBDIVISION,	✓ John R. & Maxine L. Kropf 4129 Parkwood Avenue Wichita, Kansas 67218
Lot 28, All Hallows, JO-MAR SUBDIVISION,	✓ Betty E. Judd 536 All Hallows Wichita, Kansas 67213
Lots 11, 13 and 15, GOLDUST ADDITION,	✓ General Conference of Evangelical Methodist Church Inc. 3000 W. Kellogg Drive Wichita, Kansas 67213

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

FIDELITY TITLE COMPANY, INC.

By *Melina A. Sutter*  
Assistant Secretary

Tracer No. 65313



FORM 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
(2) BZA EXCEPT.	\$150 <sup>00</sup>

NAME STARKY DEVEL CENTER

ADDRESS 144 So. Young

FUND 155-40071-003

DUE DATE

COMMENTS

DATE JAN 30, 1984

BY

*[Signature]*