

Case No. BZA 19-85 - Starkey Housing
Inc. - requests an exception to permit
the establishment of a group home for
eight mentally retarded adults on pro-
perty zoned the "A" Two-family Dwelling
District and generally located on the

200' 1/4 Sec 5-2185
Set 6-18-85
Record ✓

4534
Passed
7-27-85 sec.

ACTION

B.Z.A. 19-85 APPROVE 4-23-85
DATE

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

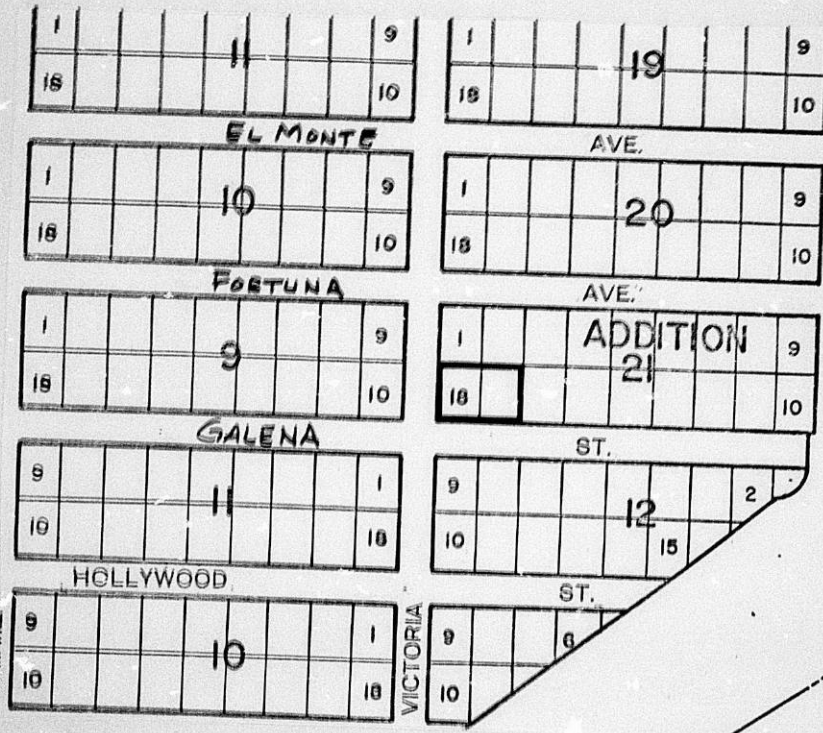
Case No. BZA 19-85 - Starkey Housing
Inc. - requests an exception to permit
the establishment of a group home for
eight mentally retarded adults on pro-
perty zoned the "A" Two-Family Dwelling
District and generally located on the

Map No. 5543A

BZA 19-85
Filed _____

AREA DATA:

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



Spaulding
 No. 2133C
 HARTNESS, IN
 LOS ANGELES-CORCORAN-LOOMAN, OH
 HOBSON, TULLOCH GROVE, GA
 U.S.A.

May 2, 1985

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

Re: Case No.'s BZA 19-85 & BZA 20-85
Request for Exceptions

Dear Mr. Frye:

Enclosed are signed copies of the Resolutions adopted by the Board of Zoning Appeals on April 23, 1985.

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
Encl.

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

RESOLUTION NO. BZA 19-85

WHEREAS, Starkey Housing Inc., 144 South 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 eight mentally retarded adults on property zoned the "A" Two-family Dwelling District and legally described as follows:

Lots 17 and 18, Block 21, Rainbow First Addition to Wichita, Sedgwick County, Kansas. Generally located on the northeast corner of Galena and Victoria.

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 eight 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 eight mentally retarded adults on property zoned the "A" Two-family Dwelling District legally described as follows:

Lots 17 and 18, Block 21, Rainbow First Addition to Wichita, Sedgwick County, Kansas. Generally located on the northeast corner of Galena and Victoria.

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 front yard setback.
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 23rd day of April, 1985.


William Goebel, Vice President

ATTEST:


Glen E. Lytle, Assistant Secretary

RE: AGENDA ITEM NO. 5

SECRETARY'S REPORT CASE NO. BZA 19-85

APPLICANT: Starkey Housing Inc., 144 South Young, Wichita, Kansas.

AGENT: John C. Frye, Starkey Housing Inc., 144 South 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 eight mentally retarded adults.

GENERAL LOCATION: On the northeast corner of Galena and Victoria.

ZONING: Subject property is zoned the "A" Two-family Dwelling District as are the properties to the east and north. To the south and west the properties are zoned the "AA" One-family Dwelling District.

LAND USE: Subject property is vacant. To the west and south are one-family dwellings and to the east and north are two-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 behind the front yard setback 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 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 front yard setback.
3. If at any time the facility is enlarged to accommodate more than 8 clients, the applicant shall submit an application for said expansion.

THE CITY OF WICHITA

OFFICE OF Citizen Participation
Division of CRS

DATE April 11, 1985

TO Glen Lytle, Special Assistant for Zoning


FROM Stanley J. Scott, CP Coordinator

SUBJECT BZA 19-85: NORTHEAST CORNER
OF GALENA AND VICTORIA

On Tuesday, April 9, CPO Neighborhood Council "D" considered the captioned case, a request for a zoning exception to permit the establishment of a group home for eight (8) mentally retarded adults. After discussion, the Council voted 5-1 to recommend approval of the request.

Dale Koehn and Marty Crane, Starkey Development Center, were present to describe the request and respond to questions. Council members were provided the notice to adjoining property owners and a map of the area. No area residents or property owners were in attendance.

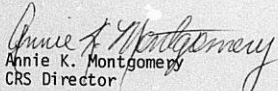
Please provide the Council's recommendation to the Board of Zoning Appeals when BZA 19-85 is considered on Tuesday, April 23.



Stanley J. Scott
CP Coordinator

AKM/SJS/glw

Noted:


Annie K. Montgomery
CRS Director

RECEIVED

APR 17 1985

METROPOLITAN PLANNING

ROUTE

BZA CASE NO. 19-85

<u>1</u>	NOTICES SENT TO APPLICANT/AGENT
<u>10</u>	LEGAL ADVERTISEMENT SENT TO MAPC
<u>1</u>	NOTICES SENT TO CPO
<u>12</u>	NOTICES SENT TO ADJOINING PROPERTY OWNERS
<u>14</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 19-85

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 Starkey Housing, Inc., 144 South 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 eight mentally retarded adults on property zoned "A" Two-family Dwelling District. A legal description of the applicant's property is as follows:

Lots 17 and 18, Block 21, Rainbow First Addition to Wichita, Sedgwick County, Kansas. Generally located on the northeast corner of Galena and Victoria.

This application has been assigned Case BZA 19-85. 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. 19-85

CITY OF WICHITA, KANSAS

FILED 3-22-85

APPLICATION FOR EXCEPTION

I. Name of Applicant Starkey Housing, Inc.
 Mailing Address 144 S. Young Phone 942-4221
 Name of Authorized Agent John C. Frye
 Mailing Address 144 S. Young Phone 942-4221
 Relationship of applicant to property is that of Owner
 (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 up to 8 clients who are primarily mentally retarded. We
also request a waiver on parking

 on property zoned A 2 Family
 located N.E. Corner of Glana and Victoria
 and legally described as: Lots 17 & 18 Block 21 Rainbow First
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 Housing, Inc.

Authorized Agent John C. Frye
John C. Frye

OFFICE USE ONLY: Received in Office of Secretary, Board of Zoning Appeals, 3:00 (a.m./p.m.), Mar 22, 1985, 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

March 21, 1985

Mr. Jack Galbraith, Secretary
Board of Zoning Appeals
City of Wichita, Kansas
City Hall - 435 N. Main
Wichita, Ks. 67202

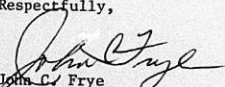
Dear Mr. Galbraith:

Starkey Housing, Inc., a division of Starkey Developmental Center, Inc. has a contract to purchase the Real Estate Property at the corner of Glens and Victoria to construct a Group Home for eight (8) mentally retarded adult clients. The structure will meet all local life safety codes and the state social and rehabilitation requirements for programs.

We are requesting an exception to the present zone of "A" 2 family for lots 17 and 18 Block 21, Rainbow First Addition, Sedgwick County, Kansas. The Board of Zoning Appeals has the jurisdiction to grant exception under Section 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 requirements of this section and the one mentioned above. We are also requesting a waiver on the parking since all our clients will not be able to secure a driver's license.

If you have any questions, please contact Dale D. Koehn.

Respectfully,


John C. Frye
Executive Director

:bf



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:
Lots 17 and 18, Block 21, RAINBOW
FIRST ADDITION, 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

Lots 17 and 18, Block 21, RAINBOW
FIRST ADDITION,

✓ Builders, Inc.
1530 S. Oliver
Wichita, Kansas 67218

Lots 1, 2, 3 and Lot 4, EXCEPT the
West 36.85 feet and Lots 14, 15 and
16, Block 21; and Lots 15, 16, 17
and 18, Block 20, RAINBOW FIRST
ADDITION, and Lots 9 and 10, Block
12; and Lots 1 and 2, Block 11,
RAINBOW SECOND ADDITION,

✓ Builders, Inc.
1530 S. Oliver
Wichita, Kansas 67218

West 36.85 feet of Lot 4, BLOCK 21,
RAINBOW FIRST ADDITION,

✓ Lloyd Kenneth & Joyce E.
Overstreet
8330 Cherry Creek
Wichita, Kansas 67207

East Half of Lot 5, Block 21, RAINBOW
FIRST ADDITION,

✓ Donald E., Sr. & Winnie Roberta
Copley
1529 Fortuna
Wichita, Kansas 67216



DESCRIPTIONS

RECORD OWNERS

West Half of Lot 5, Block 21, RAINBOW FIRST ADDITION,	✓ Margaret M. Copley; Donald E., Sr. & Winnie Roberta Copley ^D 1527 Fortuna Wichita, Kansas 67216
East 59.5 feet of Lot 10, Block 10, RAINBOW FIRST ADDITION,	✓ Vicky Y. Fankhouser 1429 Fortuna Wichita, Kansas 67216
West 14 feet of Lot 10 and the East 45 feet of Lot 11, Block 10, RAINBOW FIRST ADDITION,	✓ Steven Loyd & Alethea Eleanore Parscale 1416 E. Fortuna Wichita, Kansas 67216
Lot 8, Block 9, RAINBOW FIRST ADDITION,	✓ Raymond M. & Phyllis D. Bowers 1415 Fortuna Wichita, Kansas 67216
East 59.5 feet of Lot 9, Block 9, RAINBOW FIRST ADDITION,	✓ Enola E. Ratliff 1421 Fortuna Wichita, Kansas 67216
West 14 feet of Lot 9, Block 9, RAINBOW FIRST ADDITION,	✗ Development Contractors, Inc. ADDRESS UNKNOWN
East 59.5 feet of Lot 10, Block 9, RAINBOW FIRST ADDITION,	✓ James D. & Masako Riggins 1422 Galena Wichita, Kansas 67216
East 45 feet of Lot 11, and West 14 feet of Lot 10, Block 9, RAINBOW FIRST ADDITION,	✓ Edwin Ira & Patricia Rae Geer 1416 Galena Wichita, Kansas 67216
West 29 feet of Lot 11 and the East 30 feet of Lot 12, Block 9, RAINBOW FIRST ADDITION,	✓ Alvis H. Johnson 2484 S. Poplar Wichita, Kansas 67211
Lots 7, 8, 11 and 12, Block 12, RAINBOW SECOND ADDITION,	✓ C. C. Pottorff, Lester F. Garber and D. R. Richards in their capacity as Trustees of the South City Baptist Church of Wichita, and their successors as Trustees 1513 Galena Wichita, Kansas 67216
Lots 5, 6 and 13, Block 12, RAINBOW SECOND ADDITION,	✓ C. C. Pottorff, Lester F. Garber and D. R. Richards in their capacity as Trustees of the South City Baptist Church of Wichita, and their successors as Trustees 1513 Galena Wichita, Kansas 67216

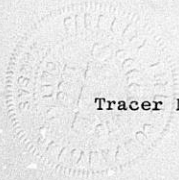


Dated at Wichita, Kansas, this 14th day of March, 1985 at 7:00 A.M.

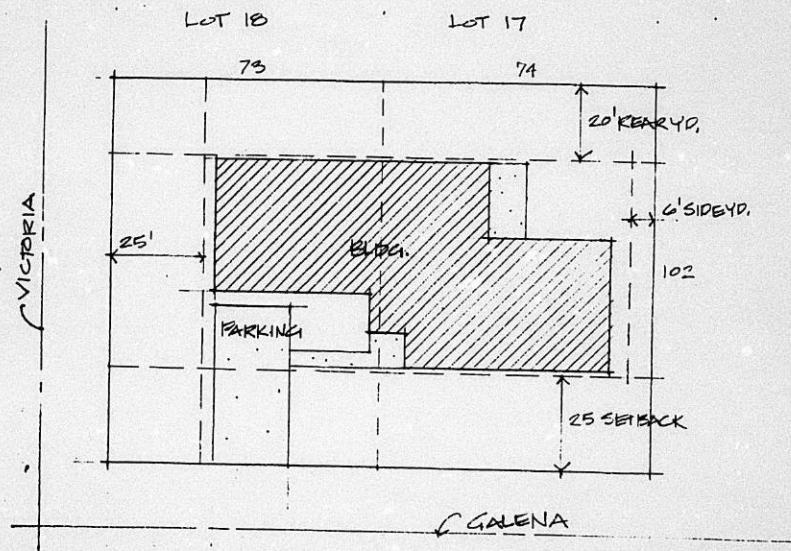
FIDELITY TITLE COMPANY, INC.

Medina A. Sutter
By Assistant Secretary

Tracer No. 68373



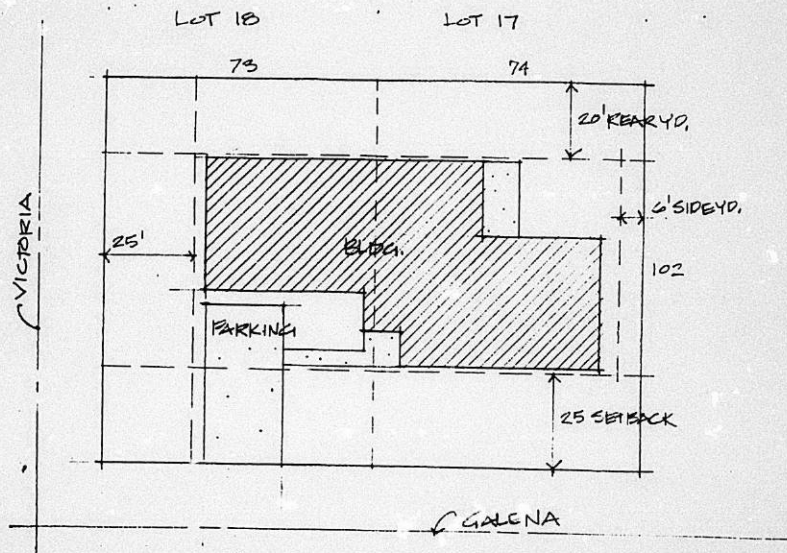
Fidelity  **Title**
COMPANY, INC.



SITE PLAN
 1" = 30'



STARKEY GROUP HOME '05

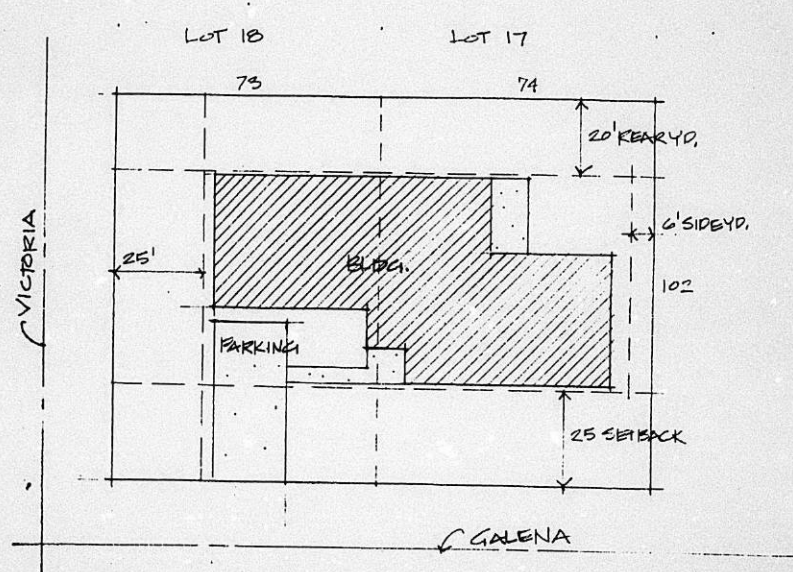


SITE PLAN
1" = 30'



BZA 19-85

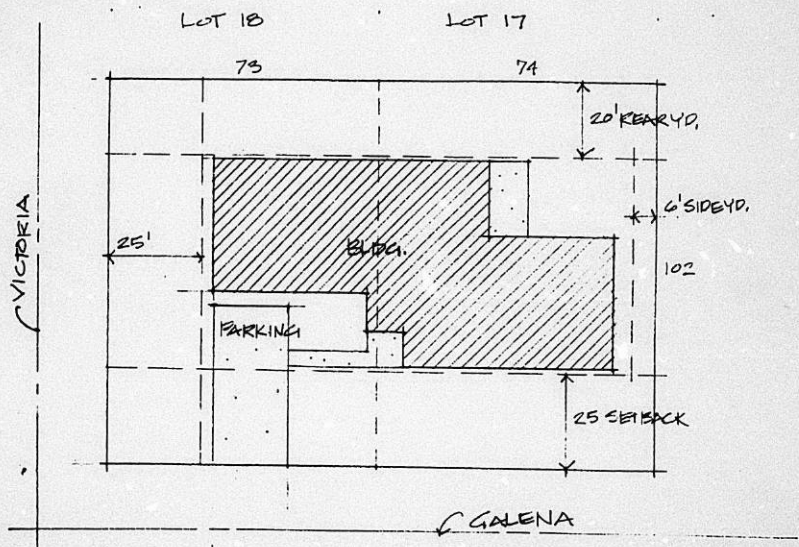
STARKEY GROUP HOME '85



SITE PLAN
1" = 30'



STARKEY GROUP HOME '25



SITE PLAN
 1" = 30'



STARKEY GROUP HOME '85

MICROFILMED
FROM THE BEST
AVAILABLE COPY

FORM 29-021 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 BLDG EXCEPT	75.00
NAME	STARKEY DEV CORP INC.
ADDRESS	144 So. Young
FUND	1324-110-103
COMMENTS	
DATE	BY
Mar 22, 1955	H. Lytle