

BOARD OF ZONING APPEALS

MINUTES

FEBRUARY 23, 1982

The regular meeting of the Board of Zoning Appeals of the City of Wichita, Kansas, was held at 1:30 p.m. in the Board Room, First Floor, City Hall, 455 North Main, Wichita, Kansas.

The following members were in attendance: WILLIAM GOEBEL, Chairman, EARL HENDERSON, TOM JACOB, JOHN SLAYMAKER. MARY KOPIETZ arrived during presentation of first case.

Also present were Glen Lytle, Jack Galbraith and Shirley Doramus of the Planning Department staff.

1. Approval of the minutes of January 26, 1982.

MOTION: HENDERSON moved, JACOB seconded, and it carried 4-0 that the minutes be approved as mailed. (KOPIETZ had not arrived yet).

2. Case No. BZA 1-82 - Starkey Development Center, Inc., 144 South Young, Wichita, Kansas, pursuant to Section 28.04.185.1, Code of the City of Wichita requesting an exception to permit the establishment of a group home for Mentally Retarded Adults on property zoned "AA" One-family Dwelling District and legally described as follows:

The north 100' of the east 150' of Lot 6 McComas Acres to Wichita, Sedgwick County, Kansas. Generally located on the west side of Tracy Street between Douglas and Maple.

LYTLE showed slides of the application area and reviewed the comments from the Secretary's Report.

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 new dwelling on the property to provide living facilities for a maximum of 6 clients of the Starkey Development Center, Inc. and a house manager. These clients are considered to be mentally retarded and are unable to secure drivers licenses.

The clients will attend the workshop at 144 South Young Monday thru Friday during the day. The house manager will have his or her car as personal transportation. There will possibly be a van at the home for transportation of the clients.

The applicant indicates that the facility will be constructed with a double carport which will provide at least 2 off-street parking spaces. Additional off-street parking can be provided on the driveway in front of the carport and in the Secretary's opinion this should be adequate.

RECOMMENDATION:

Should the Board determine that the proposed use is appropriate at this location, then it is the Secretary's recommendation that the exception be granted 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 6 clients, the applicant shall submit an application for said expansion.

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LYTLE stated the CPO Council recommended 6-0 to approve the request. John Fry, agent for the applicant, was present to answer questions if the Board had any. There were no questions and no one appeared in opposition.

MOTION: HENDERSON moved, SLAYMAKER seconded the the exception to permit the establishment of a group home for Mentally Retarded Adults be granted subject to the conditions furnished in the Secretary's Report. Motion passed 5-0.

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The official action of the Board is reflected in the adoption of Resolution No. BZA 1-82 which includes the following conditions of approval:

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 accomodate more than 6 clients, the applicant shall submit an application for said expansion.
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2. Case No. BZA 2-82 - Starkey Developmental Center, Inc., 144 South Young, Wichita, Kansas, pursuant to Section 28.04.185.1, Code of the City of Wichita requesting an exception to permit the establishment of a group home for Mentally Retarded Adults on property zoned "AA" One-family Dwelling District and legally described as follows:

Lots 31, 32 and 33, Sabin's Subdivision, Parkwilde Addition to Sedgwick County, Kansas. Generally located on the northwest corner of Tracy and Douglas (4402 West Douglas).

LYTLE showed slides of the application area and reviewed the comments from the Secretary's Report.

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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:

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Should the Board determine that the proposed use is appropriate at this location, then it is the Secretary's recommendation that the exception be granted subject to the following conditions: