

Case No. BZA 1-82 - Starkey Development Center, Inc. - requests an exception to permit the establishment of a Group Home for Mentally Retarded Adults on property zoned "AA" One-family Dwelling District and generally located

51A7B

200 '82c 3-12-82
Checked 3-17-82
Ser 3-18
Recorded 3-19

ACTION

POSTED
2-3-82
24

BZA
1-82

COMMITTEE

APPROVED

DATE
2-23-82

M.A.P.C. _____

B.C.C./B. CO. C. _____

51A7B

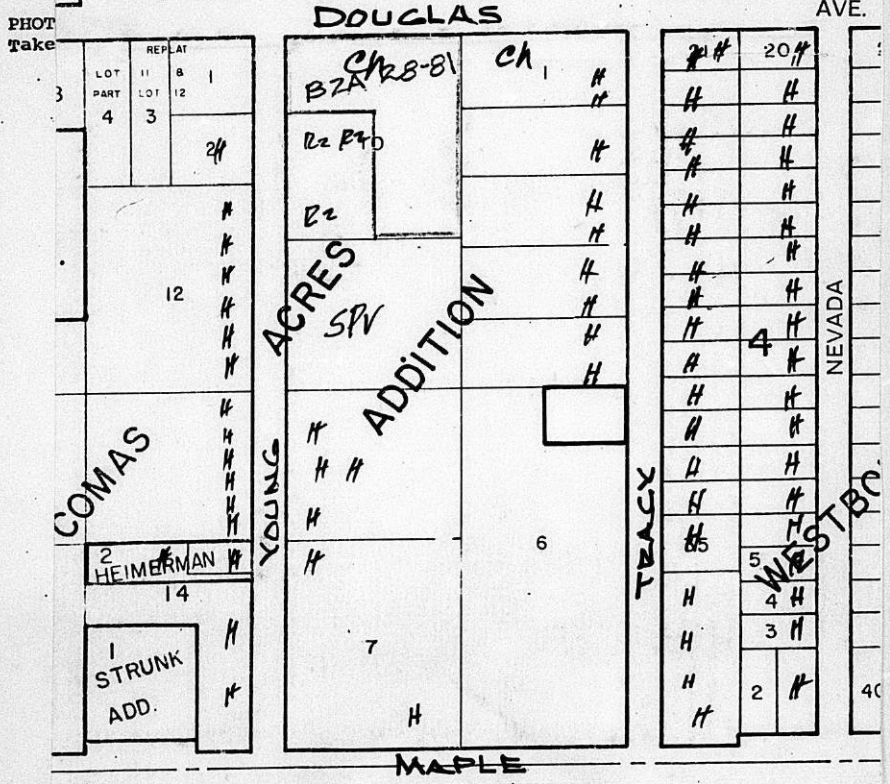
200' A Sec 3-12-82
Checked 3-12-82
Shot 3-18
Recorded 3-19

Case No. BZA 1-82 - Starkey Development Center, Inc. - requests an exception to permit the establishment of a Group Home for Mentally Retarded Adults on property zoned "AA" One-family Dwelling District and generally located

Map No. 5147
 Sec. 23
 Twp. 27
 Range 1W

BZA- 1-82
 SCZ- _____
 CU- _____
 Filed _____

- AREA DATA:
 1. Acres: _____ (100 ft. by 150 ft.)
 2. Adjoining Zoning: E _____ S _____ W _____ N _____
 3. Land Use: East SINGLE FARM South UNDEVELOPED
 West UNDEVELOPED North SINGLE FARM
 4. Sketch Plan Land Use is for: _____
 5. Present Land Use is for: UNDEVELOPED
 6. Area (is) (is not) platted: _____



Standard
 No. 2153C
 HASTINGS, MN
 LOS ANGELES CHICAGO LOGAN OH
 McHENRY, TEXAS
 MCGRAW HILL
 U.S.A.

B21

September 22, 1982

Starkey Development Center, Inc.
144 South Young
Wichita, Ks.

Re: Case No's. BZA 1-82 & 2-82
Requests for Exceptions

Gentlemen:

As per your request, this letter is to confirm the action of the Board of Zoning Appeals on February 23, 1982 to permit the establishment of a group home for mentally retarded adults in the "AA" One-family Dwelling District.

Resolution No. BZA 1-82 permits the establishment of such a home on Lots 31, 32 and 33, Sabin's Subdivision, Parkwilde Addition to Sedgwick County, Kansas. Resolution No. BZA 2-82 permits the establishment of such a home on the property described as the north 100' of the east 150' of Lot 6, McComas Acres to Wichita, Sedgwick County, Kansas.

Sincerely,

Glen E. Lytle
Special Assistant for Zoning

GEL:sad

February 23, 1982

Starkey Development Center, Inc.
144 South Young
Wichita, Kansas

Re: Case No's. EZA 1-82 & 2-82
Requests for Exceptions

Gentlemen:

Enclosed are signed copies of the Resolutions adopted by the Board of Zoning Appeals on February 23, 1982.

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: Dale D. Koehn, 144 South Young, Wichita, Kansas
Robert Feldner, Superintendent of Central Inspection (2)
Don Gisick, City Clerk

RESOLUTION NO. BZA 1-82

WHEREAS, Starkey Developmental Center, Inc., 144 South Young, Wichita, Kansas, requests an exception as provided in Section 2.12.590.C, Code of the City of Wichita, for 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.

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 23, 1982, 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 "AA" One-family Dwelling District subject to the conditions outlined in Section 28.04.185.1, Code of the City of Wichita.

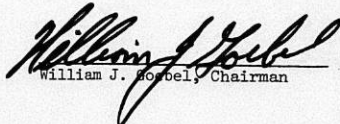
NOW, THEREFORE, BE IT RESOLVED by the Board of Zoning Appeals of the City of Wichita, that this application be approved to permit the establishment of a group home for mentally retarded adults on property zoned the "AA" One-family Dwelling District and legally described as follows:

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.

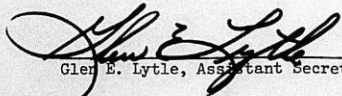
subject to the following conditions:

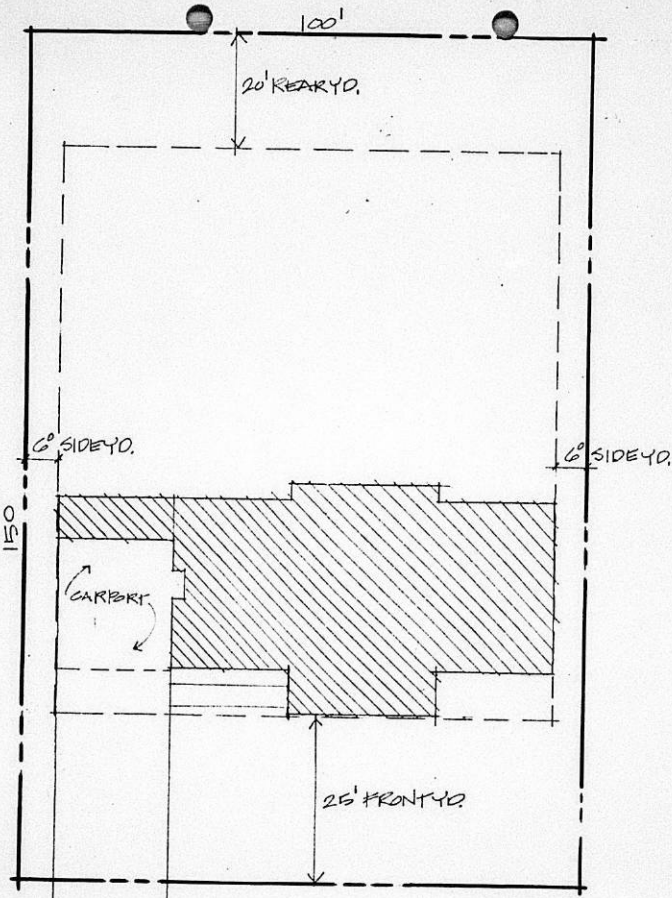
1. The facility shall comply with all State and local codes, and prior to the start of construction the Health Department, Fire Department and Central Inspection shall approve the facility. The applicant shall secure all the necessary permits and licenses.
2. The applicant shall provide not less than 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.

ADOPTED AT WICHITA, KANSAS, this 23rd day of February, 1982.


William J. Hoebel, Chairman

ATTEST:


Glen E. Lytle, Assistant Secretary



TRACY

BZA 1-82

PRELIM. SITE PLAN
1" = 20'



THE CITY OF WICHITA

OFFICE OF CITIZEN PARTICIPATION

DATE February 22, 1982



TO Glen Lytle, Special Assistant for Zoning

FROM Shirley Mast, Administrative Aide III

SUBJECT BZA 1-82, West Side of Tracy
Street Between Douglas and Maple

CPO Council "0" considered the captioned case at their February 18th meeting and voted 6-0 to approve the exception request by Starky Development Center to permit the establishment of a Group Home for Mentally Retarded Adults on property zoned the "AA", One Family Dwelling District at the aforementioned location.

Dale Koehn, representative for the Development Center was present to speak in support of the application. No one was present to speak in opposition.

Please provide the Council's recommendation to the Board of Zoning Appeals when the case is considered on February 23rd.

Shirley Mast
Shirley Mast
Administrative Aide III

SM:dm

Noted:

Sarah Gilbert

Sarah Gilbert
CP Coordinator

RECEIVED

FEB 22 1982

METROPOLITAN PLANNING

ROUTE

SECRETARY'S REPORT
CASE NO. BZA 1-82

APPLICANT: Starkey Development Center, Inc., 144 South Young, Wichita, Kansas

AGENT: Dale D. Koehn, 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 Mentally Retarded Adults.

GENERAL LOCATION: On the west side of Tracy Street between Maple and Douglas.

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

LAND USE: Subject property is vacant. Most adjacent properties are developed as one-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 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.

BZA CASE NO. 1-82

2 NOTICES SENT TO APPLICANT/AGENT

10 NOTICES SENT TO MAPC

1 NOTICES SENT TO CPO

14 NOTICES SENT TO ADJOINING PROPERTY OWNERS

27 TOTAL NOTICES SENT 2-3-82

January 18, 1982

John C. Frye
Starkey Developmental Center, Inc.
144 South Young
Wichita, Kansas 67209

Dear Mr. Frye:

This is to advise you that we are in receipt of two applications filed on behalf of Starkey Developmental Center, Inc., by your agent, Dale D. Koehn. These applications are for exceptions to the zoning ordinance to permit group homes for mentally retarded adults. These applications are in order and have been assigned case numbers BEA 1-82 and BEA 2-82 and will be advertised for public hearing and scheduled for consideration by the Board of Zoning Appeals at its regular meeting of February 23, 1982.

Although it is impossible to determine what action the Board might take, as their Secretary, I can advise you that staff will be in support of these requests and will recommend that they be approved. We are familiar with the area and believe the proposed use is appropriate. There will probably be conditions of approval, but Mr. Koehn is already aware of the requirements of parking and meeting construction codes.

If we can be of any assistance prior to the scheduled meeting, please advise.

Sincerely,

Jack H. Galbraith
Chief Planner

JHG:sad

BOARD OF ZONING APPEALS
CITY OF WICHITA, KANSAS

CASE NO. 1-82
FILED 1-15-82

APPLICATION FOR EXCEPTION

I. Name of Applicant STARKEY DEVELOPMENTAL CENTER, INC.
144 South Young
Mailing Address Wichita, KS 67209 Phone 942-4221
Name of Authorized Agent Dale D. Koehn
144 South Young
Mailing Address Wichita, KS 67209 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 for Mentally Retarded Adults

on property zoned AA
on the west side of Tracy Street
located between Douglas and Maple on Tracy Street
and legally described as: The North 100 feet of the East
150 feet of Lot 6 McComas Acres to Wichita, Sedg Co., Ks.

_____, in the City of Wichita.

- III. The applicant herein, or his authorized agent, acknowledges:
- That he has received an instruction sheet concerning the filing and hearing of this matter;
 - 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;
 - That all documents are attached hereto as noted in paragraphs 2, 3, and 4 of the instructions;
 - 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 Developmental Center, Inc.

Authorized Agent Dale D. Koehn

OFFICE USE ONLY: Received in Office of Secretary, Board of Zoning Appeals, 400 (a.m. - p.m.) Jan 15, 1982 together with appropriate fee of \$75.

Signed J. H. Calbreath

Starkey Developmental Center, Inc.

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

Preschool
School
Adult/Work Activity
Adult/Residential

January 15, 1982

TO: Board of Zoning Appeals
FROM: Starkey Developmental Center, Inc.
SUBJECT: REQUEST FOR EXCEPTION TO A DOUBLE 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 six (6) clients and a house manager. The clients will attend the workshop Monday through Friday during the day.

This project is being funded through a H.U.D. Section 202 Direct Loan and being guaranteed by Section 8.

The structure will meet the Life Safety Code. Also, the 505 Regulation for Accessibility to Handicapped. As you can see by the detailed plat plan there will be two 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.

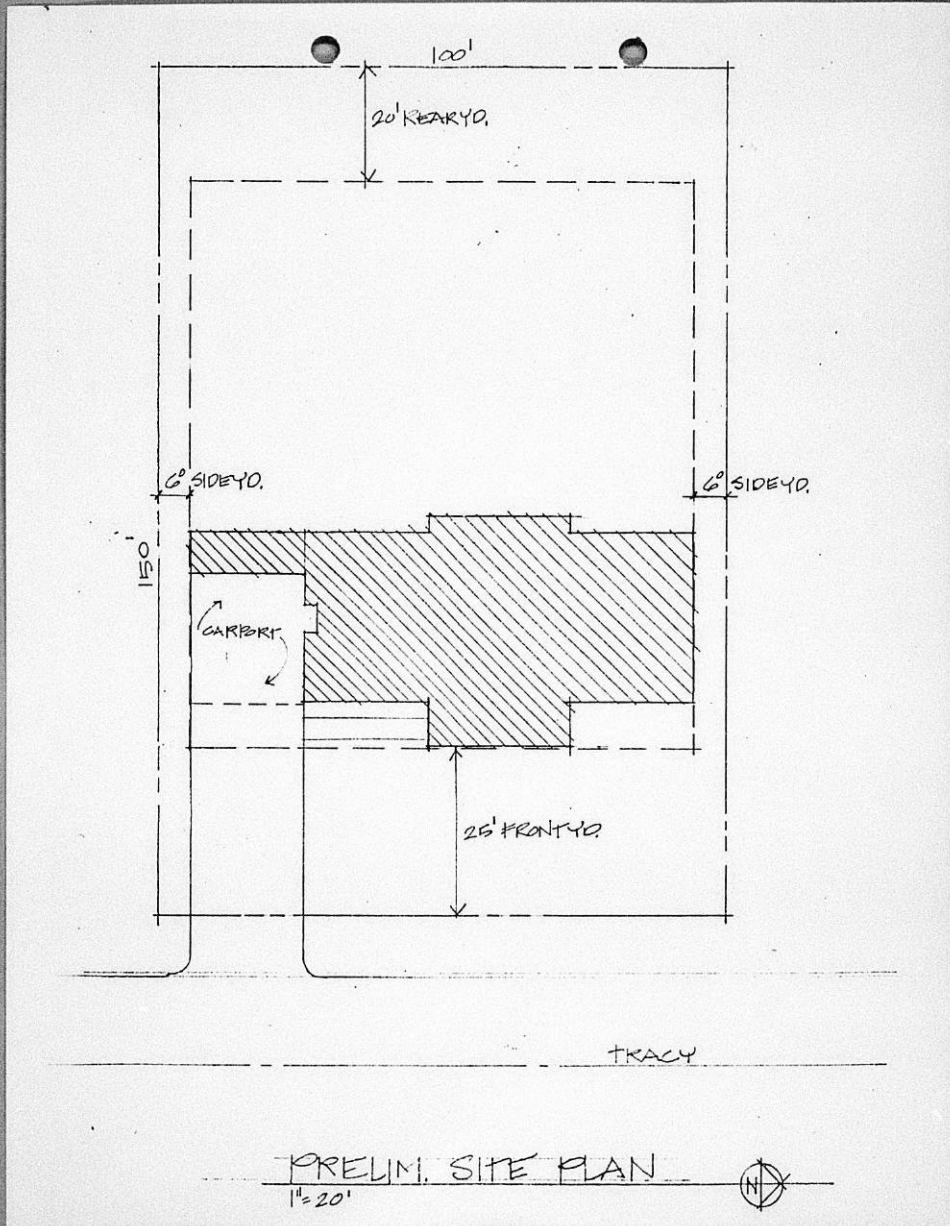
We are requesting an exception for the North 100 Feet of the East 150 Feet of Lot 6, McComas Acres Sedgwick County Kansas, which is zoned AA now. The Board of Zoning has the jurisdiction to grant exception under 28.04.185 Rehabilitation Homes. "1. Rehabilitation Homes. The Board of Zoning Appeals may, 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 requirements 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.

These programs will not only be funded by HUD Section 8, but they will also be funded by the State Social and Rehabilitation Services and the County Mental Health and Mental Retardation Board. Starkey always has contributions coming in which helps fund their programs.

If you have any questions, please contact Dale D. Koehn at 942-4221.



United Way



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:
 The North 100 feet of the East 150
 feet of Lot 6, McCOMAS ACRES,
 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.)

<u>LOTS AND BLOCKS</u>	<u>ADDITION</u>	<u>RECORD OWNERS</u>
Lot 6 and the North half of Lot 8 and all of Lot 9,	McCOMAS ACRES	Starkey Developmental Center for Retarded, Inc. 144 South Young Wichita, Kansas 67209
South Half of the East 110 feet of Lot 8,	McCOMAS ACRES	Stanley D. & Mary E. A. Harper 220 South Young Wichita, Kansas 67209
West 170.5 feet of Lots 4 and 5,	McCOMAS ACRES	Starkey Developmental Center for Retarded, Inc. 144 South Young Wichita, Kansas 67209
East 135 feet of Lot 5 and the South 24 feet of the East 135 feet of Lot 4,	McCOMAS ACRES	Lawrence O. & Arnetta Ruth Towns 100 South Tracy Wichita, Kansas 67209

Fidelity  **Title**
 COMPANY, INC.

<u>LOTS AND BLOCKS</u>	<u>ADDITION</u>	<u>RECORD OWNERS</u>
East 135 feet of the South 80 feet of the North 102 feet of Lot 4,	McCOMAS ACRES	✓ Raymond N. & Hildegard H. Simons 143 South Tracy Wichita, Kansas 67209
North 20 feet of Lot 7 and all of Lot 8, Block 4,	WESTBOROUGH 2ND	✓ Charles H. & Eleanor M. Snellen 221 South Nevada Wichita, Kansas 67209
Lot 9, and the South 20 feet of Lot 10, Block 4,	WESTBOROUGH 2ND	✓ Bradford C. & Jeanne K. St. Vrain 211 South Nevada Wichita, Kansas 67209
South 40 feet of Lot 11, Block 4,	WESTBOROUGH 2ND	✓ Georgeanna H. Simmons 201 South Nevada Wichita, Kansas 67209
Lot 28, Block 4,	WESTBOROUGH 2ND	✓ John A. & Winne Grab 144 South Tracy Wichita, Kansas 67209
Lot 29 and the North 20 feet of Lot 30, Block 4,	WESTBOROUGH 2ND	✓ Leo F. & Mary J. Hamersky 156 South Tracy Wichita, Kansas 67209
South 40 feet of Lot 30 and the North 40 feet of Lot 31, Block 4,	WESTBOROUGH 2ND	✓ Russell Leslie & Brenda Jo Phillips 200 South Tracy Wichita, Kansas 67209
South 20 feet of Lot 31 and all of Lot 32, Block 4,	WESTBOROUGH 2ND	✓ M. J. & Grayce I. Fugate 212 South Tracy Wichita, Kansas 67209
Lot 33 and the North 20 feet of Lot 34, Block 4,	WESTBOROUGH 2ND	✓ Tommy L. & Patricia Jennings 222 South Tracy Wichita, Kansas 67209
South 40 feet of Lot 34 and the North 40 feet of Lot 35, Block 4,	WESTBOROUGH 2ND	✓ Robert G. & Frances M. Frick 230 South Tracy Wichita, Kansas 67209
Lot 35 except the North 40 feet, Block 4,	WESTBOROUGH 2ND	✓ Walter P. Blake 240 South Tracy Wichita, Kansas 67209
North 85 feet of the following described real estate: A piece of land beginning at a point 35½ feet East of the Southwest corner of the Southeast Quarter of the Southeast Quarter of Section 23, Township 27 South, Range 1 West; thence North 335 feet; thence East 135 feet; thence South 335 feet; thence West 135 feet to place of beginning.	WESTBOROUGH 2ND	✓ Lois M. Smith 244 South Tracy Wichita, Kansas 67209



-3-

Dated in Wichita, Kansas, this 11th day of January, 1982
at 7:00 A.M.

FIDELITY TITLE COMPANY, INC.

By *C. E. Bud Reddy*
Vice President

Tracer No. 57749



**MICROFILMED
FROM THE BEST
AVAILABLE COPY**

FORM 25-221

PAYMENT NOTICE
City of Wichita

Bldg.	Use of Str.	Code Bks	Copies
Elec	Elev. Insp.	Hse Moving	Lic.
Mech	Boiler Insp.	Fav. Cuts	Cert.
Plbg	Exam Fees	Sewer	Elev.
Signs	Plan Rev. (P.W.)	Cement	M.S.P.

Planning

DESCRIPTION		AMOUNT
321		
NAME		
ADDRESS		
FUND	DUE DATE	
COMMENTS		
DATE	BY	