

Case No. BZA 2-82 - 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

*Posted
1-3-82*

ACTION

DATE 2-23-82

COMMITTEE APPROVED

M.A.P.C. _____

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

*BZA
1-3-82*

51476

*200'4 Sec 3-12-82
Checked 3-12-82
Shot 3-18
Recorded 3-17*

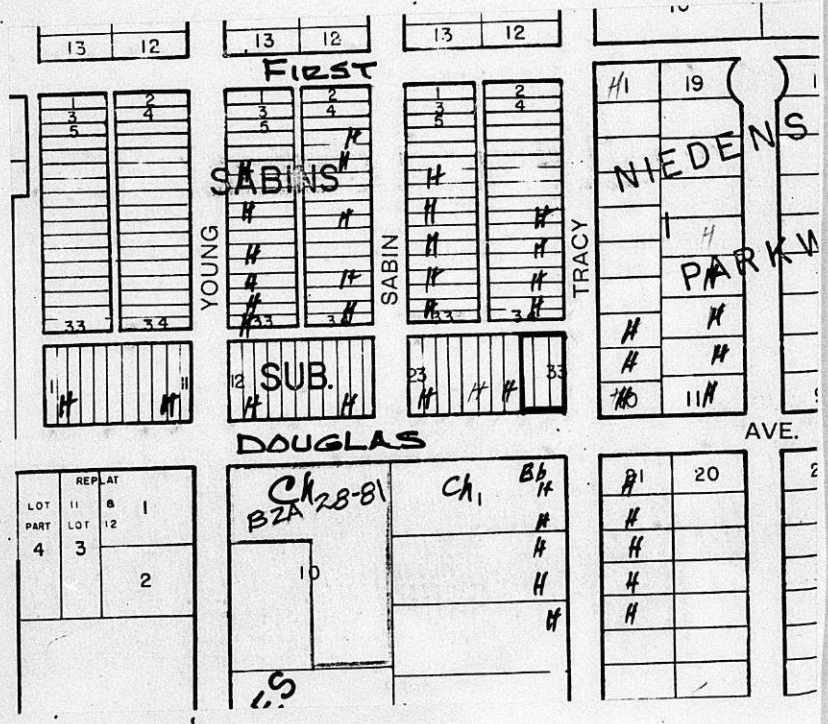
Map No. 5147
 Sec. 23
 Twp. 27
 Range 1W

BZA- 2-82
 SCZ- _____
 CU- _____
 Filed _____

AREA DATA:

1. Acres: _____ (75 ft. by 140 ft.)
2. Adjoining Zoning: E _____ S _____ W _____ N _____
3. Land Use: East UNDEVELOPED South BARBER SHOP SINGLE
 West SINGLE FAM North SINGLE FAM
4. Sketch Plan Land Use is for: _____
5. Present Land Use is for: UNDEVELOPED
6. Area (is) (is not) platted.

PHOTO DATA:
 Taken by _____ Date _____ Time _____



Shirley
 No. 2153C
 LOS ANGELES - CHICAGO - LOGAN, OH
 MCNEERSON, TOLSON & GROVE, S.A.
 U.S.A.

15

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. MA 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:sd
Enclosures

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

RESOLUTION NO. BZA 2-82

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:

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).

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.

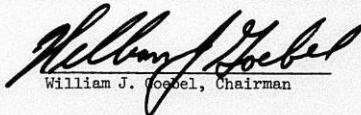
NOW, THEREFORE, BE IT RESOLVED by the Board of Zoning Appeals of the City of Wichita, that this application be approved to permit the establishment of a group home for mentally retarded adults on property zoned the "AA" One-family Dwelling District and legally described as follows:

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).


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. Goebel, Chairman

ATTEST:


Glen E. Lytle, Assistant Secretary

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 2-82: Northwest
Corner of Tracy and Douglas
(4402 West Douglas)

The captioned case was considered by CPO Council "O" at their February 18th meeting. The Council noted the application area actually lies within the Area "N" CPO boundaries, that it only borders with CPO Council "O".

After discussion of the case with Dale Koehn, representative for Starky Developmental Center, and being advised that the area Council (CPO "N") voted 7-0 to recommend approval of the exception request to permit the establishment of a Group Home for Mentally Retarded Adults; CPO Council "O" voted unanimously (6-0) to support the area Council's recommendation on the exception request.

No one was present to speak in opposition to the application.

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

Shirley Mast
Shirley Mast
Administrative Aide III

RECEIVED

FEB 22 1982

METROPOLITAN PLANNING
ROUTE Lytle

THE CITY OF WICHITA

OFFICE OF CITIZEN PARTICIPATION

DATE February 22, 1982



TO Glen Lytle, Special Assistant for Zoning

FROM Robert Tillman, Administrative Aide III

SUBJECT BZA 2-82: Generally located on the Northwest Corner of Tracy and Douglas (4402 West Douglas)

On Wednesday, February 17th, CPO Council "N" considered the captioned case and voted 7-0 to recommend approval of the request for an exception to permit the establishment of a Group Home for Mentally Retarded Adults on property zoned the "AA", One Family Dwelling District.

A representative for the applicant was present to speak to the Council. There were no area residents present to speak in support or opposition to the request for an exception.

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

Robert Tillman
Administrative Aide III

RT:dm

Noted:

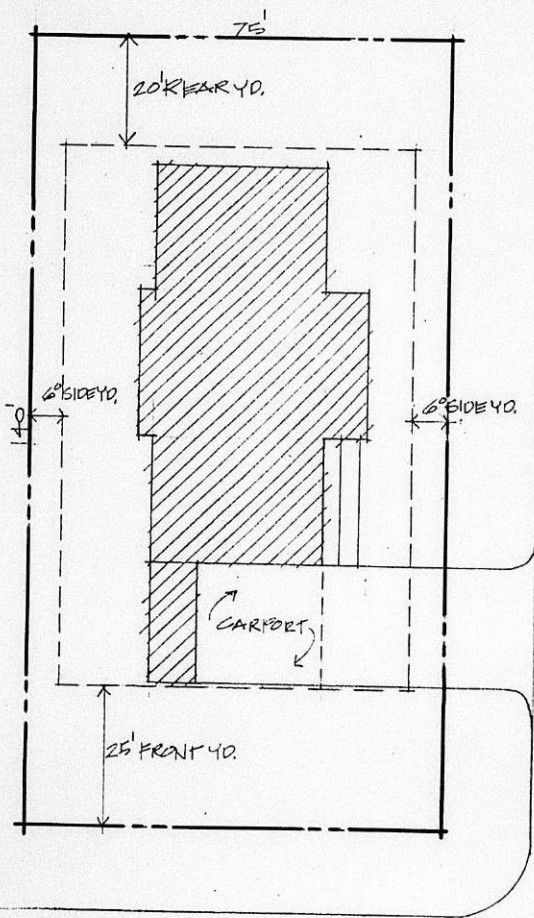
Sarah Gilbert
CP Coordinator

RECEIVED

FEB 22 1982

METROPOLITAN PLANNING

ROUTE Lytle



PRELIM. SITE PLAN
 1" = 20' 0"



BZA 2-82

POULAS

TRACY

SECRETARY'S REPORT
CASE NO. BZA 2-82

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 northwest corner of Tracy and Douglas.

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

LAND USE: Subject property is vacant. Adjacent properties
are developed as residential.

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. 2-82

2 NOTICES SENT TO APPLICANT/AGENT

10 NOTICES SENT TO MAPC

1 NOTICES SENT TO CPO

21 NOTICES SENT TO ADJOINING PROPERTY OWNERS

34 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 EZA 1-82 and EZA 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

CASE NO. 2-82

CITY OF WICHITA, KANSAS

FILED 1-15-82

APPLICATION FOR EXCEPTION

I. Name of Applicant STARKEY DEVELOPMENTAL CENTER, INC.
 Mailing Address 144 South Young
Wichita, KS 67209 Phone 942-4221

Name of Authorized Agent Dale D. Koehn
 Mailing Address 144 South Young
Wichita, KS 67209 Phone 942-4221

Relationship of applicant to property is that of Contracted
 (Owner, Tenant, Lessee, Other) 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 Group Home for Mentally Retarded Adults

on property zoned AA
 located on the northwest corner of Tracy and Douglas
at 4402 West Douglas

and legally described as: Lots 31, 32 and 33, Sabin's
Subdivision, Parkwilde Addition to 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 Developmental Center, Inc.
 Authorized Agent Dale D. Koehn

OFFICE USE ONLY: Received in Office of Secretary, Board of Zoning Appeals, 4:01 (a.m. - p.m.), Jan 15, 1982
 together with appropriate fee of \$75.

Signed J. H. Johnson

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.

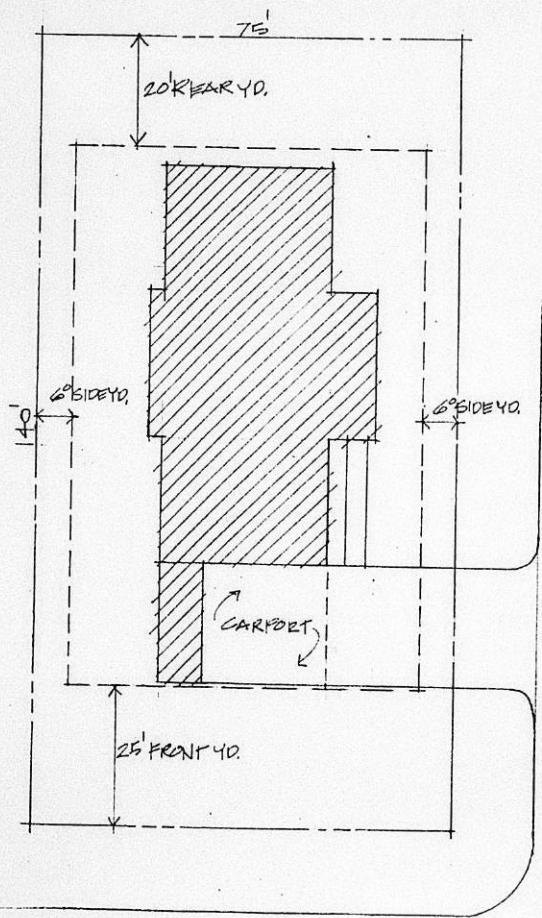
The structure will meet the Life Safety Code. Also, the 504 Regulation for Accessibility to Handicapped. As you can see by the detailed plat plan there will be two parking spaces. The clients who live in the home are unable to secure driver licenses and none of them will have a car. The house manager 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 Lots 31, 32 & 33 on Douglas Avenue, Sabin Subdivision, Parkwilde Addition, 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 such as group boarding 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.





FRIGLAS

PRELIM. SITE PLAN
 1" = 20' 0"



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 31, 32 and 33 on Douglas Avenue,
 SABIN SUBDIVISION OF EAST HALF OF
 BLOCK 21 AND BLOCK 22, IN PARK-
 WILDE ADDITION to Wichita, 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>
Lots 31, 32 and 33 on Douglas,	SABIN SUB. OF EAST HALF OF BLOCK 21 AND BLOCK 22, IN PARKWILDE	Yoyal A. & Edra M. Hayes ✓ 147 North Tracy Wichita, Kansas 67212
Lots 23, 24, 25 and 26 on Douglas,	SABIN SUB. OF EAST HALF OF BLOCK 21 AND BLOCK 22, IN PARKWILDE	Paul Chester, Jr. & Marilyn V. Dauster ✓ 4450 West Douglas Wichita, Kansas 67212
Lots 27 and 28 on Douglas,	SABIN SUB. OF EAST HALF OF BLOCK 21 AND BLOCK 22, IN PARKWILDE	Voye E. & Alice F. McCarty ✓ 4412 West Douglas Wichita, Kansas 67212
Lots 29 and 30, on Douglas,	SABIN SUB. OF EAST HALF OF BLOCK 21 AND BLOCK 22, IN PARKWILDE	Larry K. & Barbara A. Jordan ✓ 4408 West Douglas Wichita, Kansas 67212



<u>LOTS AND BLOCKS</u>	<u>ADDITION</u>	<u>RECORD OWNERS</u>
Lots 20 and 22, on Tracy,	SABIN SUB. OF EAST HALF OF BLOCK 21 AND BLOCK 22, IN PARKWILDE	George A. & Mary A. ✓ Williams 131 North Tracy Wichita, Kansas 67212
Lots 24 and 26, on Tracy,	SABIN SUB. OF EAST HALF OF BLOCK 21 AND BLOCK 22, IN PARKWILDE	Terry Gene Been 127 North Tracy ✓ Wichita, Kansas 67212
Lots 28 and 30, on Tracy,	SABIN SUB. OF EAST HALF OF BLOCK 21 AND BLOCK 22, IN PARKWILDE	Percy Leon & Daynelle Kimbrough ✓ 123 North Tracy Wichita, Kansas 67212
Lots 32 and 34, on Tracy,	SABIN SUB. OF EAST HALF OF BLOCK 21 AND BLOCK 22, IN PARKWILDE	Lawrence O. & Arnetta Ruth Towns 100 South Tracy Wichita, Kansas 67209
Lots 19 and 21, on Sabin,	SABIN SUB. OF EAST HALF OF BLOCK 21 AND BLOCK 22, IN PARKWILDE	John Michael & Michelle E. Carter ✓ 130 North Sabin Wichita, Kansas 67212
Lots 23 and 25, on Sabin,	SABIN SUB. OF EAST HALF OF BLOCK 21 AND BLOCK 22, IN PARKWILDE	Morris N. & Leona M. Wiant and Janice M. Wiant ✓ 820 North Flora Wichita, Kansas 67212
Lots 27, 29, 31 and 33, on Sabin,	SABIN SUB. OF EAST HALF OF BLOCK 21 AND BLOCK 22, IN PARKWILDE	Mildred P. Jacobs ✓ 1830 South Broadway Wichita, Kansas 67211
Lot 5, Block 1,	NIEDENS PARKWILDE	Gary D. & Bonnie J. Nesser ✓ 130 North Tracy Wichita, Kansas 67212
Lot 6, Block 1,	NIEDENS PARKWILDE	Clyde & Marilyn F. Robinson ✓ 126 North Tracy Wichita, Kansas 67212
Lot 7, Block 1,	NIEDENS PARKWILDE	Clyde Leroy, Jr. & Jan Beth Looney ✓ 120 North Tracy Wichita, Kansas 67212
Lot 8, Block 1,	NIEDENS PARKWILDE	Wesley P. & Donna A. Baba ✓ 112 North Tracy Wichita, Kansas 67212
Lot 9, Block 1,	NIEDENS PARKWILDE	Mark Steven & Alice O. Finley ✓ 108 North Tracy Wichita, Kansas 67212



<u>LOTS AND BLOCKS</u>	<u>ADDITION</u>	<u>RECORD OWNERS</u>
Lot 10, Block 1,	NIEDENS PARKWILDE	✓ Otis B. & Marcia P. Hand 104 North Tracy Wichita, Kansas 67212
Lots 11, 12, 13 and 14, Block 1,	NIEDENS PARKWILDE	✓ 125 Inc. 125 South West Street Wichita, Kansas 67203
Lots 21 and the North 20 feet of Lot 22, Block 4,	WESTBOROUGH 2ND	✓ Lawrence O. & Arnetta Ruth Towns 100 South Tracy Wichita, Kansas 67209
South 40 feet of Lot 22 and the North 40 feet of Lot 23, Block 4,	WESTBOROUGH 2ND	✓ George Ray & Peggy R. Litke 112 South Tracy Wichita, Kansas 67209
West 170.5 feet of Lots 1 and 2,	McCOMAS ACRES	D Starkey Development Center Inc. 144 South Young Wichita, Kansas 67209
East 135 feet of the North 80.04 feet of Lot 1,	McCOMAS ACRES	✓ Otis Raymond & Henrietta Smallwood 101 South Tracy Wichita, Kansas 67209
South 46 feet of the East 135 feet of Lot 1, and the North 34 feet of the East 135 feet of Lot 2,	McCOMAS ACRES	✓ Paul C. & Linda D. Holmes 111 South Tracy Wichita, Kansas 67209



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

FIDELITY TITLE COMPANY, INC.

By

C. E. Paul Riddley

Vice President

Tracer No. 57750



**MICROFILMED
FROM THE BEST
AVAILABLE COPY**

FORM 29 1

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
324 photo	115.20

NAME _____

ADDRESS _____

FUND _____ DUE DATE _____

COMMENTS _____

DATE Jan 2 BY [Signature]