

200' Sec. 4-11-86

Shot 4-17-86

Record ✓

Case No. BZA 2-86 Starkey Sheltered Living, Inc. - Requests an exception to permit the establishment of a group home for mentally retarded adults on property zoned "RR" Four-family Dwelling District and generally located on

POSTED
3-25-86

ACTION

B.Z.A. 2-86 APPROVED 3/25/86
DATE

200' 1/4 Sec 4-11-86
Shot 4-17-86
Record

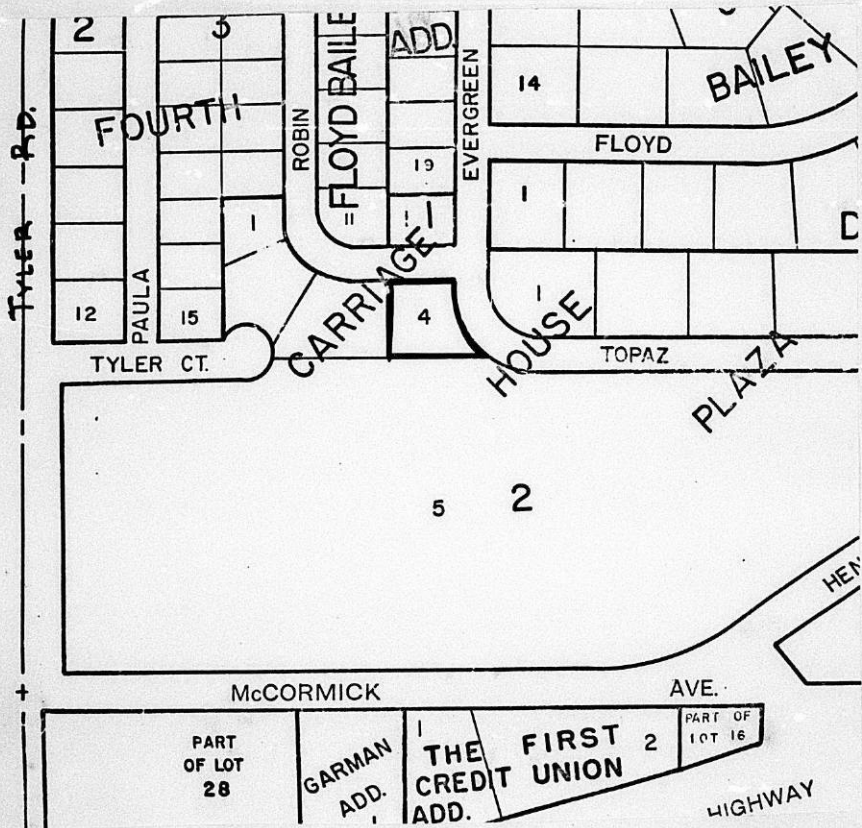
Case No. BZA 2-86. Starkey Sheltered Living, Inc. - Requests an exception to permit the establishment of a group home for mentally retarded adults on property zoned "R4" Four-family Dwelling District and generally located on

Map No. 4946 D

BZA 2-86
Filed _____

AREA DATA:

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



LOB / INSURANCE / REAL ESTATE / ORGAN / ON
ROBINSON, TX / LOCKYER GROVE, GA
U.S.A.

Standard
No. 2153C

20A.26

20' REAR YD.

20' LITL

PATIO

BLDG.
3200 sq ft

150'

25' FRONT YD.

LOT "E"

151.53

129.25

DRIVE &
PARKING
(2 SPACES)

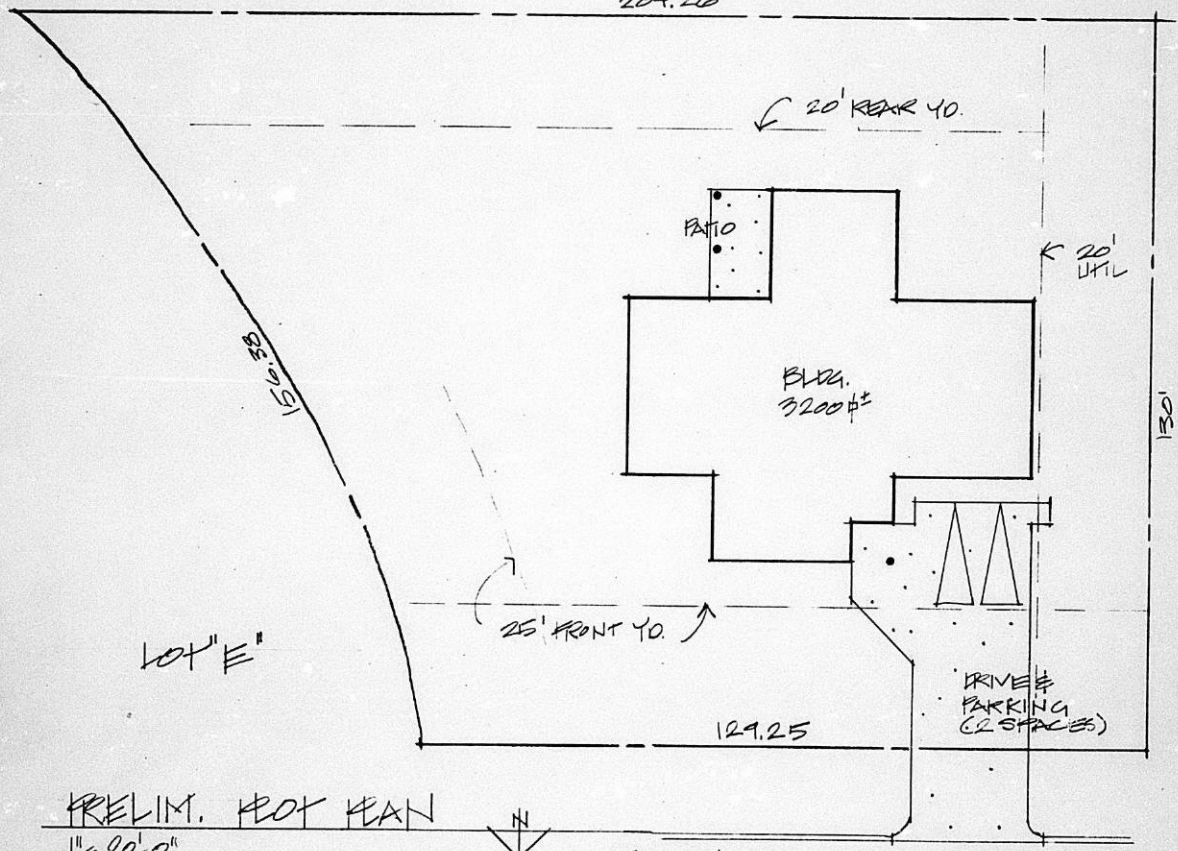
PRELIM. LOT PLAN

1" = 20'-0"



S. ROBIN RD.

STARKEY GROUP HOME
2-3-80



THE CITY OF WICHITA

OFFICE OF Citizen Participation DATE March 12, 1986

TO Glen Lytle, Special Assistant for Zoning

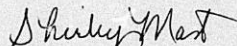
FROM Shirley Mast, Administrative Aide III

SUBJECT BZA 2-86: Southeast corner of
Robin Road and Evergreen

CPO Council "B" considered the captioned case at its March 11th meeting and voted 8-1 to recommend that the exception to permit the establishment of a group home for mentally retarded adults be approved.

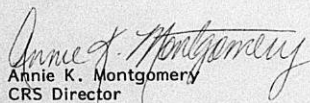
No one was present to speak in support or opposition to the case.

Please provide the Council's recommendation to the Board of Zoning Appeals when case BZA 2-86 is considered at the March 25th meeting.


Shirley Mast
Administrative Aide III

SM:dm

Noted:


Annie K. Montgomery
CRS Director

March 26, 1986

John C. Frye
Starkey Sheltered Living, Inc.
144 South Young
Wichita, Kansas 67209

Re: BZA 2-86 - Request for Exception.
On the southeast corner of Robin Road and Evergreen

Dear Mr. Frye:

Enclosed is a signed copy of the Resolution adopted by the Board of Zoning Appeals on March 25, 1986.

This Resolution reflects the official action of the Board to approve your request and sets out the conditions of approval. It is 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/lw

Enclosure

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

RESOLUTION CASE NO. BZA 2-86

WHEREAS, Starkey Sheltered Living, Inc., 144 South Young, Wichita, Kansas, pursuant to Section 2.12.590.C, Code of the City of Wichita, requests an exception to permit the establishment of a group home for mentally retarded adults on property zoned the "RB" Four-family Dwelling District and legally described as follows:

Lot 4, Carriage House Plaza 2nd Addition to Wichita, Sedgwick County, Kansas. Generally located on the southwest corner of Robin Road and Evergreen.

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 March 25, 1986, 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 "RB" Four-family Dwelling District subject to the conditions outlined in Section 28.04.183.5, Code of the City of Wichita.

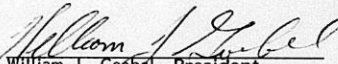
NOW, THEREFORE, BE IT RESOLVED by the Board of Zoning Appeals of the City of Wichita, that this application be approved permit the establishment of a group home for mentally retarded adults on property zoned the "RB" Four-family Dwelling District and legally described as follows:

Lot 4, Carriage House Plaza 2nd Addition to Wichita, Sedgwick County, Kansas. Generally located on the southwest corner of Robin Road and Evergreen.

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 two off-street parking spaces behind the front yard setback.

ADOPTED AT WICHITA, KANSAS, this 25th day of March, 1986.


William J. Coebel, President

ATTEST:


Glen E. Lytle, Assistant Secretary

RE: AGENDA ITEM NO 3

SECRETARY'S REPORT
CASE NO. BZA 2-86

APPLICANT: Starkey Sheltered Living, Inc., 144 South Young, Wichita, KS 67209

AGENT: John C. Frye, Starkey Housing, Inc. 144 South Young, Wichita, KS 67209

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 southeast corner of Robin Road and Evergreen.

ZONING: Subject property is zoned the "RB" Four-family Dwelling District as is the property to the west. To the east, and north is zoned the "AA" One-family Dwelling District and to the south is "LC" Light Commercial.

LAND USE: The application area is vacant as is the property to the west. To the east, and north are One-family dwellings. To the south is commercial development and vacant land.

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 28.04.185.01 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 eight (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 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 two off-street parking spaces behind the front yard setback.

3. If at any time the facility is enlarged to accommodate more than eight clients, the applicant shall submit an application for said expansion.
4. This exception shall apply to the use of the structure as a group home for mentally retarded adults. Any change in use is subject to compliance with all provisions of the zoning ordinance.

BZA CASE NO. 2-86

<u>2</u>	NOTICES SENT TO APPLICANT/AGENT
<u>10</u>	LEGAL ADVERTISEMENT SENT TO MAPC & BZA
<u>1</u>	NOTICES SENT TO CPO
<u>9</u>	NOTICES SENT TO ADJOINING PROPERTY OWNERS
<u>12</u>	TOTAL NOTICES SENT <u>3-4-86</u>

BOARD OF ZONING APPEALS
Tenth Floor - City Hall
455 North Main, Wichita, Kansas 67202

March 3, 1986

NOTICE TO ADJOINING PROPERTY OWNERS:

CASE NO. BZA 2-86

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 Sheltered Living, 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 mentally retarded adults on property zoned the "RB" Four-family Dwelling District. A legal description of the applicant's property is as follows:

Lot 4, Carriage House Plaza 2nd Addition to Wichita, Sedgwick County, Kansas. Generally located on the southwest corner of Robin Road and Evergreen.

This application has been assigned Case No. BZA 2-86. It will be considered by the Board of Zoning Appeals on March 25, 1986 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.

Glen E. Lytle
Assistant Secretary

February 6, 1986

John Frye
Starkey Sheltered Living, Inc.
144 South Young
Wichita, Kansas 67209

RE: Homes for mentally retarded adults

Dear Mr. Frye:

This is to confirm that the properties known as Lots 1 to 4, Block 2, Carriage Home Plaza Addition to Wichita, Kansas are located in the "RB" Four-family Dwelling District. These lots have now been split into additional legal building sites by Lot split application L/S-0^c02; as such each site may be permitted one main residential structure.

The City of Wichita zoning ordinance will permit on each lot a one, two, three or four-family dwelling as a use by right. In addition, a group home for the housing of 5 or more individuals that need shelter and supervision, due to physical or social disabilities, may be permitted by special permit by the Board of Zoning Appeals in this district.

As Assistant Secretary to the Board of Zoning Appeals, I have observed that it has been the decision of the Board to approve such requests even though there has been opposition by the neighborhood. There is always some concern expressed by the Board if these facilities are located in an area where the number of group homes are excessive.

If you need any further information, please advise.

Sincerely,

Glen E. Lytle
Special Assistant for Zoning

GEL/lw

Starkey Developmental Center, Inc.

144 South Young
Wichita, Kansas 67209
(316) 942-4821

Preschool
School
Adult/Work Activity
Adult/Residential

January 27, 1986

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

Dear Mr. Galbraith:

Starkey Sheltered Living, Inc., a corporation sponsored by the Starkey Developmental Center, Inc., has the option to purchase the following properties:

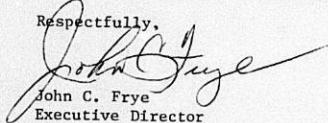
Lot 1 Exec Beg SE Cor NLY 4.44 ft SWLY 129.59 ft to W LI S 8.69 ft to SW Cor NELY 132.33 ft to Beg Block 2 Carriage House Plaza 2nd add. and Beg NE Cor Lot 3 W 75.78 ft SLY 133.15 ft to S. LI E 97.06 ft to SE Cor N. 130 ft to Beg Block 2, Carriage House Plaza 2nd add.

The plans are to house up to eight (8) mentally retarded adults. 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 "RB-4 family dwellings" for the above properties. The Board of Zoning appeals has the jurisdiction to grant exceptions under Section 28.04-185 Rehabilitation Homes, "1" Rehabilitation Homes. The Board of Zoning appeals may by special permit grant exceptions and authorize rehabilitation homes for children "A" or "RB" Residential Zoning District". We understand that we are to meet the requirement 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 receive a drivers license. We will provide ^{two} four (4) parking spaces at each location.

If you have any questions, please contact Dale D. Koehn, at the above number.

Respectfully,


John C. Frye
Executive Director

:bg



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:

Lot 4, Block 2, CARRIAGE HOUSE
PLAZA SECOND 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 3, Block 2, CARRIAGE HOUSE PLAZA SECOND ADDITION,	James D. Miner; Richard I. Darge & Marjorie M. Zwiesler ✓ %6606 W. Central Wichita, Kansas 67212
Lots 1, 2 and 4, Block 2, CARRIAGE HOUSE PLAZA SECOND ADDITION,	James D. Miner; Richard I. Darge & Marjorie M. Zwiesler ① %6606 W. Central Wichita, Kansas 67212
Lot 5, Block 2, CARRIAGE HOUSE PLAZA SECOND ADDITION,	Harold R. "Bud" White; G. M. P. Enterprises, Inc.; & Union ✓ National Bank of Wichita & Reba L. Angle, Co-Trustees of the Bill E. Mesker Trust %316 Fairway Wichita, Kansas 67212
Lot 1, Block 1, CARRIAGE HOUSE PLAZA SECOND ADDITION,	Jack R. & Sharon K. Sikes ✓ 543 S. Evergreen Wichita, Kansas 67209

Fidelity  Title
COMPANY, INC.

DESCRIPTIONS

RECORD OWNERS

Lot 1, Block 3, CARRIAGE HOUSE
PLAZA SECOND ADDITION,

G. M. P. Enterprises, Inc. &
C & M Enterprises, Inc.
ADDRESS UNKNOWN

Lot 2, Block 3, CARRIAGE HOUSE
PLAZA SECOND ADDITION,

G. M. P. Enterprises, Inc.
C & M Enterprises, Inc.
ADDRESS UNKNOWN

Lot 1, Block D, FLOYD BAILEY
3RD ADDITION,

Daniel L. & Jane M. Blick
144 Glen Eagles
Wichita, Kansas 67209

Lot 2, Block D, FLOYD BAILEY 3RD
ADDITION,

Orville L. & Nadine L. Greiving
534 Floyd
Wichita, Kansas 67209

Lot 19, Block 4, FLOYD BAILEY 4TH
ADDITION,

Vernon S. & Janice E. Hahn
533 S. Evergreen Lane
Wichita, Kansas 67209

Lot 10, Block 2, FLOYD BAILEY 5TH
ADDITION, described as beginning
at the Northwest corner thereof;
thence South along the West line
of said Lot 10, 46.07 feet; thence
East to a point on the East line of
said Lot 10, said point being 47.33
feet South of the Northeast corner
thereof; thence North 47.33 feet to
the Northeast corner of said Lot
10; thence West 118.6 feet to the
place of beginning.

Jerome D. Marcus
1415 Spring Drive
Wichita, Kansas 67208



Lot 10, Block 2, FLOYD BAILEY 5TH
ADDITION, EXCEPT that part
described as beginning at the
Northwest corner thereof; thence
South along the West line of said
Lot 10, 46.07 feet; thence East to
a point on the East line of said
Lot 10, said point being 47.33
feet South of the Northeast corner
thereof; thence North 47.33 feet
to the Northeast corner of said
Lot 10; thence West 118.6 feet to
the place of beginning,

E. L. & Judith A. Martin & Linda
J. Patterson
ADDRESS UNKNOWN

Lot 11, EXCEPT the East 53.73 feet,
Block 2, FLOYD BAILEY 5TH
ADDITION,

Danny D. & Mary E. Schmedeman
3434 E. 9th
Wichita, Kansas 67208

East 53.73 feet of Lot 11, Block
2, FLOYD BAILEY 5TH ADDITION,

Leslie A. George
804 S. Lightner
Wichita, Kansas 67218

Dated at Wichita, Kansas, this 24th day of January, 1986 at 7:00 A.M.

FIDELITY TITLE COMPANY, INC.

By *Medina D. Smith*
Assistant Secretary

Tracer No. 73300



BOARD OF ZONING APPEALS

CASE NO. 2-86

CITY OF WICHITA, KANSAS

FILED _____

APPLICATION FOR EXCEPTION

I. Name of Applicant Starkey Sheltered Living, 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-option to purchase (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 eight (8) mentally handicapped adults

_____ on property zoned RB four family,
located S. Robin Road and legally
described as: lot 4, block 2, Carriage House Plaza, 2nd addition

_____, 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. 39-285); 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 Sheltered Living, Inc.

Authorized Agent John C. Frye
John C. Frye, Executive Director

OFFICE USE ONLY: Received in Office of Secretary, Board of Zoning Appeals, 4.00 (per p.m.), FEB. 11, 1986.
together with appropriate fee of 200.00 Ad. w/ prev. appl. 1-27-86. etc.

Signed [Signature]

BOARD OF ZONING APPEALS

CASE NO.

2-86

CITY OF WICHITA, KANSAS

FILED _____

APPLICATION FOR EXCEPTION

I. Name of Applicant Starkey Sheltered Living, 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-Option to purchase (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. Also, we request a waiver on parking.

_____ on property zoned RB-4 family dwelling, located on South Robin Road and legally described as: Beg. NE Corner Lot 3 West 75.78 ft SLY. 133.15 ft to S. Line East 97.06 ft. to S.E. Corner North 0.30 ft. to Beg. Block 2 Carriage House Plaza 2nd add. in the City of Wichita.

III. The applicant herein *Application revised 2-11-86 gny.* 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. 39-285); 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 Sheltered Living, Inc.

Authorized Agent John C. Frye

OFFICE USE ONLY: Received in Office of Secretary, Board of Zoning Appeals, 4:15 (a.m./p.m.), JAN 27, 1986, together with appropriate fee of 200.00.

Signed [Signature]

**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.	Fav. Cuts	Cert.
Plbg	Exam Fees	Sewer	Elev.
Signs	Plan Rev. (P.W.)	Cement	M.S.P.
	Planning		

DESCRIPTION	AMOUNT
2/22A EX. FEES.	\$ 400 ⁰⁰
NAME	STARKEY DEV CNTY LG.
ADDRESS	144 S. YOUNG
FUND	755-40710-003
COMMENTS	
DATE	12.27.1986
BY	[Signature]