

Case No. BZA 16-81 - Institute of Logopedics - requests an exception to permit the establishment of a group boarding home for children on property zoned "AA" One-family Dwelling District and located on the south

*Posted  
5-11-81*

*BZA  
16-81*  
**ACTION**  
COMMITTEE *Approved* DATE *5-24-81*  
M.A.P.C. \_\_\_\_\_  
B.C.C./B. CO. C. \_\_\_\_\_

*200' 14 Sec. 6-9-81  
6-10-81  
Spent 6-9-81  
Checked \_\_\_\_\_  
Revised \_\_\_\_\_*

Map No. 5650  
 Sec. 3  
 Twp. 27  
 Range 1E

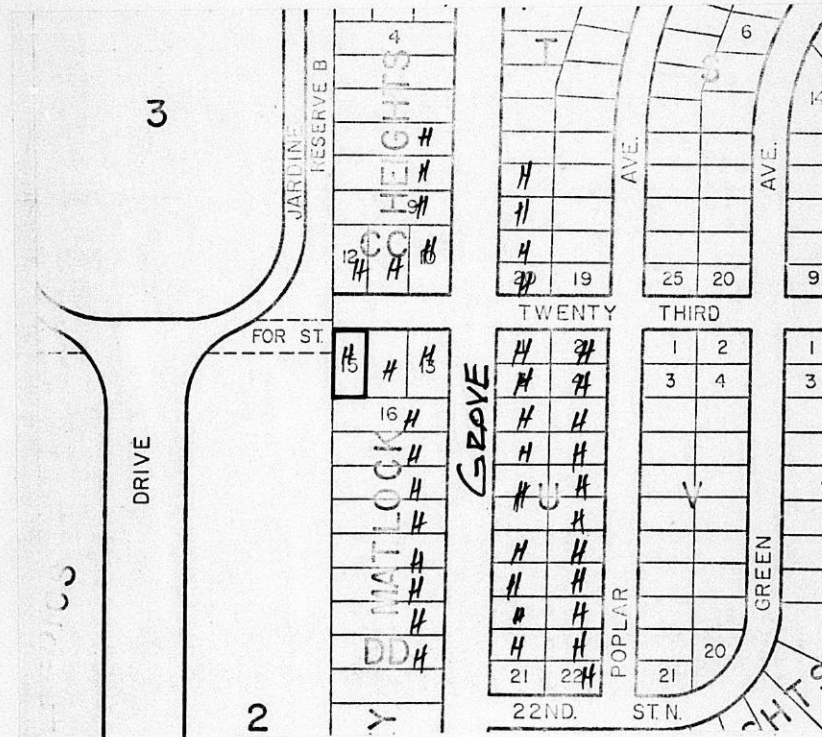
BZA- 16-81  
 SCZ- \_\_\_\_\_  
 CU- \_\_\_\_\_  
 Filed \_\_\_\_\_

AREA DATA:

1. Acres: \_\_\_\_\_ ( 60 ft. by 120 ft.)
2. Adjoining Zoning: E \_\_\_\_\_ S \_\_\_\_\_ W \_\_\_\_\_ N \_\_\_\_\_
3. Land Use: East SINGLE FAM South SINGLE FAM  
 West PARKING LOT North SINGLE FAM
4. Sketch Plan Land Use is for: \_\_\_\_\_
5. Present Land Use if for: SINGLE FAM
6. Area (is) (is not) platted.

PHOTO DATA:

Taken by \_\_\_\_\_ Date \_\_\_\_\_ Time \_\_\_\_\_



June 1, 1981

George E. Davis  
2400 Jardine Drive  
Wichita, Kansas

Re: Case No. BEA 16-61  
Request for Exception

Dear Mr. Davis:

Enclosed is a signed copy of the Resolution adopted by the Board of Zoning Appeals on May 26, 1981.

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:sad  
Enclosure

cc: Robert Feldner, Superintendent of Central Inspection (2)  
Don Gisick, City Clerk  
Institute of Logopedics, 2400 Jardine Drive, Wichita, Ks.

RESOLUTION NO. EZA 16-81

WHEREAS, the Institute of Logopedics, 2400 Jardine Drive, 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 boarding home for children on property zoned the "AA" One-family Dwelling District, and legally described as follows:

Lot 15 in Block DD in Audrey Matlock Heights Second Addition to Wichita, Sedgwick County, Kansas. Generally located on the south side of 23rd Street and west of Grove (2301 East 23rd).

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 May 26, 1981, 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 boarding house for children 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.

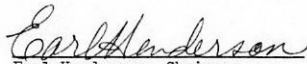
NOW, THEREFORE, BE IT RESOLVED by the Board of Zoning Appeals of the City of Wichita, that this application be approved to establish a group boarding home for children on property zoned the "AA" One-family Dwelling District and legally described as follows:

Lot 15 in Block DD in Audrey Matlock Heights Second Addition to Wichita, Sedgwick County, Kansas. Generally located on the south side of 23rd Street and west of Grove (2301 East 23rd).

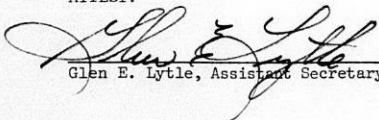
subject to the following conditions:

1. The home shall comply with all state and local codes.
2. The occupancy shall not exceed the number permitted by the State licensing regulations.
3. The use as a group care home shall be limited to that of the Institute of Logopedics.

ADOPTED AT WICHITA, KANSAS, this 26th day of May, 1981.

  
Earl Henderson, Chairman

ATTEST:

  
Glen E. Lytle, Assistant Secretary

May 28, 1961

George H. Davis  
2400 Jardine Drive  
Wichita, Kansas

Re: Case No. BZA 16-81  
Request for Exception

Dear Mr. Davis:

At the regular meeting of the Board of Zoning Appeals on May 26, 1961, your request for an exception was considered.

It was the action of the Board to approve your request subject to the following conditions:

1. The home shall comply with all state and local codes.
2. The occupancy shall not exceed the number permitted by the State licensing regulations.
3. The group care home shall only be applicable for use by the Institute of Logopedics.

A Resolution setting forth the official action of the Board is being prepared and you will be mailed a copy as soon as the signatures of the Chairman and Secretary have been obtained.

If you have any questions, please call our office.

Sincerely yours,

Glen E. Lytle  
Assistant Secretary

GEL:sd  
cc: Institute of Logopedics, 2400 Jardine Drive, Wichita, Kansas.  
Robert Feldner, Superintendent of Central Inspection (2)  
Don Giesick, City Clerk

**THE CITY OF WICHITA**  
OFFICE OF CITIZEN PARTICIPATION

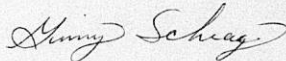
DATE May 26, 1981

TO Glen Lytle, Special Assistant for Zoning  
FROM Ginny Schrag, Administrative Aide III

SUBJECT BZA 16-81 (South side of 23rd  
Street and West of Grove -  
2301 East 23rd)

Greg Payton, Institute of Logopedics, was present to discuss the captioned subject with Area "J" CPO Council at its scheduled May 21st meeting.

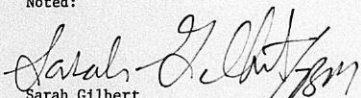
The "J" CPO Council did not have a quorum and could therefore take no action.



Ginny Schrag  
Administrative Aide III

GS:dm

Noted:



Sarah Gilbert  
CP Coordinator

SECRETARY'S REPORT  
CASE NO. BEA 16-81

APPLICANT: Institute of Logopedics, 2400 Jardine Drive,  
Wichita, Kansas.

AGENT: George H. Davis, 2400 Jardine Drive, Wichita,  
Kansas

REQUEST: Exception pursuant to Section 28.04.185.1, Code of  
the City of Wichita to permit the establishment of  
a group boarding home for children in the "AA" One-  
family Dwelling District.

GENERAL LOCATION: On the south side of 23rd Street North and west of  
Grove (2301 East 23rd Street North).

ZONING: Subject property is zoned "AA" One-family as are  
the properties to the north, east and south. The  
property to the west is "B" Multiple-family.

LAND USE: Subject property is a one-family Dwelling that is  
being used as a home for six clients of the  
Institute of Logopedics and house parents. Propertie  
to the east, north and south are one-family dwell-  
ings. The Institute of Logopedics is immediately  
to the west.

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 to permit the establishment  
of a group boarding home for children in the "AA" One-family Dwelling  
District. This would be a live in type facility similar to the units on  
the Logopedics property that would house up to six children clients and  
the houseparents. The property is located immediately east of the  
Institute's property and is accessible thereto. The applicant has chosen  
to apply to the Board of Zoning Appeals for an exception rather than a  
zoning change which would permit the use.

It is the opinion of the Secretary that the extension of this house  
into the overall complex would be logical and proper, and would possibly  
be more appropriate than expanding the "B" zoning into the area as long  
as the other residences remain as single-family dwellings.

RECOMMENDATION:

Should the Board determine that the use is appropriate at this  
location, it is the recommendation of the Secretary that application for  
a group boarding home for children be approved subject to the following  
conditions:

1. The home shall comply with all state and local codes.
2. The occupancy shall not exceed the number permitted by the  
State licensing regulations.

BZA CASE NO. 16-81

2 NOTICES SENT TO APPLICANT/AGENT

9 NOTICES SENT TO MAPC

1 NOTICES SENT TO CPO

9 NOTICES SENT TO ADJOINING PROPERTY OWNERS

20 TOTAL NOTICES SENT 5-6-81

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

MAY 4, 1981

NOTICE TO ADJOINING PROPERTY OWNERS:

CASE NO. EZA 16-81

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 Institute of Logopedics, 2400 Jardine Drive, 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 boarding home for children. A legal description of the applicant's property is as follows:

Lot 15 in Block DD in Audrey Matlock Heights Second Addition to Wichita, Sedgwick County, Kansas.  
Generally located on the south side of 23rd Street and west of Grove (2301 East 23rd).

This application has been assigned Case No. EZA 16-81. It will be considered by the Board of Zoning Appeals on May 26, 1981 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 variance 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, 268-4381.

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. 16-81

CITY OF WICHITA, KANSAS

FILED 4-24-81

APPLICATION FOR EXCEPTION

I. Name of Applicant Institute of Logopedics  
Mailing Address 2400 Jardine Drive 67819 Phone 262-8271  
Name of Authorized Agent George H. Davis  
Mailing Address 2400 Jardine Drive Phone 262-8271 ext. 260  
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 boarding home for children

on property zoned the "AA" One Family Dwelling District,  
located on the south side of 23rd Street and west of Grove (2301 E. 23rd)  
and legally described as: Lot 15 in block DD in Audrey Matlock  
Heights Second Addition To Wichita, Sedgwick Co., Ks.

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.

3 attachments:

1. Certified Listing of Adjacent Owners
2. Justifications
3. Fee (check-\$75.00)

Applicant Institute of Logopedics, Inc.  
Authorized Agent George H. Davis

OFFICE USE ONLY: Received in Office of Secretary, Board of Zoning Appeals, 11:45 (a.m.-p.m.), April 24, 1981  
together with appropriate fee of 75.00.

Signed G. Lynn Shirley



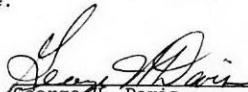
**INSTITUTE OF LOGOPEDICS**

2400 Jardine Drive  
Wichita, Kansas 67219  
(316) 262-8271

JUSTIFICATION FOR EXCEPTION

The following information is submitted as justification for a zoning exception to permit the single family dwelling located at 2301 E. 23rd to be used for the alternate residential use indicated.

The Institute of Logopedics provides comprehensive therapy and educational programs for habilitation and rehabilitation of the handicapped. As a part of these programs, clients who have a need to live at the Institute as a part of the program are housed in residential home-like settings. The residential structure at 2301 E. 23rd Street is ideally suited to serve as a home for approximately six children. The home will be approved and licensed by the State of Kansas. Trained child care workers will provide continuous supervision of the occupants in the home. This dwelling has a fenced back yard and is bounded on the west by the Institute of Logopedics. A walk-through gate connects the Institute parking lot adjacent to the main Administrative Building with a protected portion of the yard on the west side of the dwelling. This provides a safe and practical passage for the clients to and from their residence.

  
George H. Davis  
Authorized Agent

OWNERSHIP LIST

<u>Lot</u>	<u>Block</u>	<u>Addition</u>	<u>Property Owner</u>
9	C-C	Audrey Matlock Heights 2nd	✓ Elmer Ross Luretha Ross <u>Address Unknown</u> 67208 <i>1582 Liberty Dr.</i>
10	"	"	✓ Elgene Robinson <u>Address Unknown</u> <i>1834 S Emporia Ave, apt 2</i> <i>67211</i>
11	"	"	✓ Sylvester Markham Erma Markham 4229 Charron Lane 67220
12	"	"	Albert Fisher ✓ Ola Mae Fisher 2302 East 23rd St. N. 67219
13	D-D	"	Ross McClennon ✓ Nettie G. McClennon 2321 E. 23rd St. N. "
14	"	"	Clifton F. Rolfe ✓ Donna L. Rolfe 2311 E. 23rd St. N. "
15	"	"	<i>Duf.</i> Institute of Logopedics Inc. 2400 Jardine Dr. 67219
16	"	"	✓ Erkus L. Williams 2351 N. Grove "
17	"	"	Booker Coleman, Jr. ✓ Janette L. Coleman 2345 N. Grove "
18 & 19	"	"	✓ Pack Oil Co., Inc. 1705 Vickers KSB & T BUILDING 67202

Beg at the intersection of the W line of Logopedics Add to Wichita, Sedgwick County, Kansas, and the S line of the E and W 10 ft Easement platted through Res A, Blk 3 and Res B of sd addition, sd S line of sd easement being 1474 ft N of the S line of the SW $\frac{1}{4}$  of Sec 3, T 27, R 1 E of 6th P.M. measured along the center line of Jardine Drive as platted in said addition th E along sd S line of sd easement to the E line of sd addition th S along sd E line of sd Add 296 ft, th W parallel to sd S line of sd easement to the W ln of sd Add. th N 296 ft to pob, together with vacated 60 ft ease. between Jardine Dr & the E line of Logopedics addition

*Duf.* Institute of Logopedics, Inc.  
2400 Jardine Drive "

<u>Lot</u>	<u>Block</u>	<u>Addition</u>	<u>Property Owner</u>
Blks 2 & 3 exc those portions included in above description and Res B exc that portion included above		Logopedics	Logopedics Development Corp c/o Institute of Logopedics 2400 Jardine Dr 67219

We hereby certify the foregoing to be a true and correct list of the property owners within a 200 foot radius of

Lot 15, Block D-D, Audrey Matlock Heights  
Second Addition, an Addition in Wichita,  
Sedgwick County, Kansas

as shown by the last deed of record on file in the Office of the Register of Deeds of Sedgwick County, Kansas, on the 24th day of April, 1981, at 7:00 A.M.

THE SECURITY ABSTRACT & TITLE CO., INC.

By

*Mary Gable*  
Vice-President

Order No. 298116  
GE

**MICROFILMED  
FROM THE BEST  
AVAILABLE COPY**

FORM 2 21

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
NAME		
ADDRESS		
FUND	DUE DATE	
COMMENTS		
DATE	BY	