

BZA 7-90

5/23/90


 VERLYN E. GRIFFITH
 ARCHITECT
 P.O. BOX 4063 • WICHITA, KS 67204 • (316) 943-1344


Judy Hearn/BZA 7-90

Page 2

The resolution setting forth the official action of the Board will be released upon submission of the fully executed alley dedication, as required by condition #4. You have until July 26, 1990, to submit this document. If you wait until KETCH takes title to the property before dedicating the alley, please furnish some proof that the change in ownership has occurred.

This is a reminder that the zoning adjustment signs should now be removed from the property. If you have any questions, please call our office.

Sincerely yours,


Louise Olivarez, Secretary
Board of Zoning Appeals

LO:jcm

cc: Phillip S. Frick, 700 Fourth Financial Ctr., 67202
Amy Lemley, 700 Fourth Financial Ctr., 67202
Paul Hays, CID
Lance Flowers, CID
Pat Burnett, Deputy City Clerk

WICHITA — SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

CITY HALL — TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202-1688
(316) 268-4561

October 12, 1990

Phillip S. Frick
700 Fourth Financial Ctr.
Wichita, KS 67202

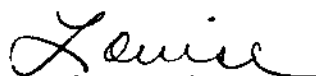
Re: BZA 7-90 - Exception to permit a group home for 6 physically handicapped individuals and 1 house manager on property zoned the "A" Two-Family Dwelling District, located on the east side of Green in an area south of Douglas (140 South Green).

Dear Phil:

Enclosed is a signed copy of the above-referenced BZA resolution adopted by the Board of Zoning Appeals on July 24, 1990. This resolution reflects the official action of the Board to grant your request and sets out the conditions of approval. It is forwarded to you for your information and files now that condition 4 has been completed.

If you have questions concerning this matter, please call our office.

Sincerely,


Louise Olivarez, Secretary
Board of Zoning Appeals

LO:jcm
Enclosure

cc: Kansas Elks Training Center, ATTN: Judy Hearn,
President/CEO, 206 Ida, 67211
Paul Hays, CID
Lance Flowers, CID
Pat Burnett, Deputy City Clerk

WICHITA — SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

CITY HALL — TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202-1888
(316) 268-4561

June 27, 1990

Judy Hearn, President & CEO
Kansas Elks Training Center
206 Ida
Wichita, KS 67211

Re: BZA 7-90 - Exception to permit a group home for 6 developmentally disabled adults and 1 house manager on property zoned the "A" Two-Family Dwelling District, located on the E side of Green in an area S of Douglas (140 S. Green).

Dear Ms. Hearn:

At the regular meeting of the Board of Zoning Appeals on June 26, 1990, your request for an exception was considered. It was the action of the Board to grant the request, subject to the following conditions:

1. This exception for a group home is for developmentally disabled individuals (as defined by State statute) and for a maximum of 6 at any one time, plus 1 house manager. Any expansion of the facility to accommodate more than 6 persons (excluding house manager) or persons other than developmentally disabled individuals will require a new BZA application.
2. The facility shall comply with all state and local codes. The applicant shall obtain all necessary permits and licenses, including a license for a group home issued by the Kansas Department of Social and Rehabilitation Services.
3. A minimum of 1 off-street parking space shall be provided behind the front yard setback line. Residents (other than the house manager) shall not be allowed to have vehicles unless a revised site plan, indicating the parking spaces, is submitted to the Board of Zoning Appeals for review and approval.
4. Within 30 days after approval of this use exception by the Board of Zoning Appeals and prior to release of this resolution, the property owner shall dedicate the east 2.5 feet of the property for alley purposes.

AMENDED BZA RESOLUTION NO. 7-90

WHEREAS, Kansas Elks Training Center, pursuant to Section 2.12.590.C, Code of the City of Wichita, requests an exception to permit a group home for 6 developmentally disabled adults and 1 house manager on property zoned the "A" Two-Family Dwelling District and legally described as follows:

Lots 14 and 16, Peckham and Lilly's Subdivision of Lot No. 7 in Richland Addition to Wichita, Kansas. Generally located on the east side of Green in an area south of Douglas (140 S. Green).

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 June 26, 1990, consider and approve said application; and did, at the meeting of July 24, 1990, reconsider and revise one of the conditions regarding the deadline for dedicating alley right-of-way; 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 a group home for 6 developmentally disabled adults and 1 house manager on property zoned the "A" Two-Family Dwelling District, subject to the conditions outlined in Section 28.04.185, Code of the City of Wichita.

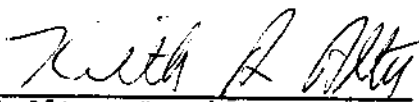
NOW, THEREFORE, BE IT RESOLVED by the Board of Zoning Appeals of the City of Wichita that this application be approved to permit a group home for 6 developmentally disabled adults and 1 house manager on property zoned the "A" Two-Family Dwelling District and legally described as follows:

Lots 14 and 16, Peckham and Lilly's Subdivision of Lot No. 7 in Richland Addition to Wichita, Kansas. Generally located on the east side of Green in an area south of Douglas (140 S. Green).

subject to the following conditions:

1. This exception for a group home is for developmentally disabled individuals (as defined by State statute) and for a maximum of 6 at any one time, plus 1 house manager. Any expansion of the facility to accommodate more than 6 persons (excluding house manager) or persons other than developmentally disabled individuals will require a new BZA application.
2. The facility shall comply with all state and local codes. The applicant shall obtain all necessary permits and licenses, including a license for a group home issued by the Kansas Department of Social and Rehabilitation Services.
3. A minimum of 1 off-street parking space shall be provided behind the front yard setback line. Residents (other than the house manager) shall not be allowed to have vehicles unless a revised site plan, indicating the parking spaces, is submitted to the Board of Zoning Appeals for review and approval.
4. Within 90 days after approval of this use exception by the Board of Zoning Appeals and prior to release of this resolution, the property owner shall dedicate the east 2.5 feet of the property for alley purposes.

ADOPTED AT WICHITA, KANSAS, this 24th day of July, 1990.


Keith Alter, President

ATTEST:


Louise Olivarez, Secretary

BACKGROUND: The house at 140 S. Green is a large two-story structure which has recently been remodeled inside. There are seven bedrooms, one for each proposed occupant. Kansas Elks Training Center is contract purchaser of the property and desires to establish a group home for 6 developmentally disabled adults, plus 1 house manager. Kansas Elks Training Center operates several other group homes of various types in other locations in Wichita. This location is one-half block from a public bus route. The alley to the east is an unpaved alley with only 15 feet of right-of-way, whereas 20 feet is the current standard. An additional 2½ feet should be required from this property. Only the house manager will have a vehicle and there is a long, paved driveway along the south side of the house which will provide for the required one off-street parking space. The Kansas Department of Social and Rehabilitation Services will be the licensing agency for this group home. The nearest group home known to exist in the area is approximately ½-mile away on Oakland, east of Hillside.

ADJACENT ZONING AND LAND USE:

NORTH	"A"	One-family dwelling
SOUTH	"A"	One-family dwelling
EAST	"A"	One-family dwelling
WEST	"A"	One-family dwelling

RECOMMENDATION: Should the Board determine that a group home for 6 developmentally disabled adults and 1 house manager is appropriate at this location, it is recommended that the exception be approved, subject to the following conditions: .

1. This exception for a group home is for developmentally disabled individuals (as defined by State statute) and for a maximum of 6 at any one time, plus 1 house manager. Any expansion of the facility to accommodate more than 6 persons (excluding house manager) or persons other than developmentally disabled individuals will require a new BZA application.
2. The facility shall comply with all state and local codes. The applicant shall obtain all necessary permits and licenses, including a license for a group home issued by the Kansas Department of Social and Rehabilitation Services.
3. A minimum of 1 off-street parking space shall be provided behind the front yard setback line. Residents (other than the house manager) shall not be allowed to have vehicles unless a revised site plan, indicating the parking spaces, is submitted to the Board of Zoning Appeals for review and approval.
4. Within 30 days after approval of this use exception by the Board of Zoning Appeals and prior to release of this resolution, the property owner shall dedicate the east 2.5 feet of the property for alley purposes.

June 26, 1990

REVISED SECRETARY'S REPORT

CASE NUMBER: BZA 7-90

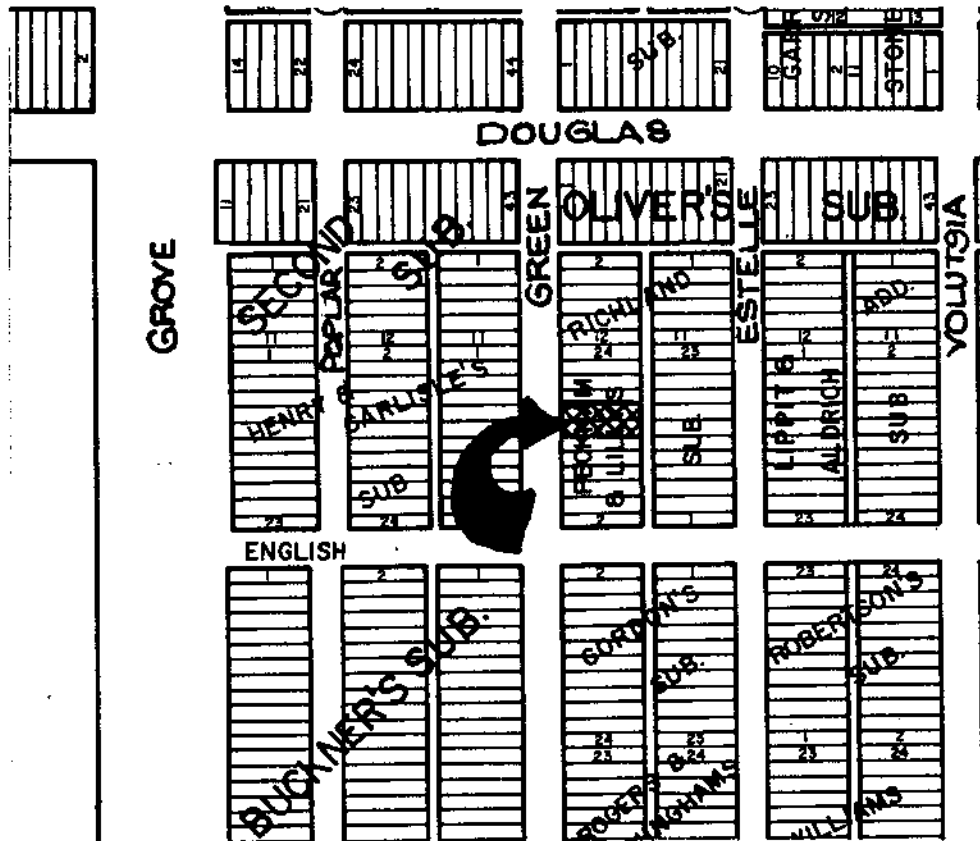
OWNER/APPLICANT/AGENT: Kansas Elks Training Center (applicant)
Alberts Enterprises, Inc. (owner)
Phillip S. Frick (agent)

REQUEST: Exception to permit a group home for 6 developmentally disabled adults & 1 house manager.

CURRENT ZONING: "A" Two-Family Dwelling District

SITE SIZE: 50 feet x 130 feet

LOCATION: East side of Green in an area south of Douglas (140 S. Green).



JURISDICTION: The Board has jurisdiction to consider this request under the provisions outlined in 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 can be complied with.