

SPECIAL USE APPLICATION CITY OF BEL AIRE, KANSAS

An application to vary the provisions of the zoning regulations is a "Special Use". A site plan is required as part of every variance application submitted to City Hall, 7651 E. Central Park Ave, Bel Aire Kansas 67226. Attention: Planning & Zoning. This document will be used for meetings and public hearings regarding your request and should be neat, legible, well labeled, and drawn to scale. The site plan must contain the following elements:

1. **Sheet Size:** The site plan should be no larger than 11" x 17" and no smaller than 8 ½" x 11". Site plans for larger projects (greater than 6 acres), may be larger, with the approval of City Staff.
2. **Title:** A brief description of the Special Use.
3. **Applicant Name:** Name of the applicant and the agent who prepared the drawing, if applicable.
4. **North Arrow:** Indicate the north direction with respect to the project, Lot, or structure.
5. **Scale:** The scale should be adequate to portray the project, Lot, or structure on the sheet size required. For example, a Lot that is 70 feet by 100 feet can adequately be portrayed at a scale of 1" = 20' (in inch equals 20 feet) on an 11" x 17" sheet of paper. The scale should not be smaller than 1" = 20' and 1" = 50' for larger properties.
6. **Dimensions:** In addition to adequate scale representation, all key features (lot, buildings, driveways, etc.) on the site plan shall have dimensions in feet noted for all sides.
7. **Legal Description:** Legal description of Lot(s) or parcels requiring a Special Use. This description can be in the form of Lots and Blocks.
8. **Existing Conditions:** Indicate all structures and features as they exist on the property. These should be drawn to scale, as described above, and shall include, but not be limited to:
 - All structures and buildings
 - Parking Spaces
 - Fences
 - Significant trees or stands of trees
 - Other landscaping
 - Floodplains
 - Water area or features
 - Significant topographical features
 - Utilities, above and below ground
 - Drainage patterns

9. All required zoning setbacks and easements: Using a dashed line, indicate all required zoning setbacks and utility, drainage, or other easements relative to the project, Lot(s), or structure.

10. All roads/streets adjacent to the property and access points off of those roads: Indicate all roads/streets, including the rights-of-way that surround or intersect the property, including alleys. Indicate all points of access (driveways) from the streets to the project, Lot (s), or structure. Indicate how each road/street is developed, e.g. paved, dirt, undeveloped.

11. Surrounding structures and uses if appropriate: Indicate surrounding uses and zoning as they apply to the request.

12. Modifications by the Special Use: Indicate any modifications to the existing structures or features that will result if the Special Use request is approved. If these modifications or additions are extensive, a second site drawing might be necessary so as not be confused with the existing conditions. These modifications or new features may include, but are not limited to:

Buildings
Structures
Parking areas
Vehicular drives
Pedestrian walks
Location and height of light fixtures
Location of trash receptacles and loading areas
Landscaped areas

13. An application shall be accompanied by a current abstractor's certificate containing a legal description of the area in the application as well as the name and address of the owner, and shall include the names and mailing addresses (with zip codes) of all property owners within the prescribed distance measured from the perimeter of the application area.

14. An application for Special Use shall be accompanied by the appropriate filing fee, (\$250.00) and is payable to the City of Bel Aire.

APPLICATION

This form **MUST** be completed and filed at City Hall, Bel Aire, Kansas, 7651 E. Central Park, Bel Aire, Kansas 67226. **AN INCOMPLETE APPLICATION CANNOT BE ACCEPTED.** Check the appropriate box below for type of application being submitted. A separate application and filing fee is required for each application. A preapplication conference with City Staff is recommended before filing this application.

☐ Continuance of the hearing, provided written request is filed two days prior to the date of the scheduled hearing and every attempt to notify all persons previously notified either by mail or telephone.

☐ Conditions placed on permitted Special Use _____

☐ Security bond is required

☐ Approved

☐ Rejected

Name of owner CELESTINE FOTECK

Address 5353 N TOBEN CT

Telephone 316-932-3615

Agent representing the owner DAVID STAUTH - ARCHITECT (PREPARED PLANS)

2627 N BEACON HILL CT,
Address WICHITA KS 67220

Telephone 316-393-8576

1. The application area is legally described as Lot(s) 8; Block(s) 1,
ROCK SPRING 3RD Addition, Bel Aire, Kansas. If appropriate, a metes and
bounds description may be attached.

2. The application area contains 0.259 acres.
3. This property is located at (address) 5353 N TOBEN CT which is generally located at (relation to nearest streets) N 53RD ST & TOBEN ROAD.
4. State why the proposed Special Use will not cause substantial injury to the value of other property in the neighborhood, how it is to be designed within district regulations:

THE HOME IS A TWO-FAMILY DUPLEX. THE OWNER WILL LIVE IN ONE HALF AND OPERATE A GROUP HOME FOR THE ELDERLY (RESIDENTIAL BOARD AND CARE HOME) IN THE OTHER HALF OF THE HOME. THE HOME IS EXISTING AND THERE WILL BE NO ADDITIONS TO THE HOME. THE RESIDENTS DO NOT DRIVE, THEREFORE THE NUMBER OF CARS WILL BE FOR STAFF AND VISITORS, AND SINCE MOST OF THE STAFF LIVE NEXT DOOR, THEY'LL BE PARKED IN THE ADJACENT PARKING AREA, THEREFORE OVERALL THE NUMBER OF VEHICLES SHOULD NOT EXCEED 1-2 AT A TIME AND WOULD APPEAR NO DIFFERENT FROM OTHER HOMES ON THE STREET. THE HOME WILL NOT HAVE SIGNAGE OUT FRONT, NOR WILL IT NEED A RAMP SINCE THE HOME IS ON GRADE, THEREFORE THE HOME WILL NOT HAVE ANY DIFFERENT APPEARANCE FROM OTHER HOMES NEARBY AND WOULD NOT STICK OUT.

5. County control number: PIN:30013164
6. NAMES OF OWNERS - For land inside the city limits, an ownership list of the names, addresses and zip codes of the owners of record of real property located within 200 feet of the exterior boundary of the area described in the application both within the city limits and extending outside the city limits when necessary.
- If such area is located adjacent to but within the city limits, the ownership list, in addition to the 200 feet inside the city limits, shall provide similar information extending to 1,000 feet into the unincorporated area.
- If such area is located outside the city limits, the ownership list shall extend for 1,000 feet in the unincorporated area and, if the latter extends into the city limits, then such owners for 200 feet inside the city must also be included on the list.
- The names of the owners of all property included in this application MUST be listed as applicants. Contract purchasers, lessees or other directly associated with the property may also be listed if they desire to be advised of the proceedings.

1. Applicant CELESTINE FOTECK Phone 316-932-3615
Address 5353 N TOBEN CT Zip Code 67226
- Agent _____ Phone _____
Address _____ Zip Code _____
2. Applicant _____ Phone _____
Address _____ Zip Code _____
- Agent _____ Phone _____
Address _____ Zip Code _____

3. Applicant _____ Phone _____
Address _____ Zip Code _____

Agent _____ Phone _____
Address _____ Zip Code _____

The applicant certifies that the foregoing information is true and correct to the best of their knowledge and acknowledges that the Planning Commission and/or Governing Body shall have authority to impose such conditions as it deems necessary in order to serve the public interest and welfare.

Authentisign
CELESTINE FOTECK 11/03/25
Applicant's Signature BY Authorized Agent (If Any)

The Petition must bear the signature(s) of the property owner(s). If an authorized agent signs on the owner's behalf, the agent shall sign his own name and attach the owner's written notarized authorization to this application.



AFFIDAVIT OF PUBLICATION

State of Kansas, Sedgwick County, ss:

Melissa Krehbiel, City Clerk

Being first duly sworn, deposes and says:

That I, Melissa Krehbiel, City Clerk of the City of Bel Aire, Kansas, has published the attached notice on the City of Bel Aire website, www.belaireks.gov, which website is designated as the official City newspaper for the City of Bel Aire, Kansas by Charter Ordinance No. 25, effective August 6, 2024.

That the attached Official Notice of Special Use Hearing is a true copy thereof and was published on such website beginning on the 20th day of November, 2025.



Signature

SUBSCRIBED AND SWORN to before me this 20th day of November, 2025.



Notary Public



(seal)

City of Bel Aire
Melissa Krehbiel – City Clerk
7651 East Central Park Avenue
Bel Aire, Kansas 67226
316-744-2451
www.belaireks.gov

(Notification Posted on the City of Bel Aire Website, the designated official City newspaper for the City of Bel Aire on November 20, 2025)

OFFICIAL NOTICE OF SPECIAL USE HEARING

TO WHOM IT MAY CONCERN AND TO ALL PERSONS INTERESTED:

Notice is Hereby Given that on December 11, 2025, the City of Bel Aire Planning Commission will consider the following Special Use case in the order placed on the agenda after 6:30 p.m. in the City Council Chamber at City Hall in Bel Aire, Kansas:

SP-25-01. Special Use Case to Allow a Group Home-Limited Use in One-Half of a Two-Family Duplex Unit.

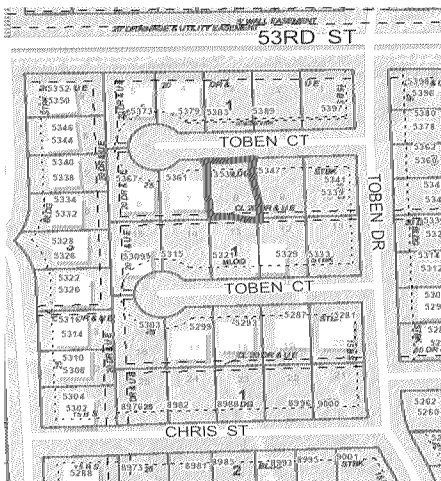
Legal Description: Lots 8, Block 1- Rock Spring 3rd Addition, Bel Aire, Sedgwick County, Kansas.

General Location: N. 53rd St. & Toben Road

You may appear at this time either in person or by agent or attorney, if you so desire, and be heard on the matter. After hearing the views and wishes of all the persons interested in the case, the Planning Commission may close the hearing and consider a recommendation to the Governing Body, which, if approved under the City Zoning and Sub- Division regulations, would be effectuated by city code. The public hearing may be recessed and continued from time to time without notice.

DATED this 20 day of November 2025.

/s/ Paula L. Downs
Bel Aire Planning Commission Secretary





OWNERSHIP LIST

PROPERTY DESCRIPTION		PROPERTY OWNER
Lot 8, Blk 1 Subject Property	Rock Spring 3rd Addition	Celestine Fomeza Foteck 5700 E. Mainsgate Rd., Apt. 1804 Wichita, KS 67220
Lots 1, 2, 3, & 4, Blk 1	“	Premier One Investments, LLC PO Box 781572 Wichita, KS 67278
Lot 5, Blk 1	“	Victoria Daley & Ian Daley 5371 N. Toben Ct. Wichita, KS 67226
Lots 6 & 7, Blk 1	“	Trinity Rentals, LLC PO Box 780405 Wichita, KS 67278
Lot 9, Blk 1	“	Connor P. Relph 5435 N. Toben Ct. Bel Aire, KS 67226
Lot 10, Blk 1	“	RKR, LLC 8550 NW Parallel St. Towanda, KS 67144
Lot 11, Blk 1	“	Nii Manor Nartey 5333 N. Toben Ct. Bel Aire, KS 67226
Lot 12, Blk 1	“	Mary Wairimu 5327 N. Toben Ct. Wichita, KS 67226
Lot 13, Blk 1	“	Cristian & Roxana Zidarita 1014 N. Cedar Downs Cir. Wichita, KS 67235



Security 1st Title

Lot 14, Blk 1	“	Duy K. Nguyen & Binh T. Le 2201 S. Ironside Wichita, KS 67230
Lot 15, Blk 1	“	Anusone Phakdy 5309 N. Toben Ct. Wichita, KS 67226
Lot 17, Blk 1	“	Victor Okwo 5299 N. Toben Ct. Bel Aire, KS 67226
Lot 18, Blk 1	“	Pamela B. Flesher & John D. Flesher 12500 E. Four Oaks St. Wichita, KS 67226
Lot 19, Blk 1	“	Gary S. Goodson Revocable Trust 7306 E. Norfolk Dr. Wichita, KS 67206
Lot 5, Blk 3	Rock Spring 2nd Addition	Peters Family Homes, LLC 5326 N. Cypress St. Bel Aire, KS 67226
Lots 6 & 7, Blk 3	“	Premier One Investments, LLC PO Box 781572 Wichita, KS 67278
Lot 8, Blk 3	“	RKR, LLC 8550 NW Parallel St. Towanda, KS 67144




We hereby certify the foregoing to be a true and correct list of the property owners of the herein before described lots within a 200 foot radius of:

Lot 8, Block 1, Rock Spring 3rd Addition to Bel Aire, Sedgwick County, Kansas.

as shown by the last deed of record filed in the Office of the Register of Deeds, Sedgwick County, Kansas, on the 27th day of October, 2025, at 7:00 A.M.

SECURITY 1ST TITLE

By: 

LICENSED ABTRACTER

Order: 3163188
KJK