

CU-201 - Karl Solomon, et al -
requests Conditional Use to permit
Two Family & Multiple Family
Dwellings - on the East side of
142nd St East between Central

Posters
11-22-77
[Signature]

ACTION

DATE

COMMITTEE

M.A.P.C. *Approved subject to conditions* 12-23-77

B.C.C./B. CO. C. *Approved subject to LSF-7F conditions as amended*

Closed

Book E-14
 Map No. 13
 Sec. 27
 Twp. 27
 Range 2E

DR BRIM

6448 D

Lots 4+5 Blk 3
 Onebrook

APPLICATION DATA

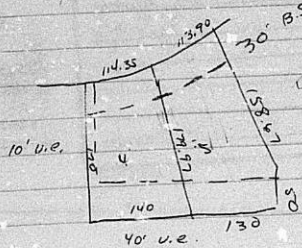
1. Applicant: _____
Address: _____
2. Agent: _____
Address: _____
3. General Location: _____
4. Proposed Use: _____

682-5853 Marilyn Hulnick

AA w/ CO-201 for duplex

AREA DATA:

1. Acres: _____
2. Adjoining Zoning: _____
3. Land Use: _____
4. Sketch Plan: _____
5. Present Land Use: _____
6. Area (is) (in) _____



PROCEDURE DATA:

1. Zoning Commission: _____
2. MAPC Meeting: _____

Date

12-22-77

NEED LOT SPLIT TO BUILD 2 PATIO HOMES PER LOT

3. Governing Body: _____ (Commissioners)

Date

1-18-78

Action

Approved subject to conditions as amended

Resolution

Pub. 9/6/78

NOTES:

MARTINDALE HUBBARD L.L.P.
 LEON S. HARRISON, TX, U.S.A.

Shindler
 No. 2153C

Notice - receipt

685-0266

Map No. Book 2
E-14-C
Sec. 13
Twp. 27
Range 2E

(ZONING)

IMPORTANT MESSAGE

FOR Forest A.M. _____
DATE _____ TIME 4:15 P.M. _____

WHILE YOU WERE AWAY

Mrs. Brumm

OF _____
PHONE No. 685-0266

TELEPHONED	PLEASE CALL
CALL TO SEE YOU	WILL CALL AGAIN
WANTS TO SEE YOU	RETURNED YOUR CALL

MESSAGE Re lots + possible split

SIGNED [Signature]

88)

APPLICATION DATA: From _____
1. Applicant: Karl & Barbara
Address 1102 Whitfield
2. Agent: _____
Address _____
3. General Location: East
4. Proposed Use: To establish

AREA DATA:
1. Acres: 12.8
2. Adjoining Zoning: E "R"
3. Land Use: East UND
West FARA
4. Sketch Plan Land Use is for: _____
5. Present Land Use is for: _____
6. Area (is) (is not) platting: _____

PROCEDURE DATA:
1. Zoning Committee _____ by _____
2. MAPC Meeting: _____

Date Action
12-22-77 Approved sub to condition

3. Governing Body (Bd. City Commissioners - Bd. County Commissioners)
Date Action Resolution
1-17-78 Approved sub to condition as amended
Pub. 9/6/78

NOTES:

SHAWNEE
No. 2153C
HASTINGS, MINN. LIST AVAILABLE
LEGAN 941 WASHINGTON, TX U.S.A.

Map No. Book 2
E-14-C
Sec. 13
Twp. 27
Range 2E

DATA SHEET
(ZONING & CONDITIONAL USE)

Z- _____
SCZ- _____
CU- 201
Filed 11-16-77

(Associated SCZ-0388)

- APPLICATION DATA: From _____ to _____
1. Applicant: Karl & Barbara Solomon, et al
Address 1102 Whitfield Lane, Wichita 67206 Phone 682-2091
 2. Agent: _____
Address _____ Phone _____
 3. General Location: East side of 143rd St. East, between Central and 13th Street. Address _____
 4. Proposed Use: To establish Two Family & Multiple Family Dwellings

- AREA DATA: _____ (IRREGULAR)
1. Acres: 12.8 (660 ft. by 970 ft.)
 2. Adjoining Zoning: E "R-1" S "R-1" W "R-1" N "R-1"
 3. Land Use: East UNDEVELOPED South UNDEVELOPED
West FARM HOUSE North UNDEVELOPED
 4. Sketch Plan Land Use is for: _____
 5. Present Land Use is for: UNDEVELOPED
 6. Area (is) (is not) platted.

- PROCEDURE DATA:
1. Zoning Committee _____ by _____
 2. MAPC Meeting:

Date	Action
<u>12-22-77</u>	<u>Approved sub to condition</u>

3. Governing Body (~~Bd. City Commissioners~~ - Bd. County Commissioners)

Date	Action	Resolution
<u>1-18-78</u>	<u>Approved sub to condition on amendments</u>	<u>Pub. 9/6/78</u>

NOTES:

HASTINGS, MIN. & CO. ENGINEERS
LOGAN SQ. WICHITA, KS. U. S. A.

S
No. 2153C

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION
CITY HALL, TENTH FLOOR, 455 North Main Street
Wichita, Kansas 67202

NOTICE TO ADJOINING PROPERTY OWNERS

DEC 8 1977

The Wichita-Sedgwick County Metropolitan Area Planning Commission will consider the following item in The City Commission Meeting Room, City Hall, First Floor, 455 North Main Street, Wichita, Kansas, at its meeting on DEC 22 1977, which will commence at 1:30 p.m. You may appear either in person or by agent or attorney, if you so desire.

CASE NO. CU-201

Conditional Use Request to Permit Establishment of
Two Family & Multiple Family Housing Development
on property being requested for
the "AA" One Family Dwelling District Classification

Beg. 50 feet N $99^{\circ} 52' 12''$ E of the NW cor. of the SW $\frac{1}{4}$ of Sec. 13, T27S, R2E of the 6th P.M., Sedg. Co. Ks. The pt. of beg. being on the north line of the SW $\frac{1}{4}$ said Sec. 13, thence N $0^{\circ} 54' 01''$ W 170 feet; thence N $99^{\circ} 52' 12''$ E 390 feet; thence on a circular curve to the left having a radius of 301.45 feet and a central angle of $16^{\circ} 19' 03''$ for an arc distance of 228.25 feet; thence S $17^{\circ} 26' 51''$ E 150.67 feet; thence S $0^{\circ} 54' 01''$ E 450 feet; thence S $45^{\circ} 13' 23''$ W 581.82 feet; thence S $89^{\circ} 05' 59''$ 240 feet; thence N $0^{\circ} 54' 01''$ W 800 feet to Beg. Generally located on the East side of 143rd Street East, between Central and 13th Street.

NOTE: It is the policy of the Planning Commission that any request for a deferral of the hearing of this case shall be submitted to the Secretary, Robert A. Lakin, City Hall, Tenth Floor, 455 North Main Street, 7 days prior to the meeting. The Chairman or the Secretary may grant such a request for deferral. Persons requesting deferrals will be charged with the cost of preparing and mailing new notices.

Robert A. Lakin
Secretary

SEDGWICK COUNTY ZONING RESOLUTION

Summary Description of Zoning Districts

- "R" - Rural Residential District
Permits one single-family dwelling for each lot of two acres with a minimum frontage of 200 feet.
- "R-1" - Suburban Residential District
Permits one and two-family dwellings on a minimum of 15,000 square feet of land area per family with each lot having a minimum frontage of 100 feet.
- "AA" - One-Family Dwelling District
One-family dwellings require a minimum of 7,500 square feet with each lot having a minimum frontage of 60 feet.
- "BB" - Office District
Permits agriculture, one-family dwellings and all business and professional offices. All commercial activities are prohibited.
- "LC" - Light Commercial District
Permits any retail commercial uses conducted within an enclosed building. Permits residential uses.
- "C" - General Commercial District
Permits all commercial activities; outdoor displays and sales; selected light manufacturing and light commercial uses.
- "E" - Light Industrial District
Permits most manufacturing uses and uses permitted in "C".
- "F" - Heavy Industrial District
Permits any use except those objectionable uses such as slaughter houses, salvage yards and fertilizer plants which require special permits.
- "CU" - Any of the above districts
Allows certain uses listed in the County Zoning Resolution by special permit rather than as a use by right.

Map No. Book 2
E-14-C
Sec. 13
Twp. 27
Range 2E

DATA SHEET
(ZONING & CONDITIONAL USE)

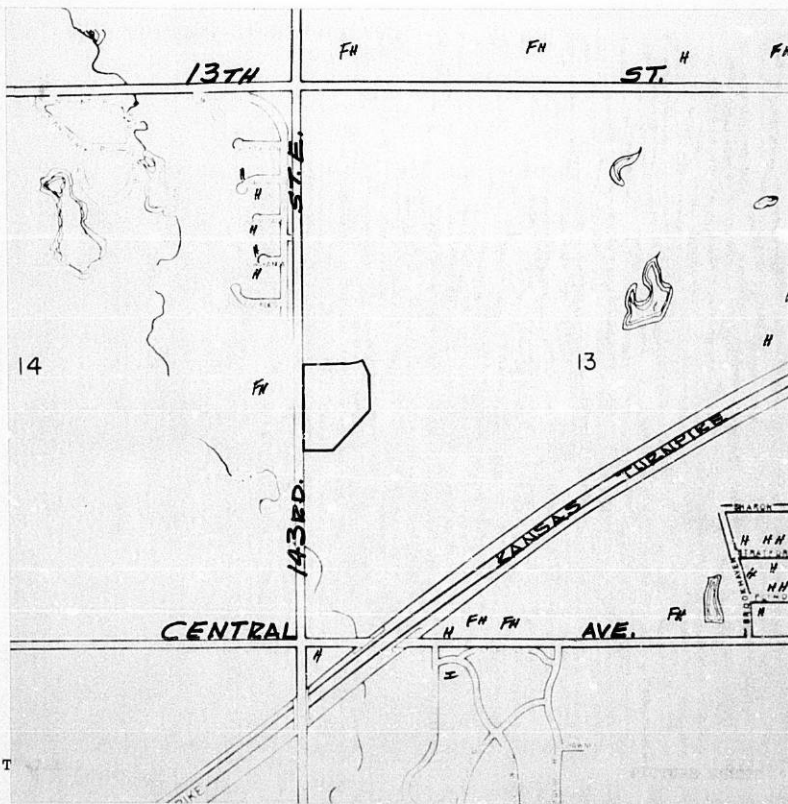
12-22-77
Z- _____
SCZ- _____
CU- 201
Filed 11-16-77

(Associated SCZ-0388)

- APPLICATION DATA: From _____ to _____
- Applicant: Karl & Barbara Solomon, et al
Address: 1102 Whitfield Lane, Wichita 67206 Phone 682-2091
 - Agent: _____
Address _____ Phone _____
 - General Location: East side of 143rd St. East, between Central and 13th Street. Address _____
 - Proposed Use: To establish Two Family & Multiple Family Dwellings

- AREA DATA:
- Acres: 12.8 (1286 ft. by 970 ft.)
 - Adjoining Zoning: E "R-1" S "R-1" W "R-1" N "R-1"
 - Land Use: East UNDEVELOPED South UNDEVELOPED
West FARM HOUSE North UNDEVELOPED
 - Sketch Plan Land Use is for: _____
 - Present Land Use is for: UNDEVELOPED
 - Area (is) (is not) platted. _____

PHOTO DATA:
Taken by _____ Date _____ Time _____



WICHITA-SEDGWICK COUNTY METROPOLITAN AREA PLANNING DEPARTMENT

COMMUNITY DEVELOPMENT DIVISION

Public Inquiry Slip

NAME Patrick Huff DATE 6-19-78
 PHONE _____ PHONE _____ COUNTER _____
 PROPERTY LOCATION Creighton County Club MAP # _____
Estates - Overbrook Add.

NATURE OF REQUEST:

CITY ZONING _____ COUNTY ZONING _____ CONDITIONAL USE X

PLAT _____ LOT SPLIT _____ BZA C6 X

VACATION _____ DEDICATION _____ STREET NAME CHANGE _____

REMARKS: *Desires single family detached development for area at above location originally approved for MF Dwellings. Discussed private street. Advised that the way to accomplish is CU with conditions, or have public streets and vary lot size and sellback them to BZA. Replatting is required either way. Is going to Sue Kinley to discuss back out parking in S ROW and to Freeman about paving streets under private conditions.*

ROUTE TO:
 GALBRAITH _____ SHIRKEY _____ NEWBY _____ RICHTER _____ DOBSON _____ MEEK _____
 LAKIN _____ STOCKWELL _____ RETURN TO _____

COMMENTS:

12.8 acres.

"AA" zoning - County.

60' at front building setback line
40' at front lot line

Lot Area 6,500 sq ft.

Side Yard 10% of lot width -
not to exceed 6'

Rear Yard 20'

Front Yard 25'

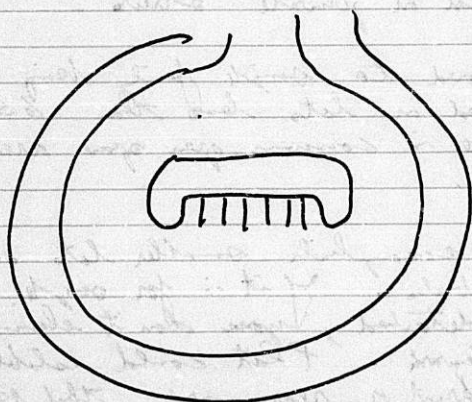
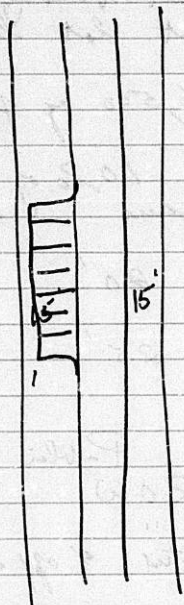
Single Family Public Streets
64' ROW 34' Front
58' " 29' "

Granted 4' off street parking space.

Opposed to Single Family Homes being
developed on private streets -

Not opposed to single family being
developed on lots less than 6,500
if there is common open space
provided.

Has to accomplish smaller lots and
"0" setbacks. If it is for single
family detached, you don't eliminate
6' sidewalk. That could establish
lesser front or rear yards that required
by Reg. If "0" is desired on one side of lot,
accomplish in Volterra's text + Home Owners Assn. +



concrete.

Reason Opposed to single funds on
private streets -

later create problems

Sulstondale Street

Complaints to public agencies for maintenance
insufficient ROW provided for later
acceptance to the public.

Several lack of understanding by
home buyers that they are responsible
for maintaining private streets.

WICHITA - SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT
CITY HALL - TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202
(316) 268-4561

September 29, 1983

Louis Cates
Tomilson Oil Company
200 West Douglas, Suite 1030
Wichita, Ks. 67202

Re: Co.BZA 6-81 - Request for Variances

Dear Mr. Cates:

Attached hereto is a copy of Resolution No. Co.BZA 6-81 pertaining to the requested variances on the property located on the east side of 143rd Street East and north of Central. This property was formerly platted as Lot 19, Block 3, Crestview Country Club Estates-Overbrook Addition and now platted as Crestview Country Club Estates-Overbrook 4th Addition.

With the recording of the plat and the release of this Resolution, the action of the Board of Zoning Appeals on December 7, 1981 becomes effective. The removal of Lot 19, Block 3 by the replat also negates that portion of the Conditional Use No. 201 authorizing multiple-family dwellings, but will not affect the use of Lots 1 thru 5, Block 5, for two-family dwellings.

If you have any questions on this matter, please give me a call at 268-4421.

Sincerely,

Glen E. Lytle
Assistant Secretary

GEL:sad
Enclosure

cc: Ron Worley, County Zoning Officer (2)
Dorothy White, County Clerk

R E S O L U T I O N

CASE NO. CU-201

A RESOLUTION PERMITTING THE ESTABLISHMENT OF A TWO-FAMILY AND MULTI-FAMILY HOUSING DEVELOPMENT IN THE "AA" ONE-FAMILY DWELLING DISTRICT ON CERTAIN LAND LOCATED WITHIN THE UNINCORPORATED TERRITORY LYING WITHIN THREE MILES OF EITHER THE CITY OF WICHITA, THE CITY OF HAYSVILLE, THE CITY OF DERBY, THE CITY OF MULVANE, THE CITY OF VALLEY CENTER, THE CITY OF GODDARD, AND THAT PORTION OF THE AREA WITHIN THREE MILES OF THE CITY OF CHENEY AS ESTABLISHED BY THE BOARD OF COUNTY COMMISSIONERS ON OCTOBER 3, 1973, ALL IN SEDGWICK COUNTY, KANSAS, UNDER THE AUTHORITY GRANTED BY SECTION 5.A.10.i)j), AND SECTION 11.E OF THE ZONING RESOLUTION ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS, ON MARCH 3, 1958, AND SUBSEQUENT AMENDMENTS THERETO.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF SEDGWICK COUNTY, KANSAS:

SECTION I. That after receiving a recommendation from Wichita-Sedgwick County Metropolitan Area Planning Commission and after said Planning Commission has given proper notice and held a public hearing as provided by law, and under authority granted by Section 5.A.10.i)j), and Section 11.E of the Zoning Resolution, as amended, a Conditional Use Permit to allow a two-family and multi-family housing development in the "AA" One-Family Dwelling District is hereby approved on the lands legally described as follows:

Beginning 50 feet N 88° 52' 12" E of the NW cor. of the SW $\frac{1}{4}$ of Sec. 13, T27S, R2E of the 6th P.M., Sedg. Co. Ks. The pt. of beg. being on the north line of the SW $\frac{1}{4}$ said Sec. 13, thence N 0° 54' 01" W 170 feet; thence N 88° 52' 12" E 390 feet; thence on a circular curve to the left having a radius of 801.45 feet and a central angle of 16° 19' 03" for an arc distance of 228.25 feet; thence S 17° 26' 51" E 158.67 feet; thence S 0° 54' 01" E 450 feet; thence S 45° 18' 28" W 581.82 feet; thence S 89° 05' 59" W 240 feet; thence N 0° 54' 01" W 800 feet to Beg. Generally located on the East side of 143rd Street East, between Central and 13th Street.

SUBJECT TO THE FOLLOWING:


- a. Approval of the associated zone case SCZ-0388 by the Board of County Commissioners.
- b. The maximum number of buildings proposed for garden apartments shall not exceed 10, the maximum building height shall not exceed 3 stories and the maximum number of dwelling units shall not exceed 153.
- c. The 5 lots proposed for two family development shall not exceed 1 duplex per platted lot.
- d. Not less than 1 1/2 off-street parking spaces shall be provided for each multiple-family dwelling unit and not less than 2 off-street parking spaces for each two-family dwelling unit.

SECTION II. That upon the taking effect of this Resolution, the notation of such Conditional Use approval shall be entered in the Official Zoning atlas on file in the Office of the Wichita-Sedgwick County Metropolitan Area Planning Department.

SECTION III. That this Resolution shall take effect and be in force from and after its adoption and publication in the Official County Paper.

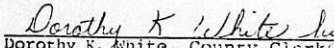
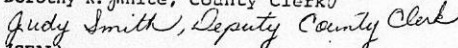
PASSED AND ADOPTED by the Board of County Commissioners of Sedgwick County, at Wichita, Kansas, this 19th day of January, 1972.


Everett Patrick, Chairman

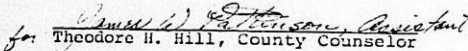

John Hale, Commissioner


Tom Scott, Commissioner

ATTEST:


Dorothy K. White, County Clerk

Judy Smith, Deputy County Clerk
(SEAL)

APPROVED AS TO FORM:

for 
Theodore H. Hill, County Counselor

Form T9-221A

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION TO
BOARD OF COUNTY COMMISSIONERS

REQUEST FOR ZONING AND
CONDITIONAL USE PERMIT

CASE NO. SCZ-0388 and CU-201 CONSIDERED BY MAPC: 12-22-77

REQUEST FOR: "R-1" to "AA" and approval of a Conditional Use

REASON FOR REQUEST (AS PROVIDED BY APPLICANT):

"To conform with the preliminary plat of this area as submitted."

GENERAL LOCATION: East side of 143rd Street East in an area between
Central and 13th Street.

LEGAL DESCRIPTION:

SEE EXCERPT FROM PLANNING COMMISSION MINUTES- 12-22-77

APPLICANT: Karl and Barbara Solomon, et al, 1102 Whitfield Lane,
Wichita, Ks. 67206

COUNSEL FOR APPLICANT: Richard Clausing, Attorney, Douglas Bldg., 67202.

PROTESTORS (LIST COUNSEL) IF ANY: Robert T. Schaumber, 14314 Wakanda
Court, 67235; John Siefkes, 7 Swallow, 67230.

SURROUNDING ZONING: North, East, South and West, "R-1".

LAND USE: Existing, North, East and South, undeveloped; West, farm
house and undeveloped.

PLANNING COMMISSION RECOMMENDATION: That SCZ-0388 be approved subject to
platting within one year from the date of zone change approval by the
Board of County Commissioners; or the case be considered denied and closed;
and also that the resolution effectuating the zone change not be published
until the plat has been recorded with the Register of Deeds; and that the
Conditional Use request be approved, subject to the following conditions:
(See attached excerpt from Planning Commission minutes of December 22, 1977
for conditions.) Cole moved, Greider seconded and it carried unanimously.
Barrier and Hartstein were absent.

NOTE: The percentage of the protest petitions received on these appli-
cations will be pointed out at the time these cases are considered by the
County Commission.

ACTION: 1. Approve the recommendation of the Metropolitan Area Planning
Commission, subject to the recommended conditions, adopt resolutions
effectuating the zone change and Conditional Use, and instruct the Plan-
ning Department to withhold publication until such time as the plat has
been recorded; or
2. Deny the applications.

EXCERPT FROM PLANNING COMMISSION MINUTES OF DECEMBER 22, 1977:

- 8(a) Case No. SCZ-0388 - Karl and Barbara Solomon, et al, requests zone change from "R-1" to "AA" beginning 50 feet N 88° 52' 12" E of the NW cor. of the SW¼ of Sec. 13, T27S, R2E of the 6th P.M., Sedg. Co. Ks. The pt. of beg. being on the north line of the SW¼ said Sec. 13, Thence N 0° 54' 01" W 170 feet; thence N 88° 52' 12" E 390 feet; thence on a circular curve to the left having a radius of 801.45 feet and a central angle of 16° 19' 03" for an arc distance of 228.25 feet; thence S 17° 26' 41" E 158.67 feet; thence S 0° 54' 01" E 450 feet; thence S 45° 18' 28" W 581.82 feet; thence S 89° 05' 59" 240 feet; thence N 0° 54' 01" W 800 to beg. Generally located on the east side of 143rd Street East, between Central and 13th Street.
- 8(b) Case No. CU-201 - Karl and Barbara Solomon, et al, requests a Conditional Use to permit establishment of Two Family and Multiple Family Housing development on property being requested for the "AA" One Family Dwelling District Classification beginning 50 feet N 88° 52' 12" E of the NW cor. of the SW¼ of Sec. 13, T27S, R2E of the 6th P.M., Sedg. Co. Ks. The pt. of beg. being on the north line of the SW¼ said Sec. 13, thence N 0° 54' 01" W 170 feet; thence N 88° 52' 12" E 390 feet; thence on a circular curve to the left having a radius of 801.45 feet and a central angle of 16° 19' 03" for an arc distance of 228.25 feet; thence S 17° 26' 51" E 158.67 feet; thence S 0° 54' 01" E 450 feet; thence S 45° 18' 28" W 581.82 feet; thence S 89° 05' 59" 240 feet; thence N 0° 54' 01" W 800 feet to Beg. Generally located on the East side of 143rd Street East, between Central and 13th Street.

GALBRAITH stated that items 8(a) and 8(b) of the agenda are related and could be discussed together. He showed slides of the subject area and surrounding area and reviewed the following staff reports:

Staff Report on SCZ-0388:

Comments:

1. The applicant is requesting a change of zoning from "R-1" Suburban Residential to "AA" One Family for a tract of land containing approximately 12.8 acres located on the east side of 143rd Street East in an area between Central and 13th Street.
2. The intent section of the "AA" District requires this district to be established only when municipal services (sewer and water are available). The engineer for the applicant indicates that City water will be extended to serve subject property and sewer facilities will be provided by the Crestview Improvement District.
3. Subject property is being platted as Lots 1 through 5, which are proposed for duplex development, and Lot 19, which is proposed for multiple family development, all in Block 3, Crestview Country Club Estates-Overbrook Addition subject to approval of associated Conditional Use CU-201.
4. A recommendation of approval by the Planning Commission should be subject to platting within one year from the date of zone change approval by the Board of County Commissioners; or the case be considered denied and closed; and also that the resolution effectuating the zone change not be published until the plat has been recorded with the Register of Deeds.

Staff Report on CU-201:

Comments:

1. The applicant is requesting a Conditional Use permit to construct two family and multiple family dwellings on property proposed for "AA" One Family zoning.
2. Section 11.E.1 of the County Zoning Resolution provides that the Board of County Commissioners may, by special permit and subject such restrictions as it deems appropriate, permit conditional uses as outlined in the various districts where such uses are deemed essential or desirable to the public convenience or welfare.
3. Subject property is being platted into 6 lots, 5 of which are proposed for duplex development and 1 proposed for multiple family development (10.2 acres) which would permit 153 dwelling units or a total of 163 dwelling units should this application be approved.
4. A site plan submitted with the application proposes a maximum of 10 structures on Lot 19, Block 3, and the applicant has advised that the proposed use would be three story garden apartments. The remaining area in this application is proposed to be platted into five lots for duplex development.
5. In the event the Planning Commission determines that the proposed development can be compatible with existing and future development in the general area and recommends approval of the Conditional Use permit, it should be approved subject to the following conditions:
 - a. Approval of the associated zone case SCZ-0388 by the Board of County Commissioners.
 - b. The maximum number of buildings proposed for garden apartments shall not exceed 10, the maximum building height shall not exceed 3 stories and the maximum number of dwelling units shall not exceed 153.
 - c. The 5 lots proposed for two family development shall not exceed 1 duplex per platted lot.
 - d. Not less than 1 1/2 off-street parking spaces shall be provided for each dwelling unit.

GALBRAITH pointed out that the Commission has been consistent in granting single family zoning where sewer and water could be extended. He commented that he believed it would later be difficult to obtain approval for apartments after the surrounding area was developed as single family, and that if apartment development was appropriate, now would be the time to approve such use.

JOHN GIST, Oblinger & Smith, stated that the application was consistent with the development of the land that the applicant has proposed all along and discussed with the City and County staff. He said that the preliminary plat basically involved some 300 acres of land and the final plat was for 80 acres. He said that sewer and water would be provided to the site. He pointed out that the Crestview treatment plant had capacity limitations and that this facility would be in joint operation with Crestview. The particular choice in area for the conditional use was selected because of the physical features of the land and they have tried to relate to it. He added that the applicant was agreeable to the conditions as outlined on the staff report.

ROBERT T. SCHAUMBERG, 14314 Wakanda Court, stated that it was unfortunate that slides were not shown for the single family homes to the northwest of the site. There were very nice

homes to the northwest and everyone in the area was concerned about multiple family apartments. He said they were asking because of the short notice that this action be postponed until a future date.

CHAIRMAN TAYLOR asked Mr. Schaumberg to clarify the short notice.

SCHAUMBERG stated that there were many people concerned about this type of development and most of them were out of town.

CHAIRMAN TAYLOR asked if there was any written opposition to this case. GALBRAITH stated no.

BAYOUTH asked if there was multiple family development on the Crestview property. GALBRAITH said there were townhouses constructed approximately a mile to the west.

BAYOUTH wanted to know what type of multiple family dwellings the developer was proposing.

GIST said that the owner was not aware of any opposition. He continued that part of the area would be developed as duplexes and the remaining as apartments, however, their design is not firmed up.

MAY asked if the multiple family on Crestview exceeded the fifteen dwelling units per acre. GALBRAITH stated no, that their density was very low because so much of the area was golf course.

GIST stated that if drainage and open space was to be considered then this development would be less than fifteen per acre.

HENNESSY asked if the applicant was opposed to a two week deferment.

RICHARD CLAUSING, Attorney, representing the applicant, stated yes, the applicant would be opposed to a deferral. The notice was a legal notice and there was time for everyone to come forth. He pointed out that there were no homes on the east of this site.

JOHN E. SIEFKES, 7 Swallow, commented that a lack of knowledge was what he was faced with. He did not get a notice. He said that he was not sure what would go on the development. A lot of people have a substantial amount of money invested in this area and all are concerned about what this development would do to the value of their homes. He did not feel this development would be in keeping with the homes already there. He asked that the zoning to "AA" and the Conditional Use be withheld until some plans were available.

GALBRAITH pointed out that Mr. Siefkes was not within the 1000 foot radius that is required to receive a notice. He said that the notices are mailed two weeks in advance of the meeting date.

KENNY HILL, Reiss & Goodness Engineers, stated that the reason the applicant was rushing for approval of the case was to do surveying on the site which was quite costly and the applicant wanted to be sure the application would not change.

BAYOUTH asked what price was the applicant asking for the single family lots. HILL stated around \$22,000. BAYOUTH said the reason he asked was that he did not feel the developer would sell lots for \$22,000 and build a low cost housing project across the street.

CLAUSING said that they have been waiting for the State approval of their proposed sewerage treatment facility and would move right along on the plat and the submission of an application for a special permit.

MOTION: Cole moved, Greider seconded that the Planning Commission recommend to the County Commission that this application for zone change be approved subject to platting within one year from the date of zone change approval by the Board of County Commissioners; or the case be considered denied and closed; and also that the resolution effectuating the zone change not be published until the plat has been recorded with the Register of Deeds; and also that the Planning Commission recommend the approval of the Conditional Use request to construct two family and multiple family dwellings subject to the following conditions:

- a. Approval of the associated zone case SC7-0388 by the Board of County Commissioners.
- b. The maximum number of buildings proposed for garden apartments shall not exceed 10, the maximum building height shall not exceed 3 stories and the maximum number of dwelling units shall not exceed 153.
- c. The 5 lots proposed for two family development shall not exceed 1 duplex per platted lot.
- d. Not less than 1 1/2 off-street parking spaces shall be provided for each dwelling unit.

BELL pointed out to the protestors that appeared, that the planning process is such that the Commissioners could not require exactly what goes in a development and that nothing would be gained with deferring the case. He also informed the protestors that there was a difference in going before the County Commission than City Commission. They would definitely be heard.

VOTE ON MOTION: Carried unanimously.
Barrier and Hartstein were absent.

R E S O L U T I O N

CASE NO. CU-201

A RESOLUTION PERMITTING THE ESTABLISHMENT OF A TWO-FAMILY AND MULTI-FAMILY HOUSING DEVELOPMENT IN THE "AA" ONE-FAMILY DWELLING DISTRICT ON CERTAIN LAND LOCATED WITHIN THE UNINCORPORATED TERRITORY LYING WITHIN THREE MILES OF EITHER THE CITY OF WICHITA, THE CITY OF HAYSVILLE, THE CITY OF DERBY, THE CITY OF MULVANE, THE CITY OF VALLEY CENTER, THE CITY OF GODDARD, AND THAT PORTION OF THE AREA WITHIN THREE MILES OF THE CITY OF CHENEY AS ESTABLISHED BY THE BOARD OF COUNTY COMMISSIONERS ON OCTOBER 3, 1973, ALL IN SEDGWICK COUNTY, KANSAS, UNDER THE AUTHORITY GRANTED BY SECTION 5.A.10.i)j), AND SECTION 11.E OF THE ZONING RESOLUTION ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS, ON MARCH 3, 1958, AND SUBSEQUENT AMENDMENTS THERETO.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF SEDGWICK COUNTY, KANSAS:

SECTION I. That after receiving a recommendation from Wichita-Sedgwick County Metropolitan Area Planning Commission and after said Planning Commission has given proper notice and held a public hearing as provided by law, and under authority granted by Section 5.A.10.i)j), and Section 11.E of the Zoning Resolution, as amended, a Conditional Use Permit to allow a two-family and multi-family housing development in the "AA" One-Family Dwelling District is hereby approved on the lands legally described as follows:

Beginning 50 feet N 88° 52' 12" E of the NW cor. of the SW $\frac{1}{4}$ of Sec. 13, T27S, R2E of the 6th P.M., Sedg. Co. Ks. The pt. of beg. being on the north line of the SW $\frac{1}{4}$ said Sec. 13, thence N 0° 54' 01" W 170 feet; thence N 88° 52' 12" E 390 feet; thence on a circular curve to the left having a radius of 801.45 feet and a central angle of 16° 19' 03" for an arc distance of 228.25 feet; thence S 17° 26' 51" E 158.67 feet; thence S 0° 54' 01" E 450 feet; thence S 45° 18' 28" W 581.82 feet; thence S 89° 05' 59" 240 feet; thence N 0° 54' 01" W 800 feet to Beg. Generally located on the East side of 143rd Street East, between Central and 13th Street.

SUBJECT TO THE FOLLOWING:

- a. Approval of the associated zone case SCZ-0388 by the Board of County Commissioners.
- b. The maximum number of buildings proposed for garden apartments shall not exceed 10, the maximum building height shall not exceed 3 stories and the maximum number of dwelling units shall not exceed 153.
- c. The 5 lots proposed for two family development shall not exceed 1 duplex per platted lot.
- d. Not less than 1 1/2 off-street parking spaces shall be provided for each multiple-family dwelling unit and not less than 2 off-street parking spaces for each two-family dwelling unit.

SECTION II. That upon the taking effect of this Resolution, the notation of such Conditional Use approval shall be entered in the Official Zoning atlas on file in the Office of the Wichita-Sedgwick County Metropolitan Area Planning Department.

SECTION III. That this Resolution shall take effect and be in force from and after its adoption and publication in the Official County Paper.

PASSED AND ADOPTED by the Board of County Commissioners of Sedgwick County, at Wichita, Kansas, this ____ day of _____, 19____.

_____, Chairman
Everett Patrick

_____, Commissioner
John Hale

_____, Commissioner
Tom Scott

ATTEST:

Dorothy K. White, County Clerk

(SEAL)

APPROVED AS TO FORM:

Theodore H. Hill, County Counselor

December 23, 1977

Mr. Robert T. Schaumberg
14314 Wakanda Court
Wichita, Kansas 67235

Re: SCZ-0388 - "R-1" to "AA" East
side of 143rd St., East in an
area between Central and 13th
street and

CU-201 - Conditional Use Permit
to construct two family and
multiple family dwellings - East
side of 143rd Street, East in an
area between Central and 13th
Street

Dear Mr. Schaumberg:

The Planning Commission at its regular meeting on December 22, 1977, considered the above-captioned zone change request and their action was as indicated on the attached letter.

This is to advise you that if you and others owning property within 1,000 feet of the application area desire to submit legal protest petitions, they must be filed in the Office of the County Clerk no later than 5:00 p.m., on January 3, 1978. Enclosed is a copy of a protest petition form and if you have need for more forms, they may be obtained at our office.

If you have any questions, please call.

Sincerely yours,

Jack H. Galbraith
Chief Planner

JHG:bh
cc: John Siefkes, 7 Swallow, 67230

December 23, 1977

Mr. John Gist
Oblinger-Smith Corporation
First National Bank Building
Wichita, Kansas 67202

Re: SCZ-0388 - "R-1" to "AA"
East side of 143rd St., East
in an area between Central
and 13th Street and
CU-201 - Conditional Use
Permit to construct two
family and multiple family
dwellings - East side of 143rd
Street, East in an area between
Central and 13th Street

Dear Mr. Gist:

At its regular meeting on December 22, 1977, the Metropolitan Area Planning Commission considered the above-captioned zone change request. The action of the Planning Commission was to recommend that this application be approved subject to platting within one year from the date of zone change approval by the Board of County Commissioners; or the case be considered denied and closed; and also that the resolution effectuating the zone change not be published until the plat has been recorded with the Register of Deeds.

The Planning Commission also recommended the approval of the Conditional Use case subject to the following conditions:

- a. Approval of the associated zone case SCZ-0388 by the Board of County Commissioners.
- b. The maximum number of buildings proposed for garden apartments shall not exceed 10, the maximum building height shall not exceed 3 stories and the maximum number of dwelling units shall not exceed 153.
- c. The 5 lots proposed for two family development shall not exceed 1 duplex per platted lot.

Mr. John Gist
Oblinger-Smith Corporation
December 23, 1977
Page 2

- d. Not less than 1 1/2 off-street parking spaces shall be provided for each dwelling unit.

Subject case will be forwarded for consideration by the Board of County Commission at its regular meeting of January 18, 1978, and this meeting will be held in Room 320, Sedgwick County Court House, 525 North Main, Wichita, Kansas, beginning at 9:00 a.m.

If you have any questions, please call.

Yours very truly,

Jack H. Galbraith
Chief Planner

JHG:bh

cc: Karl and Barbara Solomon
1102 Whitfield Lane, 67206

Marlin and Avis Fisher, General Delivery,
Benton, Kansas, 67017

James and Ruth Duncan, 14930 E. Central, 67235

Richard B. Clausing, Attorney, Douglas Building, 67202

Kenny Hill, Reiss and Goodness, 2160 W. 21st, St., 67203

John E. Siefkes, 7 Swallow, 67230

Robert T. Schaumberg, 14314 Wakanda Court, 67235

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING DEPARTMENT

MAPC HEARING DATE: 12-22-77

Case No. CU-201	Request: Approval of Conditional Use Permit to construct two family and multiple family dwellings.
-----------------	--

Location: East side of 143rd Street East in an area between Central and 13th Street.

Reason: "To conform with the preliminary plat of this area as submitted."

Acres: 12.8	Size: 660' x 970' (irregular shape)
-------------	-------------------------------------

	<u>Land Use</u>	<u>Zoning</u>
Existing	Undeveloped	"R-1"
North	Undeveloped	"R-1"
East	Undeveloped	"R-1"
South	Undeveloped	"R-1"
West	Farm house and undeveloped	"R-1"

Necessary street rights-of-way to be acquired at the time of platting.	Platted: Being platted as a part of Crestview Country Club Estates-Overbrook Addition
--	---

History: None

Comments:

1. The applicant is requesting a Conditional Use permit to construct two family and multiple family dwellings on property proposed for "AA" One Family zoning.
2. Section 11.E.1 of the County Zoning Resolution provides that the Board of County Commissioners may, by special permit and subject to such restrictions as it deems appropriate, permit conditional uses as outlined in the various districts where such uses are deemed essential or desirable to the public convenience or welfare.
3. Subject property is being platted into 6 lots, 5 of which are proposed for duplex development and 1 proposed for multiple family development (10.2 acres) which would permit 153 dwelling units or a total of 163 dwelling units should this application be approved.
4. A site plan submitted with the application proposes a maximum of 10 structures on Lot 19, Block 3, and the applicant has ad-

vised that the proposed use would be three story garden apartments. The remaining area in this application is proposed to be platted into five lots for duplex development.

5. In the event the Planning Commission determines that the proposed development can be compatible with existing and future development in the general area and recommends approval of the Conditional Use permit, it should be approved subject to the following conditions:
 - a. Approval of the associated zone case SCZ-0388 by the Board of County Commissioners.
 - b. The maximum number of buildings proposed for garden apartments shall not exceed 10, the maximum building height shall not exceed 3 stories and the maximum number of dwelling units shall not exceed 153.
 - c. The 5 lots proposed for two family development shall not exceed 1 duplex per platted lot.
 - d. Not less than 1 1/2 off-street parking spaces shall be provided for each dwelling unit.
-

SCZ-0388 and

✓CU-201 - 19 " Notice to Adjoining Property Owners" mailed 12/8/77
for the MAPC meeting for 12/22/77 (double stuffed)

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION
CITY HALL, TENTH FLOOR, 455 North Main Street
Wichita, Kansas 67202

NOTICE TO ADJOINING PROPERTY OWNERS

DEC 8 1977

The Wichita-Sedgwick County Metropolitan Area Planning Commission will consider the following item in The City Commission Meeting Room, City Hall, First Floor, 455 North Main Street, Wichita, Kansas, at its meeting on DEC 22 1977, which will commence at 1:30 p.m. You may appear either in person or by agent or attorney, if you so desire.

CASE NO. CU-201

Conditional Use Request to Permit Establishment of
Two Family & Multiple Family Housing Development
on property being requested for
the "AA" One Family Dwelling District Classification

Beg. 50 feet N 88° 52' 12" E of the NW cor. of the SW $\frac{1}{4}$ of Sec. 13, T27S, R2E of the 6th P.M., Sedg. Co. Ks. The pt. of beg. being on the north line of the SW $\frac{1}{4}$ said Sec. 13, thence N 0° 54' 01" W 170 feet; thence N 88° 52' 12" E 290 feet; thence on a circular curve to the left having a radius of 801.45 feet and a central angle of 16° 19' 03" for an arc distance of 228.25 feet; thence S 17° 26' 51" E 158.67 feet; thence S 0° 54' 01" E 450 feet; thence S 45° 13' 20" W 521.82 feet; thence S 89° 05' 59" 240 feet; thence N 0° 54' 01" W 800 feet to Beg. Generally located on the East side of 143rd Street East, between Central and 13th Street.

NOTE: It is the policy of the Planning Commission that any request for a deferral of the hearing of this case shall be submitted to the Secretary, Robert A. Lakin, City Hall, Tenth Floor, 455 North Main Street, 7 days prior to the meeting. The Chairman or the Secretary may grant such a request for deferral. Persons requesting deferrals will be charged with the cost of preparing and mailing new notices.

Robert A. Lakin
Secretary

T9-216

SEDGWICK COUNTY ZONING RESOLUTION

Summary Description of Zoning Districts

- "R" - Rural Residential District
Permits one single-family dwelling for each lot of two acres with a minimum frontage of 200 feet.
- "R-1" - Suburban Residential District
Permits one and two-family dwellings on a minimum of 15,000 square feet of land area per family with each lot having a minimum frontage of 100 feet.
- "AA" - One-Family Dwelling District
One-family dwellings require a minimum of 7,500 square feet with each lot having a minimum frontage of 60 feet.
- "BB" - Office District
Permits agriculture, one-family dwellings and all business and professional offices. All commercial activities are prohibited.
- "LC" - Light Commercial District
Permits any retail commercial uses conducted within an enclosed building. Permits residential uses.
- "C" - General Commercial District
Permits all commercial activities; outdoor displays and sales; selected light manufacturing and light commercial uses.
- "E" - Light Industrial District
Permits most manufacturing uses and uses permitted in "C".
- "F" - Heavy Industrial District
Permits any use except those objectionable uses such as slaughter houses, salvage yards and fertilizer plants which require special permits.
- "CU" - Any of the above districts
Allows certain uses listed in the County Zoning Resolution by special permit rather than as a use by right.

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION
CITY HALL, TENTH FLOOR, 455 North Main Street
Wichita, Kansas 67202

NOTICE TO ADJOINING PROPERTY OWNERS

DEC 8 1977

The Wichita-Sedgwick County Metropolitan Area Planning Commission will consider the following item in The City Commission Meeting Room, City Hall, First Floor, 455 North Main Street, Wichita, Kansas, at its meeting on DEC 22 1977, which will commence at 1:30 p.m. You may appear either in person or by agent or attorney, if you so desire.

CASE NO. SCZ-0338

Zone Change from the "R-1" Suburban Residential District
to the "AA" One Family Dwelling District

Beg. 50 feet N 88° 52' 12" E of the SW¹/₄ cor. of the SW¹/₄ of Sec. 13, T27S, R2E of the 6th P.M., Sedg. Co. Ks. The pt. of beg. being on the north line of the SW¹/₄ said Sec. 13, thence N 0° 54' 01" W 170 feet; thence N 88° 52' 12" E 390 feet; thence on a circular curve to the left having a radius of 391.45 feet and a central angle of 16° 19' 03" for an arc distance of 228.25 feet; thence S 17° 26' 51" E 158.67 feet; thence S 0° 54' 01" E 450 feet; thence S 45° 18' 28" W 581.32 feet; thence S 89° 05' 59" 240 feet; thence N 0° 54' 01" W 300 to Beg. Generally located on the east side of 143rd Street East, between Central and 13th Street.

NOTE: It is the policy of the Planning Commission that any request for a deferral of the hearing of this case shall be submitted to the Secretary, Robert A. Lakin, City Hall, Tenth Floor, 455 North Main Street, 7 days prior to the meeting. The Chairman or the Secretary may grant such a request for deferral. Persons requesting deferrals will be charged with the cost of preparing and mailing new notices.

Robert A. Lakin
Secretary

T9-216

SEDGWICK COUNTY ZONING RESOLUTION

Summary Description of Zoning Districts

- "R" - Rural Residential District
Permits one single-family dwelling for each lot of two acres with a minimum frontage of 200 feet.
- "R-1" - Suburban Residential District
Permits one and two-family dwellings on a minimum of 15,000 square feet of land area per family with each lot having a minimum frontage of 100 feet.
- "AA" - One-Family Dwelling District
One-family dwellings require a minimum of 7,500 square feet with each lot having a minimum frontage of 60 feet.
- "BB" - Office District
Permits agriculture, one-family dwellings and all business and professional offices. All commercial activities are prohibited.
- "LC" - Light Commercial District
Permits any retail commercial uses conducted within an enclosed building. Permits residential uses.
- "C" - General Commercial District
Permits all commercial activities; outdoor displays and sales; selected light manufacturing and light commercial uses.
- "E" - Light Industrial District
Permits most manufacturing uses and uses permitted in "C".
- "F" - Heavy Industrial District
Permits any use except those objectionable uses such as slaughter houses, salvage yards and fertilizer plants which require special permits.
- "CU" - Any of the above districts
Allows certain uses listed in the County Zoning Resolution by special permit rather than as a use by right.

APPLICATION FOR APPROVAL OF CONDITIONAL USE PERMIT
FOR PROPERTY LOCATED WITHIN THE JURISDICTION
OF THE BOARD OF COUNTY COMMISSIONERS OF
SEDGWICK COUNTY, KANSAS

This is an application for a Conditional Use Permit. The form must be completed and filed at the Planning Department, Tenth Floor, City Hall, 455 North Main Street, Wichita, Kansas, in accordance with directions on the accompanying instruction sheet. AN INCOMPLETE APPLICATION CANNOT BE ACCEPTED.

- I. Name of applicant or applicants and/or their agent or agents. All owners of all property requested to be considered in this application must be listed in this item.

A. APPLICANT Karl and Farda Solomon

ADDRESS 1102 Whitfield Lane, Wichita, Kansas PHONE 682-2091

AGENT _____

ADDRESS _____ PHONE _____

B. APPLICANT Marlin and Avis Fisher

ADDRESS General Delivery, Benton, Kansas PHONE 778-1497

AGENT _____

ADDRESS _____ PHONE _____

C. APPLICANT James and Ruth Duncan

ADDRESS 14930 E. Central, Wichita, Kansas PHONE 733-0230

AGENT _____

ADDRESS _____ PHONE _____

(Use separate sheet if necessary for names of additional applicants).

- II. The applicant proposes to establish a multi-family and duplex usage _____ (use)

on property legally described as Lot(s) 1 thru 5 and 19

_____, Block (s) 3 of the _____

Proposed Crestview Country Club Estates, Overbrook Addition.

(If appropriate, metes and bounds description may be provided in the space below or on an attached sheet).

beg. 50 feet N 88° 52' 12" E of the NW cor. of the SW¼ of Sec. 13, T27S, R2E of the 6th P.M., Sedg. Co., Ks. The pt. of beg. being on the north line of the SW¼ said Sec. 13, thence N 0° 54' 01" W 170 feet; thence N 88° 52' 12" E 390 feet; thence on a circular curve to the left having a radius of 801.45 feet and a central angle of 16° 19' 03" for an arc distance of 228.25 feet; thence S 17° 26' 51" E 158.67 feet; thence S 0° 54' 01" E 450 feet; thence S 45° 13' 28" W 511.82 feet; thence S 89° 05' 59" W 240 feet; thence N 0° 54' 01" W 800 feet to Beg.

THE GENERAL DESCRIPTION IS (USE APPROPRIATE SECTION)

A. AT THE _____ CORNER OF _____ AND _____, OR

B. ON THE east SIDE OF 143rd Street East (AVENUE) STREET BETWEEN Central (AVENUE) STREET AND 13th (AVENUE) STREET.

IV. THE PROPERTY INCLUDED IN THIS APPLICATION IS ZONED AA (ZONING DISTRICT CLASSIFICATION).

V. I REQUEST THIS CONDITIONAL USE PERMIT FOR THE FOLLOWING REASONS:
To conform with the preliminary plat of this area as submitted.

VI. I (WE), THE APPLICANT(S), ACKNOWLEDGE RECEIPT OF THE INSTRUCTION SHEET EXPLAINING THE METHOD OF SUBMITTING THIS APPLICATION. I (WE) REALIZE THAT THIS APPLICATION CANNOT BE PROCESSED UNLESS IT IS COMPLETELY FILLED IN; IS ACCOMPANIED BY A CURRENT ABSTRACTOR'S CERTIFICATE AS REQUIRED IN THE INSTRUCTION SHEET; AND IS ACCOMPANIED BY THE APPROPRIATE FEE. I (WE) FURTHER CERTIFY THAT THE ABOVE AND FOREGOING INFORMATION IS TRUE AND CORRECT TO THE BEST OF MY (OUR) KNOWLEDGE. I (WE) ACKNOWLEDGE THAT THE BOARD OF COUNTY COMMISSIONERS SHALL HAVE AUTHORITY TO IMPOSE SUCH CONDITIONS AS IT DEEMS NECESSARY IN ORDER TO SERVE THE PUBLIC INTEREST AND WELFARE.

NOTE: AT LEAST ONE OWNER MUST SIGN THIS APPLICATION. OTHER OWNERS MAY BE REPRESENTED BY AN AGENT OR AGENTS.

Karl Solomon Barbara Solomon
BY Karl Solomon BY Barbara Solomon
AUTHORIZED AGENT (IF ANY) AUTHORIZED AGENT (IF ANY)

Marlin Fisher Avis Fisher
BY Marlin Fisher BY Avis Fisher
AUTHORIZED AGENT (IF ANY) AUTHORIZED AGENT (IF ANY)

James Duncan Ruth Duncan
BY James Duncan BY Ruth Duncan
AUTHORIZED AGENT (IF ANY) AUTHORIZED AGENT (IF ANY)

VII. OFFICE USE ONLY

This application was received at the Planning Department at _____ (AM, PM) on _____ (day, month, year). It has been checked and found to be complete and accompanied by required documents and the appropriate fee of \$ _____.

Name

Title

APPLICATION FOR APPROVAL OF CONDITIONAL USE PERMIT
FOR PROPERTY LOCATED WITHIN THE JURISDICTION
OF THE BOARD OF COUNTY COMMISSIONERS OF
SEDGWICK COUNTY, KANSAS

This is an application for a Conditional Use Permit. The form must be completed and filed at the Planning Department, Tenth Floor, City Hall, 455 North Main Street, Wichita, Kansas, in accordance with directions on the accompanying instruction sheet. AN INCOMPLETE APPLICATION CANNOT BE ACCEPTED.

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A. APPLICANT Karl and Barbra Solomon

ADDRESS 1102 Whitfield Lane, Wichita, Kansas PHONE 682-2091

AGENT _____

ADDRESS _____ PHONE _____

B. APPLICANT Marlin and Avis Fisher

ADDRESS General Delivery, Benton, Kansas PHONE 778-1497

AGENT _____

ADDRESS _____ PHONE _____

C. APPLICANT James and Ruth Duncan

ADDRESS 14930 E. Central, Wichita, Kansas PHONE 733-0230

AGENT _____

ADDRESS _____ PHONE _____

(Use separate sheet if necessary for names of additional applicants).

II. The applicant proposes to establish a multi-family and duplex usage _____ (use)

on property legally described as Lot(s) 1 thru 5 and 19

_____, Block (or) 3 of the _____

Proposed Crestview Country Club Estates, Overbrook Addition.

(If appropriate, notes and bounds description may be provided in the space below or on an attached sheet).

beg. 50 feet N 88° 52' 12" E of the NW cor. of the SW 1/4 of Sec. 13, T27S, R2E of the 6th P.M., Sedg. Co., Ks. The pt. of beg. being on the north line of the SW 1/4 said Sec. 13, thence N 0° 54' 01" W 170 feet; thence N 88° 52' 12" E 390 feet; thence on a circular curve to the left having a radius of 801.45 feet and a central angle of 16° 19' 03" for an arc distance of 228.25 feet; thence S 17° 20' 51" E 158.67 feet; thence S 0° 54' 01" E 450 feet; thence S 46° 18' 26" W 661.82 feet; thence S 89° 05' 59" 240 feet; thence N 0° 54' 01" W 800 feet to beg.

THE GENERAL DESCRIPTION IS (USE APPROPRIATE SECTION)

A. AT THE _____ CORNER OF _____ AND _____, OR

B. ON THE east SIDE OF 143rd Street East (AVENUE) STREET BETWEEN Central (AVENUE) STREET AND 13th (AVENUE) STREET.

I V. THE PROPERTY INCLUDED IN THIS APPLICATION IS ZONED AA (ZONING DISTRICT CLASSIFICATION).

V. I REQUEST THIS CONDITIONAL USE PERMIT FOR THE FOLLOWING REASONS:
To conform with the preliminary plat of this area as submitted.

V I. I (WE), THE APPLICANT(S), ACKNOWLEDGE RECEIPT OF THE INSTRUCTION SHEET EXPLAINING THE METHOD OF SUBMITTING THIS APPLICATION. I (WE) REALIZE THAT THIS APPLICATION CANNOT BE PROCESSED UNLESS IT IS COMPLETELY FILLED IN; IS ACCOMPANIED BY A CURRENT ABSTRACTOR'S CERTIFICATE AS REQUIRED IN THE INSTRUCTION SHEET; AND IS ACCOMPANIED BY THE APPROPRIATE FEE. I (WE) FURTHER CERTIFY THAT THE ABOVE AND FOREGOING INFORMATION IS TRUE AND CORRECT TO THE BEST OF MY (OUR) KNOWLEDGE. I (WE) ACKNOWLEDGE THAT THE BOARD OF COUNTY COMMISSIONERS SHALL HAVE AUTHORITY TO IMPOSE SUCH CONDITIONS AS IT DEEMS NECESSARY IN ORDER TO SERVE THE PUBLIC INTEREST AND WELFARE.

NOTE: AT LEAST ONE OWNER MUST SIGN THIS APPLICATION. OTHER OWNERS MAY BE REPRESENTED BY AN AGENT OR AGENTS.

Karl Solomon Barbara Solomon
BY Karl Solomon BY Barbara Solomon
AUTHORIZED AGENT (IF ANY) AUTHORIZED AGENT (IF ANY)

Marlin Fisher Avis Fisher
BY Marlin Fisher BY Avis Fisher
AUTHORIZED AGENT (IF ANY) AUTHORIZED AGENT (IF ANY)

James Duncan Ruth Duncan
BY James Duncan BY Ruth Duncan
AUTHORIZED AGENT (IF ANY) AUTHORIZED AGENT (IF ANY)

V I I. OFFICE USE ONLY

This application was received at the Planning Department at _____ (AM, PM) on _____ (day, month, year). It has been checked and found to be complete and accompanied by required documents and the appropriate fee of \$ _____.

Name

Title

Book 2
E-14-C
13-27-2E

APPLICATION FOR APPROVAL OF CONDITIONAL USE PERMIT
FOR PROPERTY LOCATED WITHIN THE JURISDICTION
OF THE BOARD OF COUNTY COMMISSIONERS OF
SEDGWICK COUNTY, KANSAS

CU-201
Assoc. SC2-0388

This is an application for a Conditional Use Permit. The form must be completed and filed at the Planning Department, Tenth Floor, City Hall, 455 North Main Street, Wichita, Kansas, in accordance with directions on the accompanying instruction sheet. AN INCOMPLETE APPLICATION CANNOT BE ACCEPTED.

I. Name of applicant or applicants and/or their agent or agents. All owners of all property requested to be considered in this application must be listed in this item.

A. APPLICANT Karl and Barbara Solomon

ADDRESS 1102 Whitfield Lane, Wichita, Kansas PHONE 682-2091

67206

AGENT _____

ADDRESS _____ PHONE _____

B. APPLICANT Marlin and Avis Fisher

ADDRESS General Delivery, Benton, Kansas PHONE 778-1497

67017

AGENT _____

ADDRESS _____ PHONE _____

C. APPLICANT James and Ruth Duncan

ADDRESS 14930 E. Central, Wichita, Kansas PHONE 733-0230

67230

AGENT _____

ADDRESS _____ PHONE _____

(Use separate sheet if necessary for names of additional applicants).

II. The applicant proposes to establish a multi-family and duplex

usage _____ (use)

on property legally described as Lot(s) 1 thru 5 and 19

_____, Block (or) 3 of the _____

Proposed Crestview Country Club Estates, Overbrook Addition.

(If appropriate, metes and bounds description may be provided in the space below or on an attached sheet).

N
S
E
W

Req. 50 feet N 88° 52' 12" E of the NW cor. of the SW 1/4 of Sec. 13, T27S, R2E of the 6th P.M., Sedg. Co., Ks. The pt. of beg. being on the north line of the SW 1/4 said Sec. 13, thence N 0° 54' 01" W 170 feet; thence N 88° 52' 12" E 390 feet; thence on a circular curve to the left having a radius of 801.45 feet and a central angle of 16° 19' 03" for an arc distance of 228.25 feet; thence S 17° 26' 51" E 155.67 feet; thence S 0° 54' 01" E 450 feet; thence S 45° 18' 28" W 581.82 feet; thence S 89° 05' 59" W 240 feet; thence N 0° 54' 01" W 800 feet to Beg.

SUPERSEDED

Use for legal

I I I. THIS PROPERTY IS LOCATED AT (ADDRESS) _____.

THE GENERAL LOCATION IS (USE APPROPRIATE LOCATION)

A. AT THE _____ CORNER OF _____ AND

_____, OR

B. ON THE east SIDE OF 143rd Street East (AVENUE)

STREET BETWEEN Central (AVENUE) ~~STREET~~ AND

13th (AVENUE) STREET.

I V. THE PROPERTY INCLUDED IN THIS APPLICATION IS ZONED "R-1"
(ZONING DISTRICT CLASSIFICATION).

V. I REQUEST THIS CONDITIONAL USE PERMIT FOR THE FOLLOWING REASONS:
To conform with the preliminary plat of this area as submitted.

V I. I (WE), THE APPLICANT(S), ACKNOWLEDGE RECEIPT OF THE INSTRUCTION SHEET EXPLAINING THE METHOD OF SUBMITTING THIS APPLICATION. I (WE) REALIZE THAT THIS APPLICATION CANNOT BE PROCESSED UNLESS IT IS COMPLETELY FILLED IN; IS ACCOMPANIED BY A CURRENT ABSTRACTOR'S CERTIFICATE AS REQUIRED IN THE INSTRUCTION SHEET; AND IS ACCOMPANIED BY THE APPROPRIATE FEE. I (WE) FURTHER CERTIFY THAT THE ABOVE AND FOREGOING INFORMATION IS TRUE AND CORRECT TO THE BEST OF MY (OUR) KNOWLEDGE. I (WE) ACKNOWLEDGE THAT THE BOARD OF COUNTY COMMISSIONERS SHALL HAVE AUTHORITY TO IMPOSE SUCH CONDITIONS AS IT DEEMS NECESSARY IN ORDER TO SERVE THE PUBLIC INTEREST AND WELFARE.

NOTE: AT LEAST ONE OWNER MUST SIGN THIS APPLICATION. OTHER OWNERS MAY BE REPRESENTED BY AN AGENT OR AGENTS.

Rae Solomon Barbara Solomon

BY Rae Solomon BY Rae Solomon
AUTHORIZED AGENT (IF ANY) AUTHORIZED AGENT (IF ANY)

Marlin Fisher Avis Fisher

BY Rae Solomon BY Rae Solomon
AUTHORIZED AGENT (IF ANY) AUTHORIZED AGENT (IF ANY)

James Duncan Ruth Duncan

BY Rae Solomon BY Rae Solomon
AUTHORIZED AGENT (IF ANY) AUTHORIZED AGENT (IF ANY)

V I I. OFFICE USE ONLY

This application was received at the Planning Department at _____
(AM, PM) on _____ (day, month, year). It has been checked
and found to be complete and accompanied by required documents and
the appropriate fee of \$ _____.

Name

Title

(PR-3)

SUPERSEDED

This mailing list is a duplicate of the list in 3CZ-0388

OWNERSHIP LIST

Tract	Property Owner
The NW $\frac{1}{4}$ of Section 13-27-2E	G. M. Fisher, deceased c/o Marlin Fisher Benton, Kansas 67217
The SW $\frac{1}{4}$ of Section 13-27-2E except that portion lying South of K.T.A.	Same
Beginning on the East line of Section 14-27-2E and 387 feet South 0°55'54" East from the NE corner of the SE $\frac{1}{4}$ of said Section 14 and running thence South 88°48'47" West 1,020 feet; thence at a deflection angle to the left of 45°00' a distance of 200.0 feet; thence at a deflection angle to the left of 90°00' a distance of 279.31 feet; thence at a deflection angle to the left of 90°00' a distance of 408.60 feet; thence North 88°48'47" East a distance of 675 feet; thence North 0°55'54" West a distance of 50.0 feet along the Section line to the point of beginning	Crestview Country Club Improvement District of Sedgwick County, Kansas 1 Villas Drive 67230
Commencing at the west corner of Lot 5, Block 6, Crestview Country Club Estates, East Meadows Addition; thence S 49°29'19" W 124.07 feet to Monument 61'; thence N 68°46'44" W 378.33 feet to Monument 60 being the true point of beg., thence S 32°12' 54" E 885.25 feet; thence S 22°57' 07" E 735.82 feet; thence S 12°39'02" E 296.17 ft; thence S 16°13'40" E 219.50 feet; thence S 33°48' 32" W 822.02 feet; thence S 69°44'57" W 686.89 ft.; thence N 26°10'06" W 348.44 feet; thence N 46°18'39" E 514.50 feet; thence N 51°39'26" E 407.62 feet; thence N 63°29'25" E 108.57 feet; thence N 44° 58'26" W 469.15 feet; thence N 67°58'54" W 1166.00 feet; thence S 88°19'45" W 392.49 feet; thence S 37°43'05" W 136.18 feet to Monument 46 AA; thence N 16°07'48" W 475.42 feet; thence N 73°27'20" E 876.32 feet; thence N 35°05'13" E 603.37 feet; thence N 86°10'20" E 415.85 feet to the point of beginning, except the last described tract above	Crestview Country Club Association 1000 N. 127th St. East 67206

Tract

Property Owner

Commencing at the west corner of Lot 5, Block 6, Crestview Country Club Estates, East Meadows Addition, thence S 49°29'19" W 124.97 feet to Monument 61; thence N 68°47'44" W 378.33 feet to Monument 60; thence S 32°12'54" E 885.25 feet; thence S 22°57'07" E 735.82 feet; thence S 12°39'02" E 296.17 feet; thence S 16°13'40" E 219.50 feet; thence S 33°48'32" W 822.02; thence S 69°44'57" W 686.89 feet; thence N 26°10'06" W 348.44 feet; thence N 46°18'39" E 514.50 feet; thence N 51°39'26" E 407.62 feet; thence N 63°29'25" E 108.57 feet; thence N 44°58'26" W 469.15 feet; thence on a bearing N 67°58'54" W to a point 1600 feet West of the East line of the SE $\frac{1}{4}$ of Section 14-27-2E; thence South parallel with the East line of the SE $\frac{1}{4}$ said Section 14, to a point in the South line of said SE $\frac{1}{4}$, thence East along said South line to the SE corner said SE $\frac{1}{4}$; thence North along the East line of Section 14 to the South line of Crestview Country Club Estates, East Meadows Addition, thence N 89°01'12" E a distance of 519.03 feet; thence S 52°12'59" E a distance of 140.0 feet, thence S 12°47'10" E a distance of 160 feet to the point of beginning

Crestview Development Corp.
1 Villas Drive 67230

Commencing at the west corner of Lot 5, Block 6, Crestview Country Club Estates, East Meadows Addition, thence S 49°29'19" W 124.07 feet to Monument 61; thence N 68°46'44" W 378.33 feet to Monument 60; for a point of beginning, thence S 68°46'44" E 378.33 feet; thence N 49°29'04" E, 519.07 feet; thence N 03°50'08" E, 230.05 feet to Monument 63, thence Southwesterly in a straight line to Monument 60, the true point of beginning

Crestview Country Club
Association
1000 North 127th St. East
67206

Lot	Addition	Property Owner
lot 1, Blk 5	Crestview Country Club Estates, East Meadows	Larry Saksa and Sheri Address Unknown
lot 2, Blk 5	Same	Robert T. Schaumberg and Sally K. Schaumberg 14314 Wakanda Court 67235
lot 3, Blk 5	Same	Donald H. Swanson and Anna Carol Swanson 14315 Wakanda Court 67235
lot 4, Blk 5	Same	Uldis Riekstins and Lelde V. Riekstins 12321 Wakanda Court 67235
lot 1, Blk 6	Same	Richard W. Zeitler and Eileen M. Zeitler 143214 Cascades Court 67235
lot 2, Blk 6	Same	Robert B. Madden and Elizabeth A. Madden 14314 Cascades Court 67235
lot 3, Blk 6	Same	J. Michael Doherty and Jane V. Doherty 14306 Cascades Court 67235
lot 4, Blk 6	Same	John C. Stevens and Annamaria Stevens 14214 Cascades Court 67235
lot 5, Blk 6	Same	Aubrey A. Kincaid and Bonnie M. Kincaid 1220 Colleen Terrace 67230 <i>22 Via Roma 67230</i>
lot 6, Blk 6	Same	Raymond Thomas Bradley and Bonnie Jean Bradley 14215 Cascades Court 67235
lot 7, Blk 6	Same	Norris Cooper 14223 Cascades Court 67235
lot 8, Blk 6	Same	J. R. Vosburgh and Mary K. Vosburgh 7611 Donegal 67206
lot 9, Blk 6	Same	Harry F. Lawless and Anita Lawless 14315 Cascades Court 67235
lot 10, Blk 6	Same	Patrick J. McDonald and Doris M. McDonald 14323 Cascades Court 67235

We hereby certify the foregoing to be a true and correct list of the property owners of:

A 1000 foot radius of: Block 3, proposed plat of Crestview Country Club Estates, Overbrook Addition to Sedgwick County, Kansas

as shown by the last deeds of record on file in the Office of the Register of Deeds of Sedgwick County, Kansas, on the 14th day of November, 1977 at 7:00 o'clock A.M.

THE SECURITY ABSTRACT & TITLE COMPANY, INC.

By

Mary Isable

Vice President

Order No. 258073
wh

FORM 223

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. ^{DEP}	Cement	M.S.P.

DESCRIPTION

70⁰⁰

AMOUNT

City of Wichita New Application

NAME

Paul K. ...

ADDRESS

402 W. ...

FUND

46-407103

DUE DATE

11/14/77

COMMENTS

DATE

11-14-77

BY

Paul K. ...

*

This CU File

Has a Large Drawing

On 35mm Microfilm.

Roll # 1

*