

CU-208 - Larry D. Rickard requests Conditional Use Request to permit the conversion of a Two-Family Dwelling to a Four-Family Dwelling in the "LC" Light Commercial District - at the northeast corner

*POSTED
9-15-78
9-15-78*

ACTION

COMMITTEE	DATE
M.A.P.C.	<i>Denial</i> 10-12-78
B.C.C./B. CO. C.	<i>Yes meeting</i> 11-8-78
B. Co. Co.	<i>Deny</i> 11-15-78

Closed

6245

Book 3
Map No. H-12-D
Sec. 34
Twp. 27
Range 2E

DATA SHEET
(ZONING & CONDITIONAL USE)

Z- _____
SCZ- _____
CU- 208
Filed 9-18-78

- APPLICATION DATA: From _____ to _____
- Applicant: Larry D. Rickard
Address: P.O. BOX 18552, Wichita 67218 Phone 685-3652
 - Agent: Same
Address _____ Phone 682-4152
 - General Location: at the northeast corner of Greenwich Rd. & Osie.
Address _____ Phone _____
 - Proposed Use: to permit the conversion of a Two-Family Dwelling to a Four-Family Dwelling in the "LC" Light Commercial District.

AREA DATA:

- Acres: 0.45 (119 ft. by 180 ft.)
- Adjoining Zoning: E "LC" S "LC" W "LC" N "LC"
- Land Use: East UNDEVELOPED South SINGLE FAM
West UNDEVELOPED North SINGLE FAM
- Sketch Plan Land Use is for: _____
- Present Land Use is for: _____
- Area (is) (is not) platted. UNDEVELOPED

PROCEDURE DATA:

- Zoning Committee _____ by _____
- MAPC Meeting: _____

Date	Action
10-12-78	Denied

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

Date	Action	Resolution
11-8-78	Denied	

NOTES: 10/2/78

Copy of ownership list furnished to Jim Oates this date also protest petition. *SS*

SHAW-WALKER
No. 2153C
MAYNARD, IN LOS ANGELES
LOOK ON - MCKESSON, TX U.S.A.

6245
 Book 3
 Map No. H-12-D
 Sec. 36
 Twp. 27
 Range 2E

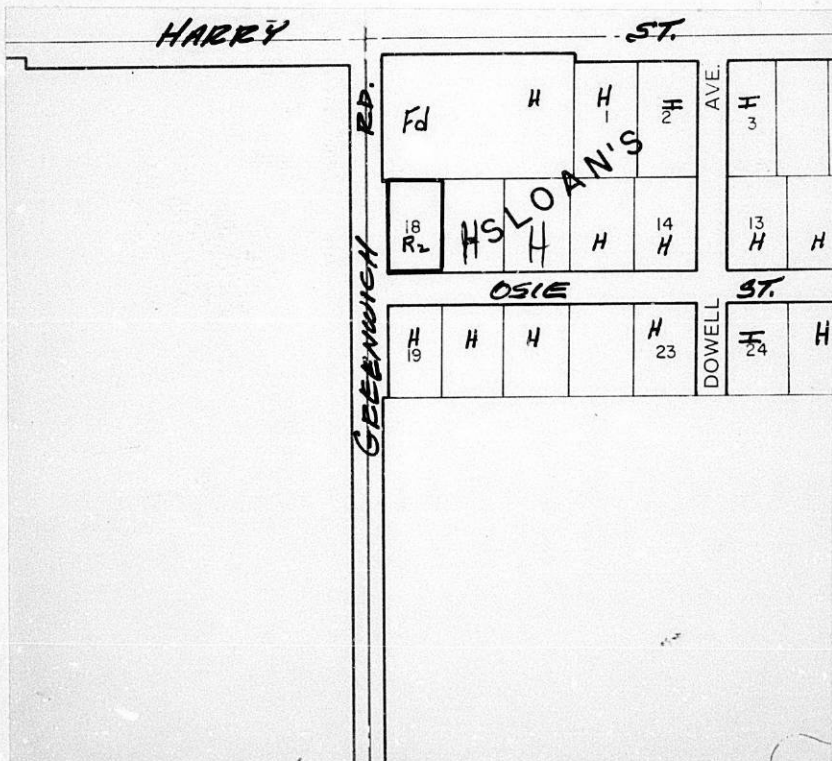
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PHOTO DATA:
 Taken by _____ Date _____ Time _____



WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING DEPARTMENT

MAPC HEARING DATE: 10-12-78

Case No. CU-208	Request: Conditional Use Permit to convert a duplex to a fourplex in "LC" zoning																	
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COMMENTS:

1. The applicant is requesting a Conditional Use permit to convert an existing duplex to a fourplex located on a tract of land zoned "LC" Light Commercial at the northeast corner of Osie and Greenwich Road which is an FAS Road and provides for only 40 feet of half-street right-of-way whereas 60 feet is required.
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WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING DEPARTMENT

MAPC HEARING DATE: 10-12-78

Case No. CU-208

Request: Conditional Use Permit to
convert a duplex to a
fourplex in "LC" zoning

Location: Northeast corner of Osie and Greenwich Road

Acres: 0.45

Size: 119' x 180'

	Land Use	Zoning
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Existing R/W-Greenwich Rd.-half-40 ft.
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Existing R/W-Osie-half-30 ft.
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Platted: Yes
History: SCZ-0333
"LC" to "R-1"
MAPC: 12-2-74 approved
BCo.C: 1-8-75 referred
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Strogon Health on Keage Rate SF-2F-4F.

Zonen 4 - not proper for 4 ply w/ 14 w/ all not laminated

Duplex is also appropriate buffer -

LC pattern not appropriate for design & development of

STR/W needed - if no duplex 40' OK but w/ Secur. interlocking

in selection of fragments

James Oates
Ron Peterson

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING DEPARTMENT

MAPC HEARING DATE: 10-12-78

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Case No. CU-208 10-12-78
Page 2

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THE WICHITA-SEDGWICK COUNTY DEPARTMENT OF COMMUNITY HEALTH
OFFICE OF Environmental Health

DATE November 2, 1978



TO Jack Galbraith, Chief Planner
FROM Steve Innes, Environmental Conservation Coordinator

SUBJECT CU-208 - Permit to Convert
Duplex to Fourplex

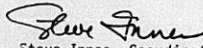
Another evaluation of this conditional use request on the northeast corner of Osie and Greenwich has been conducted. All three properties developed by the applicant on this corner were checked for septic system operation: 11202-4 East Osie, 11222 and 11230 East Osie. The two houses to the east here are single-family dwellings.

There appeared to be no malfunctions of any of the three lateral fields. However, the overflow holding tank for the duplex was full, but not overflowing. The contents of the tank will have to be pumped and hauled off, and it would appear that this will have to continue to be done periodically.

We anticipate that water usage and sewage generation will be the same for a fourplex as it is for the duplex and may well be less. The requirement that no dishwashers or clothes washers or provisions for them be allowed in the fourplex would ensure this. The current water usage for the duplex is no more than the 1-family house next door.

We still do not object to the conversion feeling that the situation as far as sewage is concerned will be the same or lessened. The regulation of washers presents no particular problem to us in isolated cases such as this - there are several such instances currently existing.

We plan to be present when the County Commission considers this case on November 8, 1978.


Steve Innes, Coordinator
Environmental Conservation

SI/lb

cc: L.D. Rickard
P.O. Box 18552
Wichita, Kansas 67218

A. TOTAL AREA	<u>3,759,420</u>	SQ FT.
B. APPLICATION AREA	<u>21,420</u>	"
C. STREET R/W	<u>386,650</u>	"
D. NET AREA	<u>3,351,350</u>	"
E. 20% OF NET AREA	<u>607,270</u>	"
F. NET PEDESTAL AREA	<u>1,398,600</u>	"
G. TOTAL % PEDESTAL	<u>41.73</u>	%

CU-208

November 1, 1978

Mr. Larry D. Rickard
P.O. Box 18552
Wichita, Kansas 67218

Re: CU-208 - Conditional Use Request
to permit conversion of Two
Family Dwelling to a Four Family
Dwelling in the "LC" Light Com-
mercial District - at the north-
east corner of Greenwich Road
and Osie.

Dear Mr. Rickard:

Our letter to you on October 13, 1978 advised the action on the above captioned case and that it would be forwarded to the County Commission for consideration at their regular meeting of November 8, 1978. Today, I was advised that the County Commission will not meet on that date and, therefore, this is to advise you and those receiving a copy of this letter that subject case will be scheduled for consideration at their next regular meeting of November 15, 1978. The meeting begins at 9:00 a.m. in Room 320, Sedgwick County Courthouse, 525 North Main.

If you have any questions, please contact our office.

Sincerely,

Jack H. Galbraith
Chief Planner

JHG:el

cc: Syd Werbin, Director of Building, Planning and Inspection
County Department of Public Works
Don Peterson, 11201 E. Osie, 67207
James Oates, 11229 E. Osie, 67207

Form T9-221A

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION TO
BOARD OF COUNTY COMMISSIONERS

REQUEST FOR CONDITIONAL USE PERMIT

CASE NO. CU-208

CONSIDERED BY MAPC: 10-12-78

REQUEST FOR: Conditional Use Permit

REASON FOR REQUEST (AS PROVIDED BY APPLICANT):

To convert a duplex to a fourplex in "LC" zoning.

GENERAL LOCATION: Northeast corner of Osie and Greenwich Road.

LEGAL DESCRIPTION:

Lot 18, Sloan's Addition, Sedgwick County, Kansas.

APPLICANT: Larry D. Rickard, P. O. Box 18552, Wichita, Ks.

COUNSEL FOR APPLICANT: None

PROTESTORS (LIST COUNSEL) IF ANY: Don Peterson, 11201 E. Osie; James Oates, 11229 E. Osie.

SURROUNDING ZONING: North, East, South and West, "LC".

LAND USE: Existing, Two Family; North, Feed Store; East and West, undeveloped; South, single family.

PLANNING COMMISSION RECOMMENDATION:

That this application be denied. Savina moved, Hennessy seconded and, it carried unanimously. Jones was absent.

NOTE: 41.73% of the property within 1000 feet is represented by valid protest petitions which have been filed as provided by law. Therefore, a unanimous vote on the part of the County Commission will be required in order to approve the application.

NOTE: A recommendation of denial by the Planning Commission requires a unanimous vote of the County Commission in order to approve the application.

ACTION: 1. Approve the recommendation of the Metropolitan Area Planning Commission and deny the application; or
2. Take such action as the County Commission deems appropriate.

EXCERPT FROM PLANNING COMMISSION MINUTES OF OCTOBER 12, 1978:

26. Case No. CU-208 - Larry D. Rickard requests a Conditional Use Permit on Lot 18, Sloan's Addition, Sedgwick County, Kansas. Generally located at the northeast corner of Greenwich Road and Osie.

GALBRAITH showed slides of the area and surrounding area and reviewed the following staff report:

COMMENTS:

1. The applicant is requesting a Conditional Use permit to convert an existing duplex to a fourplex located on a tract of land zoned "LC" Light Commercial at the northeast corner of Osie and Greenwich Road which is an FAS Road and provides for only 40 feet of half-street right-of-way whereas 60 feet is required.
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GALBRAITH stated that in 1974 the people that lived in this neighborhood petitioned the County to initiate a zone change to change the light commercial back to residential for those platted lots that were platted for residential purposes. The Planning Commission recommended approval of that case. When the County Commission considered the case, they deferred it for the County Counselor to review and the case was never rescheduled. The petitioners who initiated the case originally did not press the issue. Since that time the lots have now been developed. The applicant desires to convert this duplex structure to a fourplex. GALBRAITH said the staff was curious if the site was adequate enough to construct a fourplex in the County and

the Health Department advises that since the duplex has a septic system for sewage disposal, they would have no objections to it being converted to a fourplex. GALBRAITH said the two conditions that the Health Department recommended would be difficult to enforce. GALBRAITH added that the 60 foot of right-of-way requirement for Greenwich Road, an FAS road, was a concern to the applicant because on major streets in the City only 50 feet of right-of-way would be required.

CHAIRMAN TAYLOR stated considering only the amount of land to be utilized, she wondered if there would be enough space to accommodate four units, the dedicated right-of-way and provide parking.

GALBRAITH said that the lot was 180 feet in depth which was adequate for a fourplex provided all Health Department requirements are met.

COLE asked if Central Inspection would have the burden of enforcing the conditions recommended by the Health Department.

GALBRAITH said it was really the County Public Works and Health Departments that would be responsible for enforcing the conditions.

GREIDER remarked that this was really getting into something telling a man he could not wash his clothes. He said he was confused by this.

LARRY RICKARD, applicant, stated the land was zoned light commercial and after purchasing the property he realized the people in the area had very strong opinions. He felt that a dwelling such as he was proposing would provide a buffer for the other properties. He said that once this property was annexed into the City, a more efficient use could be made of it.

DON PETERSON, 11201 East Osie, speaking in opposition, stated that he was not one that complained when the applicant decided to build. He said that the applicant brought the idea of the duplex to him and asked him about it and he told him that if it was in keeping with the other homes in the neighborhood he would not complain. PETERSON said he finds now that the applicant has the inability to keep the general area free of debris, building supplies, brick, metal and the lawn was slow in being established. He said the problem was that this was a duplex in a single family residential neighborhood and the only one and the houses surrounding it are all family owned. He said the tenants have had septic problems, and there's no one in the neighborhood who has not had septic problems. He pointed out that they were represented by everyone within 1,000 feet of the structure except for the properties the applicant has interest in.

JAMES OATES, 11229 East Osie, said that he had many reasons why he was opposed to the application. One, he felt there was a parking problem. He pointed out two vehicles that sit on the property that have not been moved in 30 days. One of them was inoperable. He said the debris consisted of five gallon paint buckets sitting in front of the vehicles. He said that one of the tenants had a washing machine and emptied it into the sump pump after the septic tank stopped up and it flows onto the back yard. He said that his family has trouble with their septic tank themselves and have to watch their water usage.

RICKARDS said that that was an oversized septic system with two large 1500 gallon tanks and it was true that the septic tank at one time had more water in it than necessary. He said the septic tank did sit in 2 or 3 inches of water due to one of the neighbors blocking the ditches. He said the restrictive covenants excludes his property. He requested that the conditional use be permitted excluding two of the conditions recommended by the Planning Department. He said that he would not want confiscation

of his property without payment for it nor could he recommend confiscation of anyone else's property. He also pointed out that everyone within 1000 feet was not opposed to the duplexes.

JONES stated it was evident that this was quite an emotional charged issue on both parts. He asked if there was any truth to the accusation to the appearance of the property. RICKARDS said no there was not. He had never talked to anyone about cleaning the property up. One tenant did have a stack of paint cans in the yard because his job was seasonal and he worked long hours in the contracting business. JONES asked about the water limitation and if the applicant would monitor it. RICKARDS said yes, he had already eliminated the washers on one side.

RICKARDS requested that if this application was approved on the basis of the four conditions, he would prefer the application be withdrawn and he would wait until sewer was in the area and then a conditional use permit would not be required.

GALBRAITH pointed out that if the property was annexed to the City, this conditional use was not applicable.

BELL asked how long had it been a practice in Wichita to require property owners located on major streets to dedicate major street right-of-way. GALBRAITH responded for at least twenty years.

BAYOUTH asked if this conditional use permit was approved could it be used as light commercial. GALBRAITH stated yes, he saw nothing prohibiting the use of this property for what it was zoned.

JONES was excused from the meeting.

SAVINA stated that in view of the Health Department's requirements, it seems that it was setting a precedent. It is unenforceable and unfair to the tenants living in the building to not let them have washing machines. He did not feel it was fair to the applicant to not let him convert the property in fourplexes until he was satisfied with the Health Department's requirements.

MOTION: That the Planning Commission recommend to the County Commission that this application be denied. Savina moved, Hennessy seconded and it carried unanimously. Jones was absent.

PROTEST PETITION
(COUNTY CASES)

SECTION I.

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application), for property described as Case No. 6-208, zone change from FAMILY DWELLING to 4-FAMILY DWELLING (by establishment of a 4-FAMILY DWELLING in LC zoning).

SECTION II - Protestor(s)

11522 E. Osie
Wichita, Ks. 67207

	<u>Property Owned</u>		
	<u>Lot(s)</u>	<u>Block(s)</u>	<u>Addition</u>
a) <u>Sherra Carter</u> Signature	10		Sloan's
<u>Sherra Carter</u> Typed or Printed Name			
b) <u>William Carter</u> Signature			✓
<u>WILLIAM CARTER</u> Typed or Printed Name			

ACKNOWLEDGMENT

State of Kansas) ss
County of Sedgwick)

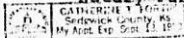
Be it remembered that on this 12TH day of OCTOBER, 1978
before me, a notary public in and for said County and State, came

to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.

Catherine Holt
Notary Public

My Commission expires



ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

T9-232



PROTEST PETITION
(COUNTY CASES)

SECTION I.

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. 01208, zone change from 2 Family Dwell. to 4 Family Dwell. for establishment of a 4-Family Dwelling in LC zoning).

SECTION II - Protestor(s)

11201 E 70th St

		<u>Property Owned</u>		
<u>Name</u>		<u>Lot(s)</u>	<u>Block(s)</u>	<u>Addition</u>
a)	<u>[Signature]</u> Signature	<u>19</u>		<u>Sloans</u>
	<u>Donna Peterson</u> Typed or Printed Name			
b)	<u>[Signature]</u> Signature			
	<u>Carolyn Peterson</u> Typed or Printed Name			

ACKNOWLEDGMENT

State of Kansas) ss
County of Sedgwick)

Be it remembered that on this 12th day of October, 1977, before me, a notary public in and for said County and State, came

to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.

[Signature]
Notary Public

My Commission expires 

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.



PROTEST PETITION
(COUNTY CASES)

SECTION I.

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. CU-208, zone change from 2-FAMILY DWELL to FOUR-FAMILY DWELLING (for establishment of a 4-FAMILY DWELLING in LC zoning).

SECTION II - Protestor(s)

11329 E Osie

	Name	Property Owned		
		Lot(s)	Block(s)	Addition
a)	<u>John R Pierpoint</u> Signature	23		SLOANS
	<u>JOHN R PIERPOINT</u> Typed or Printed Name			
b)	<u>L. Eva Pierpoint</u> Signature			
	<u>L. EVA PIERPOINT</u> Typed or Printed Name			

ACKNOWLEDGMENT

State of Kansas) ss
County of Sedgwick)

Be it remembered that on this 12TH day of OCTOBER, 19 78
before me, a notary public in and for said County and State, came

to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.

Cedric J. Smith
Notary Public

My Commission expires _____

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

T9-232



PROTEST PETITION
(COUNTY CASES)

SECTION I.

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. CU-208, zone change from FAMILY DWELLING to 4-FAMILY DWELLING (for establishment of a LOW-FAMILY DWELLING in _____ zoning).

SECTION II - Protestor(s)

11307 E. Olive

	Name	Property Owned		
		Lot(s)	Block(s)	Addition
a)	<u>Robert L. Blackmon</u> Signature	<u>22</u>		<u>SLOANS</u>
	<u>ROBERT L. BLACKMON</u> Typed or Printed Name			
b)	<u>Betty M. Blackmon</u> Signature			
	<u>Betty M. Blackmon</u> Typed or Printed Name			

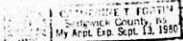
ACKNOWLEDGMENT

State of Kansas)
County of Sedgwick) ss

Be it remembered that on this 12th day of OCTOBER, 1978
before me, a notary public in and for said County and State, came

to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.



Robert J. [Signature]
Notary Public

My Commission expires _____

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.



PROTEST PETITION
(COUNTY CASES)

SECTION I.

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. CU 208, zone change from Low FAMILY DWELLING to FOUR FAMILY DWELLING (for establishment of a FOUR-FAMILY DWELLING in LC zoning).

SECTION II - Protestor(s)

11229 E. Osie

Name	Property Owned		
	Lot(s)	Block(s)	Addition
a) <u>James J. Cates Jr.</u> Signature <u>JAMES J. CATES</u> Typed or Printed Name	<u>21</u>		<u>SLOANS</u>
b) <u>Colenda J. Cates</u> Signature <u>Colenda J. Cates</u> Typed or Printed Name			

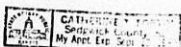
ACKNOWLEDGMENT

State of Kansas)
County of Sedgwick) ss

Be it remembered that on this 12th day of October, 19 78
before me, a notary public in and for said County and State, came

James J. Cates Jr. & Colenda J. Cates
to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.



Catherine J. Apple
Notary Public

My Commission expires _____

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

T9-232



PROTEST PETITION
(COUNTY CASES)

SECTION I.

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. CU-208, zone change from 2-FAMILY DWELLING to 4-FAMILY DWELLING for establishment of a 4-FAMILY DWELLING in LC zoning).

SECTION II - Protestor(s)

11421 E Osie

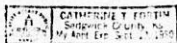
	Property Owned			
	Name	Lot(s)	Block(s)	Addition
a)	<u>A. Eugene Poole</u> Signature	<u>25</u>		<u>SLOANS</u>
	<u>A. Eugene Poole</u> Typed or Printed Name			
b)	<u>Marion C Poole</u> Signature			
	<u>MARION C POOLE</u> Typed or Printed Name			

ACKNOWLEDGMENT

State of Kansas)
County of Sedgwick) ss

Be it remembered that on this 17th day of OCTOBER 19 78 before me, a notary public in and for said County and State, came _____ to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.



Catherine T. Frith
Notary Public

My Commission expires _____

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

T9-232



PROTEST PETITION
(COUNTY CASES)

SECTION I.

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. CO-208, zone change from 2-FAMILY DWELLING to 4-FAMILY DWELLING (for establishment of a FULL FAMILY DWELLING in LC zoning).

SECTION II - Protestor(s)

11306 E. Osie
Wichita, Ks. 67207

Name	Property Owned		
	Lot(s)	Block(s)	Addition
a) <u>Myron E. Frick</u> Signature	15		SL OANS
<u>Myron E. Frick</u> Typed or Printed Name			
b) <u>Sharon S. Frick</u> Signature			
<u>Sharon S. Frick</u> Typed or Printed Name			

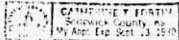
ACKNOWLEDGMENT

State of Kansas)
County of Sedgwick) ss

Be it remembered that on this 12th day of OCTOBER, 19 78
before me, a notary public in and for said County and State, came

Myron E. Frick
to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.



Catherine J. Fortin
Notary Public

My Commission expires _____

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

T9-232



PROTEST PETITION
(COUNTY CASES)

SECTION I.

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. CU-208, zone change from 2-FAMILY DWELL to 4-FAMILY DWELL (for establishment of a 4-FAMILY DWELLING in LC zoning).

SECTION II - Protestor(s)

11531 E. Osie

Name	Lot(s)	Block(s)	Addition
a) <u>[Signature]</u> Signature	28		SLOANS
<u>Gene Country</u> Typed or Printed Name			
b) <u>[Signature]</u> Signature			
<u>Gene Country</u> Typed or Printed Name			

*VOID
OUTSIDE OF
1000' PROTEST RING*

ACKNOWLEDGMENT

State of Kansas)
County of Sedgwick) ss

Be it remembered that on this 17th day of OCTOBER, 19 78
before me, a notary public in and for said County and State, came
to me personally known to be the same person who executed the foregoing
instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my
notarial seal the day and year above written.

[Signature]
Notary Public

My Commission expires _____

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a
part of this petition as necessary



PROTEST PETITION
(COUNTY CASES)

SECTION I.

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. CV-208, zone change from 2-FAMILY DWELL. to 4-FAMILY DWELL. for establishment of a 4 FAMILY DWELLING in LC zoning).

SECTION II - Protestor(s)

11521 E Osie

	Name	Property Owned		
		Lot(s)	Block(s)	Addition
a)	<u>James R Pond</u> Signature	<u>27</u>		<u>SLOANS</u>
	<u>JAMES R POND</u> Typed or Printed Name			
b)	<u>Artie A. Pond</u> Signature			
	<u>ARTIE A. POND</u> Typed or Printed Name			

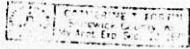
ACKNOWLEDGMENT

State of Kansas)
County of Sedgwick) ss

Be it remembered that on this 13th day of OCTOBER, 19 78
before me, a notary public in and for said County and State, came

to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.



Catherine J. Dyer
Notary Public

My Commission expires _____

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.



PROTEST PETITION
(COUNTY CASES)

SECTION I.

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. CU-208, zone change from two family dwell. to four family dwell. for establishment of a four family dwelling in LC zoning).

SECTION II - Protestor(s)

1610 S. Dowell

Name	Property Owned		Addition
	Lot(s)	Block(s)	
a) <u>Claude C. Cooney III</u> Signature	3		Sloan's
<u>Claude C. Cooney III</u> Typed or Printed Name			
b) <u>Sanja K. Cooney</u> Signature			
<u>Sanja K. Cooney</u> Typed or Printed Name			

ACKNOWLEDGMENT

State of Kansas)
County of Sedgwick) ss

Be it remembered that on this 12th day of OCTOBER 1978
before me, a notary public in and for said County and State, came

to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.

[Signature]
Notary Public

My Commission expires [Stamp]

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

T9-232



PROTEST PETITION
(COUNTY CASES)

SECTION I.

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. CU 208, zone change from two family dwell. to four family dwell. (or establishment of a four family dwelling in LC zoning).

SECTION II - Protestor(s)

11527 E. Harry
Wichita, Ks. 67207

	Property Owned		
	Lot(s)	Block(s)	Addition
a) <u>Kenneth C. Johnson</u> Signature	7		5104RS
<u>Kenneth C. Johnson</u> Typed or Printed Name			
b) <u>Joyce A. Johnson</u> Signature			✓
<u>Joyce A. Johnson</u> Typed or Printed Name			

ACKNOWLEDGMENT

State of Kansas)
County of Sedgwick) ss

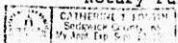
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before me, a notary public in and for said County and State, came

to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.

Notary Public

My Commission expires



ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

T9-232



PROTEST PETITION
(COUNTY CASES)

SECTION I.

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. CU 208, zone change from two family dwelling to four family dwelling for establishment of a four family dwelling in LC zoning).

SECTION II - Protestor(s)

11537 E. Harry

Name	Lot(s)	Block(s)	Property Owned	Addition
a) <u>John S. McCarthy</u> Signature	<u>8</u>			<u>Sloan's</u>
<u>John S. McCarthy</u> Typed or Printed Name				
b) <u>Judith A. McCarthy</u> Signature				
<u>Judith A. McCarthy</u> Typed or Printed Name				

VOID
OUTSIDE OF F 1000
PROTEST RING

ACKNOWLEDGMENT

State of Kansas)
County of Sedgwick) ss

Be it remembered that on this 12th day of OCTOBER, 1978, before me, a notary public in and for said County and State, came
to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.

Catherine J. Best

Notary Public
Sedgwick County, KS
My Comm. Exp. Sept. 13, 1980

My Commission expires _____

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.



PROTEST PETITION
(COUNTY CASES)

SECTION I.

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. CU-208, zone change from 2-FAMILY DWELLING to 4-FAMILY DWELLING establishment of a 4-FAMILY DWELLING in LC zoning).

SECTION II - Protestor(s)

Name	Lot(s)	Block(s)	Addition
a) <u>[Signature]</u> Signature	<u>13</u>		<u>SLOANS</u>
<u>SEAN WEST</u> Typed or Printed Name			
b) <u>[Signature]</u> Signature			
<u>DAVID DIBEST</u> Typed or Printed Name			

ACKNOWLEDGMENT

State of Kansas) ss
County of Sedgwick)

Be it remembered that on this 12th day of OCTOBER, 1978, before me, a notary public in and for said County and State, came _____ to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.

[Signature]
Notary Public

My Commission expires _____

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

T9-232



PROTEST PETITION
(COUNTY CASES)

SECTION I.

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. CU-208, zone change from 2-FAMILY DWELLING to FAMILY DWELLING establishment of a FAMILY DWELLING in LC zoning).

SECTION II - Protestor(s)

Name	Lot(s)	Block(s)	Property Owned Addition
a) <u>BILLYE KENKIN</u> Signature	<u>5</u>		<u>SLEANS</u>
<u>BILLYE KENKIN</u> Typed or Printed Name			
b) <u>Diana S. Kenkin</u> Signature			
<u>Diana S. Kenkin</u> Typed or Printed Name			

ACKNOWLEDGMENT

State of Kansas)
County of Sedgwick) ss

Be it remembered that on this 12th day of OCTOBER, 1978, before me, a notary public in and for said County and State, came _____ to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.

Carla L. Ash
Notary Public
CARLA L. MARTIN
Notary Public
for Sedgwick County, KS
My Comm. Exp. Sept. 13, 1980

My Commission expires _____

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.



PROTEST PETITION
(COUNTY CASES)

SECTION I.

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. CU 208, zone change from 2-family dwelling to 4-family dwelling or establishment of a 4 family dwelling in LC zoning).

SECTION II - Protestor(s)

11530 E. Osie
Wichita, Ks. 67207

a) [Signature]
Signature
Helen L. Geller
Typed or Printed Name

b) _____
Signature

Typed or Printed Name

Property Owned		
Lot(s)	Block(s)	Addition
<u>9</u>		<u>Sloan's</u>

*WOLD
OUTSIDE OF
1000' PROTEST
RINGS*

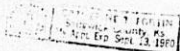
ACKNOWLEDGMENT

State of Kansas) ss
County of Sedgwick)

Be it remembered that on this 13th day of October, 1978, before me, a notary public in and for said County and State, came

_____ to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.



[Signature]
Notary Public

My Commission expires _____

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.



PROTEST PETITION
(COUNTY CASES)

SECTION I.

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. C.O. 782, zone change from 2 Family Dwelling to 4 family Dwelling (for establishment of a 4-family Dwelling in L.C. zoning).

SECTION II - Protestor(s)

11223 E. Osie

	<u>Name</u>	<u>Lot(s)</u>	<u>Block(s)</u>	<u>Property Owned</u>	<u>Addition</u>
a)	<u>[Signature]</u>			<u>SLOAN</u>	
	<u>Coel D. Johnston, Jr.</u>				
	<u>Signature</u>				
b)	<u>[Signature]</u>				
	<u>PIKESHA JOHNSON</u>				
	<u>Signature</u>				
	<u>Typed or Printed Name</u>				

ACKNOWLEDGMENT

State of Kansas) ss
County of Sedgwick)

Be it remembered that on this 14th day of October, 1978, before me, a notary public in and for said County and State, came

_____ to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.

[Signature]
Notary Public

My Commission expires _____

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.



PROTEST PETITION
(COUNTY CASES)

SECTION I.

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. CU-208, zone change from 2-Family Dwelling to 4-Family Dwelling for establishment of a 4-Family Dwelling in LC zoning).

*Count, as Valid
2 JKS.*

SECTION II - Protestor(s)
1510 S. Greenwich Rd.
Wichita, Ks. 67207

Name
a) Lyle C. Pray
Signature

Lyle C. Pray
Typed or Printed Name

b) Fern Pray
Signature

Fern Pray
Typed or Printed Name

Property Owned		
Lot(s)	Block(s)	Addition
	South <u>4</u>	S.W. <u>4</u>
	Section <u>27</u>	Range <u>27-2 E</u>
	<u>80</u> acres	
	Township <u>Minneh</u>	

ACKNOWLEDGMENT

State of Kansas)
County of Sedgwick) ss

Be it remembered that on this 14th day of OCTOBER, 1978
before me, a notary public in and for said County and State, came

to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.

[Signature]
Notary Public

My Commission expires _____

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.



PROTEST PETITION
(COUNTY CASES)

SECTION I.

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. CU-208, zone change from 2-family dwell to 4-family dwell establishment of a 4 Family Dwelling in LC zoning).

SECTION II - Protestor(s)
11148 E. Harry
Wichita, Ks, 67207
Name

a) Roy W. McCrea
Signature

Roy W. McCrea
Typed or Printed Name

b) Andra McCrea
Signature

Andra McCrea
Typed or Printed Name

Section 28, Townsh
27
County valid
petition. *[Signature]*

Lot(s)	Block(s)	Property Owned	Addition
		Section 27	Range 2 East
		South East	40 acres of
		South East 1/4 section	
		Township Mingos	

ACKNOWLEDGMENT

State of Kansas) ss
County of Sedgwick)

Be it remembered that on this 13th day of October, 1978
before me, a notary public in and for said County and State, came

to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.

[Signature]
Notary Public

My Commission expires _____

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.



PROTEST PETITION
(COUNTY CASES)

SECTION I.

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. CU-208, zone change from 2-FAMILY DWE to 4-FAMILY DWE (for) establishment of a 4-FAMILY DWELLING in CC zoning).

SECTION II - Protestor(s)

11501 E. Harry

Name	Property Owned		
	Lot(s)	Block(s)	Addition
a) <u>Thomas L. Gwaltney</u> Signature	<u>6</u>		<u>SLOANS</u>
<u>Thomas L. Gwaltney</u> Typed or Printed Name			
b) <u>Mary Jo Gwaltney</u> Signature			
<u>Mary Jo Gwaltney</u> Typed or Printed Name			

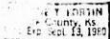
ACKNOWLEDGMENT

State of Kansas) ss
County of Sedgwick)

Be it remembered that on this 13th day of OCTOBER, 19 78,
before me, a notary public in and for said County and State, came

to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.



[Signature]
Notary Public

My Commission expires _____

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.



Shirley

PROTEST PETITION
(COUNTY CASES)

SECTION I.

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. CU-205, zone change from 2-family Dwelling to 4-family Dwelling (for establishment of a Four Family Dwelling in LC zoning).

SECTION II - Protestor(s)

11219 E Harry
Wichita Kan 67207
Name

Property Owned

<u>Lot(s)</u>	<u>Block(s)</u>	<u>Addition</u>
---------------	-----------------	-----------------

a) Ray Macy
Signature

Ray Macy
Typed or Printed Name

b) Marie Macy
Signature

Marie Macy
Typed or Printed Name

OK

beg. 243' East of NW corner NW 1/4
Section 34-27-2E, E 160', S 273',
W 160', North to beginning
MM

ACKNOWLEDGMENT

State of Kansas)
County of Sedgwick) ss

Be it remembered that on this 19th day of October, 1978, before me, a notary public in and for said County and State, came

to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.



Christine A. H.
Notary Public

My Commission expires _____

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.



PROTEST PETITION
(COUNTY CASES)

SECTION I.

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. CUBOX, zone change from 2 FAMILY DWELLING to 4-FAMILY (for establishment of a 4-FAMILY DWELLING in LC zoning).

SECTION II - Protestor(s)

1702 S. Dowell

	Name	Property Owned		
		Lot(s)	Block(s)	Addition
a)	<u>Cross Co. Owners</u> Signature	24		SLOANS
	<u>Cross Co. Allen</u> Typed or Printed Name			
b)	<u>Delia J. Allen</u> Signature			
	<u>DELIA J. ALLEN</u> Typed or Printed Name			

ACKNOWLEDGMENT

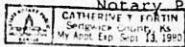
State of Kansas) as
County of Sedgwick)

Be it remembered that on this 12th day of OCTOBER, 1978, before me, a notary public in and for said County and State, came

to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.

Catherine J. Fortin
Notary Public



My Commission expires

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

T9-232



PROTEST PETITION
(COUNTY CASES)

SECTION I.

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. C.U. 208, zone change from 2-FAMILY DWEL to 4-FAMILY DWEL (for establishment of a FOUR-FAMILY DWELLING in LC zoning).

SECTION II - Protestor(s)

11308 E Osie

Name	Property Owned		
	Lot(s)	Block(s)	Addition
a) <u>Edward A Wagner</u> Signature	<u>14</u>	<u>✓</u>	<u>SLOANS</u>
<u>EDWARD A WAGNER</u> Typed or Printed Name			
b) <u>Karen L Wagner</u> Signature			
<u>KAREN L WAGNER</u> Typed or Printed Name			

ACKNOWLEDGMENT

State of Kansas) ss
County of Sedgwick)

Be it remembered that on this 12 day of OCTOBER, 1976, before me, a notary public in and for said County and State, came

to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.

Robert L. Hester
Notary Public

My Commission expires _____

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.

T9-232



PROTEST PETITION
(COUNTY CASE)

SECTION I.

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. C.U. 208, zone change from 2-Family Dwelling to 4-Family Dwelling (for establishment of a Four Family Dwelling in C zoning).

SECTION II - Protestor(s)

11519 E. PARK
WICHITA, KS 67220

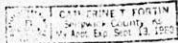
Name	Property Owned		
	Lot(s)	Block(s)	Addition
a) <u>[Signature]</u> Signature	<u>1</u>		<u>Sloan</u>
<u>Jack Groszwick</u> Typed or Printed Name			
b) <u>[Signature]</u> Signature			
<u>Judy Groszwick</u> Typed or Printed Name			

ACKNOWLEDGMENT

State of Kansas)
County of Sedgwick) ss

Be it remembered that on this 12th day of October, 1978, before me, a notary public in and for said County and State, came _____ to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.



[Signature]
Notary Public

My Commission expires _____

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.



PROTEST PETITION
(COUNTY CASES)

SECTION I.

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case NO. CU-208, zone change from 2 FAMILY DWELLING to 4-FAMILY DWELLING for establishment of a 4-FAMILY DWELLING in EC zoning).

SECTION II - Protestor(s)

11500 E Osie

	Property Owned			
	Name	Lot (s)	Block (s)	Addition
a)	<u>[Signature]</u>	11		SLCANS
	Signature			
	<u>[Signature]</u>			
	Typed or Printed Name			
b)	<u>Bobbie L. Loyd</u>			
	Signature			
	<u>Bobbie L. Loyd</u>			
	Typed or Printed Name			

ACKNOWLEDGMENT

State of Kansas)
County of Sedgwick) ss

Be it remembered that on this 12th day of OCTOBER, 1978 before me, a notary public in and for said County and State, came _____ to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.

[Signature]
Notary Public

My Commission Expires _____

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.



October 19, 1978

James Aiken, Director of Environmental Health

Jack H. Galbraith, Chief Planner

CU-208 - Conditional Use Request to Permit the Conversion of a Two-Family Dwelling to a Four-Family Dwelling in the "LC" Light Commercial District.

Wanted you to be aware that we had quite a discussion at the last Planning Commission meeting on the above captioned case. There were several in opposition to this structure being converted to a four-plex. Steve had copied us in on his letter of April 13, 1978 to the applicant, Mr. Rickard, and we incorporated his suggestions in our staff report; a copy of which is enclosed.

Commissioner Savina took exception, however, to Steve's recommendation, citing that we never had attempted to regulate who could have clothes and dish washers, feeling that it was setting a dangerous precedent to do so. Testimony from the neighbors suggest that some of them already have problems, that the existing duplex has problems and they wondered why the Health Department would approve an expansion to a four-plex on the same size lot as theirs where there are already problems.

The one thing that I wanted you and Steve to be aware of is that Mr. Rickard, the owner, indicated that the unit on the west no longer has a clothes washer. Testimony from the neighbors advised that the unit on the east had a washer which emptied into a sump which, in turn, deposited the water on a rear yard. That tenant has since heard about the meeting and advise me that he has hooked it up correctly.

The outcome of this case was that the Planning Commission recommended that the application not be approved. This is an emotional case and when it is considered by the County Commission on November 8, 1978, you might be interested. If you have any words of advice as to the justification of supporting a four-plex on a lot that doesn't even meet the today's standards for a single family home, give me a call as I imagine the Commission may ask me that. The general consensus was that if there are already problems, why permit

Page Two
James Alken, Director of Environmental Health
October 19, 1978

an expansion and attempt to regulate the problem by a
difficult situation of not permitting washers.

Wanted you both to be aware of this case. Give me a call
if you have questions.

Jack H. Galbraith
Chief Planner

JHG:el

Enclosure

cc: Steven Innes, Environmental Conservation Coordinator

October 13, 1978

Don Peterson
11201 E. Osie
Wichita, Kansas 67207

Re: CU-208 - Conditional Use Request
Northeast corner of Greenwich
Road and Osie

Dear Mr. Peterson:

The Planning Commission at its regular meeting of October 12, 1978, 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 submitted to the Office of the County Clerk no later than 5:00 p.m., Monday, October 23, 1978.

It is our understanding you have already obtained County protest petition forms. Should additional forms be needed, please contact our office.

Sincerely yours,

Jack H. Galbraith
Chief Planner

JHG:bbc
Enclosure

cc: James Oates, 11229 E. Osie, 67207

October 13, 1978

Larry D. Rickard
P. O. Box 18552
Wichita, Kansas 67218

Re: CU-208 - Conditional Use Request
Northeast corner of Greenwich
Road and Osie

Dear Mr. Rickard:

At its regular meeting on October 12, 1978, the Metropolitan Area Planning Commission considered the above-captioned zone change request. The action of the Planning Commission was to recommend that the application not be approved.

This matter will be forwarded to the Board of County Commissioners for their consideration at 9:00 a.m., on Wednesday, November 8, 1978, in Room 320, Sedgwick County Courthouse.

If you have any questions, please contact our office.

Sincerely,

Jack H. Galbraith
Chief Planner

JHG:bbc

cc: Syd Werbin, County Zoning Officer
Don Peterson, 11201 E. Osie, 67207
James Oates, 11229 E. Osie, 67207

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING DEPARTMENT

MAPC HEARING DATE: 10-12-78

Case No. CU-208	Request: Conditional Use Permit to convert a duplex to a fourplex in "LC" zoning
-----------------	--

Location: Northeast corner of Osie and Greenwich Road

Acres: 0.45	Size: 119' x 180'
-------------	-------------------

	<u>Land Use</u>	<u>Zoning</u>
Existing	Two Family	"LC"
North	Feed Store	"LC"
East	Undeveloped	"LC"
South	Single Family	"LC"
West	Undeveloped	"LC"

Existing R/W-Greenwich Rd.-half-40 ft.	Platted: Yes
Proposed R/W-Greenwich Rd.-half-60 ft.	History: SCZ-0333
Existing R/W-Osie-half-30 ft.	"LC" to "R-1"
Proposed R/W-Osie-half-30 ft.	MAPC: 12-2-74 approve
	BCo.C: 1-8-75 referred to County Counselor for review

COMMENTS:

1. The applicant is requesting a Conditional Use permit to convert an existing duplex to a fourplex located on a tract of land zoned "LC" Light Commercial at the northeast corner of Osie and Greenwich Road which is an FAS Road and provides for only 40 feet of half-street right-of-way whereas 60 feet is required.
2. The County Zoning Resolution permits multiple family dwellings in the "LC" Light Commercial District as a conditional use. It further provides that there shall be 1-1/2 off-street parking spaces for each dwelling unit.
3. The Wichita-Sedgwick County Department of Community Health advises that since the duplex has a septic system for sewage disposal they would have no objections to the conversion

to a fourplex provided that:

- a. There will be no dishwashers or clothes washers in the building and all connections will be removed or permanently plugged.
 - b. The winter (November through March) water usage as metered by the Wichita Water Department will not exceed 30 units per month (approximately 750 gal/day) for the building. This is based on the March 1978 water bill and the necessity not to load the septic system beyond current usage.
4. A recommendation of approval by the Planning Commission should be subject to the following conditions:
- a. The applicant dedicating by separate instrument 20 feet of additional street right-of-way for Greenwich Road prior to the case being forwarded to the Board of County Commissioners and within one (1) year from the date of approval of the conditional use; or the case be considered denied and closed.
 - b. Compliance with all requirements of the Wichita-Sedgwick County Department of Community Health relative to the usage of water and sewage disposal facilities.
 - c. The number of dwelling units shall not exceed four (4).
 - d. One and one-half (1-1/2) off-street parking spaces shall be provided for each dwelling unit.

9x10
CU-208

CU-208 - 9 "Notice to Adjoining Property Owners" mailed 9-28-78 for
the MAPC meeting for 10-12-78

1 Including map - to CPO Office

10 TOTAL

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

September 28, 1978

NOTICE TO ADJOINING PROPERTY OWNERS:

This is a notice of a request for a zoning change in your area. As an area property owner, you have the right to appear before the Metropolitan Area Planning Commission (MAPC) meeting in support or in opposition to this request for a zoning change. The MAPC will consider the following case in the City Commission Meeting Room, City Hall, First Floor, 455 North Main, Wichita, Kansas, at its meeting on Oct. 12, 1978, 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-208

Conditional Use Request to Permit the Conversion of a
Two-Family Dwelling to a Four-Family Dwelling
in the "LC" Light Commercial District

Lot Eighteen (18), SLOAN'S ADDITION, Sedgwick County,
Kansas. Generally located at the northeast corner
of Greenwich Road and Osie.

The following is a sequence of events in the processing of a request for zone change: Notification of adjoining property owners (this notice); then Neighborhood Citizen Participation Organization CPO meeting; then Metropolitan Area Planning Commission (MAPC) meeting (scheduled above); and then Board of City Commission (BCC) meeting to concur with MAPC action, defer, or refer back to MAPC. On a return of the case to the BCC, they may approve or deny or modify the change requested.

The Citizens Participation Organization (CPO) neighborhood council will consider this case in the immediate future for the purpose of making a formal recommendation to the MAPC and BCC. If you have an interest in this case, you are encouraged to express your opinions at your CPO Council meeting. The date, time and location of the CPO meeting may be obtained by calling 268-4516.

It should be noted that the MAPC meeting constitutes the 'Public Hearing' on this matter, and therefore the City Commission has adopted the following policy with regard to consideration of zoning change requests:

"All applications for change of zoning or amendments to the zoning text shall be based on the written record of the Planning Commission, including staff recommendations, which shall be forwarded to the City Commission. The Commission may inquire of staff, proponents or opponents for clarification of any matter before the Commission. Requests for introduction of new evidence or facts shall be in writing and filed with the City Clerk prior to the closing of the City Manager's Agenda (by 5:00 p.m., on the Wednesday preceeding the scheduled Tuesday BCC hearing). In all cases where such requests are submitted, the Board of City Commissioners may refer said case to the Planning Commission for rehearing."

Additional information concerning this case and official protest procedures may be obtained from the Planning Department, 10th Floor, City Hall, or by calling 268-4421.

Robert A. Lakin
Secretary

SUMMARY DESCRIPTION OF CITY OF WICHITA ZONING DISTRICTS

- "AA" One-Family Dwelling District
Permits one-family dwellings, parks, schools, libraries, golf courses, nurseries, churches and home occupations.
- "A" Two-Family Dwelling District
Permits two-family dwellings and uses permitted in "AA".
- "RB" Four-Family Dwelling District
Permits three and four-family dwellings, and uses permitted in "AA" and "A".
- "R-5" General Residence District
Permits Multiple-family dwellings at a density of 12.4 dwelling units per acre, off-street parking areas and uses permitted in "A".
- "R-6" General Residence District
Permits Multiple-family dwellings at a density of 29 dwelling units per acre, and uses permitted in "R-5".
- "B" Multiple-Family Dwelling District
Permits multiple dwellings, off-street parking areas, apartments, boarding houses, cemeteries, medical offices and uses permitted in "AA", "A" and "RB".
- "BB" Office District
Permits apothecaries, clinics, hospitals; medical, business and professional offices; hotels and motels under certain conditions; and all residential uses.
- "LC" Light Commercial District
Permits all purely retail businesses conducted within enclosed building; service stations, all residential and office uses.
- "C" Commercial District
Permits all commercial uses and residential and office uses and some fabrication uses.
- "D" Central Business District
Permits all commercial, office, wholesale, manufacturing and residential uses. Prohibits those which constitute a hazard or nuisance from smoke, dust, odor or fire danger.
- "E" Light Industrial District
Permits all manufacturing activities which do not constitute a hazard or a nuisance; and all office and commercial uses. Residential uses are prohibited.
- "F" Heavy Industrial District
Permits all office, commercial and manufacturing uses. Most objectionable manufacturing uses are subject to conditional approval. Residential uses are prohibited.
- "G" Mobile Home District
Permits mobile home parks and associated uses.
- "U" University District
Permits Universities, Colleges, Seminaries and other institutions of learning and related uses.

September 19, 1978

Mr. Larry D. Rickard
P.O. Box 18552
Wichita, Kansas 67218

Re: CU-208 - Conditional Use Request
to Permit the conversion of a
Two-Family Dwelling to a Four-
Family Dwelling in the "LC" Light
Commercial District, generally
located at the northeast corner
of Greenwich Road and Osie.

Dear Mr. Rickard:

Enclosed is a receipt for your check in the amount of \$200 for
a Conditional Use Permit on the above captioned case.

This matter has been scheduled to appear on the Metropolitan
Area Planning Commission agenda for October 12, 1978.

If you have any questions, please contact our office.

Sincerely,

G. Lynn Shirkey
Junior Planner

GLS:el
Enclosure

DEPARTMENT OF PUBLIC WORKS
PLANNING BUILDING AND INSPECTION DEPARTMENT

1015 Stillwell
Wichita, Kansas 67213
Phone: 268-7951



NOTICE OF BUILDING AND/OR ZONING VIOLATION

DATE June 27, 1978

TO: Larry Rickard
P. O. Box 18552
Wichita, Kansas 67218

NOTICE: As the owner, tenant and/or contractor of the property known as:

Lot 18, Sloan's Addition

11202 and 11204 E. Osie

You are hereby notified that your use and/or occupancy of said property is in violation of the Building and/or Zoning Resolution of Sedgwick County, Kansas, the nature of such violation being:

You are converting a duplex into a four-plex. A four-plex is a

multiple-family dwelling and requires a Conditional Use permit

from Metropolitan Area Planning Department.

Cease construction immediately!

Your are ordered to cease construction, use, and/or occupancy of the above described premises. Any person, firm or corporation who shall be convicted in a court of competent jurisdiction for violating any provision of this Code shall be deemed guilty of a Class C misdemeanor and in accordance with K.S.A. 21-4502 and K.S.A. 21-4503 shall be subject to a definite term of confinement in the county jail which shall be fixed by the court and shall not exceed one (1) month and under sentence to pay a fine which shall be fixed by the court, a sum not to exceed \$500. Each day that any violation of this Code occurs after due notice has been served in accordance with the terms and provisions hereof, shall constitute a separate offense and shall be punishable thereafter as a separate violation.

SEDGWICK COUNTY BOARD OF COMMISSIONERS

BY: *Lynn Shirkey*
Director of Building, Planning and
Inspections

DISPOSITION:

cc: Steve Innes, Health Dept.
Lynn Shirkey, M.A.P.D.

Book 3
H-12-D

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

CU-208

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 Larry D. Rickard
mail: P. O. Box 18552 67218
ADDRESS Office in the Hillcrest **PHONE** 6853652
3241 East Douglas 6824152
AGENT same
Wichita, Kansas. 67218

ADDRESS _____ **PHONE** _____

B. APPLICANT _____

ADDRESS _____ **PHONE** _____

AGENT _____

ADDRESS _____ **PHONE** _____

C. APPLICANT _____

ADDRESS _____ **PHONE** _____

AGENT _____

ADDRESS _____ **PHONE** _____

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

II. The applicant proposes to establish aⁿ Existing structure as Multi-family (4 family)-two
two bedroom units up AND two one bedroom units down (basement type apartments
with stairway entries, window wells)-STRUCTURE BUILT to accommodate (use)
same, as interim use of L.C. property or the portion of L.C. structure
situated on.
on property legally described as Lot(s) Lot 18, Sloan Add. Sedgwick
County, Ks.

_____, Block(s) _____ n/a _____ of the _____

_____ Sloan _____ Addition.

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

*use legal from
ownership list*

THE GENERAL LOCATION IS (USE APPROPRIATE SECTION)

A. AT THE Northeast ~~Southwest~~ CORNER OF Greenwich Rd. AND

East Harry Street Osie, OR 11202 & 04 E. Osie

B. ON THE North SIDE OF East Osie (AVENUE)

STREET BETWEEN W. Osie (AVENUE) STREET AND

E. Harry St. (AVENUE) STREET.

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

V. I REQUEST THIS CONDITIONAL USE PERMIT FOR THE FOLLOWING REASONS:

- A. More effective use of property until can be utilized for L.C. purposes (1/2A.)
- B. More efficient use of existing sewage (septic) system. (Washer hook-ups will be removed and units rented as efficiency type four-plex)
- C. Use should not change character of area and continue to provide buffer for future use of L.C. property.
- D. Property fronted by Osie street (South), Greenwich Rd. on West, Feed Store on North side. Structure should stay same (externally).

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.

BY _____ Owner Harry D. Rickard
AUTHORIZED AGENT (IF ANY) BY _____
AUTHORIZED AGENT (IF ANY)

BY _____
AUTHORIZED AGENT (IF ANY) BY _____
AUTHORIZED AGENT (IF ANY)

BY _____
AUTHORIZED AGENT (IF ANY) BY _____
AUTHORIZED AGENT (IF ANY)

V I I. OFFICE USE ONLY

This application was received at the Planning Department at 12:25
(AM, PM) on September 18, 1978 (day, month, year). It has been checked
and found to be complete and accompanied by required documents and
the appropriate fee of \$ 200⁰⁰.

Lois Lynn Shirkley Name
J. Plumer Title



April 13, 1978

L. D. Rickard
Box 18552
Wichita, Kansas 67218


RE: 11202-04 East Osie

Dear Mr. Rickard:

It is our understanding that you will be making an application for a conditional use permit to convert the above referenced duplex to a four-plex. Since the duplex has a septic system for sewage disposal, health department concurrence is necessary.

We would recommend approval if these two conditions are stipulated:

1. There will be no dishwashers or clothes washers in the building and all connections will be removed or permanently plugged.
2. The winter (November through March) water usage as metered by the Wichita Water Department will not exceed 30 units per month (approximately 750 gal/day) for the building. This is based on the March 1978 water bill and the necessity not to load the septic system beyond current usage.


Steve Innes, Coordinator
Environmental Conservation

SI/1b

cc: Lynn Shirkey
MAPD

Wichita-Sedgwick County Department of Community Health
1900 East Ninth Street--Wichita, Kansas 67214 (316)268-8201



Lawyers Title Insurance Corporation

GUARANTEE TITLE DIVISION
P. O. BOX 770
400 NORTH BROADWAY
WICHITA, KANSAS 67201
AREA CODE 316/263-9124

LAWYERS TITLE INSURANCE CORPORATION has searched the public records and finds the following to be a true and correct list of the property owners within a 200 foot radius of and including the following described property, viz:

use for legal [Lot Eighteen (18), SLOAN'S ADDITION, Sedgwick County, Kansas.

NOTE: Addresses are furnished as a service only.

Legal Description	Owners/Owners address
SLOANS ADDITION	
Lot Sixteen (16)	<i>D</i> Larry D. Rickard 3241 E. Douglas 67218
Lot Seventeen (17)	<i>✓</i> David D. Wilkinson & Charlotte A. Wilkinson 11222 E. Osie 67207
Lot Eighteen (18)	<i>D</i> Larry D. Rickard 3241 E. Douglas 67218
Lot Nineteen (19)	<i>✓</i> Donald N. Peterson & Carolyn K. Peterson 11201 E. Osie 67207
Lot Twenty (20)	<i>✓</i> Cecil D. Johnston & Marsha S. Johnston 11223 E. Osie 67207
Lot Twenty-One (21)	<i>✓</i> James J. Oates, Jr. & Glenda J. Oates 11229 E. Osie 67207
E/2 of NE/4 33-27-2E	
undivided 1/4 interest	<i>✓</i> Charles C. Theis 7822 Killarney Place 67206
undivided 3/4 interest	<i>✓</i> Security Finance Corporation & Arst & Govay 518 Century Plaza Building 67202

Legal Description	Owners/Owners Address
METES AND BOUNDS DESCRIPTIONS	
Tract in the NW/4 34-27-2E described as beginning at the NW/cor W/2 NW/4; thence East 243 feet; thence South 273 feet; thence West 243 feet; thence North 273 feet to point of beginning.	✓ James Ross Mefford & Millicent S. Mefford RFD #3 67208
Tract in the NW/4 34-27-2E described as beginning 243 feet East of the NW/cor of said NW/4; thence East 160 feet; thence South 273 feet; thence West 160 feet; thence North 273 feet to point of beginning.	✓ Ray O. Macy & Marie Macy 11219 E. Harry 67207

Dated this 14th day of September 1978.

LAWYERS TITLE INSURANCE CORPORATION

SUMMARY DESCRIPTION OF CITY OF WICHITA ZONING DISTRICTS

- "AA" One-Family Dwelling District
Permits one-family dwellings, parks, schools, libraries, golf courses, nurseries, churches and home occupations.
- "A" Two-Family Dwelling District
Permits two-family dwellings and uses permitted in "AA".
- "RB" Four-Family Dwelling District
Permits three and four-family dwellings, and uses permitted in "AA" and "A".
- "R-5" General Residence District
Permits Multiple-family dwellings at a density of 12.4 dwelling units per acre, off-street parking areas and uses permitted in "A".
- "R-6" General Residence District
Permits Multiple-family dwellings at a density of 29 dwelling units per acre, and uses permitted in "R-5".
- "B" Multiple-Family Dwelling District
Permits multiple dwellings, off-street parking areas, apartments, boarding houses, cemeteries, medical offices and uses permitted in "AA", "A" and "RB".
- "BB" Office District
Permits apothecaries, clinics, hospitals; medical, business and professional offices; hotels and motels under certain conditions; and all residential uses.
- "LC" Light Commercial District
Permits all purely retail businesses conducted within enclosed building; service stations, all residential and office uses.
- "C" Commercial District
Permits all commercial uses and residential and office uses and some fabrication uses.
- "D" Central Business District
Permits all commercial, office, wholesale, manufacturing and residential uses. Prohibits those which constitute a hazard or nuisance from smoke, dust, odor or fire danger.
- "E" Light Industrial District
Permits all manufacturing activities which do not constitute a hazard or a nuisance; and all office and commercial uses. Residential uses are prohibited.
- "F" Heavy Industrial District
Permits all office, commercial and manufacturing uses. Most objectionable manufacturing uses are subject to conditional approval. Residential uses are prohibited.
- "G" Mobile Home District
Permits mobile home parks and associated uses.
- "U" University District
Permits Universities, Colleges, Seminaries and other institutions of learning and related uses.

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

September 28, 1978

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CASE NO. CU-208

Conditional Use Request to Permit the Conversion of a
Two-Family Dwelling to a Four-Family Dwelling
in the "LC" Light Commercial District

Lot Eighteen (18), SLOAN'S ADDITION, Sedgwick County,
Kansas. Generally located at the northeast corner
of Greenwich Road and Osie.

The following is a sequence of events in the processing of a request for zone change: Notification of adjoining property owners (this notice); then Neighborhood Citizen Participation Organization CPO meeting; then Metropolitan Area Planning Commission (MAPC) meeting (scheduled above); and then Board of City Commission (BCC) meeting to concur with MAPC action, defer, or refer back to MAPC. On a return of the case to the BCC, they may approve or deny or modify the change requested.

The Citizens Participation Organization (CPO) neighborhood council will consider this case in the immediate future for the purpose of making a formal recommendation to the MAPC and BCC. If you have an interest in this case, you are encouraged to express your opinions at your CPO Council meeting. The date, time and location of the CPO meeting may be obtained by calling 268-4516.

It should be noted that the MAPC meeting constitutes the 'Public Hearing' on this matter, and therefore the City Commission has adopted the following policy with regard to consideration of zoning change requests:

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Additional information concerning this case and official protest procedures may be obtained from the Planning Department, 10th Floor, City Hall, or by calling 268-4421.

Robert A. Lakin
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- "AA" One-Family Dwelling District
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FORM 223 1

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.	Cement	M.S.P.

DESCRIPTION	AMOUNT

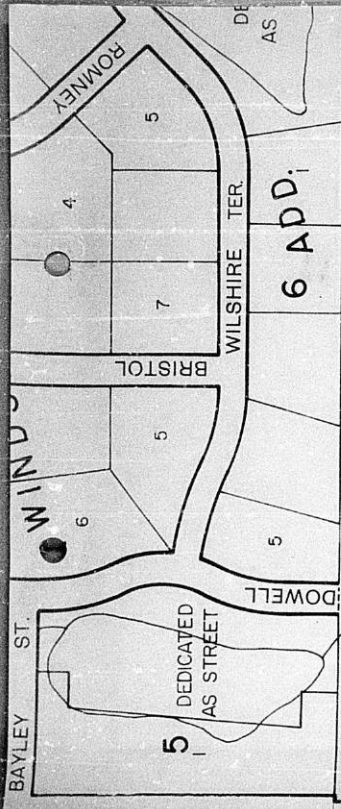
NAME _____

ADDRESS _____

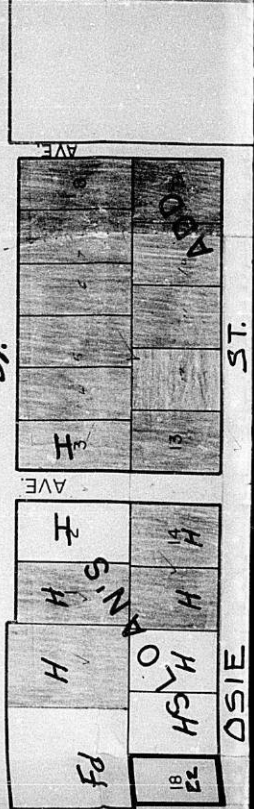
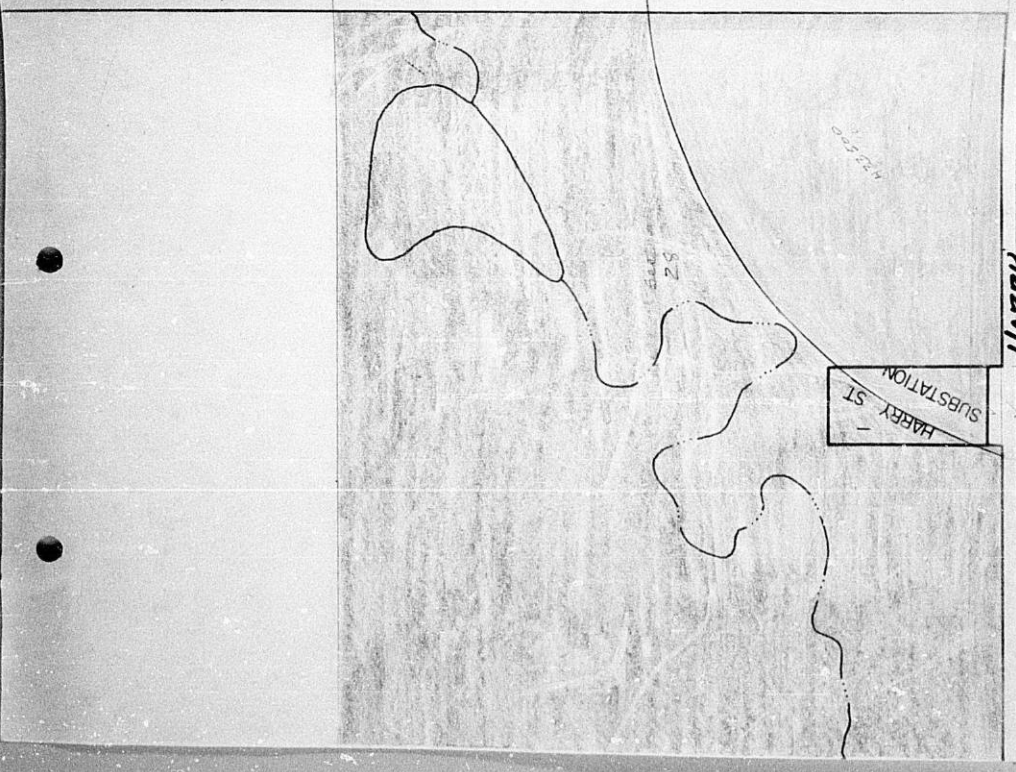
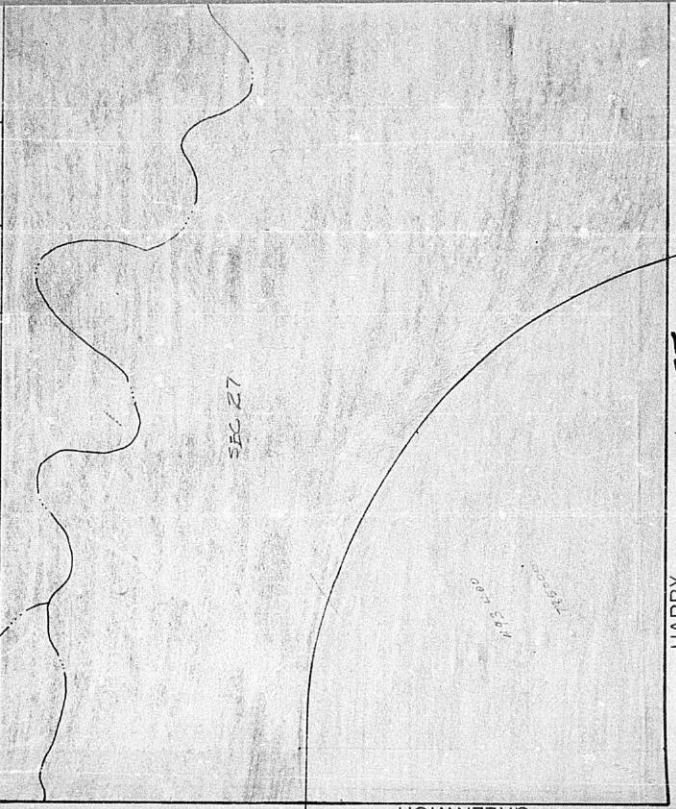
FUND _____ DUE DATE _____

COMMENTS _____

DATE _____ BY _____



6 ADD;



26

HARRY

