

CU-246 - Timber Valley, Inc. re-
quests Conditional Use Permit to
Establish Construction of Town-
houses and Duplexes on property

POSTED
2-13-81
[Signature]

ACTION

DATE

COMMITTEE

3-12-81

M.A.P.C. *Approved subject to conditions*

4-8-81

B.C.C./B. CO. C. *Approved to*
Recommended

B.C.C. *Approved platting*
extension to 5/1/83
11/24/82

B. Co. C. *Approved revised*
resolution 6-8-83

Closed

Closed balance of area not platted noc 3/19/84

Map No. 6345A
Sec. 35
Twp. 27
Range 2E

DATA SHEET
~~XXXXXX~~ CONDITIONAL USE)

Z- _____
SCZ- _____
CU- 246
Filed 2-9-81

ASSOCIATED CASE: _____

APPLICATION DATA: From _____ to _____

1. Applicant: Timber Valley, Inc.
Address 207 S. Broadway, 67202 Phone 267-2858
2. Agent: William E. Lusk, Jr. Pres. (ENGINEER: P.E.C. - Gary Wiley, 1440 E. English)
Address 207 S. Broadway - 67202 Phone 263-1107
3. General Location: On the south side of Harry, 1/2 mile west of
143rd Street East. Address _____
4. Proposed Use: To establish construction of Townhouses and Duplexes on
property approved for "AA" One Family Dwelling District.
IRPEG

AREA DATA:

1. Acres: 11.6 (570 ft. by 105 ft.)
2. Adjoining Zoning: E "AA" & "R-1" S "R-1" W "R-1" N "R-1"
3. Land Use: East _____ South UNDEVELOPED
West UNDEVELOPED 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>3-12-81</u>	<u>Approved sub to conditions</u>
_____	_____
_____	_____

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

Date	Action	Resolution
<u>4-8-81</u>	<u>Approved as recommended</u>	<u>#85-1981 Put 6-17-83</u>
<u>6-8-83</u>	<u>Approved revised resolution</u>	_____
_____	_____	_____

NOTES: Closed balance of area not platted ADC 3/11/81



Map No. 6345A
 Sec. 35
 Twp. 27
 Range 2E

DATA SHEET
~~XXXXXXXXXX~~ CONDITIONAL USE)

Z- _____
 SCZ- _____
 CU- 246
 Filed 2-9-81

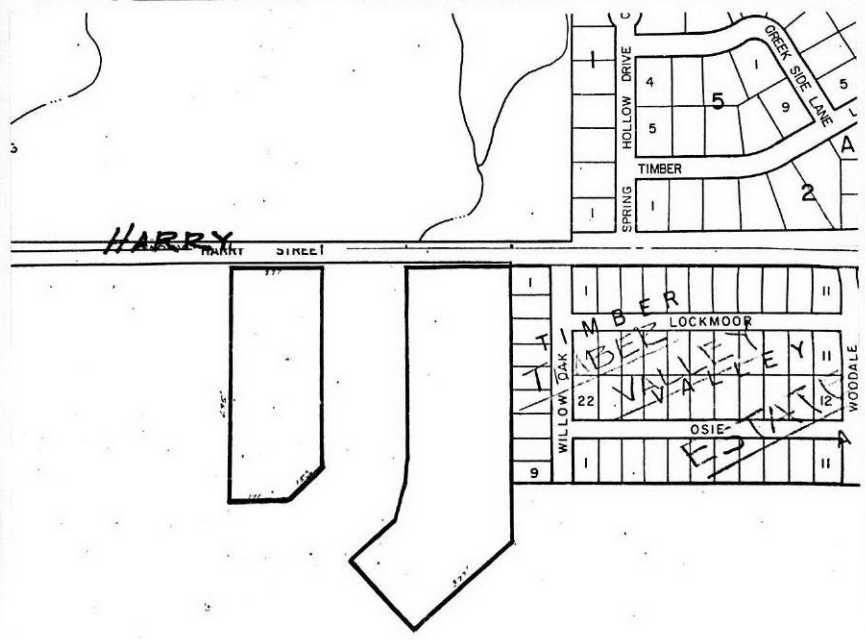
ASSOCIATED CASE: _____

APPLICATION DATA: From _____ to _____

- Applicant: Timber Valley, Inc. Phone 267-2858
 Address 207 S. Broadway, 67202
- Agent: William E. Lusk, Jr. Pres. (ENGINEER: P.E.C. - Gary Wiley, 1440 E. English)
 Address 207 S. Broadway - 67202 Phone 263-1107
- General Location: On the south side of Harry, 1/2 mile west of
143rd Street East. Address _____
- Proposed Use: To establish construction of Townhouses and Duplexes on
property approved for "AA" One Family Dwelling District.

- AREA DATA:
- Acres: 11.6 (570 (1266' x 1050') ft. by 1050 ft.)
 - Adjoining Zoning: E "AA" "R-1" "R-1" W. "R-1" N "R-1"
 - Land Use: East: _____ South: UNDEVELOPED
 West: UNDEVELOPED 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 _____



6346 S 2
 Map No. 6345A N 2
 Sec. 35
 Twp. 27
 Range 2E

DATA SHEET
 XXXXXXXX CONDITIONAL USE)

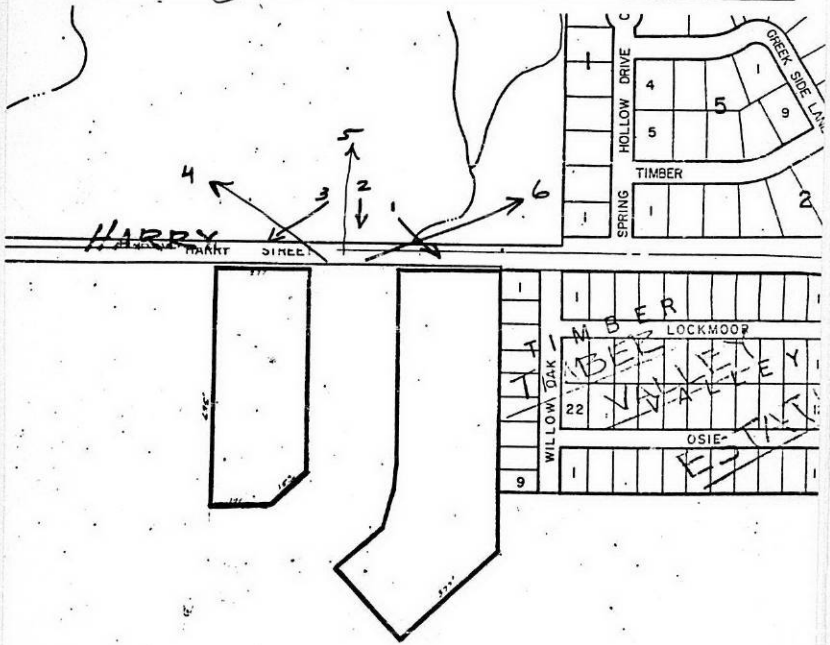
Karen
 Z- _____
 SCZ- _____
 CU- 246
 Filed 2-9-81

ASSOCIATED CASE: _____

- APPLICATION DATA: From _____ to _____
- Applicant: Timber Valley, Inc.
 Address 207 S. Broadway, 67202 Phone 267-2959
 - Agent: William E. Lusk, Jr. Pres. (ENGINEER, P.E.C. - Gary Wiley, 1440 E. Eng.
 Address 207 S. Broadway - 67202 Phone 263-1197
 - General Location: On the south side of Harry, 1/2 mile west of
143rd Street East. Address _____
 - Proposed Use: To establish construction of Townhouses and Duplexes on
property approved for "AA" One Family Dwelling District.

- AREA DATA:
- Acres: 11.6 (570 (IRREGULAR) ft. by 1050 ft.)
 - Adjoining Zoning: E "AA" S "R-1" S "R-1" W "R-1" N "R-1"
 - Land Use: East: _____ South: UNDEVELOPED
 West: UNDEVELOPED North: UNDEVELOPED
 - Sketch Plan Land Use is for: _____
 - Present Land Use is for: UNDEVELOPED
 - Area (is) (is not) platted.

PHOTO DATA:
 Taken by (signature) Date 3-6-81 Time 2 PM



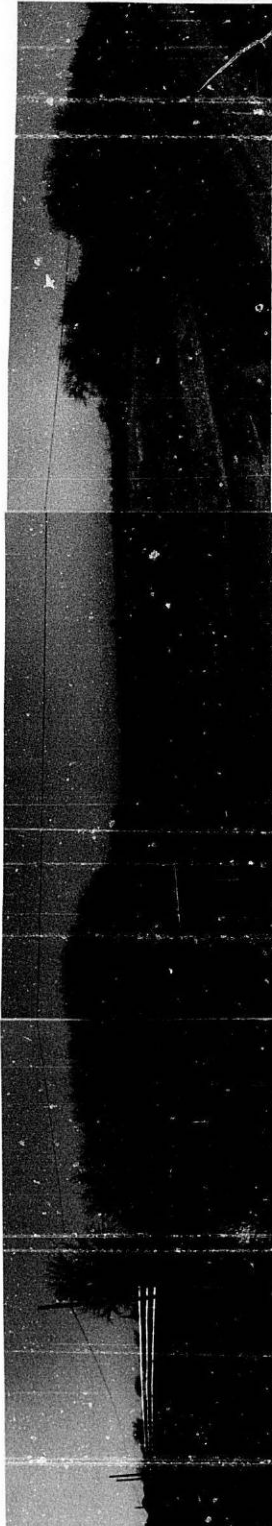
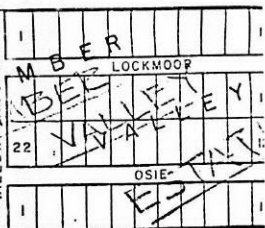
Karen

Z- _____
SCZ- _____
CU- 246
Filed 2-9-91

ATED CASE: _____

Phone 267-2858
C. Gary Wiley, 1440 E. Eng.
Phone 263-1197
1.2 mile west of _____
Address _____
Houses and Duplexes on
Family Dwelling District.
By (SUNG) 1050 ft.)
E-1" N "B-1"
"ENVELOPE"
"ENVELOPE"
"ENVELOPE"
"ENVELOPE"

Time 2 PM



3

2

6

5

4

CV-246 (Picture Sheet)

RESOLUTION #85-1981

CASE NO. CU-246

A RESOLUTION PERMITTING THE ESTABLISHMENT OF MULTIPLE FAMILY DWELLINGS 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, 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 the 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, and Section 11.E of the Zoning Resolution, as amended, a Conditional Use Permit to allow the establishment of Multiple Family dwellings in the "AA" One Family Dwelling District is hereby approved on the land legally described as follows:

Beginning at a point on the west line and 50 feet south of the NW corner of the NE 1/4 of Section 35, Township 27 South, Range 2 East of the 6th P.M.; thence along said west line bearing S 0° 12' 25" W a distance of 685.00 feet; thence bearing N 90° 00' E a distance of 171.52 feet; thence bearing N 45° 00' E a distance of 152.74 feet; thence bearing N 0° 00' E a distance of 577.00 feet; thence bearing N 90° 00' W a distance of 277.05 feet to the point of beginning. Being platted as Lot 1, Block 1, Timber Valley Estates 2nd Addition, Sedgwick County, Kansas. Generally located on the south side of Harry, 1/2 mile west of 143rd Street East.

SUBJECT TO THE FOLLOWING:

- a. Platting of the area within one year from the date of approval by the County Commission; or the case be considered denied and closed; and that the resolution establishing the Conditional Use not be published until the plat has been recorded with the Register of Deeds.
- b. The density of the area on the west proposed for town-house development shall not exceed 7.2 dwelling units per net acre.


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 County


Zoning Administrator and 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.

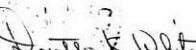
PASSED AND ADOPTED by the Board of County Commissioners at Wichita, Kansas, this 8th day of June, 1983.

 _____, Chairman
Jack Spratt


 _____, Commissioner
Donald E. Gragg

 _____, Commissioner
Tom Scott



 _____
Dorothy K. White, County Clerk

Approved as to form by County Counselor

 _____
William D. Rustin, County Counselor

WICHITA-SEDGWICK COUNTY

DATE
May 31, 1983

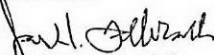
METROPOLITAN AREA PLANNING DEPARTMENT

TO Jack Spratt, Chairman, Board of County Commissioners
FROM Jack H. Galbraith, Chief Planner
SUBJECT SCZ-0303 and CU-246: revised resolutions

Zone case SCZ-0303 was approved by the Board of County Commissioners on May 9, 1973, subject to platting. This case included approximately 376 acres of land, nine acres of which were approved for LC zoning and the balance for AA zoning. In 1980, seventeen acres of this AA-zoned land were platted as Timber Valley Addition and revised resolution #38-1980 was adopted and published. Four additional acres of AA-approved land are now being platted as Block 1 of Timber Valley Estates 2nd Addition. The nine acres of LC-approved land are included in Block 2 of this same plat. (An additional acre of LC-approved land which was the subject of case SCZ-0445 is also included in this Block 2. That resolution #284-1979 needs no revision). A revised resolution for SCZ-0303 has been prepared and is submitted for signatures of the Commission.

On April 8, 1981, conditional use case CU-246 was approved granting duplex and multi-family uses on some of the land approved for AA zoning in SCZ-0303. Resolution #85-1981 was adopted and was to be held for publication until subject property was platted. The property approved for multi-family use is now being platted as Block 1, Timber Valley Estates 2nd Addition. The duplex-approved property is not being platted at this time. A revised resolution for only the multi-family use also has been prepared and needs the signatures of the Commission.

Would you please schedule these two revised resolutions for review and approval on the County Commission agenda for June 8, 1983. Upon notification that the plat of Timber Valley Estates 2nd Addition has been recorded, we will publish these revised resolutions in the official County newspaper. Upon approval of the revised resolutions, all copies of the previous, superseded resolutions should be marked as null and void.



Jack H. Galbraith
Chief Planner

JHG:LO:bh

cc: Donald E. Gragg, County Commissioner
Tom Scott, County Commissioner
William D. Rustin, County Counselor
Janelle Hoffman, Deputy County Clerk
Claud Shelor, Director, Department of Public Works

RESOLUTION

CASE NO. CU-246

A RESOLUTION PERMITTING THE ESTABLISHMENT OF MULTIPLE FAMILY DWELLINGS 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, 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 the 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, and Section 11.E of the Zoning Resolution, as amended, a Conditional Use Permit to allow the establishment of Multiple Family dwellings in the "AA" One Family Dwelling District is hereby approved on the land legally described as follows:

Beginning at a point on the west line and 50 feet south of the NW corner of the NE 1/4 of Section 35, Township 27 South, Range 2 East of the 6th P.M.; thence along said west line bearing S 0° 12' 25" W a distance of 685.00 feet; thence bearing N 90° 00' E a distance of 171.52 feet; thence bearing N 45° 00' E a distance of 152.74 feet; thence bearing N 0° 00' E a distance of 577.00 feet; thence bearing N 90° 00' W a distance of 277.05 feet to the point of beginning. Being platted as Lot 1, Block 1, Timber Valley Estates 2nd Addition, Sedgwick County, Kansas. Generally located on the south side of Harry, 1/2 mile west of 143rd Street East.

SUBJECT TO THE FOLLOWING:

- a. Platting of the area within one year from the date of approval by the County Commission; or the case be considered denied and closed; and that the resolution establishing the Conditional Use not be published until the plat has been recorded with the Register of Deeds.
- b. The density of the area on the west proposed for town-house development shall not exceed 7.2 dwelling units per net acre.

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 County

Zoning Administrator and 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
at Wichita, Kansas, this _____ day of _____, 19__.

_____, Chairman
Jack Spratt

_____, Commissioner
Donald E. Gragg

_____, Commissioner
Tom Scott

ATTEST:

Dorothy K. White, County Clerk

(SEAL)

Approved as to form by County Counselor

William D. Rustin, County Counselor

MAPD

R #85-1981

() Published in The Wichita Eagle-Beacon on _____, 1981

RESOLUTION

CASE NO. CU-246

A RESOLUTION PERMITTING THE ESTABLISHMENT OF MULTIPLE FAMILY AND DUPLEX DWELLINGS 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 the establishment of Multiple Family and Duplex Dwellings in the "AA" One Family Dwelling District is hereby approved on the lands legally described as follows:

For Duplex Dwellings:

Beginning at a point 822.87 feet east and 50 feet south of the NW corner of the NE 1/4 of Section 35, Township 27 South, Range 2 East of the 6th P.M.; thence perpendicular to the north line of said NE 1/4 bearing S 0° 00' East a distance of 817.02 feet; thence bearing S 46° 00' West a distance of 377.02 feet; thence bearing N 44° 00' West a distance of 301.00 feet; thence bearing N 46° 00' East a distance of 156.45 feet; thence bearing N 33° 54' 48" East a distance of 98.41 feet; thence bearing N 10° 54' 48" East a distance of 88.98 feet; thence bearing N 0° 00' East a distance of 584.67 feet; thence bearing N 90° 00' East a distance of 296.00 feet to the point of beginning.

AND

For Multiple Family Dwellings:

Beginning at a point on the west line and 50 feet south of the NW corner of the NE 1/4 of Section 35, Township 27 South, Range 2 East of the 6th P.M.; thence along said west line bearing S 0° 12' 25" West a distance of 685.00 feet; thence bearing N 90° 00' East a distance of 171.52 feet; thence bearing N 45° 00' East a distance of 152.74 feet; thence bearing N 0° 00' East a distance of 577.00 feet; thence bearing N 90° 00' West a distance of 277.05 feet to the point of beginning. All generally located on the south side of Harry, 1/2 mile west of 143rd Street East.

SUPERSEDED

SUBJECT TO THE FOLLOWING:

- a. Platting of both areas, including proposed open space and drainage areas, within one year from the date of approval by the County Commission; or the case be considered denied and closed; and that the resolution establishing the Conditional Use not be published until the plat has been recorded with the Register of Deeds.
- b. The number of Two-family dwellings shall not exceed one per platted lot for the area on the east.
- c. The density of the area on the west proposed for townhouse development shall not exceed 7.2 dwelling units per net acre.

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 County Zoning Administrator and 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.

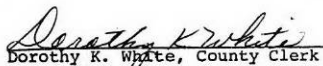
PASSED AND ADOPTED by the Board of County Commissioners at Wichita, Kansas, this 8th day of April, 1981.


Donald E. Gragg, Chairman


Tom Scott, Commissioner

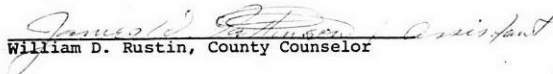

Jack Spratt, Commissioner

ATTEST:


Dorothy K. White, County Clerk

(SEAL)

Approved as to form by County Counselor


William D. Rustin, County Counselor

SUPERSEDED

R#85-1981

() Published in The Wichita Eagle-Beacon on _____, 1981

R E S O L U T I O N

CASE NO. CU-246

A RESOLUTION PERMITTING THE ESTABLISHMENT OF MULTIPLE FAMILY AND DUPLEX DWELLINGS 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 the establishment of Multiple Family and Duplex Dwellings in the "AA" One Family Dwelling District is hereby approved on the lands legally described as follows:

For Duplex Dwellings:

Beginning at a point 822.87 feet east and 50 feet south of the NW corner of the NE 1/4 of Section 35, Township 27 South, Range 2 East of the 6th P.M.; thence perpendicular to the north line of said NE 1/4 bearing S 0° 00' East a distance of 817.02 feet; thence bearing S 46° 00' West a distance of 377.02 feet; thence bearing N 44° 00' West a distance of 301.00 feet; thence bearing N 46° 00' East a distance of 156.45 feet; thence bearing N 33° 54' 48" East a distance of 98.41 feet; thence bearing N 10° 54' 48" East a distance of 88.98 feet; thence bearing S 0° 00' East a distance of 584.67 feet; thence bearing N 90° 00' East a distance of 194.00 feet to the point of beginning.

AND

For Multiple Family Dwellings:

Beginning at a point on the west line and 50 feet south of the NW corner of the NE 1/4 of Section 35, Township 27 South, Range 2 East of the 6th P.M.; thence along said west line bearing S 0° 12' 25" West a distance of 685.00 feet; thence bearing N 90° 00' East a distance of 171.52 feet; thence bearing N 45° 00' East a distance of 152.74 feet; thence bearing N 0° 00' East a distance of 577.00 feet; thence bearing N 90° 00' West a distance of 277.05 feet to the point of beginning. All generally located on the south side of Harry, 1/2 mile west of 143rd Street East.

SUBJECT TO THE FOLLOWING:

- a. Platting of both areas, including proposed open space and drainage areas, within one year from the date of approval by the County Commission; or the case be considered denied and closed; and that the resolution establishing the Conditional Use not be published until the plat has been recorded with the Register of Deeds.
- b. The number of Two-family dwellings shall not exceed one per platted lot for the area on the east.
- c. The density of the area on the west proposed for townhouse development shall not exceed 7.2 dwelling units per net acre.


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 County Zoning Administrator and 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.

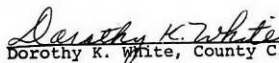
PASSED AND ADOPTED by the Board of County Commissioners at Wichita, Kansas, this 24 day of April, 1981.


Donald E. Gragg, Chairman


Tom Scott, Commissioner

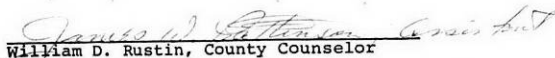

Jack Spratt, Commissioner

ATTEST:


Dorothy K. White, County Clerk

(SEAL)

Approved as to form by County Counselor


William D. Rustin, County Counselor

SUPERSEDED

The LUSK COMPANY

207 South Broadway • Wichita, Kansas 67202 • AC (316) Off. 267-2858 Res. 683-4415

November 8, 1982.

Jack Spratt
Chairman
Sedgwick County Commission
Sedgwick County Courthouse
525 N. Main
Wichita, Kansas 67203

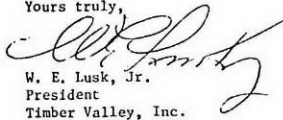
RE: SCZ-0303 "R-1" to "AA" and "LC";
SCZ-0445 "R-1" to "LC"; CU-246 for
townhouses and four-plexes and
S/D 79-137 Timber Valley Second
Addition. All generally located
south of Harry; in an area west of
143rd Street East.

Dear Mr. Spratt:

We respectfully request an extension of the time to plat the
above referenced land in pursuant to the above referenced
zoning cases until May 31, 1983.

Thank you very much for your consideration.

Yours truly,


W. E. Lusk, Jr.
President
Timber Valley, Inc.

WEL:ms

cc: Arthur D. Chambers, AICP
Senior Planner
Current Plans Division

Gary Wiley, PEC

RECEIVED

NOV 10 1982

METROPOLITAN PLANNING
ROUTE int

SEE SCZ-0303
for letter to
BCC

October 27, 1982

W. E. Lusk, Jr.
207 South Broadway
Wichita, KS 67202

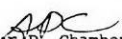
RE: SCZ-0303 "R-1" to "AA" and "LC";
SCZ-0445 "R-1" to "LC"; CU-246 for
townhouses and four-plexes and
S/D 79-137 Timber Valley Second
Addition. All Generally located
south of Harry; in an area west of
143rd Street East.

Dear Mr. Lusk:

As you will recall, SCZ-0303, SCZ-0445 and CU 246 were approved by the Board of County Commissioners on May 9, 1973, December 5, 1979, and March 8, 1981 respectively. SCZ-0445 and CU-246 were approved subject to platting within one year and SCZ-0303 was to be platted within five years. The plat of this area, Timber Lakes Second Addition, was approved by the MAPC on March 9, 1981. Several extensions of the platting time limit have been granted for SCZ-0303 and one extension has been granted for SCZ-0445. The time limits for the zone cases will expire on November 25, 1982.

There has not been any activity on the plat for this area since May 1981. We would like to know if you intend to complete the plat so we can publish the resolutions and close the case files. If you desire to finish the plat you will need to request another extension of the platting time limit. A letter requesting an extension of the platting time limit should be submitted to the Chairman of the County Commission with a copy to this office. Unless there are some unusual problems in meeting the conditions of approval outlined in Forrest Nagley's letter to PEC, dated April 3, 1982, we feel that the plat can be completed by May 1983. If you have any questions or desire to discuss these cases please call.

Sincerely,


Arthur D. Chambers, AICP
Senior Planner
Current Plans Division

ADC:vn
cc: Gary Wiley, PEC

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION TO
BOARD OF COUNTY COMMISSIONERS

REQUEST FOR CONDITIONAL USE PERMIT

CASE NO. CU-246

CONSIDERED BY MAPC: 3-12-81

REQUEST FOR: Conditional Use Permit

REASON FOR REQUEST (AS PROVIDED BY APPLICANT):

"To develop townhouses and duplexes."

GENERAL LOCATION: South side of Harry in an area approximately 1/2
mile west of 143rd Street East.

LEGAL DESCRIPTION:

(See excerpt from Planning Commission minutes of
March 12, 1981)

APPLICANT: Timber Valley, Inc., 207 S. Broadway.

AGENT FOR APPLICANT: Gary Wiley, Professional Engineering Consultants,
1440 E. English.

PROTESTORS (LIST AGENT) ,IF ANY: Cletus Morley, 13400 E. Harry.

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

LAND USE: Existing; North, East, South and West, Undeveloped.

PLANNING COMMISSION RECOMMENDATION:

That this application be approved subject to the conditions as shown
in excerpt from Planning Commission minutes of March 12, 1981.
Bayouth moved, Gardner seconded and it carried unanimously. One vacancy.

ACTION: 1. Concur with the findings of fact of the Metropolitan Area
Planning Commission, approve the application subject to recommended con-
ditions of approval, adopt a resolution establishing the conditional use
and instruct the Planning Department to withhold publication of the
resolution until the plat has been recorded with the Register of Deeds; or
2. Deny the application.

EXCERPT FROM PLANNING COMMISSION MINUTES OF MARCH 12, 1981

5. Case No. CU-246 - Timber Valley, Inc. requests Conditional Use permit beginning at a point 822.87 feet east and 50 feet south of the NW corner of the NE 1/4 of Section 35, Township 27 South, Range 2 East of the 6th P.M.; thence perpendicular to the north line of said NE 1/4 bearing S 0° 00' East a distance of 817.02 feet; thence bearing S 46° 00' West a distance of 377.02 feet; thence bearing N 44° 00' West a distance of 301.00 feet; thence bearing N 46° 00' East a distance of 156.45 feet; thence bearing N 33° 54' 48" East a distance of 98.41 feet; thence bearing N 10° 54' 48" East a distance of 88.98 feet; thence bearing N 0° 00' East a distance of 584.67 feet; thence bearing N 90° 00' East a distance of 296.00 feet to the point of beginning. AND, beginning at a point on the west line and 50 feet south of the NW corner of the NE 1/4 of Section 35, Township 27 South, Range 2 East of the 6th P.M.; thence along said west line bearing S 0° 12' 25" West a distance of 685.00 feet; thence bearing N 90° 00' East a distance of 171.52 feet; thence bearing N 45° 00' East a distance of 152.74 feet; thence bearing N 0° 00' East a distance of 577.00 feet; thence bearing N 90° 00' West a distance of 277.05 feet to the point of beginning. All generally located on the south side of Harry, 1/2 mile west of 143rd Street East.

GALBRAITH pointed out land use, zoning and showed slides of the general area. He reviewed the following staff report:

COMMENTS:

1. The following items should be considered by the Planning Commission in making findings of fact:

The applicant is requesting a Conditional Use permit to construct two-family and multi-family (townhouses) dwellings on property approved for "AA" zoning in 1973.

Subject property contains a total of 11.6 acres of which 7.33 acres is proposed for duplex development with the remainder proposed for multi-family (townhouse) development. The applicant states on the application that it is proposed to establish a Townhouse development at a density not to exceed 7.2 dwelling units per net acre and 24 Two-family lots. If approved as proposed, 78 dwelling units could be constructed on the site.

The applicant's engineer indicates that subject property will be served by City water and will tie in with the Springdale-Timber Lakes Joint Sewer District to provide sewer facilities for the property.

2. In the event the Planning Commission determines that the proposed development can be compatible with existing and proposed development in the general area and recommends approval of the Conditional Use permit, it should be subject to the following:
- A. Platting of both areas including proposed open space and drainage area within one year from the date of approval by the County Commission; or the case be considered denied and closed; and that the resolution establishing the Conditional Use not be published until the plat has been recorded with the Register of Deeds.
- B. The number of Two-family Dwellings shall not exceed one per platted lot for the area on the east.

4.3
7.2
86
301
31

31

- C. The density of the area on the west proposed for townhouse development shall not exceed 7.2 dwelling units per net acre.

GALBRAITH stated that the staff was in support of both parts of the application and recommended approval.

GARY WILEY, Professional Engineering Consultants, representing the applicants, stated that a preliminary plat for the balance of the 110 acres had been approved by the Subdivision Committee, and they were waiting for the outcome of this case to continue with the final plat.

CLETUS MORLEY, 13400 East Harry, speaking in opposition, stated that he was opposed to the duplexes planned for this location.

MOTION: Having considered the factors as contained in Policy Statement No. 10; taking into consideration the primarily undeveloped character of the area; the "AA" zoning to the east; the suitability of the subject property for duplex development; the length of time the subject property has remained vacant, and taking into consideration the recommendations of staff; I move that we recommend to the County Commission that this application be approved subject to the following conditions:

- a. Platting of both areas, including proposed open space and drainage areas, within one year from the date of approval by the County Commission; or the case be considered denied and closed; and that the resolution establishing the Conditional Use not be published until the plat has been recorded with the Register of Deeds.
- b. The number of Two-family dwellings shall not exceed one per platted lot for the area on the east.
- c. The density of the area on the west proposed for townhouse development shall not exceed 7.2 dwelling units per net acre.

Bayouth moved, Gardner seconded and it carried unanimously. One vacancy.

() Published in The Wichita Eagle-Beacon on _____, 1981

R E S O L U T I O N

CASE NO. CU-246

A RESOLUTION PERMITTING THE ESTABLISHMENT OF MULTIPLE FAMILY AND DUPLEX DWELLINGS 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 the establishment of Multiple Family and Duplex Dwellings in the "AA" One Family Dwelling District is hereby approved on the lands legally described as follows:

For Duplex Dwellings:

Beginning at a point 822.87 feet east and 50 feet south of the NW corner of the NE 1/4 of Section 35, Township 27 South, Range 2 East of the 6th P.M.; thence perpendicular to the north line of said NE 1/4 bearing S 0° 00' East a distance of 817.02 feet; thence bearing S 46° 00' West a distance of 377.02 feet; thence bearing N 44° 00' West a distance of 301.00 feet; thence bearing N 46° 00' East a distance of 156.45 feet; thence bearing N 33° 54' 48" East a distance of 98.41 feet; thence bearing N 10° 54' 48" East a distance of 88.98 feet; thence bearing N 0° 00' East a distance of 584.67 feet; thence bearing N 90° 00' East a distance of 296.00 feet to the point of beginning.

AND

For Multiple Family Dwellings:

Beginning at a point on the west line and 50 feet south of the NW corner of the NE 1/4 of Section 35, Township 27 South, Range 2 East of the 6th P.M.; thence along said west line bearing S 0° 12' 25" West a distance of 685.00 feet; thence bearing N 90° 00' East a distance of 171.52 feet; thence bearing N 45° 00' East a distance of 152.74 feet; thence bearing N 0° 00' East a distance of 577.00 feet; thence bearing N 90° 00' West a distance of 277.05 feet to the point of beginning. All generally located on the south side of Harry, 1/2 mile west of 143rd Street East.

SUBJECT TO THE FOLLOWING:

- a. Platting of both areas, including proposed open space and drainage areas, within one year from the date of approval by the County Commission; or the case be considered denied and closed; and that the resolution establishing the Conditional Use not be published until the plat has been recorded with the Register of Deeds.
- b. The number of Two-family dwellings shall not exceed one per platted lot for the area on the east.
- c. The density of the area on the west proposed for townhouse development shall not exceed 7.2 dwelling units per net acre.

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 County Zoning Administrator and 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 at Wichita, Kansas, this ____ day of _____, 19____.

_____, Chairman
Donald E. Gragg

_____, Commissioner
Tom Scott

_____, Commissioner
Jack Spratt

ATTEST:

Dorothy K. White, County Clerk

(SEAL)

Approved as to form by County Counselor

William D. Rustin, County Counselor

() Published in The Wichita Eagle-Beacon on _____, 1981

R E S O L U T I O N

CASE NO. CU-246

A RESOLUTION PERMITTING THE ESTABLISHMENT OF MULTIPLE FAMILY AND DUPLEX DWELLINGS 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.

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For Duplex Dwellings:

Beginning at a point 822.87 feet east and 50 feet south of the NW corner of the NE 1/4 of Section 35, Township 27 South, Range 2 East of the 6th P.M.; thence perpendicular to the north line of said NE 1/4 bearing S 0° 00' East a distance of 817.02 feet; thence bearing S 46° 00' West a distance of 377.02 feet; thence bearing N 44° 00' West a distance of 301.00 feet; thence bearing N 46° 00' East a distance of 156.45 feet; thence bearing N 33° 54' 48" East a distance of 98.41 feet; thence bearing N 10° 54' 48" East a distance of 88.98 feet; thence bearing N 0° 00' East a distance of 584.67 feet; thence bearing N 90° 00' East a distance of 296.00 feet to the point of beginning.

AND

For Multiple Family Dwellings:

Beginning at a point on the west line and 50 feet south of the NW corner of the NE 1/4 of Section 35, Township 27 South, Range 2 East of the 6th P.M.; thence along said west line bearing S 0° 12' 25" West a distance of 685.00 feet; thence bearing N 90° 00' East a distance of 171.52 feet; thence bearing N 45° 00' East a distance of 152.74 feet; thence bearing N 0° 00' East a distance of 577.00 feet; thence bearing N 90° 00' West a distance of 277.05 feet to the point of beginning. All generally located on the south side of Harry, 1/2 mile west of 143rd Street East.

SUBJECT TO THE FOLLOWING:

- a. Platting of both areas, including proposed open space and drainage areas, within one year from the date of approval by the County Commission; or the case be considered denied and closed; and that the resolution establishing the Conditional Use not be published until the plat has been recorded with the Register of Deeds.
- b. The number of Two-family dwellings shall not exceed one per platted lot for the area on the east.
- c. The density of the area on the west proposed for townhouse development shall not exceed 7.2 dwelling units per net acre.

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 County Zoning Administrator and 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 at Wichita, Kansas, this ____ day of _____, 19____.

_____, Chairman
Donald E. Gragg

_____, Commissioner
Tom Scott

_____, Commissioner
Jack Spratt

ATTEST:

Dorothy K. White, County Clerk

(SEAL)

Approved as to form by County Counselor

William D. Rustin, County Counselor

March 13, 1981

Gary Wiley
Professional Engineering Consultants, P.A.
1440 East English
Wichita, Kansas 67211

Re: CU-246 - Permit to establish multiple-family dwellings on "AA" zoning - south side of Harry in an area approximately 1/2 mile west of 143rd Street East

Dear Mr. Wiley:

At its regular meeting of March 12, 1981, the Metropolitan Area Planning Commission considered the above-captioned request for a Conditional Use Permit to establish multiple-family dwellings on "AA" zoning. The action of the Planning Commission was to recommend that this application be approved subject to the following conditions:

- a. Platting of both areas including proposed open space and drainage area within one year from the date of approval by the County Commission; or the case be considered denied and closed; and that the resolution establishing the Conditional Use not be published until the plat has been recorded with the Register of Deeds.
- b. The number of Two-family Dwellings shall not exceed one per platted lot for the area on the east.
- c. The density of the area on the west proposed for townhouse development shall not exceed 7.2 dwelling units per net acre.

This matter will be forwarded to the Board of County Commissioners for their consideration at 9:00 a.m., on Wednesday, April 8, 1981, in Room 320, Sedgwick County Courthouse.

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

Sincerely yours,

Jack H. Galbraith
Chief Planner

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JHG:sad

cc: William E. Lusk, Jr., President, Timber Valley, Inc., 207 S. Edwy. Wichita 67202
Syd Werbin, County Zoning Officer

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING DEPARTMENT

MAPC HEARING DATE: 3-12-81

Case No. CU-246 Request: Permit to establish multiple-family dwellings on "AA" zoning

Location: South side of Harry in an area approximately 1/2 mile west of 143rd Street East.

Reason: To develop townhouses and duplexes

Acres: 11.6 Size: 507' x 1150' (irregular shape)

	<u>Land Use</u>	<u>Zoning</u>
Existing	Undeveloped	Approved for "AA"
North	Undeveloped	"R-1"
East	Undeveloped	"AA" & "R-1"
South	Undeveloped	"R-1"
West	Undeveloped	"R-1"

Necessary street rights-of-way to be acquired at the time of platting.

Platted: No

History:

SCZ -0303 "R-1" to "AA" & "IC"

SCZ

MAPC 4-26-73 Approve

ECOC 5-09-73 Approve

COMMENTS:

1. The following items should be considered by the Planning Commission in making findings of fact:

The applicant is requesting a Conditional Use permit to construct two-family and multi-family (townhouses) dwellings on property approved for "AA" zoning in 1973.

Subject property contains a total of 11.6 acres of which 7.33 acres is proposed for duplex development with the remainder proposed for multi-family (townhouse) development. The applicant states on the application that it is proposed to establish a Townhouse development at a density not to exceed 7.2 dwelling units per net acre and 24 Two-family lots. If approved as proposed, 78 dwelling units could be constructed on the site.

The applicant's engineer indicates that subject property will be served by City water and will tie in with the Springdale-Timber Lakes Joint Sewer District to provide sewer facilities for the property.

2. In the event the Planning Commission determines that the proposed development can be compatible with existing and proposed development in the general area and recommends approval of the Conditional Use permit, it should be subject to the following:
 - A. Platting of both areas including proposed open space and drainage area within one year from the date of approval by the County Commission; or the case be considered denied and closed; and that the resolution establishing the Conditional Use not be published until the plat has been recorded with the Register of Deeds.
 - B. The number of Two-family Dwellings shall not exceed one per platted lot for the area on the east.
 - C. The density of the area on the west proposed for townhouse development shall not exceed 7.2 dwelling units per net acre.

CU-246 - 7 - "Notice to Adjoining Property Owners" mailed 2-26-81 for the
MAPC meeting for 3-12-81

1 to Joe Freeman, Acting County Director, Dept. of Pub. Works

-
8 TOTAL

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION
CITY HALL, TENTH FLOOR, 455 NORTH MAIN STREET
WICHITA, KANSAS 67202

February 26, 1981

NOTICE TO ADJOINING PROPERTY OWNERS:

This is a notice of a request for a conditional use 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. 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 March 12, 1981, 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-246

Conditional Use Request to Permit Establishment of
Duplex Family Dwellings on Property Approved
for the "AA" One Family Dwelling District

Beginning at a point 322.87 feet east and 50 feet south of the NW corner of the NE 1/4 of Section 35, Township 27 South, Range 2 East of the 6th P.M.; thence perpendicular to the north line of said NE 1/4 bearing S 0° 00' East a distance of 817.02 feet; thence bearing S 46° 00' West a distance of 377.02 feet; thence bearing N 44° 00' West a distance of 301.00 feet; thence bearing N 46° 00' East a distance of 156.45 feet; thence bearing N 33° 54' 48" East a distance of 92.41 feet; thence bearing N 10° 54' 48" East a distance of 88.98 feet; thence bearing N 0° 00' East a distance of 534.67 feet; thence bearing N 90° 00' East a distance of 296.00 feet to the point of beginning. AND

Conditional Use Request to Permit Establishment of
Multiple Family Dwellings on Property Approved
for the "AA" One Family Dwelling District

Beginning at a point on the west line and 50 feet south of the NW corner of the NE 1/4 of Section 35, Township 27 South, Range 2 East of the 6th P.M.; thence along said west line bearing S 0° 12' 25" West a distance of 685.00 feet; thence bearing N 90° 00' East a distance of 171.52 feet; thence bearing N 45° 00' East a distance of 152.74 feet; thence bearing N 0° 00' East a distance of 577.00 feet; thence bearing N 90° 00' West a distance of 277.05 feet to the point of beginning. All generally located on the south side of Harry, 1/2 mile west of 143rd Street East.

Additional information concerning this case and official protest procedures may be obtained from the Planning Department, 10th Floor, City Hall, or by calling 258-4421.

Robert A. Lakin
Secretary

6345A
N-R-1
S-R-1
E-AA+R-1
W-R-1

35-27-2E

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

CU-246

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.

1. 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 Timber Valley, Inc.
ADDRESS 207 S. Broadway 67202 PHONE 267-2858
AGENT Dusk William E. Lusk, Jr. President
ADDRESS Same PHONE
B. APPLICANT _____
ADDRESS _____ PHONE _____
AGENT _____
ADDRESS _____ PHONE _____
C. ENGINEER Professional Engineering Consultants, P.A. (Gary Wiley)
ADDRESS 1440 E. English 67211 PHONE 263-1107
AGENT _____
ADDRESS _____ PHONE _____

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

2. a. The applicant proposes to establish a Townhouse development at a density not to exceed 7.2 dwellings per net acre & 24 Two-Family Lots. (use) on property legally described as Lot(s) _____, Block(s) _____ of the _____ Addition.

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

See attached sheet
Being Platted as Timber Valley Estates 2nd Addition

2. b. There are 11.6 acres (round to nearest tenth) in the above described property.

3. THIS PROPERTY IS LOCATED AT (ADDRESS) 13421 E. Harry

THE GENERAL LOCATION IS (USE APPROPRIATE SECTION)

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

B. ON THE South SIDE OF Harry (AVE.) STREET
1/2 Mile West of 143rd (AVE) STREET. EAST

4. THE PROPERTY INCLUDED IN THIS APPLICATION IS ZONED AA ^{approved for} (ZONING DISTRICT CLASSIFICATION).

5. I REQUEST THIS CONDITIONAL USE PERMIT FOR THE FOLLOWING REASONS:
To establish proper zoning for the development of Townhouses and Duplexes.

6. 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 ABTRACTOR'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 AT 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.

Timber Valley, Inc.
BY [Signature] BY _____
AUTHORIZED AGENT (IF ANY) AUTHORIZED AGENT (IF ANY)

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

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

7. OFFICE USE ONLY

This application was received at the Planning Department at 3:30
(AM PM) on February 9, 1981 (day, month, year). It has been checked and found to be complete and accompanied by required documents and the appropriate fee of \$ 400⁰⁰.

[Signature] Name
J. Planner Title

PROPOSED TOWNHOUSES

Multiple family dwelling

BEGINNING AT A POINT ON THE WEST LINE AND 50 FEET SOUTH OF THE NW CORNER OF THE NE 1/4 OF SECTION 35, TOWNSHIP 27 SOUTH, RANGE 2 EAST OF THE 6TH P.M.; THENCE ALONG SAID WEST LINE BEARING S 0° 12' 25" W A DISTANCE OF 685.00 FEET; THENCE BEARING N 90° 00' E A DISTANCE OF 171.52 FEET; THENCE BEARING N 45° 00' E A DISTANCE OF 152.74 FEET; THENCE BEARING N 0° 00' E A DISTANCE OF 577.00 FEET; THENCE BEARING N 90° 00' W A DISTANCE OF 277.05 FEET TO THE POINT OF BEGINNING. ~~CONTAINING 184,795 SQ. FT. MORE OR LESS.~~ *4.24 acres*

PROPOSED TWO-FAMILY

Two family

BEGINNING AT A POINT 822.87 FEET EAST AND 50 FEET SOUTH OF THE NW CORNER OF THE NE 1/4 OF SECTION 35, TOWNSHIP 27 SOUTH, RANGE 2 EAST OF THE 6TH P.M.; THENCE PERPENDICULAR TO THE NORTH LINE OF SAID NE 1/4 BEARING S 0° 00' E A DISTANCE OF 817.02 FEET; THENCE BEARING S 46° 00' W A DISTANCE OF 377.02 FEET; THENCE BEARING N 44° 00' W A DISTANCE OF 301.00 FEET; THENCE BEARING N 46° 00' E A DISTANCE OF 156.45 FEET; THENCE BEARING N 33° 54' 48" E A DISTANCE OF 98.41 FEET; THENCE BEARING N 10° 54' 48" E A DISTANCE OF 88.98 FEET; THENCE BEARING N 0° 00' E A DISTANCE OF 584.67 FEET; THENCE BEARING N 90° 00' E A DISTANCE OF 296.00 FEET TO THE POINT OF BEGINNING. ~~CONTAINING 319,381 SQ. FT. MORE OR LESS.~~ *7.33 acres*

HARRY STREET

822.87'



RESERVE A PEDESTRAIN OPEN SPACE AND DRAINAGE

ST. ANDREWS DRIVE

WILLOW OAK

CLEAR

FAMILY

9

11

OWNERSHIP LIST

<u>Lot</u>	<u>Block</u>	<u>Addition</u>	<u>Property Owner</u>
1 thru 8, odd & even inclusive	1	Timber Valley Estates Addition	Timber Valley, Inc., 207 S. Broadway, 67202
1 thru 40, 2 odd & even inclusive	2	"	"
1 thru 11, odd & even inclusive	1	Spring Hollow Addition	Cedar Lakes, Inc., 236 S. Topeka, 67202
1 thru 6, 2 odd & even inclusive	2	"	"
1 thru 9, Odd & even inclusive	5	"	"
1, except 8 a tract commencing at the SE corner of lot 1, then N along the east line 155 ft., then W 461.06 ft. for a pt. of beg.; then continuing west along last described line 181.89 ft.; then southwesterly 160.22 ft. to the NW corner of lot 12, block 7, then east along the south line of lot 1 141.34 ft. to the NE corner of lot 12, then north 155 ft. to pt. of beg.	8	"	"
South ½ of the SW¼ of 26-27-2E, except the East 10 acres and except the west 1540.5 ft.			Cletus J. Morley & Mary Agnes Morley, 13400 E. Harry, 67230
East 10 acres of the South ½ of the SW¼ of 26-27-2E			Jack H. Heathman & Lenora A. Heathman, 13420 E. Harry, 67230
West 60 acres of the SE¼ of 26-27-2E			Jack H. Heathman, 13420 E. Harry, 67230
East ½ of the NW¼ of 35-27-2E			Ranchlands, Inc., 207 S. Broadway, 67202
SE¼ of the NE¼ of 35-27-2E			"

page 2

Tract

Property Owner

West ½ of the NE¼ of 35-27-2E, except that part platted as Timber Valley Estates

Timber Valley, Inc., 207 S. Broadway, 67202

NE¼ of the NE¼ of 35-27-2E, except the NE¼ of the NE¼ of the NE¼, and except that part platted as Timber Valley Estates

"

We hereby certify the foregoing to be a true and correct list of the property owners within a 1,000 foot radius of

A tract beginning at a point 822.87 feet east and 50 feet south of the NW corner of the NE¼ of Section 35, Township 27 South, Range 2 East of the 6th P.M.; thence perpendicular to the north line of said NE¼ bearing S 0°00' E a distance of 817.02 feet; thence bearing S 46°00' W a distance of 377.02 feet; thence bearing N 44°00' W a distance of 301.0 feet; thence bearing N 46°00' E a distance of 156.45 feet; thence bearing N 33°54'48" E a distance of 98.41 feet; thence bearing N 10°54'48" E a distance of 88.98 feet; thence bearing N 0°00' E a distance of 584.67 feet; thence bearing N 90°00' E a distance of 296.0 feet to the point of beginning, in Sedgwick County, Kansas

AND

A tract beginning at a point on the west line and 50 feet south of the NW corner of the NE¼ of Section 35, Township 27 South, Range 2 East of the 6th P.M.; thence along said west line bearing S 0°12'25" W a distance of 685.0 feet; thence bearing N 90°00' E a distance of 171.52 feet; thence bearing N 45°00' E a distance of 152.74 feet; thence bearing N 0°00' E a distance of 577.0 feet; thence bearing N 90°00' W a distance of 277.05 feet to the point of beginning, in Sedgwick County, Kansas

as shown by the last deed of record on file in the Office of the Register of Deeds of Sedgwick County, Kansas on the 2nd day of February, 1981, at 7:00 o'clock A.M.

THE SECURITY ABSTRACT & TITLE CO., INC.

By

Mary Gable
Vice-President

Order No. 295364
GE

FORM 29-001

PAYMENT NOTICE
City of Wichita

Bldg.	Use of Str.	Code Bks	Copies
Elec	Elev. Insp.	Hse Moving	Lic.
Mech	Boiler Insp.	Pav. Cuts	Cert.
Plbg	Exam Fees	Sewer	Elev.
Signs	Plan Rev. (P.W.)	Cement	M.S.P.
	Planning		

DESCRIPTION	AMOUNT
-------------	--------

NAME _____

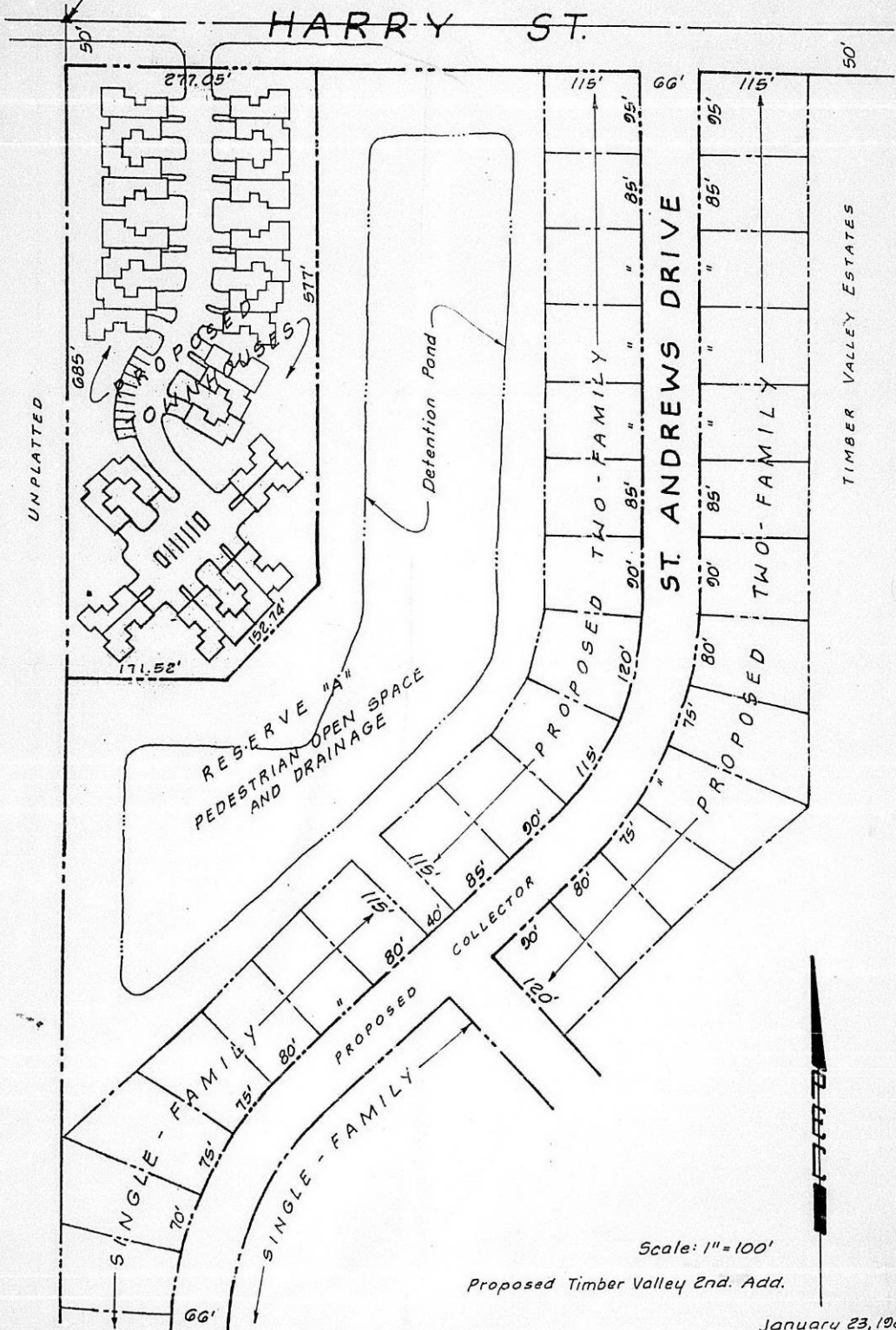
ADDRESS _____

FUND _____ DUE DATE _____

COMMENTS _____

DATE _____ BY _____

N 1/4 Cor., Section 35,
T27S, R2E of the 6th P.M.

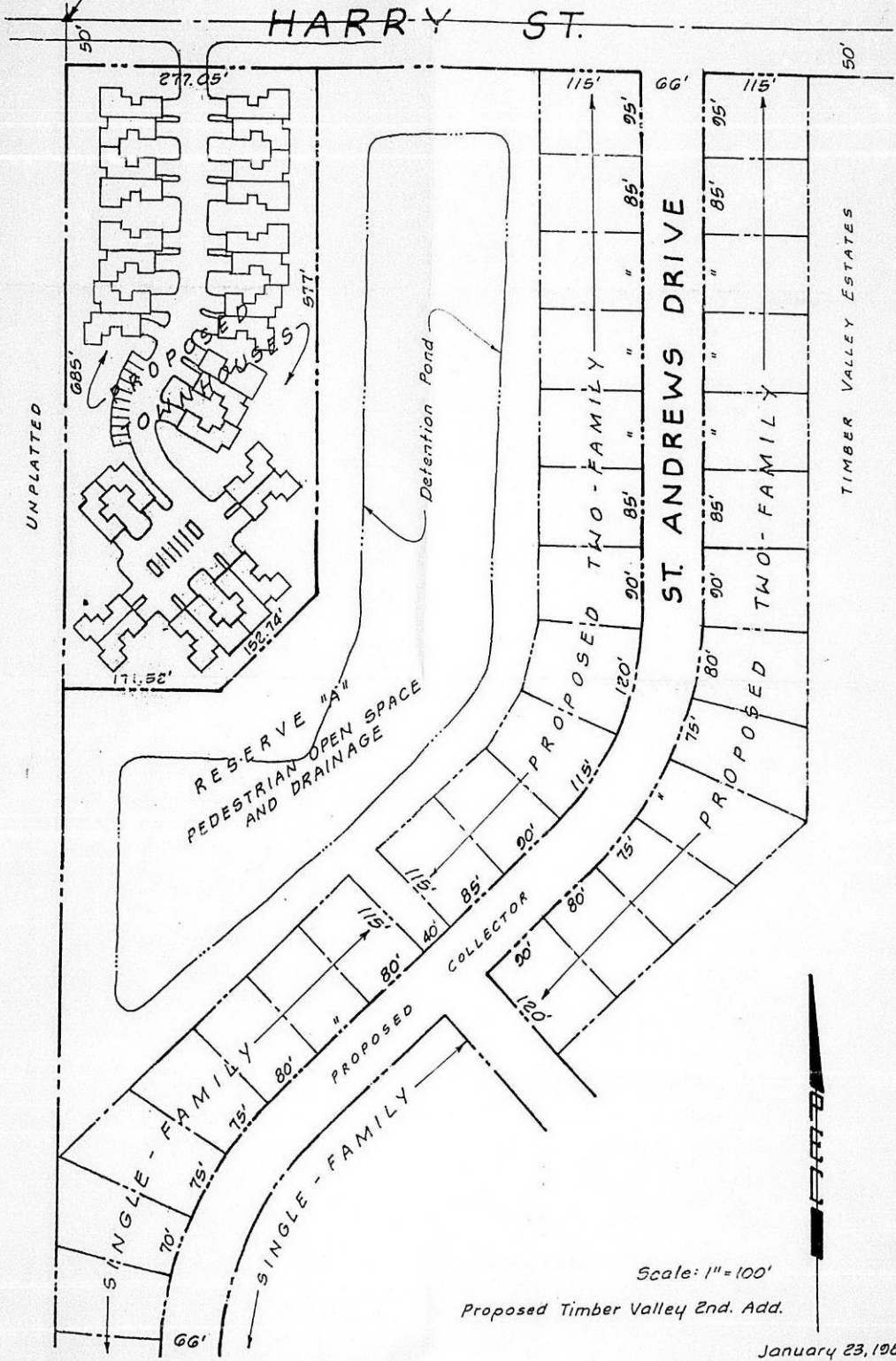


Scale: 1" = 100'

Proposed Timber Valley 2nd. Add.

January 23, 1981

N 1/4 Cor. Section 33,
T27S, R2E of the 6th P.M.



Scale: 1" = 100'

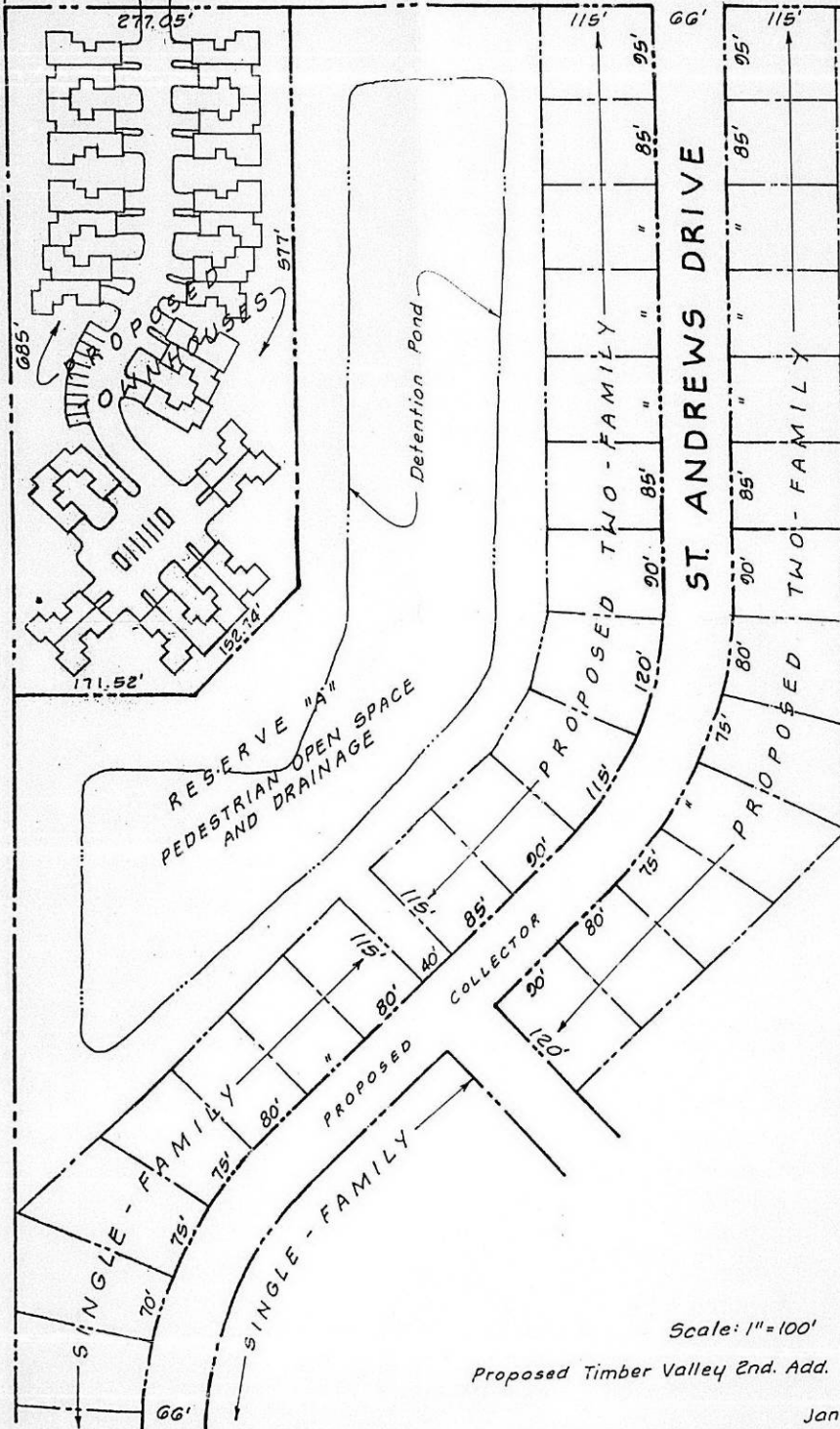
Proposed Timber Valley 2nd. Add.

January 23, 1981

N 1/4 Cor., Section 35,
T27S, R2E of the 6th P.M.

HARRY ST.

UNPLATTED



TIMBER VALLEY ESTATES

Scale: 1"=100'

Proposed Timber Valley 2nd. Add.

January 23, 1981