

DR 74-14 - Special Permit Request  
for non-profit Swimming Club in  
Builders 14th Addition.

B.C.C./B. CO. C.

POSTED  
6-30-74  
11

# ACTION

DATE

COMMITTEE \_\_\_\_\_

M.A.P.C. \_\_\_\_\_ 6.13.74

B.C.C./B. CO. C. \_\_\_\_\_

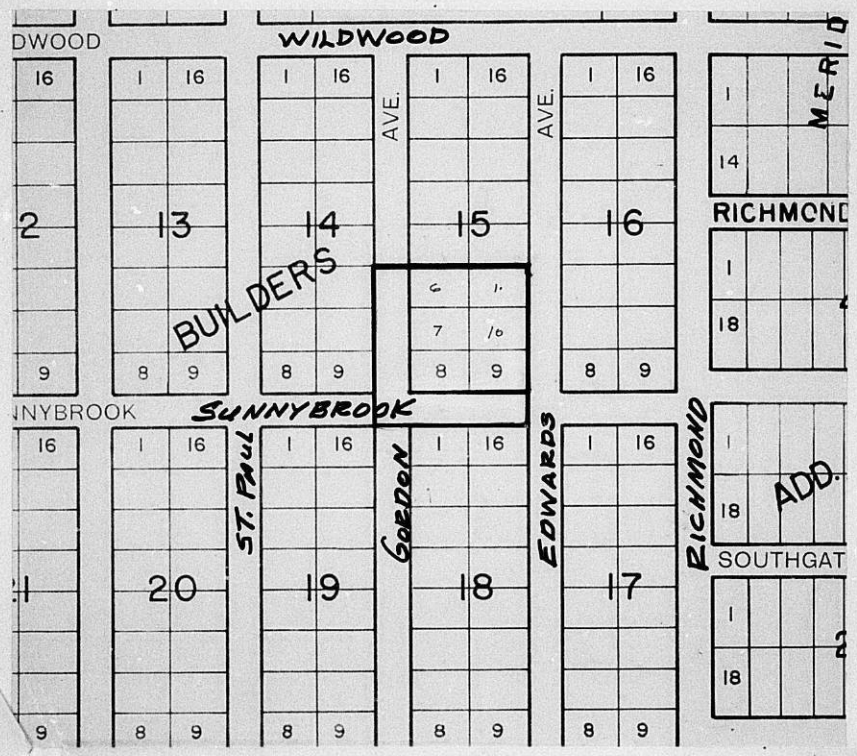
DB 74-14 - Special Permit Request  
for non-profit Swimming Club in  
Builders 14th Addition.

Map No. 5244  
 Sec. 1  
 Twp. 28  
 Range 1W

~~DR~~ DR 74-14  
 SCZ- \_\_\_\_\_  
 CU- \_\_\_\_\_  
 Filed \_\_\_\_\_

AREA DATA:  
 1. Acres: 1.77 ( 270 ft. by 286 ft.)  
 2. Adjoining Zoning: E \_\_\_\_\_ S \_\_\_\_\_ W \_\_\_\_\_ N \_\_\_\_\_  
 3. Land Use: East UNDEVELOPED South UNDEVELOPED  
 West UNDEVELOPED North UNDEVELOPED  
 4. Sketch Plan Land Use is for: \_\_\_\_\_  
 5. Present Land Use if for: UNDEVELOPED  
 6. Area (is) (is not) platted.

PHOTO DATA:  
 Taken by \_\_\_\_\_ Date \_\_\_\_\_ Time \_\_\_\_\_



6-4-74

Builders Inc.  
are going to  
write letter requesting  
withdrawal of case

S/O 74-16  
Builder 14<sup>th</sup> add.  
June 21, 1974

WICHITA-SEDGWICK COUNTY

DATE

**METROPOLITAN AREA PLANNING DEPARTMENT**

May 16, 1974

TO The Files  
FROM Jack H. Galbraith, Chief Planner *JHG*  
SUBJECT DR 74-14 - Special Permit Request for a Non-profit Swimming Club

On this date John Kerwin called for the second time to discuss my letter to Mr. Pollack of May 2, 1974. He raised the same questions as to why Lots 9, 10, and 11, Block 14, had to be included in the legal description, as he advised they are proposing them to be utilized for part of the lake with Lots 6, 7, and 8, Block 14 being replatted into the lake area for lake frontage lots. I cautioned that my concern was that the ownership list did not indicate that Builders owned Lots 6, 7, and 8 and that those property owners were required to be a party to the 100% petition necessary prior to the approval for a swimming club. I was concerned that those property owners were not being properly advised as to the entire recreational proposal for the area.

We left it that he would discuss this matter with his associates and advise us as to whether or not they wanted to add Lots 9, 10, and 11 to their legal description or leave them out of the application area.

JHG:js

May 2, 1974

Mr. Joel M. Pollack  
Vice President and  
Administrative Controller  
Builders, Inc.  
300 West Douglas  
Wichita, Kansas 67202

Dear Mr. Pollack:

Subject: DR 74-14 Special Permit  
Request for a non-profit  
Swimming Club

We are in receipt of your letter of April 29, 1974, and the ownership list associated with the above captioned request. In reviewing this list and the proposed recreational area submitted earlier by Mr. Kerwin, there is an inconsistency in both the petition area and the notification area. As I understand your proposal, and as stated in my letter of April 18, 1974, you are requesting a special permit for a non-profit swimming club, including pool, tennis and basketball courts, and a lake to be developed in the "AA" Single Family District. The area in question include Lots 9, 10 and 11, Block 14, and Lots 6, 7, 8, 9, 10 and 11, Block 15; however, the abstract ownership list did not include the lots in Block 14 and the area within 200 feet.

Inasmuch as this is proposed as a recreational site, I think it is important not to leave any lots out of the description and thus fail to give proper notice. You should also be advised that you are not listed as the owners of Lots 6, 7, and 8, Block 14, and therefore, it will be necessary that you provide us their consent, duly acknowledged, which is in accordance with Section 28.04.182.1.1 of the ordinance.

If you have a corrected abstract ownership list and 100% petition of abutting owners by 5:00 p.m. on May 8, 1974, this matter can be scheduled for the Planning Commission agenda on May 23, 1974, as we previously advised. We would appreciate you taking care

Mr. Joel M. Pollack  
May 2, 1974  
Page Two

of this matter and advising us at your earliest convenience  
so that proper notice can be given. If you have any questions  
concerning this matter, please contact our office.

Sincerely,

Jack H. Galbraith  
Chief Planner

JHG:js

cc: Mr. John Kerwin  
Builders, Inc.  
300 W. Douglas  
Wichita, Kansas 67202



R. H. GARVEY BUILDING

# BUILDERS, INC.

REAL ESTATE DEVELOPMENT  
SALES AND LEASING

300 W. DOUGLAS, WICHITA, KANSAS 67202/PHONE (316) 261-5279

April 29, 1974

Mr. Jack H. Galbraith  
Chief Planner  
Wichita-Sedgwick County Metropolitan  
Area Planning Department  
104 So. Main - City Annex Bldg.  
Wichita, Kansas 67202

RE: Your Letter to John J. Kerwin  
Dated April 18, 1974

Dear Mr. Galbraith:

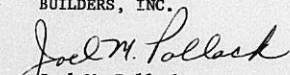
In accordance with Section 28.04.182.1.1. of the Zoning Ordinance, you will find enclosed a current abstract ownership list of all property owners within 100 feet of the area we plan to use for the construction of a non-profit Swimming Club in Builders 14th Addition. Being the sole property owner within these constrictions, we hereby acknowledge and consent to the construction of said project.

Also enclosed is an ownership list of all property owners within 200 feet of the project so that these owners may be contacted prior to consideration of this matter.

As per your request, the revised plans of the area and a draft of our Homeowners Association Agreement will be forthcoming shortly.

Sincerely,

BUILDERS, INC.

  
Joel M. Pollack  
Vice President and  
Administrative Controller

JMP/lb  
Enclosures



A DIVISION OF THE GARVEY ORGANIZATION

STATEMENT OF OWNERSHIP

STATE OF KANSAS )  
 ) SS  
 SEDGWICK COUNTY )

The undersigned duly bonded and qualified abstractor within and for the County and State aforesaid, does hereby certify:

That we have examined the records in the office of the Register of Deeds of Sedgwick County, Kansas, with reference to the ownership of the following property in Sedgwick County, Kansas, viz:

All the owners within 200 feet of Lots 6, 7, 8, 9, 10 and 11 in Block 15, in Builders Fourteenth Addition to Wichita, Sedgwick County, Kansas together with the proposed vacated Sunnybrook Lane as adjoins said Lots on the South and together with the proposed Vacated Gordon Street as adjoins said lots on the West.

  
 Fidelity  
 Title  
 Company,  
 inc.

And from such examination find that the owners thereof are as set opposite the description of the property below, viz: (Addresses as given are furnished as a service and not certified.)

Lot	Block	Addition	Owner
3	14	Builders 14th	John Arthur Brown Norma J. Brown 2914 S. St. Paul 67217
.4	"	"	Richard D. Knofflock Vickie L. Knofflock 2920 S. St. Paul 67217
5	"	"	Alta G. Bribiesca 2926 S. St. Paul 67217
6	"	"	Secretary of Housing & Urban Development
7	"	"	James Bruce Wix Marietta J. Wix 1204 Jetterson 67208
8	"	"	George A. Wappler Mary F. Wappler 2944 S. St. Paul 67217
Lots 3 to 14 Blk 15			
Lots 9 to 15 Blk 14			
Lots 3 to 14 Blk 16			Builders Inc.
Lots 1,2,3, 15 & 16 Blk 17			
Lots 1,3,2, 14, 15, & 16 Blk 18			
Lots 12,3, 14, 15, 16 Blk 19			

Dated this 22nd day of April 1974 at 7:00

FIDELITY TITLE COMPANY INC.  
*By C. E. Bud Riddler V.P.*



STATEMENT OF OWNERSHIP

STATE OF KANSAS )  
                          ) SS  
SEDGWICK COUNTY )

The undersigned duly bonded and qualified abstractor within and for the County and State aforesaid, does hereby certify:

That we have examined the records in the office of the Register of Deeds of Sedgwick County, Kansas, with reference to the ownership of the following property in Sedgwick County, Kansas, viz:

All the owners within 100 feet of Lots 6, 7, 8, 9, 10 and 11 in Block 15, all in Builders Fourteenth Addition to Wichita, Sedgwick County, Kansas together with the proposed vacated Sunnybrook Lane as adjoins said Lots on the South and also with the proposed Vacated Gordon Street as adjoins said Lots on the West.

  
Fidelity  
Title  
Company,  
Inc.

And from such examination find that the owners thereof are as set opposite the description of the property below, viz: (Addresses as given are furnished as a service and not certified.)

The only owner with in the above cited 100 foot radius is

Builders Inc.  
R.H. Garvey Bld 67202.

Dated this 22nd day of April 1973 at 7:00 A.M.

FIDELITY TITLE COMPANY INC.

By   
VP

No. 23501



April 18, 1974

Mr. John J. Kerwin  
Project Manager  
Builders, Inc.  
300 West Douglas  
Wichita, Kansas 67202 .

Dear Mr. Kerwin:

Re: DR 74-14 Special Permit Request  
for a non-profit Swimming Club

We are in receipt of your letter requesting that consideration be given to permitting a special permit for a non-profit Swimming Club, including pool, tennis and basketball courts, and a lake, to be developed in the "AA" Single Family District on part of Builders 14th Addition.

Section 28.04.182 of the Zoning Ordinance authorized the Board of City Commissioners to grant such a request provided that the request is first approved by the Planning Commission. Prior to the consideration of this matter, it is necessary that we notify all abutting property owners within 200 feet. Therefore, please provide a current abstract ownership list of the names and mailing addresses of all property owners within 200 feet of the perimeter boundaries of your proposed recreational area. Also, please provide us, in accordance with Section 28.04.182.1.1, the consent, duly acknowledged, of 100% of the property owners within 100 feet. In this case, Builders, Inc. may be the only owner.

Also, please be advised that 1.2 of this same section also requires that off-street parking areas shall be screened with at least a 3½ ft. fence. We would also be interested in seeing your revised plans, indicating how you propose to terminate Gordon to the North in a cul-de-sac, and how you propose to treat the vacated area of

Mr. John J. Kerwin  
April 18, 1974  
Page Two

Sunnybrook to the West. At your earliest convenience, please submit a draft of your Homeowners Association Agreement.

Provided that we receive the required abstract ownership list and the 100% petition of abutting owners, by April 24, 1974, this matter will be scheduled for consideration by the Planning Commission on their regular agenda of May 23, 1974. The meeting will begin at 1:30 p.m. and will be held in Room 401 City Building Annex, 104 South Main.

Please contact me if you have any questions on this matter.

Sincerely,

Jack H. Galbraith  
Chief Planner

JHG:js

cc: Robert Finch, Assistant City Manager



R. H. GARVEY BUILDING

# BUILDERS, INC.

REAL ESTATE DEVELOPMENT  
SALES AND LEASING

300 W. DOUGLAS, WICHITA, KANSAS 67202/PHONE (316) 261-5279

April 16, 1974

Mr. Robert L. Lakin  
Director of Planning  
Wichita-Sedgwick County Metropolitan  
Area Planning Commission  
104 S. Main - City Annex Building  
Wichita, Kansas 67202

Dear Sir:

This letter of request is being submitted in compliance with Section 28. 04. 182 of the Zoning Ordinance City of Wichita to obtain the special permit needed to erect a private, non-profit swimming club in Block 15 of Builders Fourteenth Addition. This club would be made up of a homeowner association composed of the residents in the immediate area and would be supported by their membership fees. Preliminary survey results indicate that such a recreation area is feasible and would be heartily supported by the residents in the area.

We would like to develop this recreation area in conjunction with the replat of Builders Fourteenth Addition that is now under consideration by your department. The replat calls for the vacation of Gordon Avenue and Sunnybrook Street as indicated on the enclosed proposed layout plan. The digging of the lake would occur on Lots 9, 10, 11, Block 14 and Lots 6, 7, 8, Block 15. The pool area would then be built on the east side of the lake as shown. All specifications are in compliance with those stated in Section 28. 04. 182 of the Zoning Ordinance City of Wichita. Builders, Inc. is owner of all the land incorporated by this recreation area as well as all the land within 100 ft. of the total project.

Your consideration of this letter of request is greatly appreciated and if any additional information is needed, please advise. We are looking forward to working with you on this project.

Cordially,

BUILDERS, INC.

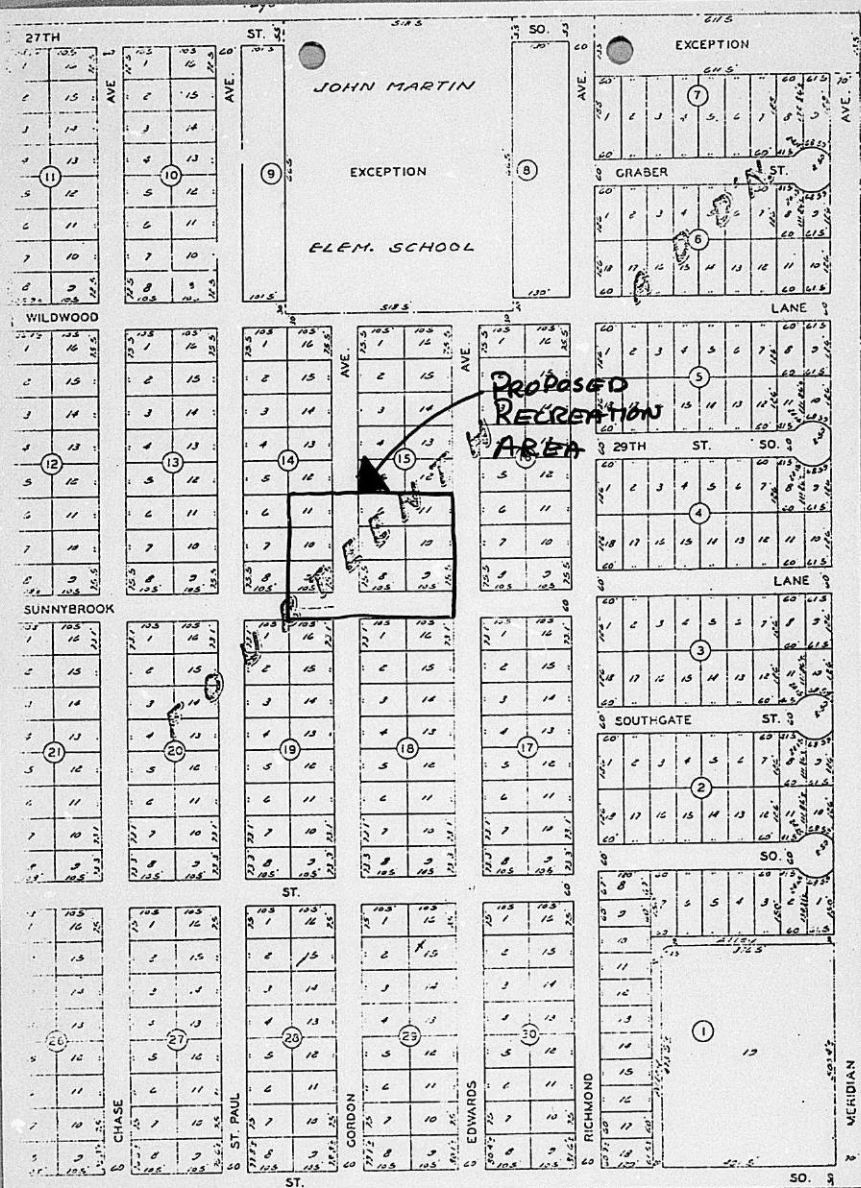
  
John J. Kerwin  
Project Manager

JJK/ph  
Encl.

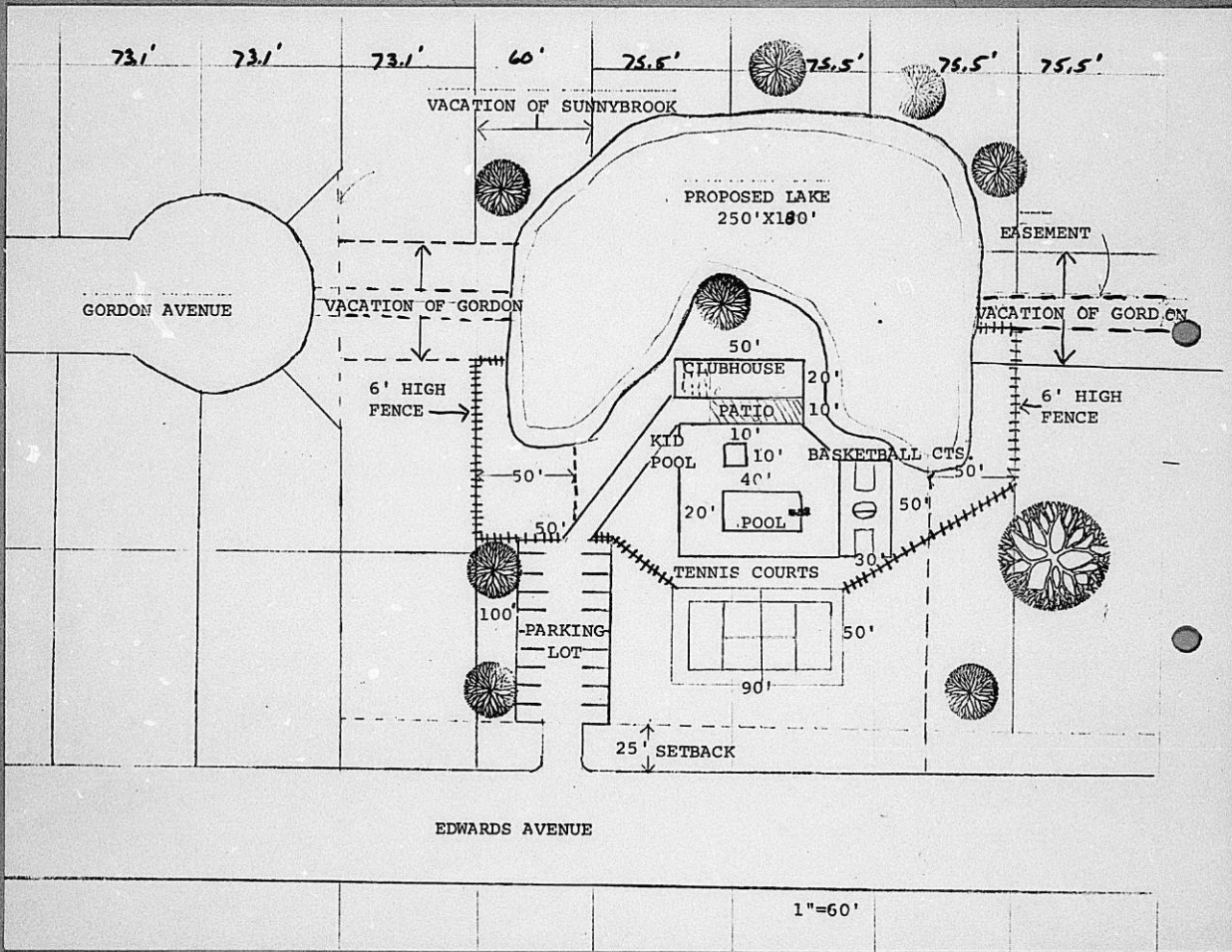


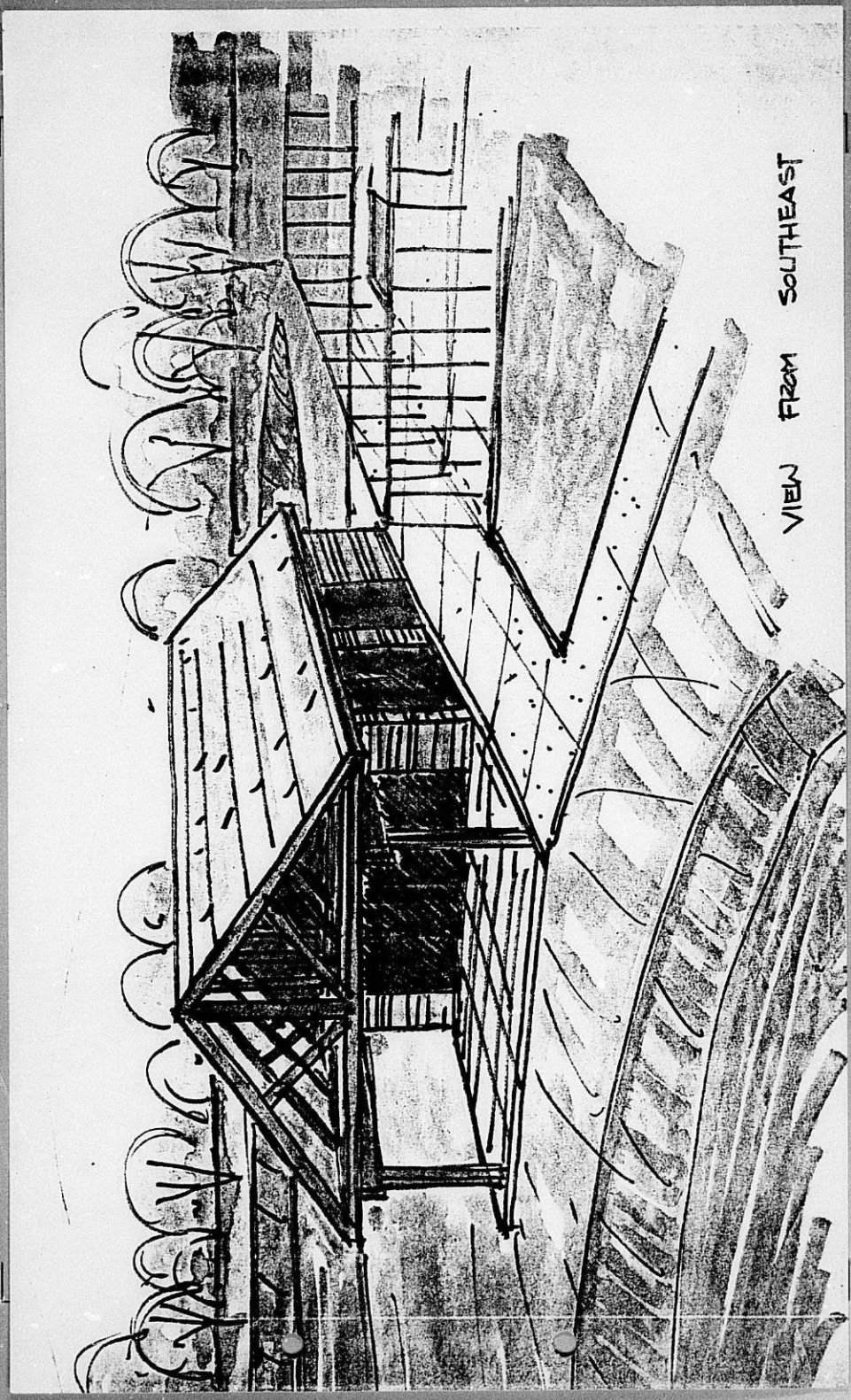
A DIVISION OF THE GARVEY ORGANIZATION





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VIEW FROM SOUTHEAST