

DR 76-13 - Platting Exemption
Appeal, by Coy and Mary Lou
Wright.

10/2/76
8-9-76
[Signature]

ACTION

DATE 8-12-76

S/D COMMITTEE approve

M.A.P.C. _____

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

Map No. N14-D
 Sec. 36
 Twp. 28
 Range 2E

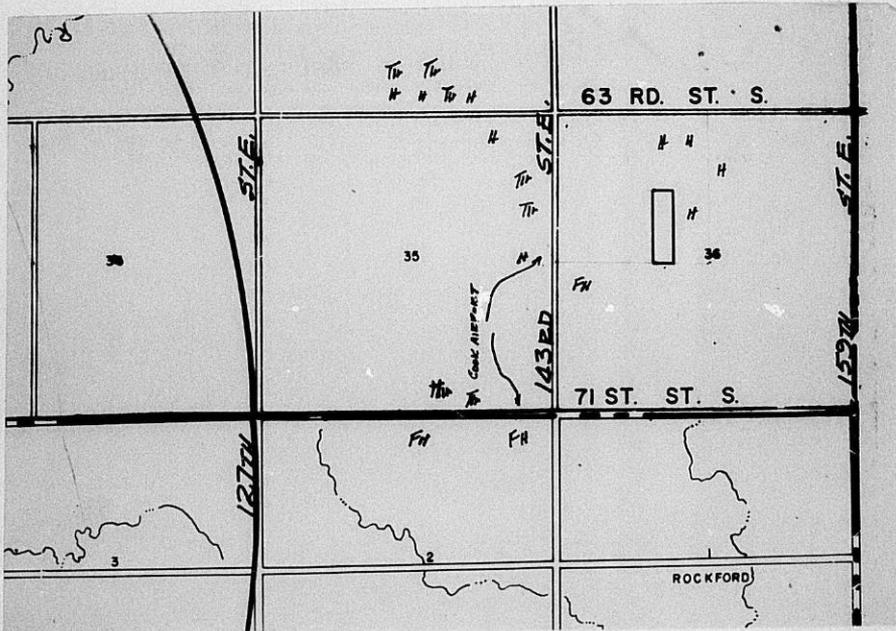
~~DR~~ DR 76-13
 SCZ- _____
 CU- _____
 Filed _____

AREA DATA:

1. Acres: 10.0 (327 ft. by 1320 ft.)
2. Adjoining Zoning: E _____ S _____ W _____ N _____
3. Land Use: East SINGLE FAM South _____
 West _____ North SINGLE FAM
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 _____



REGISTERED IN LOS ANGELES
 COUNTY OF LOS ANGELES, TX U.S.A.

Simplot
 No. 2,133C

August 16, 1976

Mr. & Mrs. Coy Wright
3227 South Gow
Wichita, Kansas 67217

Re: DR 76-13 - Platting exemption
appeal for a 10-acre tract
described as the S $\frac{1}{4}$ of West
327 feet of East 981 feet of
NW $\frac{1}{4}$, 36-288-2E.

Dear Mr. and Mrs. Wright:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission on August 12, 1976, the above captioned case was considered. The action of the Committee was to approve the exemption from platting of this tract of land. This action was based upon the fact that four of the eight tracts have already been built upon and there is little chance of getting the private road dedicated to public road standards. The platting of this one tract would not resolve the problem of the need for a public road.

The committee indicated that the east-west portion of the existing private road should not be extended beyond its present location as they would not look with favor upon any additional 10-acre exemptions on private roads in this area other than the eight existing tracts.

You should be advised that approval from the Wichita-Sedgwick County Health Department for a water supply and sewage treatment system will be required before a building permit can be issued.

Sincerely,

Jack H. Galbraith
Chief Planner

JHG:LO:rme

Mr. & Mrs. Coy Wright
August 16, 1976
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cc: G. C. McLure, Director, Sedgwick County Department of Public
Works
Syd Werbin, Division Head, County Building, Planning and
Inspection
Steve Innes, Environmental Health Division
Dean Sellers, Assistant City Engineer

August 6, 1976

Subdivision Committee of the Metropolitan
Area Planning Commission
Robert A. Lakin, Director of Planning

DR 76-13 - Platting exemption appeal

Mrs. Mary Lou Wright recently requested a determination from the Planning Department on her 10 acre tract that said tract is exempt from platting. Mrs. Wright's 10 acre tract is located in the interior of a quarter section of land and is served by a private drive or road. Based on the present exemption provisions of the Subdivision Regulations in Article 3-105(A), it was my determination that Mrs. Wright's 10 acres did not meet the exemption provision because a public road was needed to reach her site as well as other adjoining 10 acre sites which had no direct access to a public road.

Mrs. Wright is requesting an appeal of the Planning Department's determination for the reason that there are four other homes already built in the same area which were not required to plat in order to build. She feels that the private road serving her tract is adequate and no public access is needed since the other 10 acre tract owners in the area are also served by the private road.

It should be noted that Mrs. Wright's property is located in an 80 acre tract which was divided into 8-10 acre sites, four adjoining the section line road and four sites behind the four on the section line road. The access is provided by a 40-foot common access easement. Mrs. Wright indicated to me that the additional right-of-way to bring the road to County standards 70 foot right-of-way is not available.

The property was divided prior to the July 1975 date that the building permit requirements went into effect. The Subdivision Regulations have been in force since July 1968, but this is somewhat indicative of enforcement programs where construction codes were not in force. The other existing four homes in the area were either already built or under construction prior to July of 1975. This means that all four of the tracts which have been built upon should have been reviewed and either officially exempted from platting or they should have been platted before any construction took place. No requests for platting exemption determination have ever been received from the realtors or homeowners who divided the land. Mrs. Wright has been the first person to request a determination in the area.

Subdivision Committee
August 6, 1976
Page 2

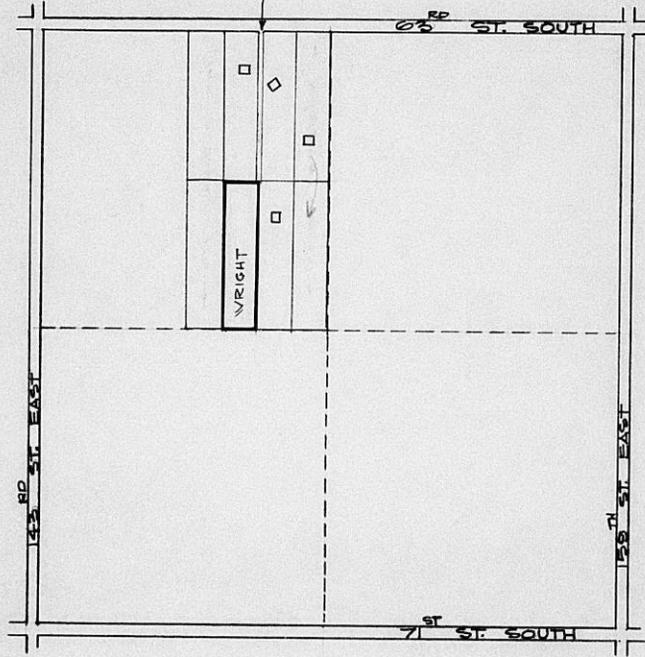
If you have any questions concerning this matter, please call.


Robert A. Lakin
Director of Planning

RAL:CLN:rme
Attachment

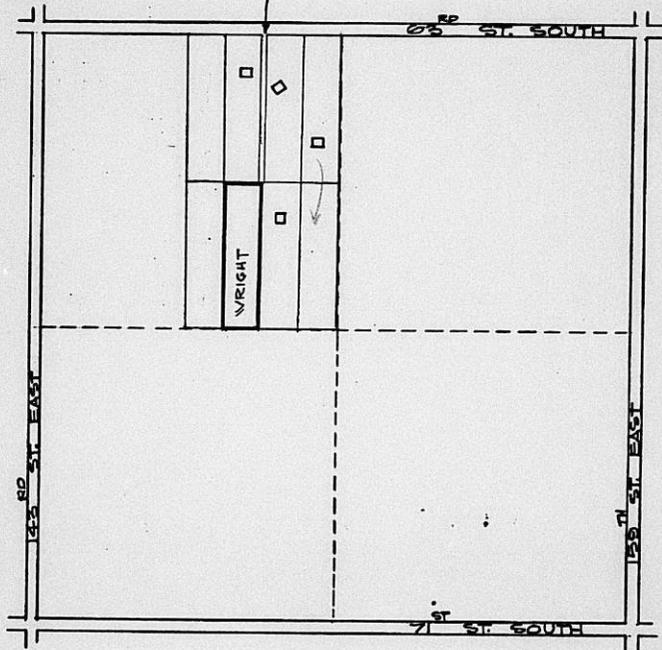
cc: Mrs. Mary Lou Wright
3227 South Gow
Wichita, Kansas 67217

40' ACCESS EASEMENT



SEC. 36 TWP. 28 R. 2 E

40' ACCESS EASEMENT



SEC. 36 TWP. 28 R. 2 E

Book 4
N-14-D
36
285
2E

Platting Exemption appeal
SD 8/12/76

WICHITA - SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

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

July 26, 1976

Mr. Robert A. Lakin
Director of Planning
Wichita-Sedgwick County Metro-
politan Area Planning Department
455 North Main
Wichita, Kansas 67202

Dear Mr. Lakin:

This letter is to request the appeal of your Department's decision that my property does not meet the 10 acre exemption provision of the M.A.P.C. Subdivision Regulations. I would request that this appeal be scheduled for consideration by the Subdivision Committee of the Metropolitan Area Planning Commission as soon as possible. The legal description of my property is as follows: The south half of the west 327 feet of the East 981 feet of the Northwest Quarter, Section 36, Township 28 South, Range 2 East. I have discussed this matter with Mr. Newby of your office, and I indicated that it was the Planning Department's opinion that my property would not qualify for 10 acre exemption. I should point out that my property is being served by private road access and that water services has been provided through a Rural Water Benefit District, and electric and telephone services has also been provided to the property.

I should also point out that four other 10 acre sites next to my property have all been developed and were not required to obtain a building permit. I, therefore feel that I should be afforded the same opportunity on my property.

Your prompt attention to this matter will be greatly appreciated.

Sincerely,
Coy Wright
Mary Lou Wright
Coy Wright
Mary Lou Wright

MLW:CLN:rme

