

DR 84-9 - Glenn R. Olsen requests
a Special Permit for a dump site
for mud & sludge on the west side
of Hydraulic approximately 1/3-

Postcard
7-26-84

ACTION

DATE
8-6-84

P.C.P.C.
COMMITTEE

Denied

M.A.P.C.

Denied

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

*Withdrawn by the applicant
8-11-84*

Closed

Sec. _____ DATA SHEET SCZ-^o 0330
 Twp. _____ (ZONING & CONDITIONAL USE) CU- _____
 Range _____ Filed 7-16-84
 ASSOCIATED CASE: DR-84-9

APPLICATION DATA: From "E" to "P"
 1. Applicant: Glen R. Olsen
 Address: 4821 North Hydraulic 67219 Phone 838-2340
 2. Agent: Rodney L. Steven
 Address: P.O. Box 1126 Phone 263-4437 (263-6735)
 3. General Location: On the west side of Hydraulic approximately 1/3-mile
 north of 45th Street North. (4821 N. Hydraulic)
 4. Proposed Use: _____

AREA DATA:
 1. Acres: 72.6 (161 ft. by 979 ft.)
 2. Adjoining Zoning: E "E" S "E" W "R" N "E"
 3. Land Use: East _____ South _____
 West _____ North _____
 4. Sketch Plan Land Use is for: _____
 5. Present Land Use is for: _____
 6. Area (is) (is not) platted. _____

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

| | Date | Action |
|----------------|--------|--------------|
| Park City P.C. | 8-6-84 | Denied (S-O) |
| MAPC | 8-9-84 | Denied |

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

| Date | Action | Ordinance Resolution |
|--------|--------|----------------------|
| 9-5-84 | Waived | by the applicant |
| | Closed | |

NOTES: Charles Eaton Mayor of Bullis
 concerned that their water wells are just
 south of this parcel. 7442451

S. M. ...
 No. 2-153C
 MARTINEZ, INC.
 LOS ANGELES, CALIF. 90048
 HERRINGTON, TEXAS 75001
 U.S.A.

Map No. 5553 B
Sec. _____
Twp. _____
Range _____

DATA SHEET

DR - 84-9
Filed 7-16-84

APPLICATION REQUEST:

Assoc. Case SCZ-0538

APPLICATION DATA:

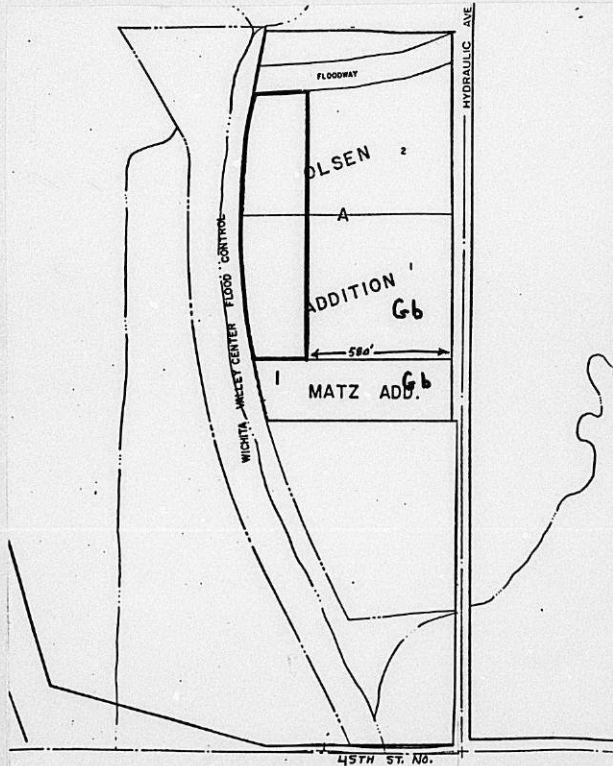
1. Applicant: Glenn R. Olsen
Address 4821 N. Hydraulic, 67219 Phone 838-2340
2. Agent: Rodney L. Steven
Address P.O. Box 1126 Phone 263-4437 (263-6735)
3. General Location: On the west side of Hydraulic approximately 1/3-
mile north of 45th Street North. (4821 N. Hydraulic)
4. Proposed Use: _____

AREA DATA:

1. Acres: 73.6 (161 ft. by 979 ft.)
2. Adjoining Zoning: E "E" S "E" W "R" N "E"
3. Land Use: East _____ South _____
West _____ North _____
4. Sketch Plan Land Use is for: _____
5. Present Land Use is for: _____
6. Area (is) (is not) platted. _____

PHOTO DATA:

Taken by _____ Date _____ Time _____



PICTURE SHEET

REFERRAL FROM WICHITA-SEDGWICK COUNTY METROPOLITAN AREA PLANNING COMMISSION
TO THE PARK CITY PLANNING COMMISSION.

CASE NO. DR 84-9 To be heard by the M.A.P.C. on AUGUST 9, 1984

Request For SPECIAL PERMIT To _____

Reason For Request (As Provided By Petitioner):

To Allow a Dumping Site for Mud and Sand from Mud Pits.

Location of Property:

West of Hydraulic in an area approximately 1/3-mile north of 45th Street North.

Legal Description of Property:

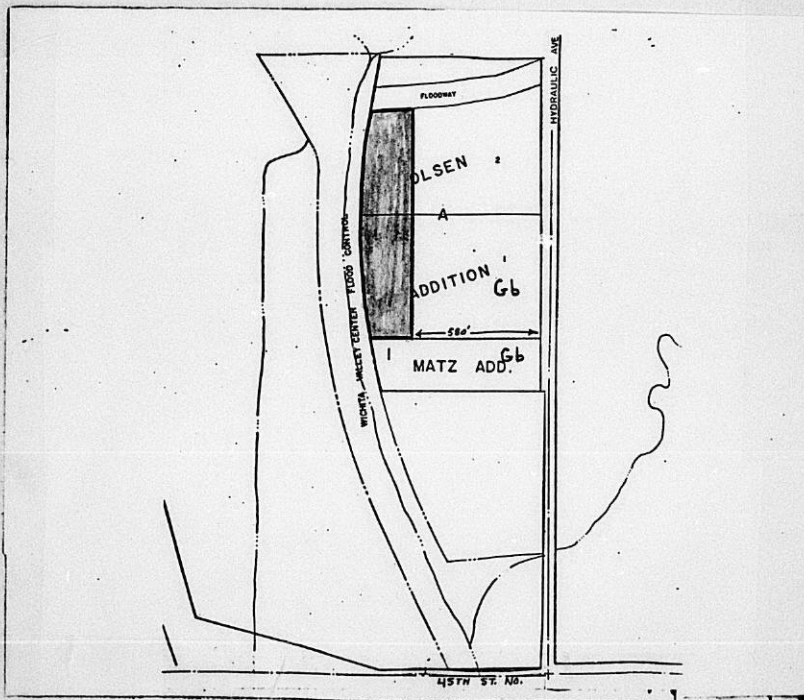
Lot 1, except the east 580 feet thereof together with Lot 2, except the east 580 feet and except that part lying north of the Floodway crossing through said Lot 2, Block A, Olsen Addition to Sedgwick County, Kansas. Generally located on the west side of Hydraulic approximately 1/3-mile north of 45th Street North.

APPLICANT: Glenn R. Olsen
Address: 4821 North Hydraulic
Wichita, Kansas 67219

Rodney Steven has stated AUG 1984 that he has purchased said tract of land.

AGENT for Applicant: Rodney L. Steven

Surrounding Land Use: (N) DRAINAGEWAY; (E) GENERAL BUSINESS & UNDERDEVELOPED;
(S) UNDERDEVELOPED; (W) FLOOD CONTROL DIVERSION DITCH.



RECOMMENDATION OR COMMENTS BY H.C.P.C.

LAW OFFICES
FETTIS & McCLURE

120 SOUTH MARKET
SUITE 504
WICHITA, KANSAS 67202
316-267-7251

EVERETT C. FETTIS
DAVID R. McCLURE

KEITH M. CURFMAN
OF COUNSEL

August 13, 1984

Jack H. Galbraith, Chief Planner
Metropolitan Area Planning Department
455 North Main
Wichita, Kansas 67203

RE: SCZ-0538
DR 84-9

Dear Jack:

You will recall that we had a hearing before the Planning Commission August 9, 1984 regarding the above matters. It was the recommendations of that commission to recommend that the requests be denied.

In view of the issues which we are raising and the attitude of the Park City and Bellaire Planning Commissions, it is the desire of the applicant that these two requests be withdrawn.

Very truly yours,


EVERETT C. FETTIS

ECF/dbs

RECEIVED
AUG 14 1984
METROPOLITAN PLANNING
ROUTE _____

WICHITA - SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
COMMISSION

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

August 13, 1984

Everett C. Fettis, Attorney
One Twenty Building
120 South Market
Wichita, Ks. 67202

Re: SCZ-0538 & DR 84-9 - "E" to "F"
& Special Permit to allow a mud
and sludge dump operation

Dear Mr. Fettis:

At its regular meeting on August 9, 1984, the Metropolitan Area Planning Commission considered the above-captioned cases. The action of the Planning Commission was to recommend that both the zone change request and the Special Permit for the dump site be denied.

In accordance with your telephone request this morning that both cases be withdrawn, we now consider these cases withdrawn and closed.

Sincerely yours,

Jack H. Galbraith
Chief Planner

JHG:sd

cc: Glen Olsen, 4821 North Hydraulic, Wichita 67219
Rodney L. Steven, P. O. Box 1126, Wichita 67201
Daniel H. Phillips, Attorney, 901 North Broadway, Wichita 67214
John Palacios, Director of Public Works, Bel Aire, 4343 North
Woodlawn, Bel Aire 67220
Charles Eaton, Mayor, Bel Aire, 4343 North Woodlawn, Bel Aire 67220
Royce E. Wallace, Attorney, 328 N. Main, Wichita 67202
Paul E. Matz, 4815 North Hydraulic, Wichita 67219
William J. Roth, 5045 North Hydraulic, Wichita 67219
Dr. Joseph W. Hume, 5037 North Hydraulic, Wichita 67219
Michael Everhart, Director of Environmental Health, Wichita-Sedgwick
County Health Department, 1909 East Ninth, Wichita 67214

CASE NO. SCZ-0538

- 8 "Notices regarding change in location of meeting of the Park City Planning Commission mailed on 7-31-84.
- 2 Applicant and Agent: Notices to adjoining property owners; notices of location change; staff reports; referral sheets.
- 2 Bel Aire Planning Commission Chairman and Secretary of Zoning and Planning: Notices to adjoining property owners; notice of location change; staff reports; referral sheets. *Mayor Charles Eaton called - 7442451*
- 2 Kechi Planning Commission Chairman and City Clerk: "Notices to adjoining property owners"; notices of location change; staff reports; referral sheets.
- 9 Park City Planning Commissioners, City Administrator, and City Clerk: "Notices to adjoining property owners"; notices of location change; staff reports; and referral sheets.
- 3 Mike Everhart, Claud Shelor, Ron Worley: "Notice to adjoining property owners"; notice of location change; staff reports; referral sheets.

26

TOTAL

WICHITA - SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

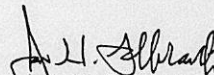
CITY HALL — TENTH FLOOR
435 NORTH MAIN STREET
WICHITA, KANSAS 67202-1088
(316) 268-4561

July 31, 1984

TO WHOM IT MAY CONCERN:

This is to advise you that the designated location on the attached notice for the meeting of the PARK CITY PLANNING COMMISSION, which is to be held on Monday, August 6, 1984, at 7:00 p.m., has been changed to the Park City Community Building at 6801 North Hydraulic.

If you have any questions regarding this matter, you may call the Wichita-Sedgwick County Metropolitan Planning Department at 268-4421.


Jack H. Galbraith
Chief Planner

JHG:blw

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION
CITY HALL, TENTH FLOOR, 455 NORTH MAIN STREET
WICHITA, KANSAS 67202-1688

July 26, 1984

NOTICE TO ADJOINING PROPERTY OWNERS:

NOTICE IS HEREBY GIVEN that on Monday, August 6, 1984, at 7:00 p.m., the PARK CITY PLANNING COMMISSION, in the Police Department Conference Room, Park City, Kansas, will consider the following items for purposes of making a recommendation to the Metropolitan Area Planning Commission and Board of County Commissioners:

SCZ-0538

Zone Change from "E" Light Industrial to "F" Heavy Industrial

and

DR 84-9

Special Permit To Allow A Mud and Sludge Dump
Operation On Land Proposed For "F" Heavy Industrial Zoning

Lot 1, except the east 580 feet thereof together with Lot 2, except the east 580 feet and except that part lying north of the Floodway crossing through said Lot 2, Block A, Olsen Addition to Sedgwick County, Kansas. Generally located on the west side of Hydraulic approxi-
1/3-mile north of 45th Street North.

If these matters are not deferred for further hearings by the Park City Planning Commission, they will appear on the agenda for the regular meeting of the WICHITA-SEDGWICK COUNTY METROPOLITAN AREA PLANNING COMMISSION, which begins at 1:30 p.m., Thursday, August 9, 1984, in the City Commission Meeting Room, First Floor, City Hall, 455 North Main, Wichita, Kansas, at which time you may appear either in person or by agent or attorney, if you so desire.

As provided in the County Zoning Resolution, Section 14 - Administration, sub-paragraph C, the same will there be discussed and considered by the said Wichita-Sedgwick County Metropolitan Area Planning Commission and all persons interested in said matter will be heard at this time concerning their views and wishes in the premises and any protest against any of the provisions of the proposed change to the Zoning Resolution or Special Permit, will be considered as by law provided.

Additional information concerning these cases may be obtained from the Planning Department, 10th Floor, City Hall, or by calling 268-4421.

Robert A. Lakin
Secretary

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING DEPARTMENT

SCZ-0538 - ZONE CHANGE FROM THE "E" LIGHT INDUSTRIAL DISTRICT
TO THE "F" HEAVY INDUSTRIAL DISTRICT
Generally located west of Hydraulic in an area approximately
1/3 mile north of 45th Street North.

PCPC HEARING DATE: 8-06-84
MAPC HEARING DATE: 8-09-84

Acres: 73.6

Size: 210' x 960' (irregular)

Reason: In order for us to receive a special permit that allows mud pit
dumping, it is our understanding that the area's requirement
would be heavy industrial zoning.

| | <u>Land Use</u> | <u>Zoning</u> |
|----------|--------------------------------|---------------|
| Existing | Mud & sludge dump | "E" |
| North | Drainage way | "E" |
| East | General business & undeveloped | "E" |
| South | Undeveloped | "E" |
| West | Flood control diversion ditch | "R" |

History: None

Applicant: Glen R. Olsen, 4821 North Hydraulic, Wichita 67219

* Rodney Blapher has stated Aug 6, 1984 that he has purchased the tract of land involved in this case

COMMENTS:

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

The applicant is requesting a change of zoning from "E" Light
Industrial to "F" Heavy Industrial for a tract of land located in
an area west of Hydraulic approximately 1/3 mile north of 45th
Street North (4821 North Hydraulic).

In conjunction with this request, the applicant has submitted an
application for a Special Permit to operate a mud and sludge dump
on subject property (DR 84-9).

The applicant owns the property to the north and east which is zoned
"E" Light Industrial as is the property to the south. West is a
drainage diversion ditch zoned "R" Rural Residential with "E" zoning
on to the west.

REFERRAL FROM WICHITA-SEDGWICK COUNTY METROPOLITAN AREA PLANNING COMMISSION
TO: THE PARK CITY PLANNING COMMISSION.

CASE NO. SCZ-0538 to be heard by the M.A.P.C. on August 9, 1984

Request For **Change of Zoning From:** "E" To "P"

Reason For Request (As Provided By Petitioner):

To Allow a Dumping Site for Mud and Sand from Mud Pits.

Location of Property:

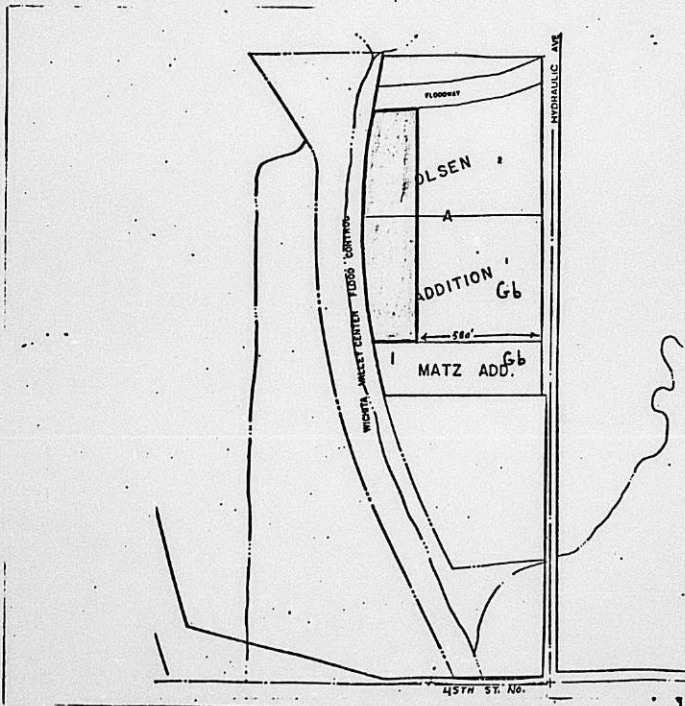
West of Hydraulic in an area approximately 1/3-mile north of 45th Street North.

Legal Description of Property:

Lot 1, except the east 580 feet thereof together with Lot 2, except the east 580 feet and except that part lying north of the Floodway crossing through said Lot 2, Block A, Olsen Addition to Sedgwick County, Kansas. Generally located on the west side of Hydraulic approximately 1/3-mile north of 45th Street North.

APPLICANT: Glenn R. Olsen
Address: 4821 North Hydraulic
Wichita, Kansas 67219
AGENT for Applicant: Rodney L. Steven

Surrounding Land Use: (N) DRAINAGEWAY; (E) GENERAL BUSINESS & UNDERDEVELOPED;
(S) UNDERDEVELOPED; (W) FLOOD CONTROL DIVERSION DITCH.



RECOMMENDATION OR COMMENTS BY P.C.P.C.

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING DEPARTMENT

DR 84-9 - Special Permit - West of Hydraulic in an area approximately 1/3 mile north of 45th Street North.

PCPC HEARING DATE: 8-06-84

MAPC HEARING DATE: 8-09-84

Acres: 73.6

Size: 210' x 960' (irregular)

Reason: A dumping site for mud and sand from mud pits.

| | <u>Land Use</u> | <u>Zoning</u> |
|----------|--------------------------------|---------------|
| Existing | Mud & sludge dump | "E" |
| North | Drainageway | "E" |
| East | General business & undeveloped | "E" |
| South | Undeveloped | "E" |
| West | Flood Control diversion ditch | "R" |

History: None

Applicant: Glenn R. Olsen, 4821 N. Hydraulic, Wichita 67219

COMMENTS:

1. AS provided for under Section 10.A.40. of the County Zoning Resolution, the applicant is requesting a Special Permit to operate a mud and sludge dump on property proposed for "E" Heavy Industrial zoning (SCZ-0538).

The applicant has been operating a dump at this location and has been cited by the Environmental Health Department as being in violation of the Health and Sanitation Code.

Chapter 10 of Health and Sanitation Code No. 7 for the County of Sedgwick, Kansas, reads in part, "It shall be unlawful for any person to process or dispose of solid waste other than in accordance with the laws of the State of Kansas and the provisions of this solid waste code" and "It shall be unlawful for any person or municipality to maintain and/or operate a solid waste disposal site....without having a current license issued by the Kansas Department of Health and Environment."

2. A recommendation of approval by the Planning Commission should be subject to the following conditions:
 - a. Approval of Zone Case No. SCZ-0538.
 - b. That the Special Permit specifically limit the applicant to the disposal of only car wash mud traps and telephone cable splice manholes. The dumping of any other materials shall be subject to the written approval of the Health Department.
 - c. That the Special Permit be subject to annual review based on a continued evaluation of the site by the Health Department.
 - d. That the applicant submit 4 copies of a drainage plan which addresses the control of rainfall runoff from materials dumped on the site to the Health Department for their review and approval prior to the case being forwarded to County Commission.

- e. That the applicant disk or plow the working areas of the site on a monthly basis to incorporate the dumped muds into the soils of the site.
 - f. That the applicant be required to limit access to the site to his vehicles only and that a locked gate be maintained on the access road.
 - g. Any violation of the conditions of approval shall null and void the Resolution granting the Special Permit.
-

REFERRAL FROM WICHITA-SEDGWICK COUNTY METROPOLITAN AREA PLANNING COMMISSION
TO THE PARK CITY PLANNING COMMISSION.

CASE NO. DR 84-9 To be heard by the M.A.P.C. on AUGUST 9, 1984

Request For SPECIAL PERMIT

To _____

Reason For Request (As Provided by Petitioner):

To Allow a Dumping Site for Mud and Sand from Mud Pits.

Location of Property:

West of Hydraulic in an area approximately 1/3-mile north of 45th Street North.

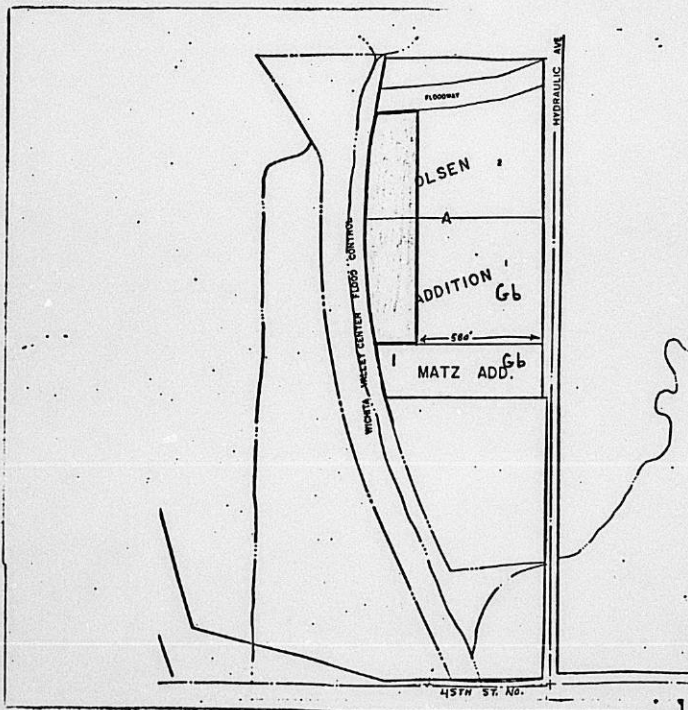
Legal Description of Property:

Lot 1, except the east 580 feet thereof together with Lot 2, except the east 580 feet and except that part lying north of the Floodway crossing through said Lot 2, Block A, Olsen Addition to Sedgwick County, Kansas. Generally located on the west side of Hydraulic approximately 1/3-mile north of 45th Street North.

APPLICANT: Glenn R. Olsen
Address: 4821 North Hydraulic
Wichita, Kansas 67219

AGENT for Applicant: Rodney L. Steven

Surrounding Land Use: (N) DRAINAGEWAY; (E) GENERAL BUSINESS & UNDERDEVELOPED;
(S) UNDERDEVELOPED; (W) FLOOD CONTROL DIVERSION DITCH.



RECOMMENDATION OR COMMENTS BY H.C.P.C.

July 30, 1984

John Ballard, Chairman
Bel Aire Planning Commission
4343 North Woodlawn
Wichita, Kansas 67220

SCZ-0538 - Zone Change from "E" Light Industrial to "F" Heavy Industrial
and
DR 84-9 - Special Permit to Allow a Mud and Sludge Dump
Operation on Land Proposed for "F" Heavy Industrial Zoning

Dear Mr. Ballard:

Attached is a notice, map of the area, and our planning department staff reports on the above two associated cases. This material is being forwarded to you to keep you advised of County requests being filed in your city's 3-mile ring.

Inasmuch as this application area is nearer to Park City and lies just south of their recommended area of influence, we are scheduling these two cases before their Planning Commission prior to their being considered by MAPC. Should you have any concern with or interest in these cases, you may want a representative to attend the Park City meeting.

After you review this material, if you have any questions, please call me at 268-4421.

Sincerely,

Jack H. Galbraith
Chief Planner

JHG:GLS:blw

Attachments

cc: Betty Martine, Planning and Zoning Secretary, City of Bel Aire,
4343 North Woodlawn, Wichita, Kansas 67220

July 30, 1984

Quincey Barnard, Chairman
Kechi City Planning Commission
P. O. Box 36
Kechi, Kansas 67067

SCZ-0538 - Zone Change from "E" Light Industrial to "F" Heavy Industrial
and
DR 84-9 - Special Permit to Allow a Mud and Sludge Dump
Operation on Land Proposed for "F" Heavy Industrial Zoning

Dear Mr. Barnard:

Attached is a notice, map of the area, and our planning department staff reports on the above two associated cases. This material is being forwarded to you to keep you advised of County requests being filed in your city's 3-mile ring.

Inasmuch as this application area is nearer to Park City and lies just south of their recommended area of influence, we are scheduling these two cases before their Planning Commission prior to their being considered by MAPC. Should you have any concern with or interest in these cases, you may want a representative to attend the Park City meeting.

After you review this material, if you have any questions, please call me at 268-4421.

Sincerely,

Jack H. Galbraith
Chief Planner

JHG:GLS:blw

Attachments

cc: Iris Clubb, City Clerk
Kechi City Hall
P.O. Box 88
Kechi, Kansas 67067

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING DEPARTMENT

DR 84-9 - Special Permit - West of Hydraulic in an area approximately 1/3 mile north of 45th Street North.

PCPC HEARING DATE: 8-06-84

MAPC HEARING DATE: 8-09-84

Acres: 7.36

Size: 210' x 960' (irregular)

Reason: A dumping site for mud and sand from mud pits.

| | <u>Land Use</u> | <u>Zoning</u> |
|----------|--------------------------------|---------------|
| Existing | Mud & sludge dump | "E" |
| North | Drainageway | "E" |
| East | General business & undeveloped | "E" |
| South | Undeveloped | "E" |
| West | Flood Control diversion ditch | "R" |

History: None

Applicant: Glenn R. Olsen, 4821 N. Hydraulic, Wichita 67219

COMMENTS:

1. AS provided for under Section 10.A.40. of the County Zoning Resolution, the applicant is requesting a Special Permit to operate a mud and sludge dump on property proposed for "F" Heavy Industrial zoning (SCZ-0538).

The applicant has been operating a dump at this location and has been cited by the Environmental Health Department as being in violation of the Health and Sanitation Code.

Chapter 10 of Health and Sanitation Code No. 7 for the County of Sedgwick, Kansas, reads in part, "It shall be unlawful for any person to process or dispose of solid waste other than in accordance with the laws of the State of Kansas and the provisions of this solid waste code" and "It shall be unlawful for any person or municipality to maintain and/or operate a solid waste disposal site...without having a current license issued by the Kansas Department of Health and Environment."

2. A recommendation of approval by the Planning Commission should be subject to the following conditions:
 - a. Approval of Zone Case No. SCZ-0538.
 - b. That the Special Permit specifically limit the applicant to the disposal of only car wash mud traps and telephone cable splice manholes. The dumping of any other materials shall be subject to the written approval of the Health Department.
 - c. That the Special Permit be subject to annual review based on a continued evaluation of the site by the Health Department.
 - d. That the applicant submit 4 copies of a drainage plan which addresses the control of rainfall runoff from materials dumped on the site to the Health Department for their review and approval prior to the case being forwarded to County Commission.

- e. That the applicant disk or plow the working areas of the site on a monthly basis to incorporate the dumped muds into the soils of the site.
- f. That the applicant be required to limit access to the site to his vehicles only and that a locked gate be maintained on the access road.
- g. Any violation of the conditions of approval shall null and void the Resolution granting the Special Permit.

CASE NO. SCZ-0538
and
CASE NO. DR 84-9

| | |
|-------|--|
| 7 | "Notice to Adjoining Property Owners mailed on 7-26-84 for MAPC meeting to be held on 8-9-84. |
| 3 | One each to Applicant and Agents. |
| 3 | One each to Karen Crook, Ron Worley, Claud Shelor. |
| <hr/> | |
| 13 | TOTAL |

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION
CITY HALL, TENTH FLOOR, 455 NORTH MAIN STREET
WICHITA, KANSAS 67202-1688

July 26, 1984

NOTICE TO ADJOINING PROPERTY OWNERS:

NOTICE IS HEREBY GIVEN that on Monday, August 6, 1984, at 7:00 p.m., the PARK CITY PLANNING COMMISSION, in the Police Department Conference Room, Park City, Kansas, will consider the following items for purposes of making a recommendation to the Metropolitan Area Planning Commission and Board of County Commissioners:

SCZ-0538

Zone Change from "E" Light Industrial to "F" Heavy Industrial

and

DR 84-9

Special Permit To Allow A Mud and Sludge Dump
Operation On Land Proposed For "F" Heavy Industrial Zoning

Lot 1, except the east 580 feet thereof together with
Lot 2, except the east 580 feet and except that part
lying north of the Floodway crossing through said Lot 2,
Block A, Olsen Addition to Sedgwick County, Kansas.
Generally located on the west side of Hydraulic approxi-
1/3-mile north of 45th Street North.

If these matters are not deferred for further hearings by the Park City Planning Commission, they will appear on the agenda for the regular meeting of the WICHITA-SEDGWICK COUNTY METROPOLITAN AREA PLANNING COMMISSION, which begins at 1:30 p.m., Thursday, August 9, 1984, in the City Commission Meeting Room, First Floor, City Hall, 455 North Main, Wichita, Kansas, at which time you may appear either in person or by agent or attorney, if you so desire.

As provided in the County Zoning Resolution, Section 14 - Administration, sub-paragraph C, the same will there be discussed and considered by the said Wichita-Sedgwick County Metropolitan Area Planning Commission and all persons interested in said matter will be heard at this time concerning their views and wishes in the premises and any protest against any of the provisions of the proposed change to the Zoning Resolution or Special Permit, will be considered as by law provided.

Additional information concerning these cases may be obtained from the Planning Department, 10th Floor, City Hall, or by calling 268-4421.

Robert A. Lakin
Secretary

THE WICHITA-SEDGWICK COUNTY DEPARTMENT OF COMMUNITY HEALTH

OFFICE OF Environmental Health

DATE July 25, 1984

TO Jack Galbraith, Chief Planner

FROM Michael J. Everhart, Environmental Health Director

SUBJECT SCZ-0538 - "E" to "F"
and DR-84-9 Special Permit

Staff has reviewed the materials provided on the zone change and Special Permit for a mud and sludge dump at 4821 N. Hydraulic. In addition, we have visited this site on several occasions and required that substantial cleanup be done of various illegally and improperly dumped materials. As of our last evaluation, the site had been cleaned to our satisfaction and access to the area had been limited by a locked gate.

The Health Department has required Mr. Stevens to obtain a Solid Waste Facility Permit from the Kansas Department of Health and Environment as a condition for continued operation of this site. KDHE requires local review and approval through the Special Permit process prior to their consideration of the application for a State permit. If approved by the governing bodies, KDHE will proceed with their review.


The dumping of mud and sludges from car washes and other pits, such as utility manholes, does not generally constitute an environmental hazard and the Health Department agrees, in concept, with this proposal. However, based upon the observed and potential problems related to an operation of this type, the Health Department would recommend that the Planning Commission consider the following conditions:

1. That the Special Permit specifically limit the applicant to the disposal of only car wash mud traps and telephone cable splice manholes. (The applicant's request for carpet cleaner mud trap disposal needs further review, based upon the cleaning chemicals to be used.)
2. That the Special Permit be subject to annual review based on a continued evaluation of the site by the Health Department.
3. That the applicant submit a drainage plan which addresses the control of rainfall runoff from materials dumped on the site.
4. That the applicant disk or plow the working areas of the site on a monthly basis to incorporate the dumped muds into the soils of the site.
5. That the applicant be required to limit access to the site to his vehicles only and that a locked gate be maintained on the access road.

Jack Galbraith
July 25, 1984
Page 2

6. That the applicant be required to obtain a Solid Waste Facility Permit within 90 days of the approval of the Special Permit. Failing that, the Special Permit should be suspended until the State permit is obtained.

Please contact me if you have any questions.


Michael J. Everhart
Environmental Health Director

MJE/jk

cc: Rod Stevens

WICHITA-SEDGWICK COUNTY

DATE

METROPOLITAN AREA PLANNING DEPARTMENT

July 18, 1984

TO Michael J. Everhart, R.S., Environmental Health Director
FROM Jack H. Galbraith, Chief Planner
SUBJECT SCZ-0538 - "E" to "F" and DR-84-9 - Special Permit

This is to advise you that we have received applications for a zone change from "E" Light Industrial to "F" Heavy Industrial and a Special Permit for a dump site for mud and sludge on the Rod Steven property on North Hydraulic.

Attached is a copy for an application to the State on subject property which may be of some interest to you and possibly help in evaluating the situation.

I would appreciate any comments or conditions of approval you have on this matter at an early date so as to incorporate them in our staff report to the Planning Commission. These cases are scheduled for consideration by the Park City Planning Commission on August 6, 1984 and the Metropolitan Area Planning Commission on August 9, 1984. Please call me or furnish me any comments you have by Wednesday, July 25th so that I can furnish your comments in our staff report.

Jack H. Galbraith
Chief Planner

JHG:GLS:jps
Attachment

Special Permit DR 84-9
APPLICATION FOR APPROVAL OF CONDITIONAL USE PERMIT
FOR PROPERTY LOCATED WITHIN THE JURISDICTION
OF THE BOARD OF COUNTY COMMISSIONERS OF
SEDGWICK COUNTY, KANSAS

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

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 Glen Olsen

ADDRESS 4821 N. Hydraulic PHONE 838-2340

*has stated
AVG 6,11704 that
he has purchased
the back of land*

AGENT Rodney L. Steven

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).

2. a. The applicant proposes to establish a Dump site for mud & sand
from mud pits. (use)

on property legally described as Lot(s) 1 & 2

Block(s) A

of the Olsen Addition.

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

*Use same legal
as for associated
zone change
3.6*

2. b. There are ~~2.2~~ ^{3.6} 7 acres (round to nearest tenth) in the above described property.

** Special request for west 7 acres

T9-333-2

N - E
S - E
E - E
W - R

5553 B

Revised 8/80

3. THIS PROPERTY IS LOCATED AT (ADDRESS) 4821 North Hydraulic

THE GENERAL LOCATION IS (USE APPROPRIATE SECTION)

A. AT THE _____ CORNER OF _____ AND _____

_____, OR
B. ON THE West SIDE OF Hydraulic ^{app. 1/2 mile in an area north} ~~(AVE.) STREET BETWEEN~~
of 45th St. No. (AVE.) STREET AND _____ (AVE.) STREET.

4. THE PROPERTY INCLUDED IN THIS APPLICATION IS ZONED Light Industrial (ZONING DISTRICT CLASSIFICATION).

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

A Dumping Site for Mud and Sand from Mud Pits

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.

BY Glenn Olson - Owner BY _____
AUTHORIZED AGENT (IF ANY) AUTHORIZED AGENT (IF ANY)

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

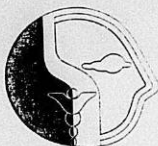
BY _____ BY _____
AUTHORIZED AGENT (IF ANY) AUTHORIZED AGENT (IF ANY)

7. OFFICE USE ONLY

This application was received at the Planning Department at 4:30

(AM, PM) on July 16, 1984 (day, month, year). It has been checked and found to be complete and accompanied by required documents and the appropriate fee of \$ 150⁰⁰.

G. Lynn Shirley Name
Jr. Planner Title



July 2, 1984

RECEIVED

JUL 3 1984

METROPOLITAN PLANNING

ROUTE

CERTIFIED MAIL

Mr. Rod Steven
Little Joe's Septic Service
510 East 13th
Wichita, Kansas 67214

Re: 4801 N. Hydraulic

Legal Description: Olsen Addition, SE 1/4, Sec. 21-26S-1E, Kechi Township,
Sedgwick County, Kansas (Key No. KE-6550)

Our records indicate that you are currently operating an open dump at 4801
N. Hydraulic.

Chapter 10 of Health and Sanitation Code No. 7 for the County of Sedgwick,
Kansas, reads in part, "It shall be unlawful for any person to process or
dispose of solid waste other than in accordance with the laws of the State
of Kansas and the provisions of this solid waste code" and "It shall be un-
lawful for any person or municipality to maintain and/or operate a solid
waste disposal site...without having a current license issued by the Kansas
Department of Health and Environment."

In addition, Chapter 12 of the same code states in part, "Any such solid waste
which is dumped, deposited or disposed of at any place other than at a licensed
sanitary landfill or other licensed processing facility which can be identified
in relation to a person or to an occupied premise and such the responsibility
of such person or the occupant of such premise and such person or occupant may
be required by the enforcing agency to effect cleanup of such solid waste
immediately. Failure to comply with an order of the enforcing agency for
such cleanup shall be a violation of this code."

Since you have no permit to operate a disposal facility of any kind at this
address, you are immediately to cease operating the dump. Further, all of the
black, sludge-type waste presently on the site is to be removed to a licensed
sanitary landfill within 10 days; and a locked gate or other means must be
installed to prevent unauthorized entry.

If you have any questions, please call me or John Davis at 268-8351.

Michael J. Everhart, R.S.
Environmental Health Director

MJE/JMD/jk

cc: Chuck Linn; Jack Brown; John Davis; Glen Olsen; Tim Carroll

Wichita-Sedgwick County Department of Community Health

1900 East Ninth Street - Wichita, Kansas 67214-3198 (316)268-8401

Office Copy 4-2-84



State of Kansas . . . John Carlin, Governor

DEPARTMENT OF HEALTH AND ENVIRONMENT

Joseph F. Harkins, Secretary

Fortas Field
Topeka, Kansas 66620
913-862-9360



APPLICATION FOR APPROVAL TO ESTABLISH AND OPERATE
INDUSTRIAL OR CONSTRUCTION LAND DISPOSAL AREA

1. Applicant's Name Clutter-Olsen Co.
 Address 4821 N. Hydraulic Wichita, Kansas 67219
 (Street or Rural Route) (City & State) (Zip)
 Telephone (316) 838-5104
2. Political Subdivision Sedgwick County - Kechi Township
 (Unit of Government - County, City, Township)
3. State Agency Private Individual or Firm Other _____
 If other - explain The business is pumping liquid and semi liquid waste
from mud traps, grease traps, septic tanks, commercial and industrial
sludge pits through the Sedgwick County area.
4. Site Location
 County Sedgwick, Section 21, Township 26S, Range RIE
5. Is this facility part of an officially adopted solid waste management plan?
 Yes _____ No If yes, identify that plan _____
6. Type of site applied for:
 Industrial _____ Construction Demolition _____ Other
 If other, explain Land farming
7. Site Address 4821 N. Hydraulic Wichita, Kansas
 (Street Number, Road, Highway)
8. Site Area (acres) 22 1/2 Area to be used for disposal (acres) 4 Acres
9. Provide Sketch of Site (attach)

10. Site owned by applicant _____ Site leased by applicant X

If site is leased, please fill in the following information:

Owner of Record Mr. Glenn Olsen

Address Rt #1 Box 269 _____ City Valley Center State Ks Zip 67147

Lease negotiated (Date) December 01, 1982

11. Is the site an existing disposal site? X Is the site a proposed new site? _____

12. Land characteristics (general description)

Mixture of cultivated and grazing land boarded with a hedge row of trees on side and native grass drainage ditch on other side

13. Drainage (Provide sketch of drainage facilities and contour map)

- a. Natural X _____ Acres
- b. Storm Sewers _____ Acres
- c. Farm Tile _____ Acres
- d. Open Ditch _____ Acres

14. Estimate site acreage devoted to following uses:

- a. Heavily Wooded 01
- Developed 03
- Grasses or Pasture _____
- Cultivated 14
- Existing dump 04
- b. Estimated acreage to be cleared -0-

c. Proposed method of clearing N/A

15. Soil Classification - From soil conservation district or county agent (Do not complete if soil survey or drill logs are attached)

_____ % Sand

_____ % Silt Texture Classification

100 % Clay, Clay Loam (Farnum B)

16. If sufficient cover material is not available at the site, where will it be obtained?

N/A - Land farming operation

What kind of cover material is on-site? N/A

13. Drainage - Surface run off will be controlled by terracing the site on two foot intervals and by maintaining the existing berm around the perimeter of the site.

17. Land use permitted under official land use plan within one mile radius (If there is a land use map please attach).

| | South | West | North | East |
|---------------------|----------|----------|----------|----------|
| a. Residential | _____ | <u>V</u> | <u>Z</u> | <u>O</u> |
| b. Commercial | <u>Z</u> | _____ | <u>V</u> | _____ |
| c. Light Industrial | <u>Z</u> | _____ | _____ | _____ |
| d. Heavy Industrial | <u>Z</u> | _____ | _____ | _____ |
| e. Rural | _____ | <u>V</u> | _____ | <u>V</u> |
| f. Mixed | _____ | _____ | _____ | _____ |

(If land is not zoned, use "O"; if land use agrees with zoning, mark "Z"; if land use and zoning do not agree, mark "V")

18. Are there any nearby wells? Yes X No _____ 500 ft East - 1 well

19. Access roads serving the site

a. City X d. State _____
 b. Township _____ e. Interstate _____
 c. County X f. Other (explain) _____

20. Types of road surface on site.

a. Concrete _____ e. Gravel X
 b. Asphalt _____ f. Crushed Stone _____
 c. Seal Coat _____ g. Dirt X
 d. Soil Cement _____ h. Other _____

21. Type of Operation

a. Trench _____
 b. Cut and Cover _____
 c. Area _____
 d. Ramp _____
 e. Other or combination Land farming
 (Attach detailed recommendations)

22. Service Areas

a. Disposal site to serve:
 City _____ Township _____ County _____ Business X Others _____
 b. Will site be open to the general public? Yes _____ No X

ITEM #23 - Restrictions Applied for

b. Materials to be accepted at Disposal Site:

1. Car and truck wash - Mud pits
2. Carpet Cleaners - Mud Traps
3. Telephone Company cable splice manholes

25. Estimated Number of Loads Daily (estimate quantities in tons or cubic yards)

| | TONS | CUBIC YARDS |
|--|-------|-------------|
| a. From public collection vehicles | _____ | _____ |
| b. From private collection vehicles | 30 | 3 |
| c. From other vehicles (specify) _____ | N/A | _____ |

26. Estimated Capacity of Site

a. In cubic yards 30,000 b. In years 25

27. Proposed Completed Site Use

a. Parks _____ d. Parking _____
b. Playgrounds _____ e. Light Industrial X
c. Agriculture _____

28. Proposed Maximum Finished Elevation (show finished contours on plan):

Generally fill the area about 2½ foot average with the lower elevations
getting 3½ to 4 foot of fill

29. Summary

The dump is to be used solely by Clutter-Olsen Company as a private dump
for the materials listed in Item #23, paragraph "b". The dump can only
be used in weather permitting conditions, wet weather will cause temporary
closure of the dump site.

Permit Fee Enclosed _____ Performance Bond Posted (If required by local agency) _____

Don Canoll P.E. _____ Owner
Signature of Applicant Title

Clutter-Olsen Co. _____ March 28, 1984
Organization Date

APPLICANT WILL NOT WRITE BELOW THIS LINE

Review by Local Planning and Zoning Board Having Jurisdiction:

Approved _____ Disapproved _____

(If special permit is required by planning and zoning board, please attach a copy to this application.)

Signature of Zoning Administrator County or City Board

Date

Review by County Commission or County Solid Waste Board if Available

Approved _____ Disapproved _____

Comments _____

Signature of Chairman

Date

WICHITA - SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

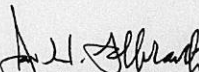
CITY HALL — TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202-1688
(316) 268-4551

July 31, 1984

TO WHOM IT MAY CONCERN:

This is to advise you that the designated location on the attached notice for the meeting of the PARK CITY PLANNING COMMISSION, which is to be held on Monday, August 6, 1984, at 7:00 p.m., has been changed to the Park City Community Building at 6801 North Hydraulic.

If you have any questions regarding this matter, you may call the Wichita-Sedgwick County Metropolitan Planning Department at 268-4421.


Jack H. Galbraith
Chief Planner

JHG:blw

MICROFILMED
 FROM THE BEST
 AVAILABLE COPY

FORM 25-1 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. (P.W.) | Cement | M.S.P. |
| | Planning | | |

| DESCRIPTION | AMOUNT |
|-----------------|-----------------|
| | |
| | |
| | |
| NAME | |
| ADDRESS | |
| FUND | DUE DATE |
| COMMENTS | |
| DATE | BY |