

Case No. BZA 27-85 - Leewood Homes, Inc.
- requests a variance to reduce the re-
quired front yard setback from 25' to
not less than 5' for circulation drive
purposes only on property zoned the "R-5"
General Residence District and generally

5981
POSTED
3-27-85 nel

ACTION

BZA 27-85 APPROVE 4-23-85
DME

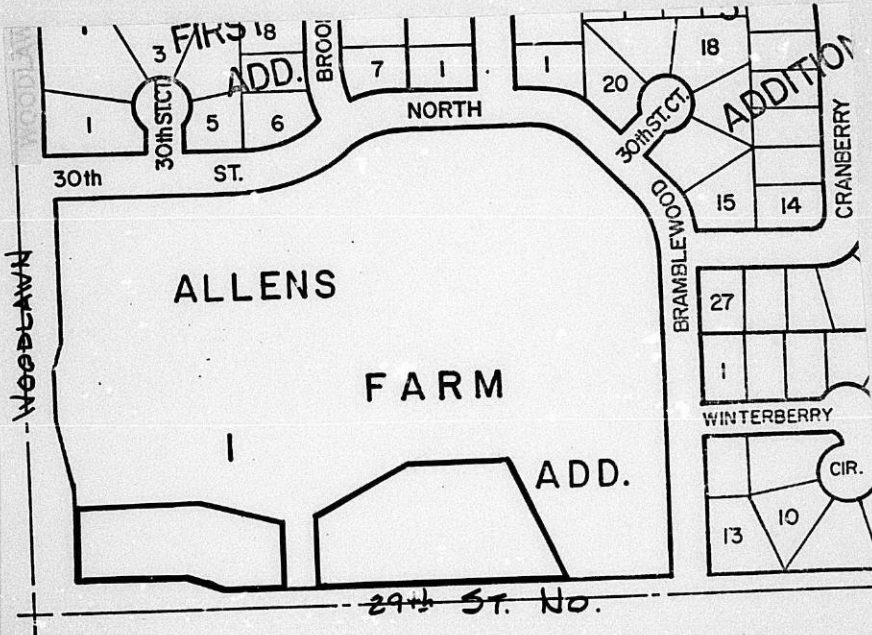
200' 4 Sec 10-31-86
Shot 11-18
Record ✓

Map No. 5951C

BZA 27-85
Filed _____

AREA DATA:

1. Acres: _____ (_____ ft. by _____ ft.)
2. Adjoining Zoning: E R-5 S AA W AA N R-5
3. Land Use: East M-F South Drainage way
West Vacant North M-F
4. Area (is) (~~is not~~) platted.



LOS ANGELES COUNTY
REGISTERED PLAT
NO. 2153C
U.S.A.

Standard
No. 2153C

HASTINGS, MN
LOS ANGELES CHICAGO LOGAN OH
MILWAUKEE ST. LOUIS
U.S.A.

October 16, 1985

Joe Lee
Leewood Homes
6130 Legion
Wichita, Kansas 67204

RE: BZA 27-85 - Variance

Dear Mr. Lee:

On July 29, 1985, I released Resolution BZA 27-85 on the understanding that you would furnish a landscape plan for the area adjacent to 29th Street South that is to be reduced to less than 25 feet. As you are aware, the next planting season for new landscape materials is fast approaching, and in order to comply with the conditions of the variance, a plan must be approved by this office.

If you intend to proceed with the project, please submit a landscape plan immediately. If you do not wish to complete this case, please advise so that we may close the file and void the resolution.

If I can be of assistance, please give me a call.

Sincerely,

Glen E. Lytle
Assistant Secretary

GEL/lw

cc: Monty Robson, Superintendent of Central Inspection

July 29, 1985

Joe Lee
Leewood Homes
6130 Legion
Wichita, Ks. 67204

Re: BZA 26-85 & BZA 27-85
Request for Variances

Dear Mr. Lee:

Attached hereto are copies of Resolution BZA 26-85 & BZA 27-85 setting forth the official action of the Board on April 23, 1985 for the variance request to reduce the front yard setback for circulation drive (private street) purposes only. I have also attached a copy of the approved landscape plan for BZA 26-85.

Although a landscape plan has not been submitted for BZA 27-85, I am releasing the Resolution for same in anticipation of receiving same at the earliest date possible. This will permit the issuance of building permits in both areas and still allow time for the installation of landscape materials by the next planting season.

If you have any questions, please give me a call.

Sincerely,

Glen E. Lytle
Assistant Secretary

GEL:sad

Encl.

cc: Monty Robson, Superintendent of Central Inspection (2)
Don Gisick, City Clerk

RESOLUTION NO. BZA 27-85

WHEREAS, Leewood Homes, Inc., 6130 Legion, Wichita, Kansas, requests a variance as provided in Section 2.12.590.B, Code of the City of Wichita, to reduce the required front yard setback from 25 feet to 5 feet for circulation drive purposes only on property zoned the "R-5" General Residence District and legally described as follows:

Beginning at a point on the west line of said Allens Farm, 130.00 feet north bearing $N01^{\circ}14'30''$ from the southwest corner of said addition; said point also being 184.79 feet north bearing $N01^{\circ}14'30''$ W and 75.00 feet east bearing $N88^{\circ}45'30''$ E from the southwest corner of Section 31, Township 26 south, Range 2 east; thence $N88^{\circ}55'01''$ E, 220.00 feet; thence $S69^{\circ}38'43''$ E, 150.46 feet; thence $S01^{\circ}14'30''$ E, 100.00 feet to a point on the south line of said addition, said point also being on the north line of 29th Street North; thence westerly along said line bearing $S88^{\circ}55'01''$ W, 84.97 feet; thence $N77^{\circ}02'49''$ W, 103.08 feet; thence $S88^{\circ}55'01''$ W, 175.00 feet; thence $N01^{\circ}14'30''$ W, 130.00 feet to the point of beginning.

AND

Beginning at a point on the south line of said Allens Farm, 197.78 feet westerly bearing $S88^{\circ}55'01''$ W from the southeast corner of said addition, said point also being 913.07 feet easterly bearing $N88^{\circ}55'01''$ E and 30.00 feet northerly bearing $N01^{\circ}04'59''$ W from the southwest corner of Section 31, Township 26 south, Range 2 east; thence westerly along said south line bearing $S88^{\circ}55'01''$ W, 408.25 feet; thence $N01^{\circ}14'30''$ W, 114.43 feet; thence $N60^{\circ}00'00''$ E, 168.00 feet; thence $N88^{\circ}55'01''$ E, 190.30 feet; thence $S21^{\circ}04'59''$ E, 208.22 feet to the point of beginning. Generally located on the north side of 29th Street North and east of Woodlawn.

WHEREAS, proper notice as required by ordinance and by the rules of the Board of Zoning Appeals has been given; and

WHEREAS, the Board of Zoning Appeals did, at the meeting of April 23, 1985, consider said application; and

WHEREAS, the Board of Zoning Appeals has proper jurisdiction to consider said request for a variance under the provisions of Section 2.12.590.B, Code of the City of Wichita; and

WHEREAS, the Board of Zoning Appeals has found that the variance arises from such condition which is unique to the property in question and which is not ordinarily found in the same zone or district; and is not created by an action or actions of the property owner or the applicant inasmuch as the property is located adjacent to a major street and is directly across the street from a floodway easement that is undevelopable land and furthermore the only other properties that would in any way be affected by the variance request are within the owners development; and

WHEREAS, the Board of Zoning Appeals has found that the granting of the permit for the variance will not adversely affect the rights of adjacent property owners or residents inasmuch as the reduction of the front yard setback adjacent to a major street that will be used for a private circulation drive should not interfere with the utilization of the property across 29th Street North; and

WHEREAS, the Board of Zoning Appeals has found that the strict application of the provisions of Title 28 (Zoning Ordinance) of which variance is requested will constitute unnecessary hardship upon the property owners represented in the application inasmuch as there is only a limited amount of space between the lakes and the street right-of-way that can be developed, thereby making it necessary to utilize a major portion of the required setback for circulation drive purposes; and

WHEREAS, the Board of Zoning Appeals has found that the variance desired will not adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare due to the fact that the reduction of the setback for circulation drive purposes only will not interfere with any needed right-of-way or easements; and

WHEREAS, the Board of Zoning Appeals has found that the granting of the variance desired will not be opposed to the general spirit and intent of Title 28 (Zoning Ordinance) inasmuch as the use of a private street paralleling 29th Street North will use only slightly more of the setback than an arrangement of double wide driveways backing out into the major street; and

WHEREAS, each of the five conditions required by Section 2.12.590.B, Code of the City of Wichita, to be present before a variance can be granted has been found to exist.

NOW, THEREFORE, BE IT RESOLVED by the Board of Zoning Appeals of the City of Wichita that this request for a variance to reduce the required front yard setback from 25 feet to 5 feet for circulation drive purposes only on property zoned the "R-5" General Residence District and legally described as follows:

Beginning at a point on the west line of said Allens Farm, 130.00 feet north bearing N01°14'30" from the southwest corner of said addition; said point also being 184.79 feet north bearing N01°14'30" W and 75.00 feet east bearing N88°45'30"E from the southwest corner of Section 31, Township 26 south, Range 2 east; thence N88°55'01"E, 220.00 feet; thence S69°38'43"E, 150.46 feet; thence S01°14'30"E, 100.00 feet to a point on the south line of said addition, said point also being on the north line of 29th Street North; thence westerly along said line bearing S88°55'01"W, 84.97 feet; thence N77°02'49"W, 103.08 feet; thence S88°55'01"W, 175.00 feet; thence N01°14'30"W, 130.00 feet to the point of beginning.

AND

Beginning at a point on the south line of said Allens Farm, 197.78 feet westerly bearing S88°55'01"W from the southeast corner of said addition, said point also being 913.07 feet easterly bearing N88°55'01"E and 30.00 feet northerly bearing N01°04'59"W from the southwest corner of Section 31, Township 26 south, Range 2 east; thence westerly along said south line bearing S88°55'01"W, 408.25 feet; thence N01°14'30"W, 114.43 feet; thence N60°00'00"E, 168.00 feet; thence N88°55'01"E, 190.30 feet; thence S21°04'59"E, 208.22 feet to the point of beginning. Generally located on the north side of 29th Street North and east of Woodlawn.

be approved subject to the following conditions:

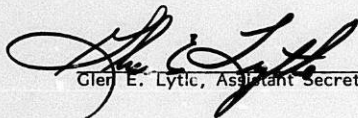
1. Prior to the release of the resolution, the applicant shall submit 3 copies of a landscape plan to the Secretary for approval. This landscape plan shall show the type and size of the plant material to be planted in the area between the street right-of-way of 29th Street North and the private street.

2. Under no circumstance shall the curb of the private street be located closer than 5 feet to the right-of-way of 29th Street North.

ADOPTED AT WICHITA, KANSAS, this 23rd day of April, 1985.


William Goebel, Vice President

ATTEST:


Glen E. Lytic, Assistant Secretary

April 25, 1985

Joe Lee
Leewood Homes, Inc.
6130 Legion
Wichita, Ks. 67204

Re: Cases No. BZA 26-85 & 27-85 -
Request for Variances

Dear Mr. Lee:

At the regular meeting of the Board of Zoning Appeals on April 23, 1985, your requests for variances of the front yard setbacks for circulation drive purposes only were considered. It was the action of the Board to approve one request as submitted (BZA 27-85) and to partially approve the other request (BZA 26-85). These approvals were subject to the following conditions:

BZA 27-85

1. Prior to the release of the resolution, the applicant shall submit 3 copies of a landscape plan to the Secretary for approval. This landscape plan shall show the type and size of the plant material to be planted in the area between the street right-of-way of 29th Street North and the private street.
2. Under no circumstance shall the curb of the private street be located closer than 5 feet to the right-of-way of 29th Street North.

BZA 26-85

1. Prior to the release of the resolution, the applicant shall submit 3 copies of a landscape plan to the Secretary for approval. This landscape plan shall show the type and size of the plant material to be planted in the area between the street right-of-way of Bramblewood and the private street.
2. Under no circumstance shall the curb of the private street be located closer than 10 feet to the right-of-way of Bramblewood.

The release of the Resolutions setting forth the official action of the Board are being prepared, and will not be released until the above landscape plans have been submitted and approved. In addition, the completion of the floodway vacation (V-1310) which requires the rededication of the floodway on a lessor area. As you know, part of the buildings are to be constructed into the area now dedicated as a floodway.

As I stated in the meeting on April 23, 1985 during the discussion of Case No. BZA 26-85, I felt there was some misunderstanding on what is permitted by regulations for driveways to dwelling units. The zoning ordinance does require that any required parking for any dwellings other than single-family detached dwellings be in conformance to the off-street parking standards. In addition, the city code requires that driveways serving the same parcel of land must maintain at least one curb-parking space between the driveway approaches. In this case, Lot 1, Block 1, Allens Farm Addition is a tract of land officially registered under one ownership except for the Townhouses sold under the condominium provisions allowed by the State Statutes.

I have discussed the provisions of the City ordinance related to curb cuts with Mike Lindebak, City Engineer, and he is in agreement that the issuance of curb cut permits as presented at the meeting would not be acceptable along the collector street or arterial streets surrounding your property.

If you have any questions please give me a call at 268-4494.

Sincerely,

Glen E. Lytle
Assistant Secretary

GEL:sad

cc: Monty Robson, Superintendent of Central Inspection (2)
Don Gisick, City Clerk
Mike Harding, Mid Kansas Engineering Consultants, P.A., 240
North Rock Road, Wichita
Dan Wilson, Wilson-Darnell Associates, 128 North Oliver, Wichita
Charles E. Harns, 3050 Cranberry, Wichita

THE CITY OF WICHITA
OFFICE OF Citizen Participation

DATE April 8, 1985

TO Glen Lytle, Special Assistant for Zoning
FROM Barry L. Carroll, Administrative Aide III

SUBJECT BZA 27-85: North Side of 29th
Street North and east of Woodlawn.

Due to difficulty with scheduling, CPO Area "I" will be unable to make a recommendation on the above captioned item.

Information regarding this case was received on April 3rd, two days after the CPO Area "I" meeting and according to the staff notes, the Board of Zoning Appeals will consider the case on April 23, at 1:30 p.m. CPO Area "I" will meet on the same date but not until 7:30 p.m. that evening!

I regret that Area "I" will not have an opportunity to make recommendations on the case. However, should Council members decide on a special call meeting to consider this request, I will keep you posted.

Barry L. Carroll
Barry L. Carroll
Administrative Aide III

Noted:

Annie K. Montgomery
Annie K. Montgomery
CRS Director

BLC:b1c

RE: AGENDA ITEM NO. 12

SECRETARY'S REPORT CASE NO. BZA 27-85

APPLICANT: Leewood Homes, Inc., 6100 Legion, Wichita, Kansas.

AGENT: Joe Lee, Leewood Homes, Inc., 6100 Legion, Wichita, Kansas.

REQUEST: Variance pursuant to Section 2.12.590.B, Code of the City of Wichita, to reduce the required front yard setback from 25 feet to not less than 5 feet for circulation drive purposes only.

GENERAL LOCATION: On the north side of 29th Street North and east of Woodlawn.

ZONING: Subject property is zoned the "R-5" General Residence District as are all adjacent properties except to the south which is "AA" One-family Dwelling District.

LAND USE: Subject property is being developed with townhouses being served by a private street system. Property to the south is undevelopable and is part of a drainage system.

JURISDICTION:

The Board has jurisdiction to consider the variance request under the provisions outlined in Section 2.12.590.B, Code of the City of Wichita. The Board may grant the request when all five conditions as required by the State Statutes are found to exist.

COMMENTS BY THE SECRETARY:

The applicant is requesting a variance to reduce the required front yard setback from 25 feet to not less than 5 feet for circulation drive purposes only. The area is being developed with townhouse type units that are accessible by a private street system serving the entire complex. In all residential districts within the City, the front yard setback is required to be maintained as a landscaped yard. The only exception are driveways providing ingress and egress through the yard to save off-street parking spaces that are located behind the setback line.

In this case the total development is being developed as one platted lot, so the zoning ordinance requires a front yard setback on the entire perimeter of the development at 25 feet. Setbacks from the private street system within the development are not regulated by zoning, but only what might be required by building or fire codes and the private controls the developer might establish within the complex.

This property is located adjacent to a major street and across the street from an area that is undevelopable since it is a floodway reserve. The reduction of this front yard for circulation drive purposes only should not affect any adjacent properties.

UNIQUENESS:

It is the opinion of the Secretary that this property is unique inasmuch as it is located adjacent to a major street and is directly across the street from a floodway easement that is not developable land. The only other properties that would in any way be affected by the variance are within the owners development area.

ADJACENT PROPERTY:

It is the opinion of the Secretary that the granting of the variance requested will not adversely affect the rights of adjacent property owners inasmuch as the reduction of the front yard setback adjacent to a major street that will be used for a private circulation drive should not interfere with the utilization of the property across 29th Street North.

HARDSHIP:

It is the opinion of the Secretary that the strict application of the provisions of the zoning ordinance may constitute an unnecessary hardship upon the applicant inasmuch as there is a limited amount of space between the lakes and the street right-of-way that can be developed, thereby making it necessary to utilize a major portion of the required setback for circulation drive purposes.

PUBLIC INTEREST:

It is the opinion of the Secretary that the requested variance would not adversely affect the public interest inasmuch as the reduction of the setback for circulation drive purposes only will not interfere with any needed right-of-way or easements.

SPIRIT AND INTENT:

It is the opinion of the Secretary that the granting of the variance requested would not be opposed to the general spirit and intent of the zoning ordinance inasmuch as the use of a private street paralleling 29th Street North will use only slightly more of the setback than if each unit were provided a double wide driveway backing out into the major street.

RECOMMENDATION:

Should the Board determine that all five conditions necessary to the granting of a variance can be found to exist, then it is the recommendation of the Secretary that the variance be granted subject to the following condition:

1. Prior to the release of the resolution, the applicant shall submit 3 copies of a landscape plan to the Secretary for approval. This landscape plan shall show the type and size of the plant material to be planted in the area between the street right-of-way of 29th Street North and the private street.
2. Under no circumstance shall the curb of the private street be located closer than 5 feet to the right-of-way of 29th Street North.

BZA CASE NO. 27-85

<u>1</u>	NOTICES SENT TO APPLICANT/AGENT
<u>10</u>	LEGAL ADVERTISEMENT SENT TO MAPC
<u>1</u>	NOTICES SENT TO CPO
<u>11</u>	NOTICES SENT TO ADJOINING PROPERTY OWNERS
<u>13</u>	TOTAL NOTICES SENT <u>4-3-85</u>

BOARD OF ZONING APPEALS
Tenth Floor - City Hall
455 North Main, Wichita, Kansas 67202

April 3, 1985

NOTICE TO ADJOINING PROPERTY OWNERS:

CASE NO. BZA 27-85

As required by law, all property owners of record, within 200 feet of a property to be considered for an exception or variance by the Board of Zoning Appeals, are to be notified of the public hearing. An application has been filed by Leewood Homes, Inc., 6130 Legion, Wichita, Kansas, requesting a variance.

Pursuant to Section 2.12.590.B, of the Code of the City of Wichita, the applicant is requesting a variance to reduce the required front yard setback from 25 feet to not less than 5 feet for circulation drive purposes only on property zoned "R-5" General Residence District. A legal description of the applicant's property is as follows:

Beginning at a point on the west line of said Allens Farm, 130.00 feet north bearing N01°14'30" from the southwest corner of said addition; said point also being 184.79 feet north bearing N01°14'30" W and 75.00 feet east bearing N88°45'30"E from the southwest corner of Section 31, Township 26 south, Range 2 east; thence N88°55'01"E, 220.00 feet; thence S69°38'43"E, 150.46 feet; thence S01°14'30"E, 100.00 feet to a point on the south line of said addition, said point also being on the north line of 29th Street North; thence westerly along said line bearing S88°55'01"W, 84.97 feet; thence N77°02'49"W, 103.08 feet; thence S88°55'01"W, 175.00 feet; thence N01°14'30"W, 130.00 feet to the point of beginning.

AND

Beginning at a point on the south line of said Allens Farm, 197.78 feet westerly bearing S88°55'01"W from the southeast corner of said addition, said point also being 913.07 feet easterly bearing N88°55'01"E and 30.00 feet northerly bearing N01°04'59"W from the southwest corner of Section 31, Township 26 south, Range 2 east; thence westerly along said south line bearing S88°55'01"W, 498.25 feet; thence N01°14'30"W, 114.43 feet; thence N60°00'00"E, 168.00 feet; thence N88°55'01"E, 190.30 feet; thence S21°04'59"E, 208.22 feet to the point of beginning. Generally located on the north side of 29th Street North and east of Woodlawn.

This application has been assigned Case BZA 27-85. It will be considered by the Board of Zoning Appeals on April 23, 1985 at 1:30 p.m. in the Board Room, First Floor of City Hall, 455 North Main Street, Wichita, Kansas. If you have no interest or objections regarding the requested variance, you have no obligation to appear or comment. If you desire to appear at the Board meeting, you are invited to do so, either in person or by agent or attorney.

It should be noted that the Citizen Participation Organization Area Council may consider this case at its next meeting. Additional information about such a meeting may be obtained by calling the CPO Office, 268-4516.

If you have any questions about the application, please feel free to call the Wichita-Sedgwick County Metropolitan Area Planning Department at 268-4421.

Jack H. Galbraith
Secretary

BOARD OF ZONING APPEALS

CASE NO. 27-85

CITY OF WICHITA, KANSAS

FILED 3-25-85

APPLICATION FOR VARIANCE

I. Name of Applicant Leewood Homes, Inc.
 Mailing Address 6130 Legton
Wichita, KS 67204 Phone 838-6730
 Name of Authorized Agent Joe Lee
 Mailing Address 6130 Legton
Wichita, KS 67204 Phone 838-6730
 Relationship of applicant to property is that of Owner
 (Owner, Tenant, Lessee, Other)

II. The variance requested is to reduce the required front yard setback
from 25 feet to not less than 5 feet for circulation drive purposes
only. (Exhibit "B")
 for property located northeast corner of 29th Street North and
Woodlawn - west side of Bramblewood, north of 29th Street North
 and legally described as: See attached Exhibit "A"

Beginning at a point on the west line of said Allens Farm, 130.00 feet north bearing N 01° 14' 30" W from the southwest corner of said addition; said point also being 184.79 feet north bearing N 01° 14' 30" W and 75.00 feet east bearing N 88° 45' 30" E from the southwest corner of Section 31, Township 26 south, Range 2 east; thence N 88° 55' 01" E, 220.00 feet; thence S 69° 38' 43" E, 150.46 feet; thence S 01° 14' 30" E, 100.00 feet to a point on the south line of said addition, said point also being on the north line of 29th Street North; thence westerly along said line bearing S 88° 55' 01" W, 84.97 feet; thence N 77° 02' 49" W, 103.08 feet; thence S 88° 55' 01" W, 175.00 feet; thence N 01° 14' 30" W, 150.00 feet to the point of beginning.

AND ALSO:

Beginning at a point on the south line of said Allens Farm, 197.78 feet westerly bearing S 88° 55' 01" W from the southeast corner of said addition; said point also being 913.07 feet easterly bearing N 88° 55' 01" E and 30.00 feet northerly bearing N 01° 04' 59" W from the southwest corner of Section 31, Township 26 south, Range 2 east; thence westerly along said south line bearing S 88° 55' 01" W, 405.25 feet; thence N 01° 14' 30" W, 114.43 feet; thence N 60° 00' 00" E, 168.00 feet; thence N 88° 55' 01" E, 190.30 feet; thence S 21° 04' 59" E, 208.22 feet to the point of beginning.

y zoned R-5.
 t, acknowledges:
 et concerning the filing

- b. That he has been advised of the fee requirements established by Section 2.12.580 of the Code of the City of Wichita (Ordinance No. 36-596); and that the appropriate fee is herewith tendered;
- c. That he has been advised of his right to bring action in the District Court of Sedgwick County to appeal the decision of the Board.
- d. That all documents are attached hereto as noted in paragraphs 2, 3, 4, and 5 of the instructions.

Applicant Leewood Homes, Inc.

Authorized Agent Joe Lee

OFFICE USE ONLY: Received in Office of Secretary, Board of Zoning Appeals,
12:10 (10 a.m. p.m.), March 25, 1985, together with
 appropriate fee of 75.00.

Signed D. J. Lytle

ZONING ORDINANCE, CITY OF WICHITA

First Paragraph of Section 28.04.140 States:

For purpose of this chapter, off street parking spaces, ingress and egress drives, and circulation aisles shall not occupy any part of a required front yard or any part of a required side yard adjacent to a street.

It is the provision of this section from which we are requesting a variance for the areas designated on the attached sketch. The purpose of the variance is to provide for the safety of single point access and circulation drives away from the busy public streets. Also, without locating the circulation drives as shown in the setback along 29th Street, the siting of buildings on the south side of the lake would be prevented.

1. The variance requested arises from unique conditions in the three (3) designated areas of the property in question.
 - a. Safety of access and circulation for the homes in the designated areas is provided by a single access point from high traffic streets as opposed to multiple access points.
 - b. Additional curb cuts would destroy the tree row along 29th Street.
 - c. With the variance aesthetic uniqueness in siting buildings to emphasize a lake view can be accomplished.
 - d. At no point is there any structure adjacent to the 25 ft. setback along 29th Street..
2. The granting of the permit for the variance will not adversely affect the rights of adjacent property owners or residents for the following reasons:
 - a. To the west is a city park.
 - b. To the southwest is SD259 property.
 - c. To the south is another retention/detention lake of approximately 7 acres.

The only designated area that has habitable structures adjacent to it is the one building on Bramblewood. No access control exists here, so the developer could have direct access drives to garages. This, however, is not as safe a solution or as aesthetically pleasing.

3. Strict application of the provision in title 28 would prevent any structures to be located south of the lake, which in turn would escalate the development costs of the remainder of the property dramatically.
4. The variance will not adversely affect the public, but will in fact improve the safety and general welfare of the public by providing circulation drives in the designated areas that are away from higher traffic streets as well as decreasing the number of access points.
5. We understand that the general spirit and intent of title 28 is to provide minimum requirements for the promotion of public safety, health, convenience, comfort, propriety, general welfare and the preservation of personal and property rights. We feel that the granting of a variance by the Board of Zoning Appeals will not oppose that general spirit and intent.

March 18, 1985

EXHIBIT "A"

Beginning at a point on the east line of Allens Farm, an addition to Wichita, Sedgwick County, Kansas, 400.00 feet northerly bearing N 01° 14' 30" W from the southeast corner of said addition; thence S 88° 45' 30" W 100.00 feet; thence N 01° 14' 30" W, 173.13 feet; thence N 88° 45' 30" E, 100.00 feet to a point on the east line of said addition, said point also being on the west line of Bramblewood Street; thence southerly along said line bearing S 01° 14' 30" E, 173.13 feet to the point of beginning.

AND ALSO:

Beginning at a point on the west line of said Allens Farm, 130.00 feet north bearing N 01° 14' 30" W from the southwest corner of said addition; said point also being 184.79 feet north bearing N 01° 14' 30" W and 75.00 feet east bearing N 88° 45' 30" E from the southwest corner of Section 31, Township 26 south, Range 2 east; thence N 88° 55' 01" E, 220.00 feet; thence S 69° 38' 43" E, 150.46 feet; thence S 01° 14' 30" E, 100.00 feet to a point on the south line of said addition, said point also being on the north line of 29th Street North; thence westerly along said line bearing S 88° 55' 01" W, 84.97 feet; thence N 77° 02' 49" W, 103.08 feet; thence S 88° 55' 01" W, 175.00 feet; thence N 01° 14' 30" W, 130.00 feet to the point of beginning.

AND ALSO:

Beginning at a point on the south line of said Allens Farm, 197.78 feet westerly bearing S 88° 55' 01" W from the southeast corner of said addition; said point also being 913.07 feet easterly bearing N 88° 55' 01" E and 30.00 feet northerly bearing N 01° 04' 59" W from the southwest corner of Section 31, Township 26 south, Range 2 east; thence westerly along said south line bearing S 88° 55' 01" W, 408.25 feet; thence N 01° 14' 30" W, 114.43 feet; thence N 60° 00' 00" E, 168.00 feet; thence N 88° 55' 01" E, 190.30 feet; thence S 21° 04' 59" E, 208.22 feet to the point of beginning.

March 18, 1985

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~~Beginning at a point on the east line of Allens Farm, an addition to Wichita, Sedgwick County, Kansas, 400.00 feet northerly bearing N 01° 14' 30" W from the southeast corner of said addition; thence S 88° 45' 30" W 100.00 feet; thence N 01° 14' 30" W, 173.13 feet; thence N 88° 45' 30" E, 100.00 feet to a point on the east line of said addition, said point also being on the west line of Bramblewood Street; thence southerly along said line bearing S 01° 14' 30" E, 173.13 feet to the point of beginning.~~

~~AND ALSO:~~

Beginning at a point on the west line of said Allens Farm, 130.00 feet north bearing N 01° 14' 30" W from the southwest corner of said addition; said point also being 184.79 feet north bearing N 01° 14' 30" W and 75.00 feet east bearing N 88° 45' 30" E from the southwest corner of Section 31, Township 26 south, Range 2 east; thence N 88° 55' 01" E, 220.00 feet; thence S 69° 38' 43" E, 150.46 feet; thence S 01° 14' 30" E, 100.00 feet to a point on the south line of said addition, said point also being on the north line of 29th Street North; thence westerly along said line bearing S 88° 55' 01" W, 84.97 feet; thence N 77° 02' 49" W, 103.08 feet; thence S 88° 55' 01" W, 175.00 feet; thence N 01° 14' 30" W, 130.00 feet to the point of beginning.

AND ALSO:

Beginning at a point on the south line of said Allens Farm, 197.78 feet westerly bearing S 88° 55' 01" W from the southeast corner of said addition; said point also being 913.07 feet easterly bearing N 88° 55' 01" E and 30.00 feet northerly bearing N 01° 04' 59" W from the southwest corner of Section 31, Township 26 south, Range 2 east; thence westerly along said south line bearing S 88° 55' 01" W, 408.25 feet; thence N 01° 14' 30" W, 114.43 feet; thence N 60° 00' 00" E, 168.00 feet; thence N 88° 55' 01" E, 190.30 feet; thence S 21° 04' 59" E, 208.22 feet to the point of beginning.

Order #344484
TO CORRECT PROPERTY OWNER'S OF UNITS #204 and #504

<u>Property Description</u>		<u>Property Owner</u>
That portion of Lot 1, Block 1, Allens Farm Addition, being described as:	Allens Lake Townhouses being a portion of Lot 1, Block 1, Allens Farm Addition	
Unit 204	"	Brian L. Clothier Cathy C. Clothier 6510 E. 29th St. North Wichita, KS 67226
Unit 504	"	John W. Knox 6510 E. 29th St. North Wichita, KS 67226

THE SECURITY ABSTRACT AND
TITLE COMPANY, INC.

By Mary Gable
Sr. Vice-President

O W N E R S H I P L I S T

<u>Property Description</u>	<u>Property Owner</u>
Lot 1, Block 1, Allens Farm, an Addition to Wichita, Sedgwick County, Kansas, except that portion described as Allens Lake Townhouses, being a portion of Lot 1, Block 1, Allens Farm Addition.	<p style="text-align: center;">D</p> Leewood Homes, Inc. 6130 Legion Wichita, KS 67204
That portion of Lot 1, Block 1, Allens Farm Addition, being described as:	Allens Lake Townhouses being a portion of Lot 1, Block 1, Allens Farm Addition
Unit 101	<p style="text-align: center;">D</p> Leewood Homes, Inc. 6130 Legion Wichita, KS 67204
Unit 102	Same As Above
Unit 103	"
Unit 104	"
Unit 201	<p style="text-align: center;">✓</p> Marilyn L. Gray 6510 E. 29th St. North Unit #201 Wichita, KS 67226
Unit 202	<p style="text-align: center;">✓</p> Jon J. Roe Myrna Roe 6510 E. 29th St. North Unit #202 Wichita, KS 67226
Unit 203	<p style="text-align: center;">D</p> Leewood Homes, Inc. 6130 Legion Wichita, KS 67204
Unit 204	Same As Above
Unit 301	"
Unit 302	"
Unit 303	<p style="text-align: center;">✓</p> Linda K. Lower James V. Laubach 6510 E. 29th St. North Unit 303 Wichita, KS 67226
Unit 501	<p style="text-align: center;">D</p> Leewood Homes, Inc. 6130 Legion Wichita, KS 67204
Unit 502	<p style="text-align: center;">✓</p> Lynne L. Davis 6510 E. 29th St. North Unit #502 Wichita, KS 67226

Property Description		Property Owner
That portion of Lot 1, Block 1, Allens Farm Addition, being described as:	Allens Lake Townhouses being a portion of Lot 1, Block 1, Allens Farm Addition	Judith D. Coffelt 6510 E. 29th St. North Unit #503 Wichita, KS 67226
Unit 503	"	Judith D. Coffelt 6510 E. 29th St. North Unit #503 Wichita, KS 67226
Unit 504	"	Leewood Homes, Inc. 6130 Legion Wichita, KS 67204
Unit 601	"	Same As Above
Unit 602	"	"
Unit 603	"	"
Unit 604	"	"
Unit 701	"	"
Unit 702	"	"
Unit 703	"	"
Unit 704	"	Julia R. Gettinger 6510 E. 29th St. North Unit #704 Wichita, KS 67226
Floodway Reserve	Pepperwood Addition	Boulevard Office Park n/k/a Woodlawn Development Co., Inc. P.O. Box 2236 Wichita, KS 67201
South Half of the Southeast Quarter, except the West 550 feet of the South 970 feet of said tract, Section 36, Twp. 26, Rge. 1E		Board of Park Commissioners 455 N. Main Wichita, KS 67202
East Half of the Northeast Quarter of Section 1, Twp. 27, Rge. 1E		Unified School District #259 428 S. Broadway Wichita, KS 67202

We hereby certify the foregoing to be a true and correct list of the property owners of the hereinbefore described lots and tracts within a 200 foot radius of:

Beginning at a point on the west line of said Allens Farm, 130.00 feet north bearing $N01^{\circ}14'30''$ from the southwest corner of said addition; said point also being 184.79 feet north bearing $N01^{\circ}14'30''W$ and 75.00 feet east bearing $N88^{\circ}45'30''E$ from the southwest corner of Section 31, Township 26 south, Range 2 east; thence $N88^{\circ}55'01''E$, 220.00 feet; thence $S69^{\circ}38'43''E$, 150.46 feet; thence $S01^{\circ}14'30''E$, 100.00 feet to a point on the south line of said addition, said point also being on the north line of 29th Street North; thence westerly along said line bearing $S88^{\circ}55'01''W$, 84.97 feet; thence $N77^{\circ}02'49''W$, 103.08 feet; thence $S88^{\circ}55'01''W$, 175.00 feet; thence $N01^{\circ}14'30''W$, 130.00 feet to the point of beginning.

AND

Beginning at a point on the south line of said Allens Farm, 197.78 feet westerly bearing $S88^{\circ}55'01''W$ from the southeast corner of said addition; said point also being 913.07 feet easterly bearing $N88^{\circ}55'01''E$ and 30.00 feet northerly bearing $N01^{\circ}04'59''W$ from the southwest corner of Section 31, Township 26 south, Range 2 east; thence westerly along said south line bearing $S88^{\circ}55'01''W$, 408.25 feet; thence $N01^{\circ}14'30''W$, 114.43 feet; thence $N60^{\circ}00'00''E$, 168.00 feet; thence $N88^{\circ}55'01''E$, 190.30 feet; thence $S21^{\circ}04'59''E$, 208.22 feet to the point of beginning.

as shown by the last deed of record on file in the Office of the Register of Deeds, Sedgwick County, Kansas, on the 20th day of March, 1985, at 7:00 o'clock A.M.

THE SECURITY ABSTRACT AND
TITLE COMPANY, INC.

By

Mary Cable
Sr. Vice-President

Order No: 344484
ns

MICROFILMED
 FROM THE BEST
 AVAILABLE COPY

FORM 29-501

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
(2) City BZA Vac. @ 75 ⁰⁰	
# 150 ⁰⁰	

NAME Wilson-Daenell

ADDRESS 121 N. Oliver

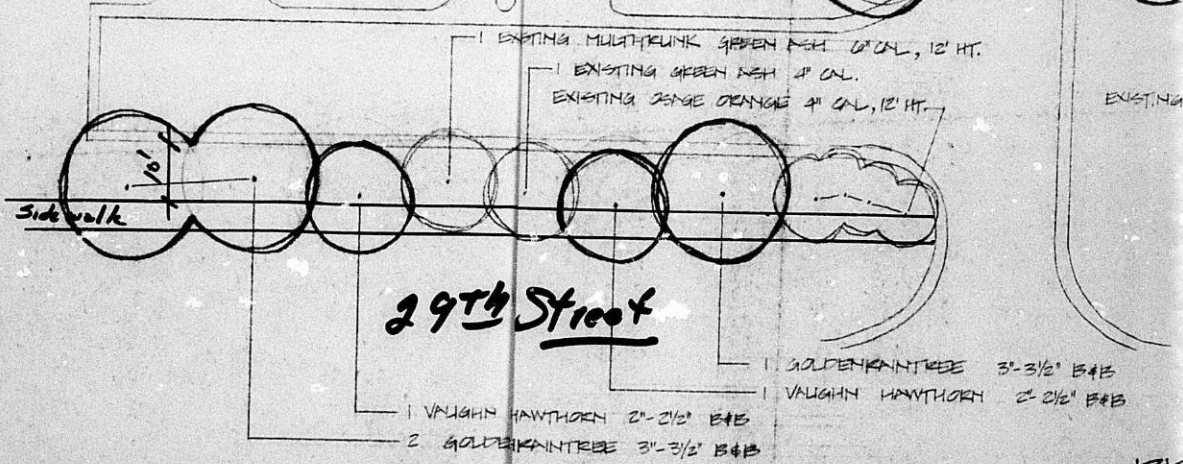
FUND 755-40710-00 DUE DATE

COMMENTS

DATE Apr 29, 1945 BY [Signature]

Allens
Lake

PROPOSED CONDOMINIUM



Sidewalk

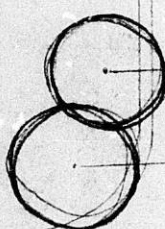
29th Street

APPROVED
7-22-85
[Signature]

BR

Allen's
Lake

Allen's
Lake.

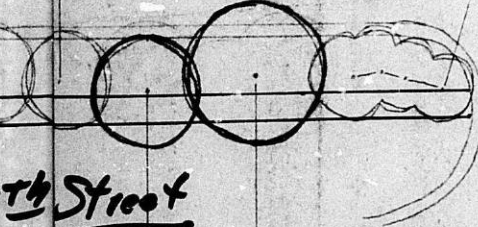


2 EXISTING SUMMIT ASH

2 EXISTING BRADFORD PEAR

- 1 EXISTING MULTIFRUNK GREEN ASH 6" CAL, 12' HT.
- 1 EXISTING GREEN ASH 4" CAL.
- EXISTING ORANGE ORANGE 4" CAL, 12' HT.

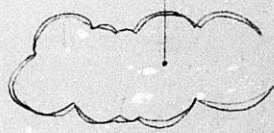
EXISTING ORANGE ORANGE HEDGE 14' HT.



th Street

- 1 GOLDENKANTREE 3"-3 1/2" B#B
- 1 VAUGHN HAWTHORN 2" 2 1/2" B#B

- 1 VAUGHN HAWTHORN 2"-2 1/2" B#B
- 1 GOLDENKANTREE 3"-3 1/2" B#B



SCALE 1" = 20'

BRADY NURSERY

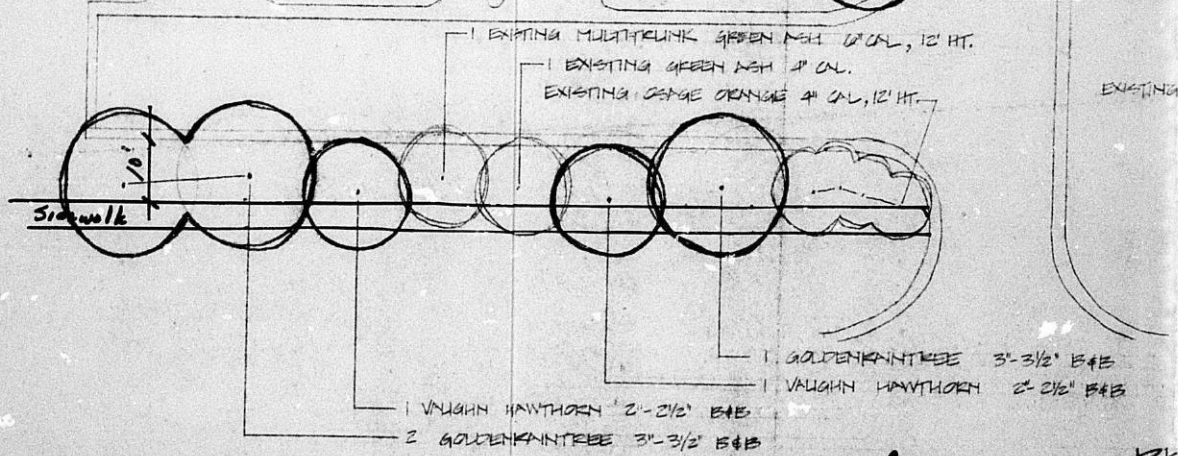
KANDY DAVIS, L.A. 4/23/85

APPROVED
7-22-85
[Signature]

B28 29-85

Allen's
Lake

PROPOSED CONDOMINIUM



- 1 EXISTING MULLETTBARK GREEN MEH 10' CAL, 12' HT.
- 1 EXISTING GREEN MEH 10' CAL.
- EXISTING GORGE ORANGE 4' CAL, 12' HT.

- 1 VAUGHN HAWTHORN 2'-2 1/2" B&B
- 2 GOLDENKRANZ 3'-3 1/2" B&B

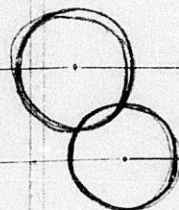
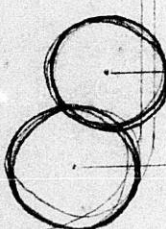
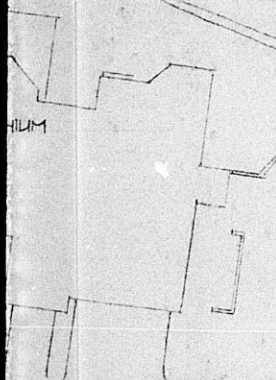
- 1 GOLDENKRANZ 3'-3 1/2" B&B
- 1 VAUGHN HAWTHORN 2'-2 1/2" B&B

APPROVED
7-22-85
[Signature]

BK

Allen's
Lake

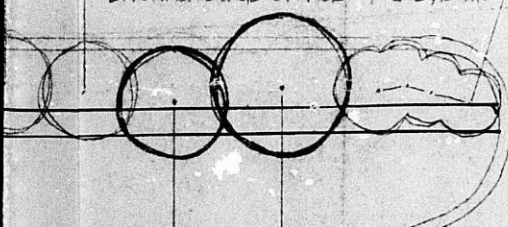
Allen's
Lake



2 EXISTING SUMMIT ASH
2 EXISTING BRADFORD PEAR

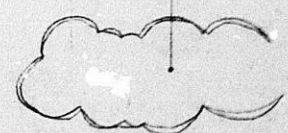
1 EXISTING MULTIBUNK GREEN ASH 14" CAL, 12' HT.
1 EXISTING GREEN ASH 14" CAL.
EXISTING ORANGE ORANGE 4" CAL, 12' HT.

EXISTING ORANGE ORANGE HEDGE 14" HT.



1 GOLDENKINNTREE 3"-3 1/2" B&B
1 VAUGHN HAWTHORN 2"-2 1/2" B&B

VAUGHN HAWTHORN 2"-2 1/2" B&B
GOLDENKINNTREE 3"-3 1/2" B&B



SCALE 1" = 20'

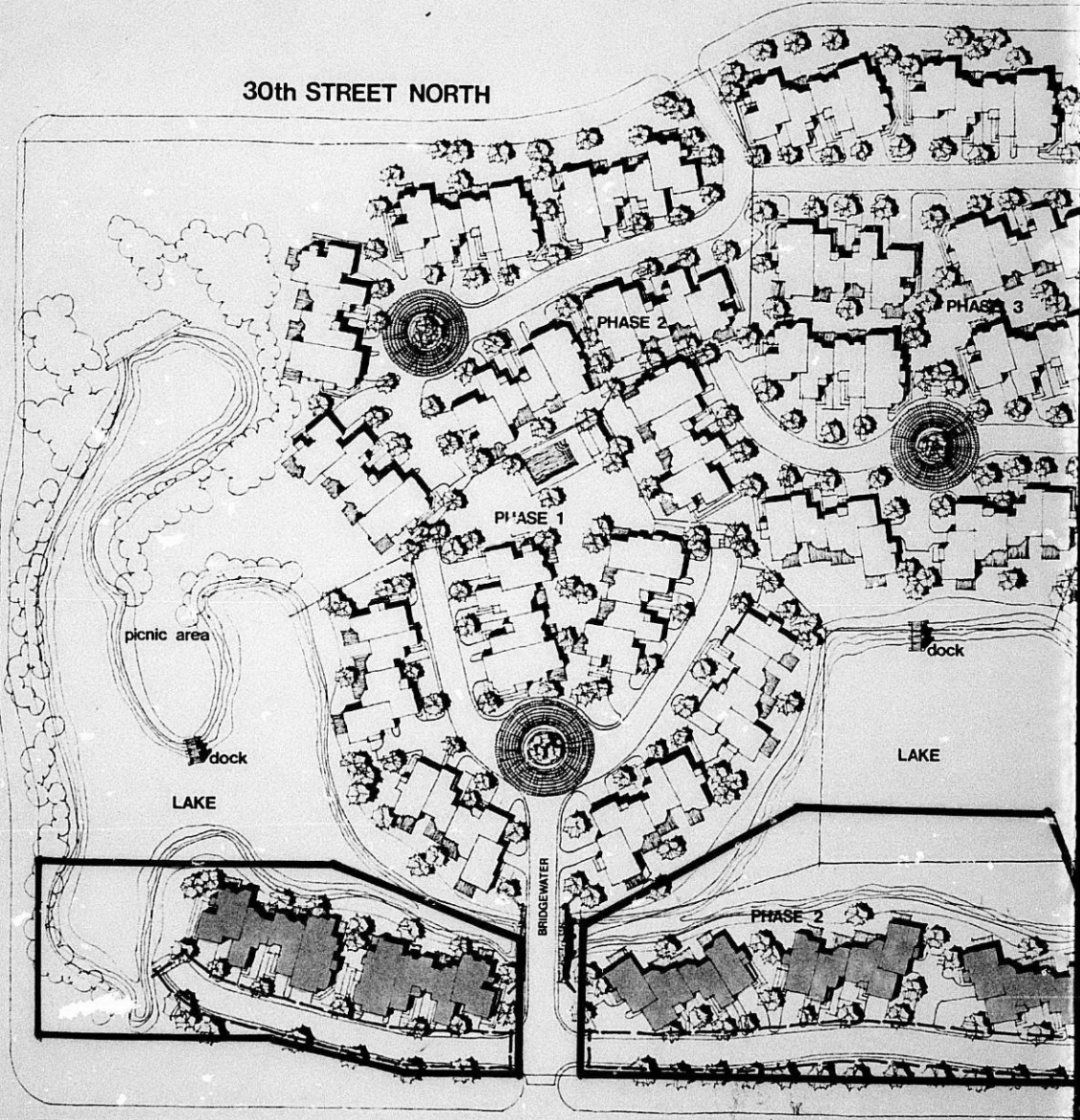
APPROVED
7-22-85
B. Lytle

BRADY NURSERY
KANDY DAVIS, L.A. 4/22/85
BZA 29-85

EXHIBIT "B"

WOODLAWN BLVD.

30th STREET NORTH



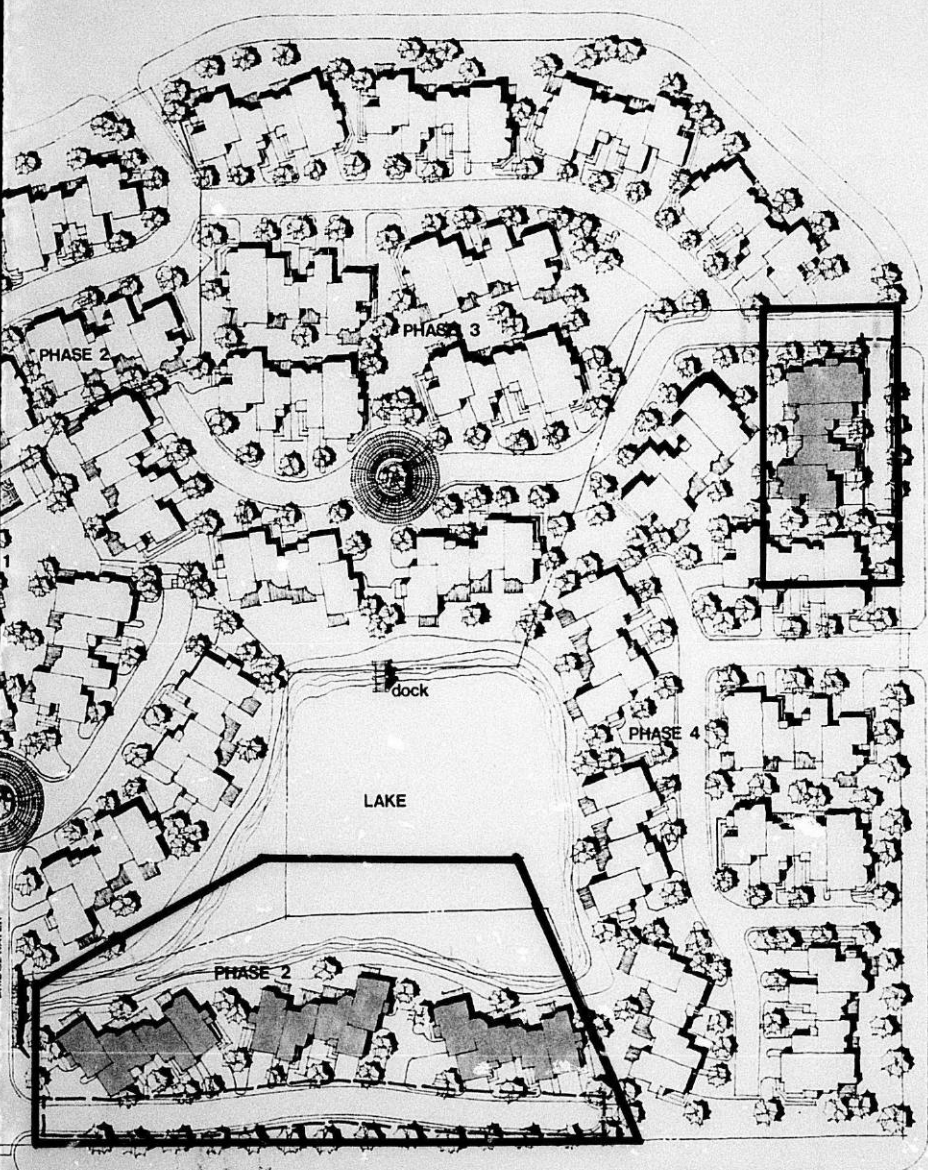
LAKE

LAKE

BRIDGE WATER

29th STREET NORTH

* areas outlined in red denote areas affected by the variance request.
the wide black line denotes the areas defined in the legal descriptions.



29th STREET NORTH



MASTER PLAN



BRAMBLEWOOD

Wilson · Darnell · Associates
 ARCHITECTS
 101 North Greenleaf Road, Suite 600
 Denver, CO 80202



prints issued

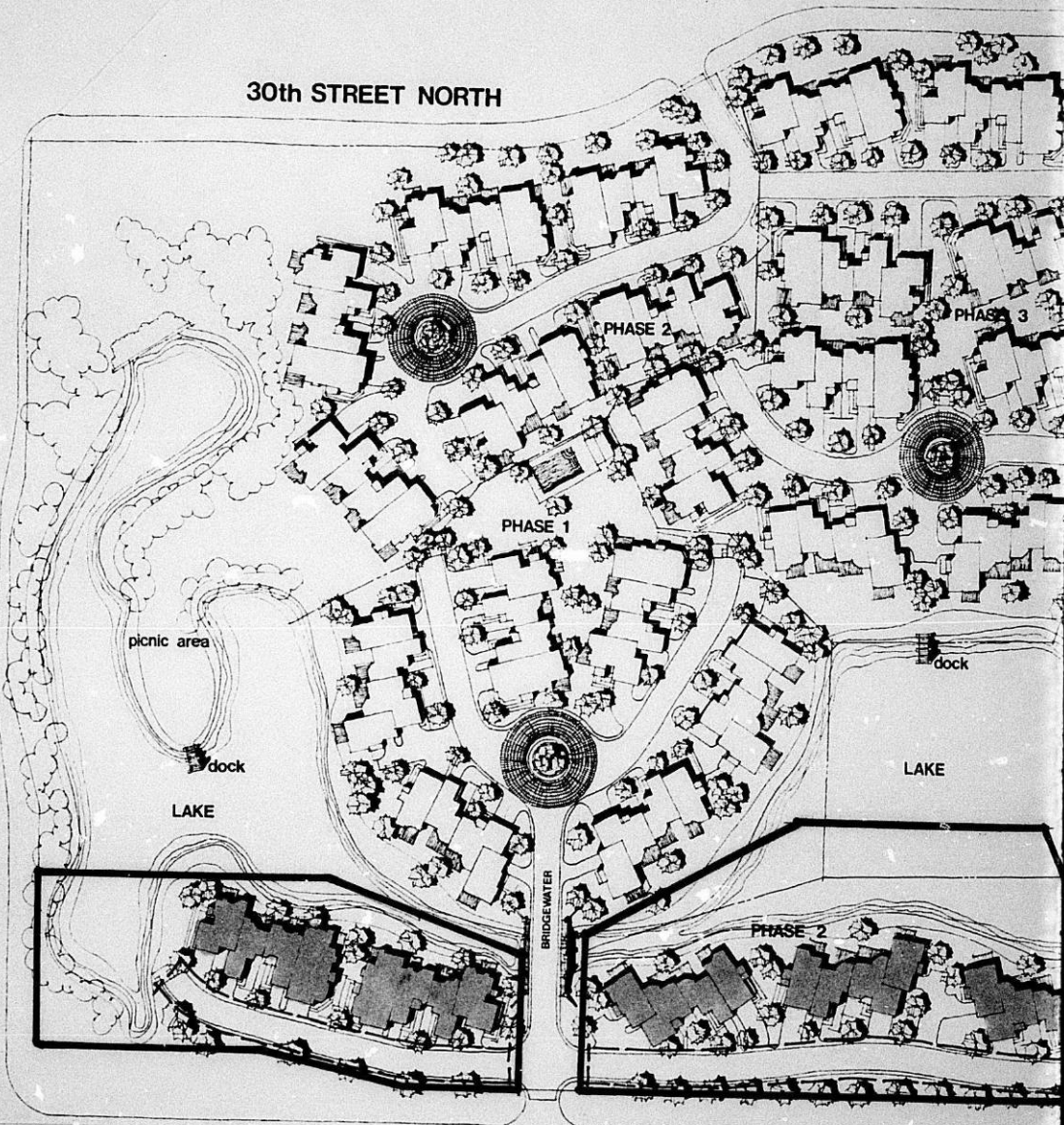
DATE	DESCRIPTION	NO.

Drawn by _____ checked by _____

sheet no. _____

30th STREET NORTH

WOODLAWN BLVD.



picnic area

LAKE

LAKE

PHASE 1

PHASE 2

PHASE 3

dock

LAKE

BRIDGE WATER

PHASE 2

29th STREET NORTH

EXHIBIT 05

* areas outlined in red denote areas affected by the variance request.
 the wide black line denotes the areas defined in the legal descriptions.

*

This BZA. Case
Has a Large Drawing
On 35mm Microfilm

Roll # 2