

DR 61-15 - INITIATED BY PLANNING  
DEPARTMENT - ISSUANCE OF BUILDING  
PERMITS ON UNPLATTED LAND

# ACTION

DATE

COMMITTEE \_\_\_\_\_

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

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

*Closed* -

ROBERT K. LISTER, PLANNER II  
ROBERT A. LAKIN, SENIOR PLANNER

NOVEMBER 28, 1962

ORDINANCE REGULATING ISSUANCE OF  
BUILDING PERMITS

PLEASE SUBMIT TO ME BY FRIDAY AN OUTLINE OF THE METHOD IN WHICH YOU PROPOSE TO INVESTIGATE THE ATTENDANT PROBLEMS IN PREPARING AN ORDINANCE REGULATING THE ISSUANCE OF BUILDING PERMITS. THIS SHOULD INCLUDE SOURCES OF MATERIAL WHICH YOU WILL USE, PERSONS YOU INTERVIEW AND GENERAL SUBJECTS TO BE INVESTIGATED. THIS SHOULD INCLUDE, BUT NOT BE LIMITED TO, SUBDIVISION ACTIVITY, ZONING, BUILDING CODE REQUIREMENTS, HOUSING CODE, FIRE CODES, CONVERSIONS, INDUSTRIAL AND COMMERCIAL PROPERTIES, CUP's, RESIDENTIAL, ETC. IF YOU HAVE QUESTIONS, LET ME KNOW AND WE MIGHT EVEN STAY AFTER 5:00 SOME EVENING AND DISCUSS IT.

ROBERT A. LAKIN  
SENIOR PLANNER

RAL:MM

WICHITA-BEDGWICK COUNTY  
**METROPOLITAN AREA  
PLANNING  
COMMISSION**



JANUARY 19, 1962

TO WHOM IT MAY CONCERN

SUBJECT: BUILDING PERMITS AND  
PLATTING

IT IS THE UNDERSTANDING OF THE PLANNING COMMISSION THAT THE CENTRAL INSPECTION AGENCY OF THE CITY OF WICHITA (FORMERLY BUILDING INSPECTION DIVISION) WILL NOT ISSUE BUILDING PERMITS ON PROPERTY WHICH FALLS INTO THE FOLLOWING CLASSIFICATION:

"NO BUILDING PERMIT SHALL BE ISSUED FOR THE CONSTRUCTION OF ANY STRUCTURE, EXCLUDING ACCESSORY BUILDINGS, THAT IS LOCATED UPON A TRACT (METES AND BOUNDS) THE DIMENSIONS OF WHICH HAVE BEEN CHANGED AFTER THE DATE OF THE ADOPTION OF THE RULES AND REGULATIONS OF THE PLANNING COMMISSION AND GOVERNING BODY, BUT NOT APPROVED IN THE MANNER PROVIDED FOR BY STATUTE."

IT IS THE UNDERSTANDING OF THE PLANNING COMMISSION THAT BUILDING PERMITS WILL NOT BE ISSUED FOR ANY STRUCTURE ON LAND WHICH MEETS THE ABOVE CONDITION. BEFORE THE CENTRAL INSPECTION AGENCY WILL ISSUE SUCH A PERMIT, IT WILL BE NECESSARY FOR THE PROPERTY OWNERS TO PLAT THE PROPERTY IN QUESTION AS PROVIDED IN THE SUBDIVISION RULES AND REGULATIONS.

THE PROCEDURES FOR PLATTING ARE SET FORTH IN DETAIL IN THE SUBDIVISION RULES AND REGULATIONS WHICH CAN BE OBTAINED FROM THE PLANNING DEPARTMENT, ROOM 401 CITY BUILDING ANNEX. BRIEFLY, THESE RULES PROVIDE THAT THE FOLLOWING PROCEDURE MUST BE ADHERED TO.

1. SUBMISSION OF A SKETCH PLAT TO THE PLANNING DEPARTMENT FOR GENERAL REVIEW.
2. AFTER APPROVAL OR AGREEMENT WITH THE PLANNING DEPARTMENT, THE SUBMISSION OF A PRELIMINARY PLAT WHICH WILL BE CONSIDERED BY THE SUBDIVISION COMMITTEE OF THE PLANNING COMMISSION IN CONJUNCTION WITH ITS UTILITY ADVISORY COMMITTEE.

3. AFTER COMPLIANCE WITH THE CONDITIONS MADE ON THE PRELIMINARY PLAT, A FINAL PLAT IS SUBMITTED FOR CONSIDERATION BY THE SUBDIVISION COMMITTEE AND THE UTILITY ADVISORY COMMITTEE.
4. THE FINAL PLAT IS SUBMITTED TO THE METROPOLITAN AREA PLANNING COMMISSION FOR ITS CONSIDERATION AND APPROVAL.
5. AT SUCH TIME AS ALL CONDITIONS MADE BY THE PLANNING COMMISSION IN APPROVAL OF THE FINAL PLAT HAVE BEEN COMPLIED WITH (INCLUDING TITLE OPINIONS, PROOF OF TAXES PAID, ETC.), THE PLAT IS FORWARDED TO THE BOARD OF CITY COMMISSIONERS FOR THEIR CONCURRENCE AND APPROVAL.
6. AFTER APPROVAL BY THE CITY COMMISSION, THE PLAT IS RELEASED TO THE PROPERTY OWNER FOR FILING WITH THE REGISTER OF DEEDS.

AFTER THE PLAT IS FILED, THE CENTRAL INSPECTION AGENCY WOULD BE IN A POSITION TO ISSUE A BUILDING PERMIT. IF THERE ARE ANY QUESTIONS CONCERNING THE PLATTING PROCEDURE, PLEASE CONTACT THE METROPOLITAN AREA PLANNING DEPARTMENT, 104 SOUTH MAIN. IF THERE ARE ANY QUESTIONS CONCERNING THE ISSUANCE OF BUILDING PERMITS, PLEASE CONTACT THE CENTRAL INSPECTION AGENCY, 3RD FLOOR, CITY BUILDING ANNEX.

SINCERELY YOURS,



ERLE JENNINGS, CHAIRMAN  
METROPOLITAN AREA PLANNING  
COMMISSION

EJ:RAL:MM

THE CITY OF WICHITA  
OFFICE OF The City Manager

DATE December 20, 1961

TO Ralph Wuls, Director of Public Works

FROM Frank H. Backstrom, City Manager

SUBJECT Issuance of Building Permits  
on Unplatted Land

I have reviewed your memorandum of December 15, 1961  
on the above captioned subject and the procedure outlined  
meets with my approval.



Frank H. Backstrom  
City Manager

cc: Fred W. Aley, City Attorney  
Eugene Pirtle, Chief Assistant City Attorney  
L. L. Little, Director of Planning  
C. L. McCaig, Acting Superintendent of Building Inspection



THE CITY OF WICHITA

OFFICE OF DIRECTOR OF PUBLIC WORKS      DATE      December 15, 1961

TO      Frank H. Backstrom, City Manager

FROM      Ralph Wulz, Director of Public Works

SUBJECT      Issuance of Building Permits  
                 on Unplatted Land

By memorandum dated October 26, 1961, I advised you that I had instructed the Building Inspection Superintendent to refuse the issuance of all building permits on unplatted land effective immediately. We have now had some 45 days' experience of attempting to administer and enforce this requirement. We have discussed the problems which have arisen with the Planning Department and with Mr. Pirtle of the Legal Department.

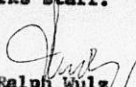
I believe that we are in agreement that a strict enforcement of the "no building permit except on platted land" requirement would not only impose an undue hardship in certain cases, but would impose a burden upon the Planning staff in attempting to process plats on a large number of long-developed but unplatted tracts, which they are not equipped to handle. I am, therefore, amending my instructions to the Building Inspection Superintendent as follows:

"No building permit shall be issued for the construction of any structure, excluding accessory buildings, that is located upon a tract the dimensions of which have been changed after the date of the adoption of the rules and regulations of the Planning Commission and Governing Body, but not approved in the manner provided for by Statute."

The question of how to avoid the aborting of the platting and subdivision rules and regulations by the sale of previously platted tracts by metes and bounds descriptions is under study by both the Planning staff and the Public Works staff.

RW:dm

cc:    T. J. Scanlon  
      Fred W. Aley  
      Eugene Pirtle  
      L. L. Little ✓  
      C. L. McCaig

  
Ralph Wulz  
Director of Public Works



THE CITY OF WICHITA

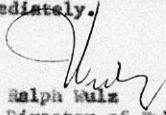
OFFICE OF DIRECTOR OF PUBLIC WORKS DATE October 26, 1961

TO Frank H. Beckstrom, City Manager  
FROM Ralph Wulz, Director of Public Works

SUBJECT Issuance of Building Permits  
on Unplatted Land

By memorandum dated July 17, 1961, you referred the problem of issuance of building permits on unplatted land to me for review and also with instructions to coordinate the efforts of the Building Inspection Division and the Planning and Legal Departments to see if an acceptable solution could be arrived at.

At least one meeting has been held, and much correspondence has passed back and forth between the interested departments since your July 17th memorandum. In the meantime, we are faced with the day to day administration of the subdivision rules and regulations and the building code. I have come to the conclusion that the only way in which this matter can be resolved is through a court determination. I am, therefore, instructing the Building Inspection Superintendent to refuse the issuance of all requests for building permits on unplatted land effective immediately.

  
Ralph Wulz  
Director of Public Works

RW:dm

cc: Fred Aley, City Attorney  
Eugene Pirtle, Chief Assistant City Attorney  
✓ L. L. Little, Director of Planning  
T. J. Scanlon, Executive Assistant to the City Manager  
C. L. McCaig, Acting Superintendent of Building Inspection



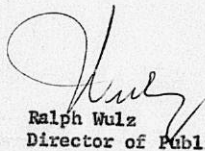
**THE CITY OF WICHITA**

**OFFICE OF** Director of Public Works      **DATE** July 18, 1961

**TO** Fred Aley, Director of Law  
L. L. Little, Director of Planning  
S. B. Maple, Superintendent of Building Inspection  
**FROM** Ralph Wulz, Director of Public Works  
**SUBJECT** Issuance of Building Permits  
on Unplatted Land

The City Manager has requested that I review the problem relative to the issuance of building permits on unplatted land and coordinate the efforts of the Building Inspection Division with the Planning and Legal Departments to see if we can arrive at a solution to the problem.

I would like to call a meeting for this purpose in my office for Monday, July 24, 1961, at 3:30 P.M. Should this time not be convenient, please call my secretary, and we will reschedule the meeting for another time.

  
Ralph Wulz  
Director of Public Works

RW:dm

cc: Frank H. Backstrom, City Manager



BUILDING INSPECTION

July 6, 1961

*file*

Frank H. Beckstrom, City Manager

S. B. Maple, Superintendent of Building Inspection

Issue of Building Permits on  
Unplatted Land

On May 16, 1961, I requested that some further consideration be given to the matter of issuance of building permits on land that had not been correctly platted. In that letter I pointed out that this is a matter of rather long standing and I suggested that the Legal Department, the Planning Department, and this division get together and see if some solution can be made to the problem.

I have not received any instruction in this matter and I am wondering that if this suggestion meets with your approval, if such a conference could be arranged.

I have recently had inquiry from one of the local attorneys whose client has some unplatted land which in my opinion should be platted in order to build on, but I have been withholding a decision to him as to whether this office would be in a position to issue his client a building permit.

*S. B. Maple*

S. B. Maple  
Superintendent of Building Inspection

SBM:ml

cc: Ralph Wulz  
Eugene Pirtle  
L. L. Little  
Fred Aley




WICHITA-SEDGWICK COUNTY

**METROPOLITAN AREA PLANNING DEPARTMENT**

TO FRANK H. BACKSTROM, CITY MANAGER      DATE JUNE 9, 1961  
FROM L. L. LITTLE, DIRECTOR OF PLANNING  
SUBJECT ISSUANCE OF BUILDING PERMITS ON UNPLATTED LAND

WE RECEIVED A COPY OF MR. MAPLE'S MEMORANDUM TO YOU ON THE ABOVE SUBJECT, SUGGESTING THAT A STAFF CONFERENCE BE SET UP TO DETERMINE A POLICY TO BE FOLLOWED IN THE ISSUANCE OF BUILDING PERMITS FOR LAND WHICH HAS NOT YET BEEN PLATTED.

THIS, OF COURSE, HAS BEEN A MATTER OF DEEP CONCERN TO US ALSO. WE TOO, FEEL THAT IT SHOULD RECEIVE CLOSE ATTENTION BY ALL PARTIES CONCERNED. WE WILL MEET WITH REPRESENTATIVES OF THE LEGAL DEPARTMENT AND REPRESENTATIVES OF THE DEPARTMENT OF PUBLIC WORKS AT YOUR CONVENIENCE.

  
L. L. LITTLE  
DIRECTOR OF PLANNING

LLL:RAL:MM

CC: E. N. SMITH  
EUGENE PIPTLE  
S. B. MAPLE

BUILDING INSPECTION

May 16, 1961

*File.*

FRANK H. BACKSTROM, CITY MANAGER

S. B. MAPLE, SUPT. OF BUILDING INSPECTION

Issuance of Building Permits on  
Unplatted Land

On March 29, 1960, the writer addressed a letter to E. N. Smith, Director of Public Works, relative to this matter and he in turn referred it to you requesting that you give the matter your attention and that further study be given it by the Legal Department. As of this date, I have heard nothing more of the matter and I am still of the opinion that it is of sufficient seriousness as to warrant further consideration.

I would like to suggest that a conference be set up between the City Attorney's Office, Planning Department, and the Department of Public Works with the hope that something would arise at a general discussion of the matter that could be used as a guide in setting up some definite policy to be followed.

While it is realized that Mr. Alay submitted a letter to you on March 7, 1960, relative to this problem, the writer has a question in his mind if all angles of the situation were taken into consideration when the letter was written.

It is believed that this matter is of sufficient importance to require further consideration.

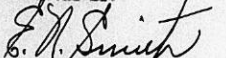


S. B. Maple  
Superintendent of Building Inspection

SEM:al

cc: E. N. Smith  
Eugene Firtle  
L. L. Little ✓

APPROVED BY:

  
E. N. Smith  
Director of Public Works

