

April 17, 1959

Board of County Commissioners  
Court House  
Wichita, Kansas

Gentlemen:

Subject: CU-11

This is to advise you that at the regular meeting of the Metropolitan Area Planning Commission held on April 16, 1959, the Conditional Use application of Clarkson Construction Company for the operation of a borrow pit on property located East of Hood and North of 37th Street North was considered. This property is legally described as follows:

That part of the Northwest 1/4 of the Southwest 1/4 of Section 29, Township 26 South, Range 1 East of the 6th P.M. lying North and East of the R/W lines acquired for State Highway purposes (A-72140), more particularly described as: Beginning at a point in the East line of the Northwest 1/4 of the Southwest 1/4 of Section 29, Township 26 South, Range 1 East of the 6th P.M. and 431.9 feet North of the Southeast Corner of the Northwest 1/4 of the Southwest 1/4 of said Section 29; thence Westerly 723.9 feet to a point 723.3 feet West and 461.7 feet North of the Southeast Corner of the Northwest 1/4 of the Southwest 1/4 of said Section 29; thence West 450.0 feet to a point 835.3 feet South and 157.4 feet East of the Northwest Corner of the Southwest 1/4 of said Section 29; thence Northwesterly to a point in the North line of the Southwest 1/4 of said Section 29, and 50 feet East of the Northwest Corner of the Southwest 1/4 of said Section 29; thence Easterly along the North line of the Southwest 1/4 of said Section 29 a distance of 1280.0 feet more or less to the Northeast Corner of the Northwest 1/4 of the Southwest 1/4 of said Section 29; thence South along the East line of the Northwest 1/4 of the Southwest 1/4 of said Section 29 a distance of 890.0 feet more or less to the point of beginning, containing 24.33 acres more or less; and also that part of the Southwest 1/4 of the Northwest 1/4 of Section 29, Township 26 South, Range 1 East of the 6th P.M. lying West of the Wichita-Valley Center Flood Control R/W, more particularly described as: Beginning at the Northwest Corner of the Southwest 1/4 of the Northwest 1/4 of Section 29, Township 26 South, Range 1 East of the 6th P.M.; thence South along the West line of the Southwest 1/4 of the Northwest 1/4 of said Section 29 a distance of 1315.93 feet to the Southwest Corner of the Northwest 1/4 of said Section 29; thence East along the South line of the Northwest 1/4 of said

Section 29 a distance of 1330.0 feet more or less to the Southeast Corner of the Southwest 1/4 of the Northwest 1/4 of said Section 29, said point being also in the West line of the Wichita-Valley Center Flood Control R/W; thence Northerly along the Westerly line of the Wichita-Valley Center Flood Control R/W as follows: North 51°34' West a distance of 146.41 feet thence North 48°19' West a distance of 116.22 feet, thence North 42°18' West a distance of 99.96 feet; thence North 31°11' West a distance of 99.96 feet, thence North 25°37' West a distance of 99.96 feet, thence North 20° 3' West a distance of 99.96 feet; thence North 14°30' West a distance of 99.96 feet, thence North 8°56' West a distance of 99.96 feet, thence North 3°22' West a distance of 99.96 feet; thence North 2°53' East a distance of 124.73 feet, thence North 6°21' East a distance of 317.83 feet to a point in the North line of the Southwest 1/4 of the Northwest 1/4 of said Section 29; thence West along the North line of the Southwest 1/4 of the Northwest 1/4 of said Section 29 a distance of 870.0 feet more or less to the point of beginning, containing 29.22 Acres more or less.

After a full hearing on the matter, it was moved, seconded and carried that the Planning Commission recommend to the Board of County Commissioners that the application be approved and a conditional use permit be granted for the operation of a borrow pit, subject to the following conditions:

1. The earth shall be extracted to a minimum depth of two (2) feet below the normal water table as determined by the City-County Health Department.
2. A fifty-eight (58) inch V-Mesh fence on no less than seven (7) foot steel posts with the posts at no more than sixteen (16) foot spacing shall be constructed along the west property line and may provide for reasonable access gates installed at the height of the fence which shall be kept locked except when in use.
3. Excavation shall not approach nearer than twenty-one (21) feet to the West property line and along said west property line there shall be installed a shelter belt consisting of two (2) rows of plantings and the installation and composition of said shelter belt shall be in accordance with specifications of the Soil Conservation Service. No fencing shall be required on the other three (3) boundaries but excavation shall not approach nearer than six (6) feet to the property line on the north, east, and south boundaries.
4. The side slope of the excavation shall be no more steep than three (3) to one (1) slope.

5. Conditions one through four above shall be made subject of the performance bond presented by the contractor to the State Highway Commission, and a copy of said performance bond shall be filed with the County Clerk to ensure proper conformance to the conditions established in one through four above.
6. A further separate bond be presented to cover separately and apart the maintenance of the shelter belt for a period of two (2) years after the completion of the project and that that bond be in the penal sum of \$2500 and run to the County and also be deposited in the County Clerk's Office.

Respectfully submitted,

L. L. Little  
Director of Planning

L.L.:LRE:SW