

CU-212

Conditional Use to permit expansion of an existing Sand & Gravel Extraction Operation in the "R-1" District - S.W. corner of Gilda and 25th St. North.

*Smead*  
No. 1516c

ASTORIA, OREGON, LOS ANGELES,  
OAKLAND, CALIF. - BOSTON, MASS., U.S.A.

CU-212 - Ritchie Paving, Inc.  
requests Conditional Use to  
permit expansion of an existing  
Sand and Gravel Extraction  
Operation in the "R-1" Suburban  
Residential District. generally

# ACTION

*POSTED*  
*1-19-79*

COMMITTEE	DATE
M.A.P.C. <i>Approved subject to conditions</i>	<i>2-1-79</i>
B.C.C./B. CO. C. <i>Denial</i>	<i>2-28-79</i>

*Closed*

CU-212 - Ritchie Paving, Inc. requests Conditional Use to permit expansion of an existing Sand and Gravel Extraction Operation in the "R-1" Suburban Residential District, generally

Book 2;  
C-O-B  
5050  
Map No. \_\_\_\_\_  
Sec. 3  
Twp. 27S  
Range 1W

DATA SHEET  
(ZONING & CONDITIONAL USE)

Z- \_\_\_\_\_  
SCZ- \_\_\_\_\_  
CU- 212  
Filed 1-10-79

APPLICATION DATA: From \_\_\_\_\_ to \_\_\_\_\_

1. Applicant: Ritchie Paving, Inc.  
Address P.O. Box 4048, Wichita, Ks. 67204 Phone 838-9301
2. Agent: Profesional Engineering Consultants, P.A. (Gary Wiley)  
Address 1440 E. English, 67211 Phone 262-2691
3. General Location: Southwest corner of Gilda and 25th St. North  
Address \_\_\_\_\_

4. Proposed Use: Expansion of existing Sand and Gravel Extraction Operation  
in the "R-1" Suburban Residential District.

AREA DATA:

1. Acres: 30 ( 1315 (IRREGULAR) ft. by 1500 ft.)
2. Adjoining Zoning: E "R-1" S "R-1" & "E" W "R-1" N "R-1" & "E"
3. Land Use: East SINGLE FARM South CONTRACTORS YARD  
West SAND PIT - CONTRACTORS YARD North SAND PIT
4. Sketch Plan Land Use is for: \_\_\_\_\_
5. Present Land Use is for: SAND PIT
6. Area (is) (is not) platted.

PROCEDURE DATA:

1. Zoning Committee \_\_\_\_\_ by \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_
2. MAPC Meeting:

Date	Action
<u>2-1-79</u>	<u>Approved sub to conditions</u>

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

Date	Action	Resolution
<u>2-28-79</u>	<u>Denied</u>	

NOTES:

HARTUNG & HUNTER LOS ANGELES  
No. 2453C  
LOOKALIKE REGISTERED IN U.S.A.



225  
175  
100

Book 2;  
 C-0-B  
 Map No. 5050  
 Sec. \_\_\_\_\_  
 Twp. 3  
 Range 27S  
 1W

DATA SHEET  
 (ZONING & CONDITIONAL USE)

Z- \_\_\_\_\_  
 SCZ- \_\_\_\_\_  
 CU \_\_\_\_\_  
 Filed 212  
 1-10-79

APPLICATION DATA: From \_\_\_\_\_ to \_\_\_\_\_

- Applicant: Ritchie Paving, Inc. Phone \_\_\_\_\_  
 Address: P.O. Box 4048, Wichita, Ks. 67204
- Agent: Professional Engineering Consultants, P.A. (Kronig Wiley)  
 Address: 1440 E. English, 67211 Phone: 262-2691
- General Location: Southwest corner of Gilda and 21st St. North

4. Proposed Use: Expansion of existing Sand and Gravel Extraction Operation in the "R-1" Suburban Residential District.

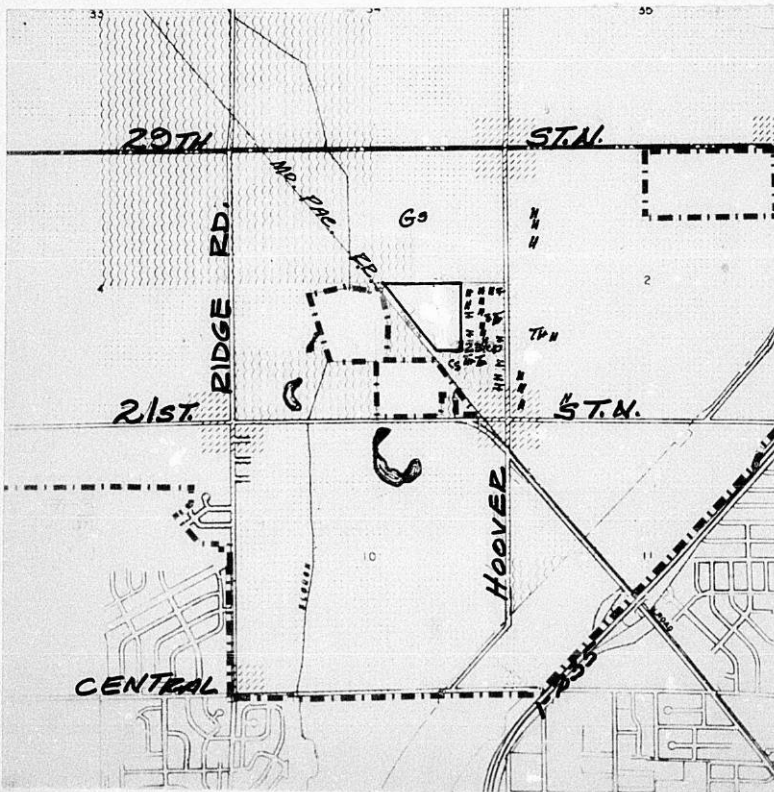
AREA DATA:

- Acres: 31.3 ( 1315 <sup>IRREGULAR</sup> ft. by 1500 ft.)
- Adjoining Zoning: E "R-1" S "R-1" & "EW" "R-1" N "R-1" & "E"
- Land Use: East SINGLE FAM South CONTRACTOR YARD  
 West SAND PIT & CONTRACTORS North SAND PIT
- Sketch Plan Land Use is for: \_\_\_\_\_
- Present Land Use is for: SAND PIT
- Area (is) (is not) platted. \_\_\_\_\_

PHOTO DATA:

Taken by \_\_\_\_\_ Date \_\_\_\_\_ Time \_\_\_\_\_

*LAND USE NEEDS UPDATING*



July 9, 1979

Mr. Proctor Ritchie  
Box 4048  
Wichita, Kansas 67204

Re: Request to refile Conditional  
Use Application CU-212, Expansion  
of a Sand and Gravel Extraction  
Operation. Generally located in  
an area west of Hoover and south  
of 25th Street North.

Dear Mr. Ritchie:

This is to advise you that the Metropolitan Area Planning Commission Zoning Committee has granted your request for refiling a Conditional Use case on the property previously considered as Case CU-212.

The County Zoning Resolution requires a six month waiting period before cases can officially be refiled for further consideration. Case CU-212 was originally considered on February 1, 1979. Therefore, the case cannot be refiled until after August 1, 1979. If the case is filed before August 8, 1979, it will be scheduled for consideration by the Planning Commission at their regular meeting of August 30, 1979, beginning at 1:30 p.m. in the City Commission Meeting Room, First Floor, City Hall, 455 North Main Street.

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

Sincerely,

Jack H. Galbraith  
Chief Planner

JHG:CLN:el

July 2, 1979

The Metropolitan Area Planning Commission Zoning Committee

Jack H. Galbraith, Chief Planner

Request from Proctor Ritchie to refile Conditional Use Application CU-212, Expansion of a Sand and Gravel Extraction Operation. Generally located in an area west of Hoover and south of 25th Street North.

We are in receipt of a letter from Proctor Ritchie requesting that the MAPC Zoning Committee permit the refiling of the above referred to conditional use case. The case was considered by the Planning Commission on February 1, 1979 and recommended for approval. On February 28, 1979, the Board of County Commissioners denied the request.

Mr. Ritchie has indicated there have been physical changes made in their original development plan in that they will close their access to 25th Street and out to Hoover, to eliminate the noise and dust from trucks in the residential area between the subject property and Hoover. This change and other proposals were in a letter sent by Mr. Ritchie to the protestors in the area. Seven replies were received; all stating that they would withdraw their protest.

The County Zoning Resolution provides for the MAPC Zoning Committee to permit the refiling of a case after six months from the original hearing date when significant physical, economic, or land use changes have taken place. Because of the required six month waiting period, the case could not be officially reconsidered until after August 1, 1979.

Attached herewith is a copy of Mr. Ritchie's letter requesting approval of the refiling, and a copy of his letter to the protestors. I will check with you regarding your decision on this matter, at next Thursday's Planning Commission meeting.

If you have any questions, please contact me.

JHG:CLN:el

Attachment

cc: Proctor Ritchie, P.O. Box 4048, 67204  
Mary Ellen Barrier, 4800 E. Douglas, 67208  
Elwood Jones, 825 E. Lincoln, Derby, 67037  
Michael Savina, 352 N. Broadway, Room 204, 67202

Jack H. Galbraith  
Chief Planner



June 27, 1979

Zoning Board  
PLANNING DEPARTMENT  
c/o Mr. Jack Galbraith  
CITY OF WICHITA  
455 N. Main  
Wichita, Kansas 67202



Gentlemen:

Last February 10, 1979, our request for sand zoning on Case No. Z-1769 was denied by the County Commission because of protests from residents in the immediate vicinity. Since that time, we have been working with these residents, trying to resolve the problems concerning their protests. We feel there has been sufficient change in some of their attitudes to warrant this zoning matter being heard again after the six month waiting period.

Enclosed find copies of a letter signed by some of the residents in the area, signifying that they would no longer protest the sand zoning if we guarantee performance of the promises made in the letter. We have not received any letters signed "No". There are a couple of people who are using their protest as a weapon for reasons not connected in any way with the zoning.

We have tried to do all we can to be good neighbors, and we feel that these changes deserve your early consideration.

Sincerely yours,

RITCHIE SAND

*Proctor Ritchie*  
Proctor Ritchie

PR:jd  
Encl.

DIVISION OF RITCHIE PAVING, INC.  
6500 WEST 21ST ST. / P.O. BOX 4048 / WICHITA, KANSAS 67204 / (316) 722-0592



June 1, 1979

I am writing this letter to all the people who protested our proposed Use Permit to allow us to pump sand from the 30 acres of pasture land lying on the west side of Gilda between 23rd St. and 25th St.

I realize that all of you have legitimate reasons for protesting this zoning.... reasons such as: noise of the trucks, blowing dust, water standing in the street of one house, and danger of young children drowning in the lake. I feel that there are some things which we could do to eliminate these problems, or at least to offer something in return as compensation for your inconvenience. To do this, I propose that we offer the following two things in return for your support in getting the zoning. Of course, these two things would be dependent upon our obtaining the Use Permit Zoning:

- (1) Within three (3) weeks after obtaining zoning, we would close the entrance on Hoover St. (these three weeks would give us time to notify our customers) and all of the traffic to the sand plant would be required to use the 21st Street entrance until such time as the 30 acres would be pumped out. This would take approximately 3½ to 4 years from now before we could complete the pumping. Also, we would need the understanding that should the 21st Street entrance be closed for reasons beyond our control, that we could reopen the Hoover entrance until the 21st Street entrance was reopened.
- (2) After the 30 acres is pumped out, we would allow the owners and all tenants of property lying between 21st Street and 25th Street, and between Hoover and Gilda, to form a Homeowners Association for use of the lake formed on the 30 acres. The members of the association would have the right to fish, boat or picnic on this 30 acres for a period of 15 years. Access to the lake would be limited to an area on the west side of Gilda between 23rd St. and 25th St. We would place one drive-in gate and one walk-in gate in this location so that members could use their own key to use the lake. The only stipulations we would have on this use would be that the place be properly locked when not in use, kept neat and clean, no power boats, and sufficient insurance be carried by the association to relieve us of any and all liabilities for accidents occurring in this area.

DIVISION OF RITCHIE PAVING, INC.  
6500 WEST 21ST ST. / P.O. BOX 4048 / WICHITA, KANSAS 67204 / (316) 722-0592

RITCHIE SAND

Page 2  
June 1, 1979

In responding to some of the other reasons for protest, I might say that the additional lake will cut down a good deal on the dust, as the pasture would then be water instead of dirt. There is already sufficient water presently in existence nearby so that an additional extension of the lake will not create any new hazard to children. Then too, with the Hoover Street entrance closed, I am sure the noise of trucks will be largely eliminated. All of these things together should increase the property value in the area.

In the event a sufficient number of people are willing to go along with these proposals, I would hire a lawyer to write them up in contract form, so that you would be assured that we would be bound to perform our obligations.

Very truly yours,

RITCHIE SAND

*Proctor Ritchie*

Proctor Ritchie

PR:jd

Yes, I would be willing to withdraw my protest against the zoning if an agreeable contract for the two above items is signed by Ritchie Sand.

Name *Mike Patton*

Address *2557 Sunnylane*

Phone No. *943773*

No, I would not be willing to withdraw my protest.

Name \_\_\_\_\_

Address \_\_\_\_\_

Phone No. \_\_\_\_\_



SEDGWICK COUNTY, KANSAS

**BOARD OF COUNTY COMMISSIONERS**

TOM SCOTT  
CHAIRMAN  
COMMISSIONER SECOND DISTRICT

DONALD E. GRAGG  
CHAIRMAN PRO-TEM  
COMMISSIONER FIRST DISTRICT

EVERETT PATRICK  
COMMISSIONER  
THIRD DISTRICT

COUNTY COURTHOUSE • SUITE 320 • WICHITA, KANSAS 67203 • TELEPHONE (316) 268-7411

DATE: April 4, 1979

TO: Jack Galbraith, Chief Planner, Wichita-Sedgwick County  
Metropolitan Area Planning Department

FROM: Donald E. Gragg, Commissioner

RE: CU-212--Conditional Use SW Corner Gilda & 25th St. North

In regards to your memo of March 8, 1979 about the above zoning request filed by Ritchie Paving, Inc, have you received a response from Sid Werbin? If you have, I would like very much to have a copy of that response. If not, please advise and I will find out from Mr. Werbin directly.

DEG/jw

Copy to: Sid Werbin, County Zone Administrator

*Advised Don Gragg by phone that I had received reply. He was to look for his copy and advise if he needed a copy. JMS*





SEDGWICK COUNTY COURTHOUSE

**COUNTY OF SEDGWICK**  
DEPARTMENT OF PUBLIC WORKS

1018 STILLWELL  
WICHITA, KANSAS 67213

G. C. McLURE, JR., P.E.  
COUNTY ENGINEER/DIRECTOR OF PUBLIC WORKS



DATE: April 9, 1979

TO: Jack Galbraith, Chief Planner, Wichita-Sedgwick  
County Metropolitan Area Planning Department

FROM: Syd Werbin, Director, Bldg, Planning & Codes

RE: CU-212 - Conditional Use - SW corner of Gilda and  
25th St. North, Tax Key #De-58-37

The records in this office have been checked very thoroughly and we can find only one permit sold for the above referenced property. This was for replacement of a maintenance building which had burned. As you can see from the enclosed copy, it was sold as a non-conforming building.

Upon checking with the appraiser's office, we find that office is carrying on the tax rolls a maintenance building along with a commercial building and a mobile home. The commercial building was placed on the tax rolls some time in 1969. We can find no permit for it either in 1969 or before 1969. The mobile home is being carried as personal property.

It is therefore my conclusion that this office was in error in selling the permit to replace the fire damaged building without more extensive checking to make sure it was truly a non-conforming building, and that the other buildings are there without permits.

I might add that non-conforming uses are now checked carefully before permits are issued for same.

Syd Werbin  
Director, Bldg, Plnng & Codes

VS:vs  
Enclosure

Copy to: Commission Chairman Tom Scott  
Commissioner Don Gragg  
Commissioner Everette Patrick

NAME

AREA

### APPLICATION FOR CERTIFICATE OF OCCUPANCY OR ZONING PERMIT

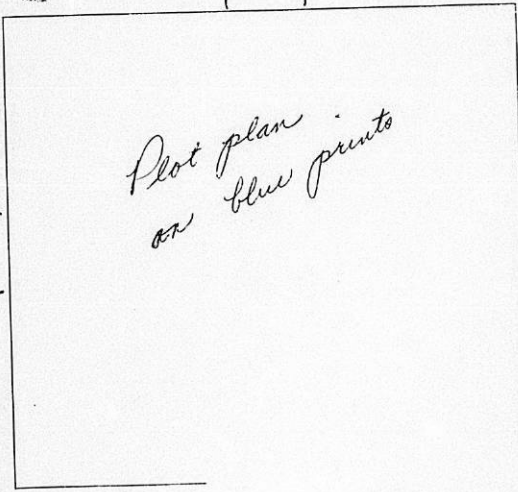
Permit No. 583 Owner Bitchie Land Co  
 Receipt No. 7802 Contractor Decker Const Co  
 Zoning R-1 Date 2-4-76

TO: Board of County Commissioners, Sedgwick County, Kansas  
 The undersigned owners of the following described property, do hereby apply for a Certificate of Occupancy or Zoning Permit for such use as hereinafter stated.

#### LEGAL DESCRIPTION

SEC 3 TWP 29 RANGE 14 LOT \_\_\_\_\_ BLOCK \_\_\_\_\_ SUB-DIVISION \_\_\_\_\_  
 KEY NUMBER DE-58-37 METES AND BOUNDS \_\_\_\_\_ TWP Delano

SPECIFIC USE FOR PROPERTY Maintenance Bldg.  
 LOCATED 6217 N 25th St.



The undersigned hereby certifies that the inform Resolution of Sedgwick County, Kansas, and fact which is material to the issuance hereof shall RESTRICTION VALIDLY FILED OF RECORD.

Submitted by Decker Const Co  
C.W. Gardner  
 Officer Agent

COMMERCIAL ASPHALT INC  
 P.O. BOX 4044  
 WICHITA KANSAS 67204

U-266-83  
 SW 1/4 SE 1/4 EXC RR & NW 1/4 SE 1/4 E OF  
 RR & BEG SW COR SE 1/4 SE 1/4 TH N  
 450 FT E 30 FT S 450 FT W TO BEG  
 EXC PT DED FOR HWY SEC 3-27-1W

Permit Issued or Denied

PERMIT NUMBER

#583

DEPARTMENT OF PUBLIC WORKS  
COUNTY OF SEDGWICK, KANSAS  
APPLICATION FOR NON-RESIDENTIAL BUILDING PERMIT  
AND CERTIFICATE OF OCCUPANCY  
Inspection Division

APPLICATION NUMBER

157<sup>00</sup>

Feb 4 1976

APPLICATION is hereby made for a permit to Erect  
a structure at 6217 W 25th St W. Street,  
in accordance with the following description and/or with plans and specifications filed herewith and in conformity with  
all laws and resolutions pertaining thereto.

USE OR OCCUPANCY

- (A) Assembly Building (Seats 1,000 or more)
- (B) Assembly Building (Seats less than 1,000)
- (C) School Building
- (D) Hospital (Sanitarium); Institution (Jail, Asylum, etc.)
- (E) Special Hazard (Garage, Planing Mill, Mattress Factory)
- (F) Moderately Hazardous (Store, Cafe, Office, Factory, Warehouse)
- (G) Non-Hazardous (Ice Plant, Factory, Iron Works)
- (J-3) Stadium, Park Building

Previous Occupancy \_\_\_\_\_ New Occupancy Fletcher Sand Co.

CONSTRUCTION

Extreme Dimensions: Frontage 80 Depth 100 Stories \_\_\_\_\_

Area: Sq. Ft. on Ground \_\_\_\_\_ Total Sq. Ft. of Floor Area \_\_\_\_\_

Foundation Walls: Reinforced Concrete  Plain Concrete  Depth of Footings \_\_\_\_\_  
Concrete Blocks  Basement Size \_\_\_\_\_

Superstructure: Skeleton Steel  Skeleton Concrete  Wall Bearing \_\_\_\_\_

Exterior Walls: Brick  Concrete  Metal, Wood Frame   
Party Brick and Block or Tile  Concrete Blocks  Metal, Metal Frame   
Separate Tile  Wood Frame  Combination

Floors { Wood  Steel  Concrete  Roof Covering \_\_\_\_\_  
Roof {

Designed Floor Loading (Lbs. per Sq. Ft.): 1 \_\_\_\_\_ 2 \_\_\_\_\_ 3 \_\_\_\_\_ 4 \_\_\_\_\_ 5 \_\_\_\_\_

No. of Stairways: Bsmt. to 1st \_\_\_\_\_ 2nd to 3rd \_\_\_\_\_ 4th to 5th \_\_\_\_\_ No. of Elevators \_\_\_\_\_  
1st to 2nd \_\_\_\_\_ 3rd to 4th \_\_\_\_\_

EQUIPMENT

Hot Water  Heaters: Gas  Refrigeration  Standpipes: \_\_\_\_\_  
Hot Air  Space  Coal  Air Conditioning  Wet \_\_\_\_\_  
Steam  Unit  Oil  Auto. Sprinklers  Dry \_\_\_\_\_

If repairing, remodeling, wrecking or adding to, state improvements to be made

Metal Bldg - for Maintenance  
OK'd (see plans) Review (anyth)

New Plumbing \_\_\_\_\_ New Gas Fitting \_\_\_\_\_ Is work being done under contract? \_\_\_\_\_  
New Electrical Work \_\_\_\_\_

VALUE OF IMPROVEMENTS

Applicant's Estimate \$ 40,000. Total Adjusted Square Feet \_\_\_\_\_

OWNER Fletcher Sand Co. Address 6500 W. 21st  
BUILDER Wecker Const. Co. Address 1655 South West St  
TENANT \_\_\_\_\_ Address \_\_\_\_\_  
DESIGNER \_\_\_\_\_ Address \_\_\_\_\_  
(Sign Below)

Decker Const. Co. \_\_\_\_\_ Owner  
By C.W. Gardner \_\_\_\_\_ By \_\_\_\_\_ Agent  
Authorized Representative

INSPECTION DIVISION

Zoning Dist. R (R) AA BB LC CE F Permit Refused Because \_\_\_\_\_  
Fire Zone 2 3 4 5 6 7 Permit Held Up for \_\_\_\_\_  
Unprotected  Application Taken by Louis Guago

COS

March 6, 1979

Syd Werbin, County Zoning Administrator

Jack H. Galbraith, Chief Planner

CU-212 - Conditional Use - S.W. corner of  
Gilda and 25th Street North.

At last Wednesday's County Commission meeting, Bob Lakin was in attendance for the consideration of case CU-212, a request for a Conditional Use permit on property zoned "R-1" Suburban Residential. The stated reason for the request was to expand the existing sand and gravel operations into this area from the north. This property is approximately 31 acres in size, is located at the southwest corner of Gilda and 25th Street North and the request was filed by Ritchie Paving, Inc.

The problem that arose at the meeting was that several concerned citizens in the area appearing in protest questioned the existing use of the land i.e. steel building used for maintenance work, double wide trailer used for an office and two oil storage tanks. Inasmuch as none of these uses are permitted in the "R-1" Suburban Residential District the County Commission instructed the staff to ascertain if and when permits were issued for these uses. In viewing our 1968 aerial photos of this area, it may be seen that subject property was undeveloped at that time. Our 1974 aerials indicate the land being used for other purposes than those permitted in "R-1" zoning (see attached 1974 photo with application area outlined). Dave Ritchie commented at the Planning Commission meeting that he was certain they had obtained permits and remarked that they had even rebuilt the maintenance building in the last few years after a serious fire.

Would you please check your records and determine if and when permits were ever issued, and if so why they were issued on property that is zoned residential. We would appreciate your advising the County Commission directly with copies of your findings to us. In addition to the aerial, I have attached a copy of the notice that states the legal description of the property.

Sincerely,

Jack H. Galbraith  
Chief Planner

JHG:el  
Attachment

Page Two  
Syd Werbin, County Zoning Administrator  
March 6, 1979

cc: Tom Scott, Chairman, Board of County Commissioners  
Ted Hill, County Counselor  
G.C. McLure, Jr., Director of County  
Department of Public Works  
Robert A. Lakin, Director of Planning

March 2, 1979

Mr. Dave Ritchie  
Ritchie Paving, Inc.  
P.O. Box 4048  
Wichita, Kansas 67204

Re: CU-212 - Conditional Use Permit -  
Southwest corner of Gilda and  
25th St. North

Dear Dave:

Inasmuch as the County did not favorably act on your request, I am enclosing the original covenants which you submitted to our office.

If you have any questions, please call.

Sincerely,

Jack H. Galbraith  
Chief Planner

JHG:el  
Enclosure

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION TO  
BOARD OF COUNTY COMMISSIONERS

REQUEST FOR CONDITIONAL USE PERMIT

CASE NO. CU-212

CONSIDERED BY MAPC: 2-1-79

REQUEST FOR: Conditional Use Permit for extraction  
of sand and gravel.

REASON FOR REQUEST (AS PROVIDED BY APPLICANT): None

GENERAL LOCATION: Southwest corner of Gilda and 25th Street North.

LEGAL DESCRIPTION:

(See excerpt from Planning Commission minutes  
of 2-1-79)

*Ritchie  
Cowanwell.  
Walter Henning  
2437 N Hoover  
Steve Kraft, mpt -  
Ritchie Sand Demand*

APPLICANT: Ritchie Paving, Inc., P. O. Box 4048, Wichita, Ks.

AGENT FOR APPLICANT: None

PROTESTORS ( LIST AGENT ) IF ANY: James R. Taylor, 2249 N. Hoover;  
Walter N. Henning, 2437 N. Hoover; Orville Kraft, 2451 Sunny Lane.

SURROUNDING ZONING: East and West, "R-1"; North, "R-1" & "E"; South, "E".

LAND USE: Existing, undeveloped; North and South, Sand Pits; East,  
single family and undeveloped; West, Railroad.

PLANNING COMMISSION RECOMMENDATION:

That this Conditional Use Permit be approved subject to the recommended  
conditions as shown in the attached excerpt from minutes of the Planning  
Commission, 2-1-79. Bayouth moved, Cole seconded and it carried unani-  
mously. Barrier and Greider were absent.

NOTE: The percentage of the protest petitions received on this  
application will be pointed out at the time the case is considered  
by the County Commission.

- ACTION: 1. Approve the application as recommended by the Metropolitan  
Area Planning Commission subject to the recommended conditions of approval  
and adopt a resolution effectuating the conditional use, and instruct the  
Planning Department to withhold publication until condition F. has been  
complied with; or
2. Deny the application.

*Gregg / approve  
no 2-22*

EXCERPT FROM PLANNING COMMISSION MINUTES OF FEBRUARY 1, 1979:

16. Case No. CU-212 - Ritchie Paving, Inc. requests a Conditional Use Permit beginning at a point on the north line of the Southeast 1/4 of Section 3, T27S, R1W of the 6th P.M., 900 feet west of the northeast corner of said 1/4 section; thence south, parallel to and 900 feet west of the east line of said 1/4 section, 1315.82 feet; thence west, parallel to the north line of said 1/4 section, 540 feet + to the easterly right-of-way line of the Missouri Pacific Railroad; thence northwesterly, along the easterly right-of-way line of the Missouri Pacific Railroad, to the north line of said 1/4 section; thence east, along the north line of said 1/4 section, to the point of beginning. All located in the southeast quarter of Section 3, Township 27 South, Range 1 West, Sedgwick County, Kansas. Generally located at the southwest corner of Gilda and 25th Street North.

GALBRAITH showed slides of the area and surrounding area and reviewed the following staff report:

COMMENTS:

1. The applicant is requesting a Conditional Use Permit to allow the expansion of an existing sand and gravel extraction operation located adjacent to the north which was approved in the latter part of 1958 (CU-5).
2. The applicant has submitted an operational plan indicating the limits of the area to be excavated and a redevelopment plan which proposes single family development along the east side of the lake area, as well as a private access road along the south and west sides of the lake area leading to an excavation operation adjacent to the north proposed for future multi-family development.
3. Inasmuch as sewers are not extended into this area and development is not yet projected, the sand and gravel operation would appear to be a logical use and should the Planning Commission recommend approval of this application, the following conditions of approval should be included in the recommendation:
  - A. The applicant shall proceed in accordance with the operational sketch plan approved by the Metropolitan Area Planning Commission, and shall excavate the lake and form the banks as indicated on the approved plan.
  - B. The earth shall be extracted to at least a minimum depth of six feet below the normal water table as determined by the City-County Health Department.
  - C. To provide for bank stabilization and safety of future uses, the side slope of the excavation shall be no more steep than five horizontal to one vertical.
  - D. All of the area outside of the sandpit lake shall be graded so as to drain into the lake.
  - E. The sand plant operator shall be responsible for:
    1. That the grading of the area around the perimeter of the sandpit lake be maintained so as to direct drainage toward the lake.

2. Construction of any structure, such as culverts, ditches, ditch checks, riprap, etc., necessary to carry out this plan.
  3. Maintaining all operational roads in a graveled condition.
- F. The applicant shall submit a restrictive covenant to the Planning Department in a form satisfactory to the County legal counsel, providing that no foreign matter, such as rubbish, trees, car bodies, etc., shall be deposited on the application area or within the excavation after approval of the conditional use by the Board of County Commissioners.
- G. The natural drainage flow shall be protected throughout the area. Any improvements made in the natural drainage or any obstruction or diversions shall meet with the approval of the Wichita-Sedgwick County Flood Control Office and the County Engineer, and shall be according to the specifications and standards of these authorities.
- H. No commercial recreational activities, such as boating, fishing, skiing, etc., shall be permitted in the area, unless duly authorized under provisions of the County Zoning Resolution and amendments thereto.
- I. All slopes shall have vegetative covering consisting of a perennial drouth resistant grass or combination of grasses which will permit the establishment of a good sod cover to help prevent erosion.
- J. The property shall be platted prior to the issuance of any zoning or building permits, except those necessary for the sand excavation operation.
- K. The applicant shall comply with Condition F, prior to the publication of the resolution effectuating the conditional use.
- L. Any violation of conditions attached shall declare the conditional use permit null and void.

GALBRAITH recommended approval of the application subject to the recommended conditions.

HENNESSY left the meeting.

JAMES R. TAYLOR, 2249 North Hoover, said that he had circulated a petition opposing the sandpit expansion. He felt there were enough sandpits in the area now. He mentioned that there were buildings and storage tanks on the land and that part of the top soil had been removed. He said there was a tremendous amount of noise on Hoover where the trucks come out.

COLE asked if Mr. Taylor generally objected to sandpits or was there something that sandpits do to his property.

TAYLOR said that the expanded sandpit would be getting about 400 feet closer to his property.

JONES left the meeting.

BAYOUTH stated that sand was a resource like mining coal or anything else. It was necessary for construction, and you just couldn't go everywhere to get the quality of sand needed for construction.

HENNESSY and JONES returned.

WALTER N. HENNING, 2437 North Hoover, stated that he owned property to the east of the proposed sandpit, and if the expansion was approved it would be within one block from his property. He said the noise from the trucks going by on Hoover was shaking his house and cracking the foundation. He was hoping that they would finish with the sandpit in progress now and move out so that the noise would cease, but now they want it extended, and he would have to put up with it for a couple of more years.

BAYOUTH asked the applicant how long would it take to complete the sandpit.

DAVE RITCHIE, applicant, stated it would take about two more years. He said that they have a sizeable investment in their equipment. None of the locations of their equipment changes, it stays where it is. In their future development plan, there would be a row of houses along the east side of the lake. He felt it would help the value of the property for the entire area.

COLE asked for a response to the comment made that Mr. Ritchie was already illegally moving land and building buildings.

RITCHIE said that they have had a construction office and storage on the property for several years. He didn't believe they were illegal.

ORVILLE KRAFT, 2451 Sunny Lane, stated that Mr. Ritchie built a paved road to the north of his property with no culverts. There was no drainage, and if he was going to pump more sand, he felt he should think about the drainage situation for the homes that were there. When it rains now there is no place for the water to go.

COMMISSIONER TAYLOR asked if Mr. Kraft had read the information sheet on this case regarding the recommendations from staff that the developer would be responsible for. KRAFT stated no. TAYLOR said that listed in the recommendation are the requirements that the developer would be responsible for the grading of the area with the drainage going to the lake.

KRAFT stated that what the developer wanted was a permit to expand the existing sandpit, and he had been there for nine years and the lake is getting bigger. There is settling of the earth and cracking. He was interested in redevelopment of the area instead of leaving a hole there.

COMMISSIONER TAYLOR stated that something of this nature does take a considerable length of time, and judging from past observation of past operations of the applicant, she would say that they would be responsible, and look forward to the redevelopment. In the long range, the applicant would have something in mind that would be complimentary to the residential area.

COLE asked Mr. Ritchie about condition "G" of the staff report, he assumed that he was agreeable to it and would try to do everything he could to help the water runoff problem to the development.

RITCHIE stated yes, it would actually improve the drainage. The lake would be a good place for the water to go. RITCHIE felt that they had not really hurt anything. Hoover Road does not have adequate ditches. The whole area is sand and the water usually percolates down through the sand into the underground reservoir. He said that Mr. Kraft was worried about redevelopment, and he wanted to assure him that they planned to have a very nice redevelopment. He said if they would look a few years into the future, he felt everyone would be pleased with what will happen there. He could not convince anyone today, because it has not happened yet.

BELL agreed with Commissioner Taylor that the applicant had a very good track record in what they have done.

HENNING asked how much room there would be between the lake and Gilda. RITCHIE stated the lake would be 190 feet from the fence.

HENNING said that when there is a strong northwest wind they get a tremendous sand storm. He asked if there was any way this could be blocked off if the expansion is approved.

GALBRAITH stated that it was difficult to keep down blowing sand around sand operations. He said it might be encouraged, however, that some vegetated covering be kept on the 190 feet adjacent to Gilda.

MOTION: That the Planning Commission recommend to the County Commission that this application be approved subject to the following conditions:

- A. The applicant shall proceed in accordance with the operational sketch plan approved by the Metropolitan Area Planning Commission, and shall excavate the lake and form the banks as indicated on the approved plan.
- B. The earth shall be extracted to at least a minimum depth of six feet below the normal water table as determined by the City-County Health Department.
- C. To provide for bank stabilization and safety of future uses, the side slope of the excavation shall be no more steep than five horizontal to one vertical.
- D. All of the area outside of the sandpit lake shall be graded so as to drain into the lake.
- E. The sand plant operator shall be responsible for:
  1. That the grading of the area around the perimeter of the sandpit lake be maintained so as to direct drainage toward the lake.
  2. Construction of any structure, such as culverts, ditches, ditch checks, riprap, etc., necessary to carry out this plan.
  3. Maintaining all operational roads in a graveled condition.
- F. The applicant shall submit a restrictive covenant to the Planning Department in a form satisfactory to the County legal counsel, providing that no foreign matter, such as rubbish, trees, car bodies, etc., shall be deposited on the application area or within the excavation after approval of the conditional use by the Board of County Commissioners.
- G. The natural drainage flow shall be protected throughout the area. Any improvements made in the natural drainage or any obstruction or diversions shall meet with the approval of the Wichita-Sedgwick County Flood Control Office and the County Engineer, and shall be according to the specifications and standards of these authorities.
- H. No commercial recreational activities, such as boating, fishing, skiing, etc., shall be permitted in the area, unless duly authorized under provisions of the County Zoning Resolution and amendments thereto.

- I. All slopes shall have vegetative covering consisting of a perennial drouth resistant grass or combination of grasses which will permit the establishment of a good sod cover to help prevent erosion.
- J. The property shall be platted prior to the issuance of any zoning or building permits, except those necessary for the sand excavation operation.
- K. The applicant shall comply with Condition F, prior to the publication of the resolution effectuating the conditional use.
- L. Any violation of conditions attached shall declare the conditional use permit null and void.

Bayouth moved, Cole seconded and it carried unanimously. Barrier and Greider were absent.

-----

A. TOTAL AREA	<u>8,895,200</u>	SQFT.
B. APPLICATION AREA	<u>1,365,760</u>	"
C. STREET R/W	<u>413,350</u>	"
D. NET AREA	<u>7,116,090</u>	●
E. 20% OF NET AREA	<u>1,423,218</u>	"
F. NET PROTEST AREA	<u>596,260</u>	"
G. TOTAL % PROTESTING	<u>8.3</u>	%

CU-212 ●

Closing date on protest petitions for this CU 212 case was supposed to be at 5:00 p.m. February 12, 1979, however, due to the fact the County Courthouse was closed on that date for Lincoln's birthday, this extended this to 2/13/79.

*Shelton*

PROTEST PETITION  
(COUNTY CASES)

**SECTION I.**

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. CU 312, zone change from R-1 to E (for establishment of a SAND PIT in R-1 zoning).



**SECTION II - Protestor(s)**

	Name	Property Owned		
		Lot(s)	Block(s)	Addition
a)	<u>Eldon D Blackwell</u> Signature			<u>DE-58-41</u>
	<u>Eldon D Blackwell</u> Typed or Printed Name			
b)	<u>Carolyn S. Blackwell</u> Signature			
	<u>Carolyn S. Blackwell</u> Typed or Printed Name			

ACKNOWLEDGMENT

State of Kansas ) ss  
County of Sedgwick )

Be it remembered that on this 10<sup>th</sup> day of February, 1979, before me, a notary public in and for said County and State, came Eldon D Blackwell and Carolyn S Blackwell to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.

Frances E. Pagan  
Notary Public

My Commission expires 3-15 80

FRANCES E. PAGAN  
NOTARY PUBLIC  
Sedgwick County, Kansas  
My App. Exp. 3-15-80

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.



PROTEST PETITION  
(COUNTY CASES)

SECTION I.

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. CY-22, zone change from R-1 to E (for establishment of a SAND PIT in R-1 zoning).



SECTION II - Protestor(s)

	Name	Property Owned		
		Lot(s)	Block(s)	Addition
a)	<u>Bruce M. Shepherd</u> Signature	<u>DE</u>	<u>58-22</u>	<u>✓</u>
	<u>Bruce M. Shepherd</u> Typed or Printed Name			
b)	<u>Deborah K. Shepherd</u> Signature			
	<u>DEBORAH K. SHEPHERD</u> Typed or Printed Name			

ACKNOWLEDGMENT

State of Kansas )  
County of Sedgwick ) SS

Be it remembered that on this 10<sup>th</sup> day of February, 1979, before me, a notary public in and for said County and State, came Bruce M. Shepherd and Deborah K. Shepherd to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.

FRANCES E. JAGAN  
NOTARY PUBLIC  
Sedgwick County, Kansas  
My Comm. Exp. 2-13-80

Frances E. Jagan  
Notary Public

My Commission expires 2-13-80

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.



PROTEST PETITION  
(COUNTY CASES)

**SECTION I.**

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. CU 312, zone change from R-1 to E (for establishment of a SAND PIT in R-1 zoning).



**SECTION II - Protestor(s)**

	Name	Property Owned		
		Lot(s)	Block(s)	Addition
a)	<u>Donald D. Caffrey</u> Signature	<u>DE</u>	<u>58 - 33</u>	<u>✓</u>
	<u>Donald D. Caffrey</u> Typed or Printed Name			
b)	<u>Mary Caffrey</u> Signature			
	<u>Mary Caffrey</u> Typed or Printed Name			

ACKNOWLEDGMENT

State of Kansas )  
County of Sedgwick ) ss

Be it remembered that on this 10<sup>th</sup> day of February, 1979, before me, a notary public in and for said County and State, came Donald D. Caffrey and Mary Caffrey to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.

FRANCES E. FUGAN  
NOTARY PUBLIC  
Sedgwick County, Kansas  
My Comm. Exp. 2-13-80

Frances E. Fugan  
Notary Public

My Commission expires 2-13-80

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.



PROTEST PETITION

SECTION I.

The undersigned, property owners in Wichita, Sedgwick County, Kansas protest the proposed change of zoning for property described as Case No. 2 CU-212, zone change from R-1 to F-1.

Legal description of property included in the above case:

DE-55-41 E DE-58-29 (SOUTH WEST CORNER OF GLORY FIFTH ST AND 11TH ST)  
I DON'T MIND THE EXTENSIVENESS OF THE SAND BUT IF THE BLOWING IS CONTROLLED WHEN THE WIND IS STRONG OUT OF THE NORTH WEST (CREATING SAND STORM IN THIS AREA) BECAUSE THE HEAVY TRUCKS HAVE TORN UP HOOVER STREET IN FRONT OF MY HOUSE (2458 N HOOVER) AND CAUSED FOUNDATION CRACK UNDER THE HOUSE, THE SAND OPERATION IS NEARLY FOR BOTH 177416

SECTION II - Protestor(s)

Name	Property Owned	
Lot(s)	Block(s)	Addition
a) <u>Walter N. Henning</u> Signature	<u>110 58 41 E DE 58 29</u> ✓	
<u>WALTER N. HENNING</u> Typed or Printed Name		
b) <u>Delphine A. Henning</u> Signature		
<u>DELPHINE A. HENNING</u> Typed or Printed Name		

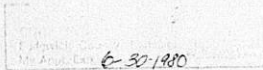


ACKNOWLEDGMENT

State of Kansas )  
County of Sedgwick ) ss

Be it remembered that on this 10th day of February, 1979, before me, a notary public in and for said County and State, came Walter N. Henning and Delphine A. Henning to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.



James E. May  
Notary Public

My commission expires 6-30-1980

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.



PROTEST PETITION  
(COUNTY CASES)

**SECTION I.**

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. CU-212, zone change from R-1 to E (for establishment of a SAND PIT in R-1 zoning).

**SECTION II - Protestor(s)**

Name	Property Owned		
	Lot(s)	Block(s)	Addition
a) <u>Loyal Beum</u> Signature	<u>DE</u>	<u>58</u>	<input checked="" type="checkbox"/> <u>18</u>
<u>LOYAL BEUM</u> Typed or Printed Name			
b) _____ Signature			
_____ Typed or Printed Name			



ACKNOWLEDGMENT

State of Kansas ) ss  
County of Sedgwick )

Be it remembered that on this 10<sup>th</sup> day of February, 1979, before me, a notary public in and for said County and State, came Loyal Beum to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.

FRANCES E. FROST  
NOTARY PUBLIC  
Sedgwick County, Kansas  
My App't. Exp. 2-13-80

Frances E. Frost  
Notary Public

My Commission expires 2-13-80

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.



**PROTEST PETITION**  
**(COUNTY CASES)**

**SECTION I.**

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. CH 212, zone change from R-1 to F (for establishment of a SAND PIT in R-1 zoning).

**SECTION II - Protestor(s)**

	Name	Property Owned		Addition
		Lot(s)	Block(s)	
a)	<u>John D. McNew</u>	<u>DE 58</u>	<u>23</u>	✓
	Signature	<u>DE 58</u>	<u>09</u>	✓
	<u>John D. McNew</u>			
	Typed or Printed Name			
b)	<u>Anna M. McNew</u>			
	Signature			
	<u>Anna M. McNew</u>			
	Typed or Printed Name			



**ACKNOWLEDGMENT**

State of Kansas ) ss  
County of Sedgwick )

Be it remembered that on this 10<sup>th</sup> day of February, 1979, before me, a notary public in and for said County and State, came John D. McNew and Anna M. McNew to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.

FRANCES E. FAGAN  
NOTARY PUBLIC  
Sedgwick County, Kansas  
My Comm. Exp. 2-13-80

Frances E. Fagan  
Notary Public

My Commission expires 2-13-80

**ALL SIGNATURES MUST BE ACKNOWLEDGED**

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.



PROTEST PETITION  
(COUNTY CASES)

**SECTION I.**

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. CU 312, zone change from R-1 to E (for establishment of a SAND PIT in R-1 zoning).

**SECTION II - Protestor(s)**

	<u>Name</u>	<u>Property Owned</u>
		<u>Lot(s)</u> <u>Block(s)</u> <u>Addition</u>
a)	<u>Martha J. Snider</u> Signature	<u>DE 58 44V</u>
	<u>MARTHA J. SNIDER</u> Typed or Printed Name	
b)	_____ Signature	
	_____ Typed or Printed Name	



ACKNOWLEDGMENT

State of Kansas        )  
County of Sedgwick    ) ss

Be it remembered that on this 10<sup>th</sup> day of February, 1979, before me, a notary public in and for said County and State, came Martha J. Snider to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.

FRANCES E. FRANZ  
NOTARY PUBLIC  
Sedgwick County, Kansas  
My Comm. Exp. 2-13-80

Frances E. Franz  
Notary Public

My Commission expires 2-13-80

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.



PROTEST PETITION  
(COUNTY CASES)

**SECTION I.**

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. CU-212, zone change from R-1 to E (for establishment of a SAND PIT in R-1 zoning).

**SECTION II - Protestor(s)**

Name	Property Owned		
	Lot(s)	Block(s)	Addition
a) <u>Michael Goldston</u> Signature	DE	58	20V
<u>Michael Goldston</u> Typed or Printed Name			
b) <u>Harolda Goldston</u> Signature			
<u>Harolda Goldston</u> Typed or Printed Name			



ACKNOWLEDGMENT

State of Kansas ) ss  
County of Sedgwick )

Be it remembered that on this 10<sup>th</sup> day of February, 1979, before me, a notary public in and for said County and State, came Michael M Goldston and Harolda Goldston to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.

FRANCES E. FAGAN  
NOTARY PUBLIC  
Sedgwick County, Kansas  
My Comm. Exp. 2-13-80

Frances E. Fagan  
Notary Public

My Commission expires 2-13-80

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.



PROTEST PETITION  
(COUNTY CASES)

SECTION I.

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. C-71-212, zone change from R-1 to E (for establishment of a SAND PIT in R-1 zoning).

SECTION II - Protestor(s)

Name	Property Owned		
	Lot(s)	Block(s)	Addition
a) <u>Orville L. Kraft</u> Signature	DE	58	27 ✓
<u>ORVILLE L. KRAFT</u> Typed or Printed Name			
b) _____ Signature			
_____			
Typed or Printed Name			



ACKNOWLEDGMENT

State of Kansas )  
County of Sedgwick ) ss

Be it remembered that on this 10<sup>th</sup> day of February, 1979, before me, a notary public in and for said County and State, came Orville L. Kraft to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.

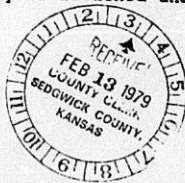
FRANCES E. FAWAN  
NOTARY PUBLIC  
Sedgwick County, Kansas  
My Appl. Exp. 2-13-80

Frances E. Fawan  
Notary Public

My Commission expires 2-13-80

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.



PROTEST PETITION  
(COUNTY CASES)

SECTION I.

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. PH-212, zone change from R-1 to E (for establishment of a SAND PIT in R-1 zoning).

SECTION II - Protestor(s)

Name	Property Owned		
	Lot(s)	Block(s)	Addition
a) <u>Loyal Reum</u> Signature	<u>DE</u>	<u>58-31</u> ✓	
<u>LOYAL REUM</u> Typed or Printed Name			
b) <u>Ruth Reum</u> Signature			
<u>Ruth Reum</u> Typed or Printed Name			



ACKNOWLEDGMENT

State of Kansas ) ss  
County of Sedgwick )

Be it remembered that on this 10<sup>th</sup> day of February, 1979, before me, a notary public in and for said County and State, came Loyal Reum and Ruth Reum to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.

FRANCES E. FUGAN  
NOTARY PUBLIC  
Sedgwick County, Kansas  
My Appt. Exp. 2-13-80

Frances E. Fugan  
Notary Public

My Commission expires 2-13-80

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.



**PROTEST PETITION  
(COUNTY CASES)**

**SECTION I.**

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. CU 212, zone change from R-1 to F (for establishment of a SAND PIT in R-1 zoning).

*We object to the noise of trucks-*

**SECTION II - Protestor(s)**

Name	Property Owned		
	Lot(s)	Block(s)	Addition
a) <u>James E Burns</u> Signature	DE	58	7A ✓
<u>JAMES E BURNS</u> Typed or Printed Name	DE	58	7V
b) <u>Mary A Burns</u> Signature	DE	58	6 ✓
<u>MARY ANN BURNS</u> Typed or Printed Name			



**ACKNOWLEDGMENT**

State of Kansas )  
County of Sedgwick ) ss

Be it remembered that on this 10<sup>th</sup> day of February, 1979, before me, a notary public in and for said County and State, came James E Burns and Mary A Burns to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.

FRANCIS E. JEGAN  
NOTARY PUBLIC  
Sedgwick County, Kansas  
My Comm. Exp. 2-13-80

Francis E. Jegan  
Notary Public

My Commission expires 2-13-80

**ALL SIGNATURES MUST BE ACKNOWLEDGED**

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.



PROTEST PETITION  
(COUNTY CASES)

SECTION I.

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. CU 212, zone change from R-1 to E (for establishment of a SAND PIT in R-1 zoning).

SECTION II - Protestor(s)

	Name	Property Owned		Addition
		Lot(s)	Block(s)	
a)	<u>David L. Williams</u> Signature <u>David L. Williams</u> Typed or Printed Name	<u>DE-58-17</u>		
b)	<u>Nancy L. Williams</u> Signature <u>Nancy L. Williams</u> Typed or Printed Name			



ACKNOWLEDGMENT

State of Kansas )  
County of Sedgwick ) ss

Be it remembered that on this 10<sup>th</sup> day of February, 1979, before me, a notary public in and for said County and State, came David L. Williams and Nancy L. Williams to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.

FRANCES E. FISHER  
NOTARY PUBLIC  
Sedgwick County, Kansas  
My Comm. Exp. 3-13-80

Frances E. Fisher  
Notary Public

My Commission expires 3-13-1980

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.



PROTEST PETITION  
(COUNTY CASES)

SECTION I.

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. DE-58-5, zone change from R-1 to E (for establishment of a SAND PIT in R-1 zoning).

I DON'T MIND THE ESTABLISHMENT OF THE SAND PIT, IF THE BREWING SAND IS CONTROLLED WHEN THE WIND IS STRONG OUT OF THE NORTH-WEST (CREATES SAND STORMS IN THIS AREA). ALSO THE HEAVY TRUCKS HAVE TORN UP THE DRIVEWAY IN FRONT OF MY HOUSE AND MAKING MY FOUNDATION COVERED THE SAND OPERATION IS RESPONSIBLE FOR BOTH ITEMS.

SECTION II - Protestor(s)

	Name	Property Owned		
		Lot(s)	Block(s)	Addition
a)	<u>Walter N. Henning</u> Signature		<u>DE-58-5</u>	
	<u>WALTER N. HENNING</u> Typed or Printed Name			
b)	<u>Delphine A. Henning</u> Signature			
	<u>DELPHINE A. HENNING</u> Typed or Printed Name			

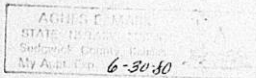


ACKNOWLEDGMENT

State of Kansas )  
County of Sedgwick ) ss

Be it remembered that on this 10th day of February, 1979, before me, a notary public in and for said County and State, came Walter N. Henning and Delphine A. Henning to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.



Agnes E. Marsh  
Notary Public

My Commission expires 6-30-1980

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.



PROTEST PETITION  
(COUNTY CASES)

**SECTION I.**

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. C21-212, zone change from R-1 to E (for establishment of a SAND PIT in R-1 zoning).

**SECTION II - Protestor(s)**

Name	Property Owned
	Lot(s) Block(s) Addition
a) <u>Randy Williams</u> Signature <u>RANDY WILLIAMS</u> Typed or Printed Name	<u>DE 58-40</u> ✓
b) <u>Terese J. Williams</u> Signature <u>Terese J. Williams</u> Typed or Printed Name	



ACKNOWLEDGMENT

State of Kansas )  
County of Sedgwick ) ss

Be it remembered that on this 11<sup>th</sup> day of February, 1979, before me, a notary public in and for said County and State, came Randy Williams and Terese J. Williams to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.

FRANCES E. MORGAN  
NOTARY PUBLIC  
Sedgwick County, Kansas  
Exp. 2-13-80

Frances E. Morgan  
Notary Public

My Commission expires 2-13-80

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.



PROTEST PETITION  
(COUNTY CASES)

SECTION I.

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. CU-212, zone change from R-1 to E (for establishment of a SAND PIT in R-1 zoning).

The trucks make excessive noise. The existing lake is too close to the streets 25th & Gilda. For the safety of the small children in that area, the sand blows so bad the windows have to be kept closed on the North side of the houses.

SECTION II - Protestor(s)

Name	Property Owned
	Lot(s) Block(s) Addition
a) <u>Donald R. Bucy</u> Signature	<u>DE-58 29</u> ✓ <u>DE 58 30</u> ✓
<u>Donald R. Bucy</u> Typed or Printed Name	
b) <u>Mable Bucy</u> Signature	
<u>Mable Bucy</u> Typed or Printed Name	



ACKNOWLEDGMENT

State of Kansas )  
County of Sedgwick ) ss

Be it remembered that on this 11<sup>th</sup> day of February, 1979, before me, a notary public in and for said County and State, came Donald R. Bucy and Mable Bucy to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.

FRANCES E. FRANZ  
NOTARY PUBLIC  
Sedgwick County, Kansas  
My Comm. Exp. 2-13-80

Frances E. Franz  
Notary Public

My Commission expires 2-13-80

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.



PROTEST PETITION  
(COUNTY CASES)

**SECTION I.**

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. 07-212, zone change from R-1 to E (for establishment of a SAND PIT in R-1 zoning).

Noise from the trucks also the trucks are not stopping when the school bus stops, indangering the lives of the children and do not stop at the stop signs, indangering the lives of motorists.  
The valuation of my property will be lower by having a sand plant.

**SECTION II - Protestor(s)**

Name	Lot(s)	Block(s)	Addition
a) <u>James Roscoe Taylor</u> Signature	<u>DE 55</u>	<u>1A</u>	<input checked="" type="checkbox"/>
<u>JAMES ROSCOE TAYLOR</u> Typed or Printed Name			
b) <u>Cecelia Mae Taylor</u> Signature			
<u>CECELIA MAE TAYLOR</u> Typed or Printed Name			



ACKNOWLEDGMENT

State of Kansas )  
County of Sedgwick ) ss

Be it remembered that on this 10<sup>th</sup> day of February, 1979, before me, a notary public in and for said County and State, came James Roscoe Taylor and Cecelia Mae Taylor to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.

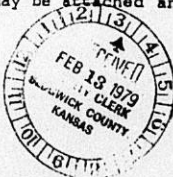
FRANCOIS E. HUGHES  
NOTARY PUBLIC  
Sedgwick County, Kansas  
My Comm. Exp. 2-13-80

Francis E. Hughes  
Notary Public

My Commission expires 2-13-80

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.



PROTEST PETITION  
(COUNTY CASES)

SECTION I.

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. 11-212, zone change from R-1 to E (for establishment of a SAND PIT in R-1 zoning).

*We do not consider ANOTHER sand pit as an "improvement" to the people in this community. Better than half of the traffic now is sand trucks & trash trucks, why add more!*

SECTION II - Protestor(s)

Name	Lot(s)	Block(s)	Addition
a) <u>Duane Dennett</u> Signature	<u>DE 53-7</u>		
<u>DUANE DENNETT</u> Typed or Printed Name			
b) _____ Signature			
_____ Typed or Printed Name			

ACKNOWLEDGMENT

State of Kansas )  
County of Sedgwick ) ss

Be it remembered that on this 10<sup>th</sup> day of February, 1977, before me, a notary public in and for said County and State, came Duane Dennett to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.

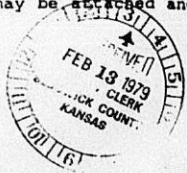
FRANCES E. AGAN  
NOTARY PUBLIC  
Sedgwick County, Kansas  
My Comm. Exp. 2-13-80

Frances E. Agan  
Notary Public

My Commission expires 2-13-80

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.



PROTEST PETITION  
(COUNTY CASES)

SECTION I.

The undersigned, property owners in Sedgwick County, Kansas, hereby protest the proposed change of zoning (Conditional Use Application) for property described as Case No. 24 212, zone change from R-1 to E (for establishment of a SAND PIT in R-1 zoning).

*My home is closest to sand pit and it will lower my property value*

SECTION II - Protestor(s)

Name	Property Owned		
	Lot(s)	Block(s)	Addition
a) <u>William R. Wood</u> Signature	DE	58	24 ✓
<u>William R. Wood</u> Typed or Printed Name			
b) _____ Signature			
_____ Typed or Printed Name			



ACKNOWLEDGMENT

State of Kansas ) ss  
County of Sedgwick )

Be it remembered that on this 15th day of February, 1979, before me, a notary public in and for said County and State, came William R. Wood to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.



Leona M. Moriarty  
Notary Public

My ~~Commission~~ <sup>Appointment</sup> expires March 10, 1982

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached and made a part of this petition as necessary.



R E S O L U T I O N

CASE NO. CU-212

A RESOLUTION PERMITTING EXPANSION OF AN EXISTING SAND AND GRAVEL EXTRACTION OPERATION IN THE "R-1" SUBURBAN RESIDENTIAL DISTRICT ON CERTAIN LANDS LOCATED WITHIN THREE MILES OF EITHER THE CITY OF WICHITA, THE CITY OF HAYSVILLE, THE CITY OF DERBY, THE CITY OF MULVANE, THE CITY OF VALLEY CENTER, THE CITY OF GODDARD, AND THAT PORTION OF THE AREA WITHIN THREE MILES OF THE CITY OF CHENEY AS ESTABLISHED BY THE BOARD OF COUNTY COMMISSIONERS ON OCTOBER 3, 1973, ALL IN SEDGWICK COUNTY, KANSAS, UNDER THE AUTHORITY GRANTED BY (SECTION 4.A.10.f) AND SECTION 11.E OF THE ZONING RESOLUTION ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS, ON MARCH 3, 1958, AND SUBSEQUENT AMENDMENTS THERETO.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS SEDGWICK COUNTY, KANSAS:

SECTION I. That after receiving a recommendation from Wichita-Sedgwick County Metropolitan Area Planning Commission and after said Planning Commission has given proper notice and held a public hearing as provided by law, and under authority granted by (Section 4.A.10.f) and Section 11.E of the Zoning Resolution, as amended, a Conditional Use Permit to allow expansion of an existing sand and gravel extraction operation in the "R-1" Suburban Residential District is hereby approved on the lands legally described as follows:

Beginning at a point on the north line of the Southeast 1/4 of Section 3, T27S, R1W of the 6th P.M., 900 feet west of the northeast corner of said 1/4 Section; thence south, parallel to and 900 feet west of the east line of said 1/4 Section, 1315.82 feet; thence west, parallel to the north line of said 1/4 Section, 540 feet + to the easterly right-of-way line of the Missouri Pacific Railroad; thence northwesterly, along the easterly right-of-way line of the Missouri Pacific Railroad, to the north line of said 1/4 Section; thence east, along the north line of said 1/4 Section, to the point of beginning. All located in the southeast quarter of Section 3, Township 27 South, Range 1 West, Sedgwick County, Kansas. Generally located at the southwest corner of Gilda and 25th Street North.

SUBJECT TO THE FOLLOWING:

- A. The applicant shall proceed in accordance with the operational sketch plan approved by the Metropolitan Area Planning Commission, and shall excavate the lake and form the banks as indicated on the approved plan.
- B. The earth shall be extracted to at least a minimum depth of six feet below the normal water table as determined by the City-County Health Department.
- C. To provide for bank stabilization and safety of future uses, the side slope of the excavation shall be no more steep than five horizontal to one vertical.
- D. All of the area outside of the sandpit lake shall be graded so as to drain into the lake.

- E. The sand plant operator shall be responsible for:
1. That the grading of the area around the perimeter of the sandpit lake be maintained so as to direct drainage toward the lake.
  2. Construction of any structure, such as culverts, ditches, ditch checks, riprap, etc., necessary to carry out this plan.
  3. Maintaining all operational roads in a graveled condition.
- F. The applicant shall submit a restrictive covenant to the Planning Department in a form satisfactory to the County legal counsel, providing that no foreign matter, such as rubbish, trees, car bodies, etc., shall be deposited on the application area or within the excavation after approval of the conditional use by the Board of County Commissioners.
- G. The natural drainage flow shall be protected throughout the area. Any improvements made in the natural drainage or any obstruction or diversions shall meet with the approval of the Wichita-Sedgwick County Flood Control Office and the County Engineer, and shall be according to the specifications and standards of these authorities.
- H. No commercial recreational activities, such as boating, fishing, skiing, etc., shall be permitted in the area, unless duly authorized under provisions of the County Zoning Resolution and amendments thereto.
- I. All slopes shall have vegetative covering consisting of a perennial drouth resistant grass or combination of grasses which will permit the establishment of a good sod cover to help prevent erosion.
- J. The property shall be platted prior to the issuance of any zoning or building permits, except those necessary for the sand excavation operation.
- K. The applicant shall comply with Condition F, prior to the publication of the resolution effectuating the conditional use.
- L. Any violation of conditions attached shall declare the conditional use permit null and void.

SECTION II. That upon the taking effect of this Resolution, the notation of such Conditional Use approval shall be entered in the Official Zoning atlas on file in the Office of the County Zoning Administrator and in the Office of the Wichita-Sedgwick County Metropolitan Area Planning Department.

SECTION III. That this Resolution shall take effect and be in force from and after its adoption and publication in the Official County Paper.

PASSED AND ADOPTED by the Board of County Commissioners at Wichita, Kansas, this \_\_\_\_\_, day of \_\_\_\_\_, 19\_\_\_\_\_.

\_\_\_\_\_, Chairman  
Tom Scott

\_\_\_\_\_, Commissioner  
Donald Gragg

\_\_\_\_\_, Commissioner  
Everett Patrick

ATTEST:

\_\_\_\_\_  
Dorothy K. White, County Clerk

(SEAL)

Approved as to form by County Counselor

\_\_\_\_\_  
Theodore H. Hill, County Counselor

February 5, 1979

James R. Taylor  
2249 N. Hoover  
Wichita, Kansas 67205

Re: Case No. CU-212 Conditional  
Use Permit - Southwest corner  
of Gilda and 25th St. North

Dear Mr. Taylor:

The Planning Commission at its regular meeting of February 1, 1979, considered the above-captioned conditional use request, and their action was as indicated on the attached letter.

This is to advise you that if you and others owning property within 1000 feet of the application area desire to submit legal protest petitions, they must be submitted to the Office of the County Clerk no later than 5:00 p.m., Monday, February 12, 1979

Enclosed are two (2) copies of the protest petition form, and if you have need for more forms, they may be obtained at our office.

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

Sincerely yours,

Jack H. Galbraith  
Chief Planner

JHG:bbc  
Encl.

cc: Walter N. Henning, 2437 N. Hoover, 67205  
Orville L. Kraft, 2451 Sunny Lane, 67205

February 5, 1979

Ritchie Paving, Inc.  
P.O. Box 4048  
Wichita, Kansas 67204

Re: Case No. CU-212 Conditional  
Use Permit - Southwest corner  
of Gilda and 25th St. North

Gentlemen:

At its regular meeting of February 1, 1979, the Metropolitan Area Planning Commission considered the above-captioned request for a Conditional Use Permit to permit expansion of an existing sand and gravel extraction operation. The action of the Planning Commission was to recommend approval subject to conditions A through L, in the Planning Department report. Attached for the benefit of you and those receiving copies of this letter, is a copy of the staff report setting out these conditions.

Regarding condition F, attached is a sample covenant for your use in submitting the required covenant to our office. If we receive the covenant by February 19, 1979, subject case will be considered by the Board of County Commissioners at their regular meeting of February 28, 1979. Said meeting to take place at 9:00 a.m., in Room 320, Sedgwick County Courthouse.

If you have any questions concerning this matter, please contact our office.

Sincerely yours,

Jack H. Galbraith  
Chief Planner

JHG:bbe  
Attachments

Page Two  
February 5, 1979  
Ritchie Paving, Inc.  
Re: CU-212

cc: Gary Wiley, Professional Engineering Consultants, P.A.,  
1440 E. English 67211  
James R. Taylor, 2249 N. Hoover, 67205  
Walter N. Henning, 2437 N. Hoover, 67205  
Orville L. Kraft, 2451 Sunny Lane, 67205  
Syd Werbin, County Zoning Officer

WICHITA-SEDGWICK COUNTY  
METROPOLITAN AREA PLANNING DEPARTMENT

MAPC HEARING DATE: 2-1-79

Case No. CU-212	Request: Conditional Use Permit for extraction of sand and gravel
-----------------	---

Location: Southwest corner of Gilda and 25th Street North

Acres: 30	Size: 1315' x 1500' (irregular shape)
-----------	--

	Land Use	Zoning
Existing	Undeveloped	"R-1"
North	Sand Pits	"R-1" & "E"
East	Single Family & Undeveloped	"R-1"
South	Sand Pit	"E"
West	Railroad	"R-1"

Platted: No. History: None.

COMMENTS:

1. The applicant is requesting a Conditional Use Permit to allow the expansion of an existing sand and gravel extraction operation located adjacent to the north which was approved in the latter part of 1958 (CU-5).
2. The applicant has submitted an operational plan indicating the limits of the area to be excavated and a redevelopment plan which proposes single family development along the east side of the lake area, as well as a private access road along the south and west sides of the lake area leading to an excavation operation adjacent to the north proposed for future multi-family development.
3. Inasmuch as sewers are not extended into this area and development is not yet projected, the sand and gravel operation would appear to be a logical use and should the Planning Commission recommend approval of this application, the following conditions of approval should be included in the recommendation:

Case No. CU-212  
MAPC AGENDA  
FEBRUARY 1, 1979  
PAGE TWO

- A. The applicant shall proceed in accordance with the operational sketch plan approved by the Metropolitan Area Planning Commission, and shall excavate the lake and form the banks as indicated on the approved plan.
- B. The earth shall be extracted to at least a minimum depth of six feet below the normal water table as determined by the City-County Health Department.
- C. To provide for bank stabilization and safety of future uses, the side slope of the excavation shall be no more steep than five horizontal to one vertical.
- D. All of the area outside of the sandpit lake shall be graded so as to drain into the lake.
- E. The sand plant operator shall be responsible for:
  1. That the grading of the area around the perimeter of the sandpit lake be maintained so as to direct drainage toward the lake.
  2. Construction of any structure, such as culverts, ditches, ditch checks, riprap, etc., necessary to carry out this plan.
  3. Maintaining all operational roads in a graveled condition.
- F. The applicant shall submit a restrictive covenant to the Planning Department in a form satisfactory to the County legal counsel, providing that no foreign matter, such as rubbish, trees, car bodies, etc., shall be deposited on the application area or within the excavation after approval of the conditional use by the Board of County Commissioners.
- G. The natural drainage flow shall be protected throughout the area. Any improvements made in the natural drainage or any obstruction or diversions shall meet with the approval of the Wichita-Sedgwick County Flood Control Office and the County Engineer, and shall be according to the specifications and standards of

Case No. CU-212  
MAPC AGENDA  
FEBRUARY 1, 1979  
PAGE THREE

these authorities.

- H. No commercial recreational activities, such as boating, fishing, skiing, etc., shall be permitted in the area, unless duly authorized under provisions of the County Zoning Resolution and amendments thereto.
- I. All slopes shall have vegetative covering consisting of a perennial drought resistant grass or combination of grasses which will permit the establishment of a good sod cover to help prevent erosion.
- J. The property shall be platted prior to the issuance of any zoning or building permits, except those necessary for the sand excavation operation.
- K. The applicant shall comply with Condition F, prior to the publication of the resolution effectuating the conditional use.
- L. Any violation of conditions attached shall declare the conditional use permit null and void.

CU-212  
41

CU-212 - 41 "Notice to Adjoining Property Owners" mailed 1-18-79  
for the MAPC meeting for 2-1-79

1 to Tom Scott, Chairman County Commissioners

---

42 TOTAL

WICHITA-SEDGWICK COUNTY  
METROPOLITAN AREA PLANNING COMMISSION  
CITY HALL, TENTH FLOOR, 455 North Main Street  
Wichita, Kansas 67202

NOTICE TO ADJOINING PROPERTY OWNERS:

January 18, 1979

This is a notice of a request for a zoning change in your area. As an area property owner, you have the right to appear before the Metropolitan Area Planning Commission (MAPC) meeting in support or in opposition to this request for a zoning change. The MAPC will consider the following case in the City Commission Meeting Room, City Hall, First Floor, 455 North Main, Wichita, Kansas, at its meeting on Feb. 1, 1979, which will commence at 1:30 p.m. You may appear either in person or by agent or attorney if you so desire.

CASE NO. CU-212

Conditional Use Request to Permit  
Expansion of an Existing Sand and Gravel Extraction Operation  
in the "R-1" Suburban Residential District

Beginning at a point on the north line of the Southeast 1/4 of Section 3, T27S, R1W of the 6th P.M., 900 feet west of the northeast corner of said 1/4 section; Thence south, parallel to and 900 feet west of the east line of said 1/4 section, 1315.32 feet; Thence west, parallel to the north line of said 1/4 section, 540 feet + to the easterly right-of-way line of the Missouri Pacific Railroad; Thence northwesterly, along the easterly right-of-way line of the Missouri Pacific Railroad, to the north line of said 1/4 section; Thence east, along the north line of said 1/4 section, to the point of beginning. All located in the southeast quarter of Section 3, township 27 South, Range 1 West, Sedgwick County, Kansas. Generally located at the southwest corner of Gilda and 25th Street North.

Additional information concerning this case and official protest procedures may be obtained from the Planning Department, 10th Floor, City Hall, or by calling 268-4421.

Robert A. Lakin  
Secretary

SEDGWICK COUNTY ZONING RESOLUTION

Summary Description of Zoning Districts

- "R" - Rural Residential District  
Permits one single-family dwelling for each lot of two acres with a minimum frontage of 200 feet.
- "R-1" - Suburban Residential District  
Permits one and two-family dwellings on a minimum of 15,000 square feet of land area per family with each lot having a minimum frontage of 100 feet.
- "AA" - One-Family Dwelling District  
One-family dwellings require a minimum of 7,500 square feet with each lot having a minimum frontage of 60 feet.
- "BB" - Office District  
Permits agriculture, one-family dwellings and all business and professional offices. All commercial activities are prohibited.
- "LC" - Light Commercial District  
Permits any retail commercial uses conducted within an enclosed building. Permits residential uses.
- "C" - General Commercial District  
Permits all commercial activities; outdoor displays and sales; selected light manufacturing and light commercial uses.
- "E" - Light Industrial District  
Permits most manufacturing uses and uses permitted in "C".
- "F" - Heavy Industrial District  
Permits any use except those objectionable uses such as slaughter houses, salvage yards and fertilizer plants which require special permits.
- "CU" - Any of the above districts  
Allows certain uses listed in the County Zoning Resolution by special permit rather than as a use by right.

Book 2, C-0-B  
- 5850  
Res. 3  
T27S  
R1W

APPLICATION FOR APPROVAL OF CONDITIONAL USE PERMIT  
FOR PROPERTY LOCATED WITHIN THE JURISDICTION  
OF THE BOARD OF COUNTY COMMISSIONERS OF  
SEDGWICK COUNTY, KANSAS

C.V.-212

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.

I. 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.

EXISTING:  
R-1  
N-R1+E  
S-R1+E  
E-R-1  
W-R-1

A. APPLICANT  Ritchie Paving, Inc.

ADDRESS P. O. Box 4048, Wichita, Ks. 67204 PHONE 838-9301

AGENT  Professional Engineering Consultants, P. A. (Gary Wiley)

ADDRESS 1440 E. English 67211 PHONE 262-2691

B. APPLICANT \_\_\_\_\_

ADDRESS \_\_\_\_\_ PHONE \_\_\_\_\_

AGENT \_\_\_\_\_

ADDRESS \_\_\_\_\_ PHONE \_\_\_\_\_

C. APPLICANT \_\_\_\_\_

ADDRESS \_\_\_\_\_ PHONE \_\_\_\_\_

AGENT \_\_\_\_\_

ADDRESS \_\_\_\_\_ PHONE \_\_\_\_\_

(Use separate sheet if necessary for names of additional applicants).

II. The applicant proposes to establish a \_\_\_\_\_

Sand and Gravel Extraction (use)

on property legally described as Lot(s) \_\_\_\_\_

\_\_\_\_\_, Block(s) \_\_\_\_\_ of the \_\_\_\_\_

\_\_\_\_\_ Addition.

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

Beginning at a point on the north line of the Southeast 1/4 of Section 3, T27S, R1W of the 6th P.M., 900 feet west of the northeast corner of said 1/4 section;

Thence south, parallel to and 900 feet west of the east line of said 1/4 section, 1315.82 feet;

Thence west, parallel to the north line of said 1/4 section, 540 feet± to the easterly right-of-way line of the Missouri Pacific Railroad;

Thence northwesterly, along the easterly right-of-way line of the Missouri Pacific Railroad, to the north line of said 1/4 section;

Thence east, along the north line of said 1/4 section, to the point of beginning.

Use  
line  
begin

Well located in the southeast quarter of section 3, township 27 South, Range 1 west, Sedgwick County, Kansas.

I I I. THIS PROPERTY IS LOCATED AT (ADDRESS) \_\_\_\_\_

THE GENERAL LOCATION IS (USE APPROPRIATE SECTION)

A. AT THE Southwest CORNER OF Gilda AND  
25th Street North, OR

B. ON THE \_\_\_\_\_ SIDE OF \_\_\_\_\_ (AVENUE)  
STREET BETWEEN \_\_\_\_\_ (AVENUE) STREET AND  
\_\_\_\_\_ (AVENUE) STREET.

I V. THE PROPERTY INCLUDED IN THIS APPLICATION IS ZONED R-1  
(ZONING DISTRICT CLASSIFICATION).

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

To expand our existing sand and gravel operations in this area.  
(C.U. -5 and C.U. -43)

V I. I (WE), THE APPLICANT(S), ACKNOWLEDGE RECEIPT OF THE INSTRU-  
TION 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 ABSTRACTOR'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 AS 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.

Ritchie Paving, Inc.

BY HT Ritchie - pres  
AUTHORIZED AGENT (IF ANY)

BY \_\_\_\_\_  
AUTHORIZED AGENT (IF ANY)

BY \_\_\_\_\_  
AUTHORIZED AGENT (IF ANY)

BY \_\_\_\_\_  
AUTHORIZED AGENT (IF ANY)

BY \_\_\_\_\_  
AUTHORIZED AGENT (IF ANY)

BY \_\_\_\_\_  
AUTHORIZED AGENT (IF ANY)

V I I. OFFICE USE ONLY

This application was received at the Planning Department at 2:00  
(AM, PM) on Jan. 10, 1979 (day, month, year). It has been checked  
and found to be complete and accompanied by required documents and  
the appropriate fee of \$ 70<sup>00</sup>.

Mike Meeh Name  
Senior Planner Title

STATEMENT OF OWNERSHIP

STATE OF KANSAS )  
 ) SS  
 SEDGWICK COUNTY )

The undersigned duly bonded and qualified abstracter within and for the County and State aforesaid, does hereby certify:

That we have examined the records in the office of the Register of Deeds of Sedgwick County, Kansas, with reference to the ownership of the following property in Sedgwick County, Kansas viz:

Record Owners within 1000 Feet of That part of the Northwest Quarter of the Southeast Quarter lying East of the Missouri Pacific Railroad Right-of-Way and the Northeast Quarter of the Southeast Quarter EXCEPT the East 900 Feet thereof in Section 3, Township 27, Range 1 West.



And from such examination find that the owners thereof are as set opposite the description of the property below, viz: (Addresses as given are furnished as a service and not certified.)

TRACTS

OWNERS AND ADDRESSES

The Caption Property.

Ritchie Paving, Inc. and  
 Commercial Asphalt, Inc.  
 P. O. Box 4048  
 Wichita, Kansas 67204

That part of the North 693.73 Feet of the Northwest Quarter (NW $\frac{1}{4}$ ) of the Southeast Quarter (SE $\frac{1}{4}$ ) of Section Three (3), Township Twenty-Seven (27) South Range One (1) West, lying West of the Westerly Right-of-Way of the Missouri Pacific Railroad.

Ritchie Construction Co.,  
 Inc.  
 P. O. Box 4048  
 Wichita, Kansas 67204

That Part of the Northwest Quarter (NW $\frac{1}{4}$ ) of the Southeast Quarter (SE $\frac{1}{4}$ ) lying West of the MOPAC Right-of-Way; EXCEPT the North 693.73 Feet and EXCEPT that part in City of Wichita.

Commercial Asphalt, Inc. &  
 Ritchie Paving, Inc.  
 P. O. Box 4048  
 Wichita, Kansas 67204

LOTS

ADDITION

Lots 1, 2, 3,  
 Block 1; Lots 1,  
 2, 3, Block 2; Lot  
 1, Block 3

NORTH LAKES

Ritchie Paving, Inc.  
 P. O. Box 4048  
 Wichita, Kansas 67204



Northeast Quarter of the Southwest Quarter EXCEPT that part platted as NORTH LAKES ADDITION, Section 3, Township 27, Range 1 West. Ritchie Construction Co., Inc.  
P. O. Box 4048  
Wichita, Kansas 67204

Northeast Quarter of the Southeast Quarter of the Southwest Quarter, Section 3, Township 27, Range 1 West Kessler Brothers, Inc.  
1905 Southwest Boulevard  
Wichita, Kansas 67213

Southwest Quarter of the Northwest Quarter and the South Half of the Northeast Quarter in Section 3, Township 27, Range 1 West Ritchie Construction Co., Inc.  
P. O. Box 4048  
Wichita, Kansas 67204

TRACT I: Beginning 675.0 Feet West and 40.0 Feet South of the Northeast Corner of the Northeast Corner of the Southeast Quarter of Section 3, Township 27 South, Range 1 West of the Sixth Principal Meridian, Sedgwick County, Kansas, thence West 195.0 Feet, thence North 200.0 Feet to Beginning. Donald R. & Mable L. Bucy  
845 N. Gow  
Wichita, Kansas 67203

TRACT II: Beginning 675.0 Feet West and 240.0 Feet South of the Northeast Corner of the Southeast Quarter of Section 3, Township 27 South, Range 1 West of the Sixth Principal Meridian, Sedgwick County, Kansas; thence West parallel with the North line of said Southeast Quarter, a distance of 195.0 Feet; thence South parallel with East line of said Southeast Quarter, 100.0 Feet; thence East parallel with the North line of Southeast Quarter 195.0 Feet; thence North 100.0 Feet to Beginning.



Beginning 675 Feet West and 340 Feet South of the Northeast Corner of the Southeast Quarter West 195 Feet, South 100 Feet, East 195 Feet North, 100 Feet to Beginning, Section 3, Township 27, Range 1 West. Randy & Theresa Williams  
2528 N. Gilda  
Wichita, Kansas 67205

Beginning 675 Feet West and 540 Feet South of the Northeast Corner of the Southeast Quarter of Section 3, Township 27, Range 1 West, Sedgwick County, Kansas, West 195 Feet, south 100 Feet, East 195 Feet, North 100 Feet to beginning, COMMONLY known as 2502 North Gilda, Wichita, Kansas. Laura Faulkner  
RR #1  
Valley Center, Kansas  
67147

Beginning 675 Feet West and 440 Feet South of the Northeast Corner of the Southeast Quarter of Section 3, Township 27, Range 1 West, Sedgwick County, Kansas, West 195 Feet, South, 100 Feet, East 195 Feet, North 100 Feet to Beginning, COMMONLY known as 2520 N Gilda, Wichita, Kansas

Beginning 700 Feet South and 675 Feet West of the Northeast Corner of the Southeast Quarter West 195 Feet, South 114 Feet, East 195 Feet, North 114 Feet to Beginning, Section 3, Township 27, Range 1 West Martha J. Snider  
5733 W. 24th Street  
Wichita, Kansas 67205

Beginning 40 Feet South and 480 Feet West of the Northeast Corner of Southeast Quarter, of Section 3, West 195 Feet, South 100 Feet, East 195 Feet, North to the Beginning, Section 3, Township 27, Range 1 West ✓ Harold L. Fowl  
Michael H. Goldston  
2557 Sunne Lane  
Wichita, Kansas 67205

Beginning 480 Feet West and 140 Feet South of the Northeast Corner of the Southeast Quarter thence West 195 Feet, thence South 100 Feet, thence East 195 Feet, thence North 100 Feet to Beginning, Section 3, Township 27, Range 1 West ✓ Orville L. & Fayette Kraft  
2547 Sunny Lane  
Wichita, Kansas 67205  
2451

Beginning 480 Feet West & 240 Feet South of the Northeast Corner of the Southeast Quarter West 195 Feet, South 100 Feet, East 195 Feet, North 100 Feet to Beginning, Section 3, Township 27, range 1 West.

Beginning 480 Feet West and 340 Feet South of the Northeast Corner of the Southeast Quarter West 195 Feet, South 100 Feet, East 195 Feet, North 100 Feet to Beginning, Section 3, Township 27, Range 1 West ✓ Loyal Paul & Ruth V. Beum  
2517 Sunny Lane  
Wichita, Kansas 67205

Beginning 480 Feet West 540 Feet, South of the Northeast Corner of the Southeast Quarter Section 3, West 195 Feet, South 100 Feet, East 195 Feet, North 100 Feet to the Beginning, Section 3, Township 27, Range 1 West. ✓ Walter Montroy & June  
Inkelaar  
P. O. Box 112  
Peck, Kansas 67120



Beginning 700 Feet South and 480 Feet West of the Northeast Corner of the Southeast Quarter Section 3, Township 27, Range 1 West, thence West 195 Feet, South 100 Feet, East 195 Feet, North 100 Feet to Beginning, Section 3, Township 27, Range 1 West. ✓ Wichita Investment, Inc.  
Address Unknown  
833 S. Market 67211  
*This add. correct but was returned by P.O. W.I., Inc. zone only P.O. Box 17192, Wichita 67217*  
*Resent 1-24-79 to*

Beginning 225 Feet West and 40 Feet South of the Northeast Corner of the Southeast Quarter Section 3, South 100 Feet, West 225 Feet, North 100 Feet, East to Beginning, Section 3, Township 27, Range 1 West. ✓ John M. & Anna M. McNew  
5633 W. 25th Street N.  
Wichita, Kansas 67205

Beginning 225 Feet West and 140 Feet South of the Northeast corner, of the Southeast Quarter, Section 3, Township 27, Range 1 West, thence West 195 Feet, South 200 Feet East, 195 Feet, North 200 Feet to Beginning.

Beginning 340 Feet South of the Northeast Corner of the Southeast Quarter, Section 3, South 100 Feet, West 420 Feet, North 100 Feet East to Beginning, Section 3, Township 27, Range 1 West ✓ Judy Nida & Lila Habaugh  
1906 S. Broadway  
Wichita, Kansas 67211

Beginning 225 Feet West and 440 Feet South of the Northeast Corner of the Southeast Quarter Section 3, thence West 195 Feet, south 100 Feet, East 190 Feet, North 100 Feet to Beginning, Section 3, Township 27, Range 1 West. ✓ Jacob Gillespie  
3025 N. Hoover  
Wichita, Kansas 67205

Beginning 225 Feet West and 540 Feet South of the Northeast Corner of the Southeast Quarter Section 3, West 225 Feet, South 100 Feet, East 225 Feet, North to Beginning, Section 3, Township 27, Range 1 West. ✓ David L. & Nancy L.  
Williams  
5634 W. 24th Street  
Wichita, Kansas 67205

Fidelity  Title  
COMPANY, INC.

Beginning 700 Feet South and 225 Feet West of the Northeast Corner of the Southeast Quarter South 100 Feet, West 195 Feet, North 100 Feet East to Beginning, Section 3, Township 27, Range 1 West ✓

Walter N. & Delphine A. Henning  
2437 N. Hoover  
Wichita, Kansas 67205

Beginning 225 Feet West and 800 Feet South of the Northeast Corner of the Southeast Quarter West 195 Feet, South 100 Feet, East 195 Feet North 100 Feet to Beginning, Section 3, Township 27, Range 1 West.

Beginning 40 Feet South of the Northeast Corner of the Southeast Quarter, Section 3 South 100 Feet, West 225 Feet, North 100 Feet, East to Beginning, Section 3, Township 27, Range 1 West. ✓

James E. & Mary A. Burns  
2559 N. Hoover  
Wichita, Kansas 67205

Beginning 140 Feet South of the Northeast Corner of the Southeast Quarter, Section 3, South 200 Feet, West 225 Feet, North 200 Feet, East to Beginning of Section 3, Township 27, Range 1 West.

Beginning 440 Feet South of the Northeast Corner of the Southeast Quarter of Section 3, South 100 Feet, West 225 Feet, North 100 Feet East to Beginning, Section 3, Township 27, Range 1 West. ✓

Mary Inez Williams  
1641 S. St. Francis  
Wichita, Kansas 67211



Beginning 640 Feet South of the Northeast Corner of the Southeast Quarter, Section 3 West 225 Feet, North 100 Feet, East 225 Feet, South to Beginning, Section 3, Township 27, Range 1 West X

Eldon D. & Carolyn S. Blackwell  
Address Unknown *now found*

Beginning 700 Feet South and 30 Feet West of the Northeast Corner of the Southeast Quarter, West 195 Feet, South 180 Feet, East 195 Feet North 180 Feet to Beginning, Section 3, Township 27, Range 1 West ✓

Donald D. & Mary L. Caffrey  
2447 N. Hoover  
Wichita, Kansas 67205

Beginning 330 Feet, North of the Southeast Corner of the Northeast Quarter of the Southeast Quarter, Section 3, West 225 Feet, North 100 Feet, East 225 Feet, South to Beginning, Section 3, Township 27, Range 1 West D

Walter N. & Delphine Ann Henning  
2437 N. Hoover  
Wichita, Kansas 67205

Beginning 230 Feet North of the Southeast Corner of the Northeast Quarter of the Southeast Quarter, Section 3, West 225 Feet, North 100 Feet, East 225 Feet, South to the Beginning, Section 3, Township 27, Range 1 West X

Marlin Lee & Sharon K. Evans  
Address Unknown *now found*

Beginning at a point 30 Feet North and Six Hundred Twenty-Three Feet West of the Southeast Corner of the Northeast Quarter of the Southeast Quarter (NE 1/4 SE 1/4) of Section Three (3) Township Twenty-Seven South (27S), Range One (1) West of the Sixth P.M.; thence West parallel with the South line of said Northeast Quarter of the Southeast Quarter (NE 1/4 SE 1/4) 277 Feet; thence North 471.82 Feet parallel with the East line of said Southeast Quarter (SE 1/4); thence East 225 Feet; thence North 14 Feet; thence East 52 Feet; thence South 485.82 Feet to the point

Ritchie Paving Inc.  
P. O. Box 4048  
Wichita, Kansas 67204

of beginning; Sedgwick County, Kansas.

Beginning 30 Feet North of the Southeast Corner of the Northeast Quarter of the Southeast Quarter, North 200 Feet, West 225 Feet, North 184.56 Feet, West 225 Feet, North 100 Feet, West 173 Feet, South 485.82 Feet, East 623 Feet to Beginning. ✓ Larry Fouts  
1715 N. Mt. Carmel  
Wichita, Kansas 67203

Beginning 30 Feet South of the Northeast Corner of the Southeast Half of the Southeast Quarter, Section 3, West 330 Feet, South 70 Feet, East 330 Feet, North to Beginning Section 3, Township 27, Range 1 West. ✓ Richard L. & R. Wynone  
Hill  
2365 N. Hoover  
Wichita, Kansas 67205

Beginning 100 Feet South of the Northeast Corner of the South Half of the Southeast Quarter, 330 Feet South, 70 Feet East, 330 Feet North to Beginning, Section 3, Township 27, Range 1 West. ✓ Bruce M & Deborah K  
Shepherd  
2363 N. Hoover  
Wichita, Kansas 67205

Beginning 1081 Feet North of the Southeast Corner of the Southeast Quarter, West 330 Feet, North 69 Feet, More or Less to a point 170 Feet South of the North Line of the South Half of the Southeast Quarter, East 330 Feet South to Beginning. ✓ Clifton & Dorothy E Mills  
2333 N. Hoover  
Wichita, Kansas 67205



Beginning 1011 Feet North of Southeast Corner of the Southeast Quarter, West 330 Feet, North 70 Feet, East 330 Feet, South 70 Feet to Beginning, Section 3, Township 27, Range 1 West  
Beginning 941 Feet North of the Southeast Corner of the Southeast Quarter, Section 3, West 330 Feet, North 70 Feet, East 330 Feet South to Beginning, Section 3, Township 27, Range 1 West.

Beginning 677 Feet North of the Southeast Corner of the Southeast Quarter, Section 3, West 20 Rods North 16 Rods East 20 Rods South to Beginning, Section 3, Township 27, Range 1 West. ✓ Pete & Ava Louis Clupny  
~~2301 N. Hoover~~  
Wichita, Kansas 67205  
*10826 W. 53rd Road  
67205  
Recent 1-24-79 ✓*

North 337 Feet of the South 677 Feet of the Southeast Quarter East of Railroad Right-of-Way, Section 3, Township 27, Range 1 West. ✓ James Roscoe & Cecelia M  
Taylor  
2241 N. Hoover  
Wichita, Kansas 67205

South 677 Feet of the Southeast Quarter East of the Railroad Right-of-Way, EXCEPT the North 337 Feet, Section 3, Township 27, Range 1 West ✓ J. A. & Hattie M. Taylor  
2203 N. Hoover  
Wichita, Kansas 67205

Beginning 677 Feet North & 524.82 Feet West of the Southeast Corner 3 Northwesterly 832.85 Feet West 342.5 Feet Southeasterly 832.85 Feet East to the Beginning, Section 3, Township 27 Range 1 West ✓ William G. & Jennie F.  
Schraft  
805 S. Main  
Wichita, Kansas 67213

Beginning 30 Feet East of the Southwest Corner of the East Half of the Southeast Quarter North 350 Feet East 100 Feet South 350 Feet West to Beginning; EXCEPT that part taken for Street AND ✓ Imogene Ross  
5926 W. 21st Street  
Wichita, Kansas 67212



(Continued)

-6-

Beginning 130 Feet East Southwest corner of the East Half of the Southeast Quarter North 350 Feet East 100 Feet South 350 Feet West to Beginning; EXCEPT that part taken for Street

Beginning 230 Feet East Southwest Corner of the East Half of the Southeast Quarter North 450 Feet East 100 Feet South 450 Feet West to Beginning; EXCEPT the South 80 Feet for 21st Street.

✓ Ernest E & Ruth Ann Cox  
5920 W. 21st Street  
Wichita, Kansas 67212

Beginning Thirty(30) Feet East and Three Hundred Fifty(350) Feet North of the Southwest Corner of the East Half( $E\frac{1}{2}$ ) of the Southeast Quarter(SE $\frac{1}{4}$ ) of Section Three(3) Township Twenty-Seven(27), Range One(1), West of the sixth P.M.; thence North One Hundred(100) Feet; thence East Two Hundred (200) Feet; thence South One Hundred(100) Feet; thence West to point of beginning, Sedgwick County, Kansas.

Lot 1, Block 1

SUPERIOR ADDITION

✓ Jesse & Josephine Cornejo  
1141 Denker  
Wichita, Kansas 67216

Lots 2 and 3

SUPERIOR ADDITION

✓ Ritchie Construction Co.,  
Inc.  
D P. O. Box 4048  
Wichita, Kansas 67204

Southwest Quarter of the Northwest Quarter of section 2, Township 27, Range 1 West, EXCEPT Beginning 1568 Feet South of the Northwest Corner South 531.9 Feet East, 245.7 Feet North, 531.9 Feet West to beginning.

✓ E. C. Carp, Charles N.  
Carp & Wallace F. Carp  
2700 N. Hoover  
Wichita, Kansas 67205

North 445 Feet of the Northwest Quarter of the Southwest Quarter, Section 2, Township 27 Range 1 West

✓ Teall Construction Co.,  
Inc.  
709 N. St. Francis  
Wichita, Kansas 67214

North 225 Feet of the North 450 Feet of the South 870 Feet of the Northwest Quarter of the Southwest Quarter, Section 2, Township 27, Range 1 West

✓ Richard D & Peggy L Cook  
2452 N. Hoover  
Wichita, Kansas 67205

South 225 Feet of the North 450 Feet of the South 870 Feet of the Northwest Quarter of the Southwest Quarter, Section 2, Township 27, Range 1 West.

✓ Lawrence R & Sherry E  
Fast  
2446 N. Hoover  
Wichita, Kansas 67205

North 105 Feet of the South 420 Feet of the West 210 Feet of the Northwest Quarter of the South Quarter, Section 2, Township 27, Range 1 West

✓ Duane C & Irene V Dennett  
2422 N. Hoover  
Wichita, Kansas 67205

South 105 Feet of the North 210 Feet of the South 420 Feet of the West 210 Feet of the Northwest Quarter of the Southwest Quarter, EXCEPT 520 Feet for Street, Section 2, Township 27, Range 1 West.

✓ Monte Ray & Mary S English  
2402 N. Hoover  
Wichita, Kansas 67205



Fidelity  Title  
COMPANY, INC.

West 210 Feet of the South 210 Feet of the Northwest Quarter of the Southwest Quarter, Section 2, Township 27, Range 1 West, EXCEPT that part taken for Street

Frank & Pansy Edison  
2111 W. 24th Street  
Wichita, Kansas 67204

West 10 Acres of the Southwest Quarter of the Southwest Quarter in Section 2, Township 27, Range 1 West

Elgin M & Odessa M Gupton  
2815 George Washington Blvd  
Wichita, Kansas 67210

Dated at Wichita, Kansas this 8th day of January, 1979,  
at 7:00 A.M.

FIDELITY TITLE COMPANY, INC.

By

*C. E. Paul Riddley*  
Vice-President

No. 45972



also notify: Missouri-Pacific Railroad  
P.O. Box 2818  
Wichita 67201  
and

Missouri-Pacific Railroad  
210 N. 13th ST.  
St. Louis, Mo. 63103

Notify:  
MO-PAC Railroad  
both home & local  
office  
Ch with Don Woods  
of Industrial Development  
for addresses.

Mo Pac R.R.  
210 N 13th ST, St. Louis 63103  
Mo.  
365-9904 - P.O. Box 2818, 67201  
Wichita

(Wichita Mo-Pac)

Fidelity  Title  
COMPANY, INC.

RE AGENDA ITEM NO. 16  
WICHITA-SEDGWICK COUNTY  
METROPOLITAN AREA PLANNING DEPARTMENT

MAPC HEARING DATE: 2-1-79

Case No. CU-212 Request: Conditional Use Permit  
for extraction of sand  
and gravel

Location: Southwest corner of Gilda and 25th Street North

Acres: 30 Size: 1315' x 1500'  
(irregular shape)

	<u>Land Use</u>	<u>Zoning</u>
Existing	Undeveloped	"R-1"
North	Sand Pits	"R-1" & "E"
East	Single Family & Undeveloped	"R-1"
South	Sand Pit	"E"
West	Railroad	"R-1"

Platted: No. History: None.

COMMENTS:

1. The applicant is requesting a Conditional Use Permit to allow the expansion of an existing sand and gravel extraction operation located adjacent to the north which was approved in the latter part of 1958 (CU-5).
2. The applicant has submitted an operational plan indicating the limits of the area to be excavated and a redevelopment plan which proposes single family development along the east side of the lake area, as well as a private access road along the south and west sides of the lake area leading to an excavation operation adjacent to the north proposed for future multi-family development.
3. Inasmuch as sewers are not extended into this area and development is not yet projected, the sand and gravel operation would appear to be a logical use and should the Planning Commission recommend approval of this application, the following conditions of approval should be included in the recommendation:

Case No. CU-212  
MAPC AGENDA  
FEBRUARY 1, 1979  
PAGE TWO

- A. The applicant shall proceed in accordance with the operational sketch plan approved by the Metropolitan Area Planning Commission, and shall excavate the lake and form the banks as indicated on the approved plan.
- B. The earth shall be extracted to at least a minimum depth of six feet below the normal water table as determined by the City-County Health Department.
- C. To provide for bank stabilization and safety of future uses, the side slope of the excavation shall be no more steep than five horizontal to one vertical.
- D. All of the area outside of the sandpit lake shall be graded so as to drain into the lake.
- E. The sand plant operator shall be responsible for:
  - 1. That the grading of the area around the perimeter of the sandpit lake be maintained so as to direct drainage toward the lake.
  - 2. Construction of any structure, such as culverts, ditches, ditch checks, riprap, etc., necessary to carry out this plan.
  - 3. Maintaining all operational roads in a graveled condition.
- F. The applicant shall submit a restrictive covenant to the Planning Department in a form satisfactory to the County legal counsel, providing that no foreign matter, such as rubbish, trees, car bodies, etc., shall be deposited on the application area or within the excavation after approval of the conditional use by the Board of County Commissioners.
- G. The natural drainage flow shall be protected throughout the area. Any improvements made in the natural drainage or any obstruction or diversions shall meet with the approval of the Wichita-Sedgwick County Flood Control Office and the County Engineer, and shall be according to the specifications and standards of

Case No. CU-212  
MAPC AGENDA  
FEBRUARY 1, 1979  
PAGE THREE

these authorities.

- H. No commercial recreational activities, such as boating, fishing, skiing, etc., shall be permitted in the area, unless duly authorized under provisions of the County Zoning Resolution and amendments thereto.
- I. All slopes shall have vegetative covering consisting of a perennial drought resistant grass or combination of grasses which will permit the establishment of a good sod cover to help prevent erosion.
- J. The property shall be platted prior to the issuance of any zoning or building permits, except those necessary for the sand excavation operation.
- K. The applicant shall comply with Condition F, prior to the publication of the resolution effectuating the conditional use.
- L. Any violation of conditions attached shall declare the conditional use permit null and void.

WICHITA-SEDGWICK COUNTY  
METROPOLITAN AREA PLANNING DEPARTMENT

MAPC HEARING DATE: 2-1-79

Case No. CU-212	Request: Conditional Use Permit for extraction of sand and gravel
-----------------	---

Location: Southwest corner of Gilda and 25th Street North

Acres: 30	Size: 1315' x 1500' (irregular shape)
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	<u>Land Use</u>	<u>Zoning</u>
Existing	Undeveloped	"R-1"
North	Sand Pits	"R-1" & "E"
East	Single Family & Undeveloped	"R-1"
South	Sand Pit	"E"
West	Railroad	"R-1"

Platted: No.      History: None.

COMMENTS:

1. The applicant is requesting a Conditional Use Permit to allow the expansion of an existing sand and gravel extraction operation located adjacent to the north which was approved in the latter part of 1958 (CU-5).
2. The applicant has submitted an operational plan indicating the limits of the area to be excavated and a redevelopment plan which proposes single family development along the east side of the lake area, as well as a private access road along the south and west sides of the lake area leading to an excavation operation adjacent to the north proposed for future multi-family development.
3. Inasmuch as sewers are not extended into this area and development is not yet projected, the sand and gravel operation would appear to be a logical use and should the Planning Commission recommend approval of this application, the following conditions of approval should be included in the recommendation:

Case No. CU-212  
MAPC AGENDA  
FEBRUARY 1, 1970  
PAGE TWO

- A. The applicant shall proceed in accordance with the operational sketch plan approved by the Metropolitan Area Planning Commission, and shall excavate the lake and form the banks as indicated on the approved plan.
- B. The earth shall be extracted to at least a minimum depth of six feet below the normal water table as determined by the City-County Health Department.
- C. To provide for bank stabilization and safety of future uses, the side slope of the excavation shall be no more steep than five horizontal to one vertical.
- D. All of the area outside of the sandpit lake shall be graded so as to drain into the lake.
- E. The sand plant operator shall be responsible for:
  1. That the grading of the area around the perimeter of the sandpit lake be maintained so as to direct drainage toward the lake.
  2. Construction of any structure, such as culverts, ditches, ditch checks, riprap, etc., necessary to carry out this plan.
  3. Maintaining all operational roads in a graveled condition.
- F. The applicant shall submit a restrictive covenant to the Planning Department in a form satisfactory to the County legal counsel, providing that no foreign matter, such as rubbish, trees, car bodies, etc., shall be deposited on the application area or within the excavation after approval of the conditional use by the Board of County Commissioners.
- G. The natural drainage flow shall be protected throughout the area. Any improvements made in the natural drainage or any obstruction or diversions shall meet with the approval of the Wichita-Sedgwick County Flood Control Office and the County Engineer, and shall be according to the specifications and standards of

Case No. CU-212  
MAPC AGENDA  
FEBRUARY 1, 1979  
PAGE THREE

these authorities.

- H. No commercial recreational activities, such as boating, fishing, skiing, etc., shall be permitted in the area, unless duly authorized under provisions of the County Zoning Resolution and amendments thereto.
- I. All slopes shall have vegetative covering consisting of a perennial drought resistant grass or combination of grasses which will permit the establishment of a good sod cover to help prevent erosion.
- J. The property shall be platted prior to the issuance of any zoning or building permits, except those necessary for the sand excavation operation.
- K. The applicant shall comply with Condition F, prior to the publication of the resolution effectuating the conditional use.
- L. Any violation of conditions attached shall declare the conditional use permit null and void.

WICHITA-SEDGWICK COUNTY  
METROPOLITAN AREA PLANNING DEPARTMENT

MAPC HEARING DATE: 2-1-79

Case No. CU-212	Request: Conditional Use Permit for extraction of sand and gravel
-----------------	---

Location: Southwest corner of Gilda and 25th Street North

Acres: 30	Size: 1315' x 1500' (irregular shape)
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	<u>Land Use</u>	<u>Zoning</u>
Existing	Undeveloped	"R-1"
North	Sand Pits	"R-1" & "E"
East	Single Family & Undeveloped	"R-1"
South	Sand Pit	"E"
West	Railroad	"R-1"

Platted: No. History: None.

COMMENTS:

1. The applicant is requesting a Conditional Use Permit to allow the expansion of an existing sand and gravel extraction operation located adjacent to the north which was approved in the latter part of 1953 (CU-5).
2. The applicant has submitted an operational plan indicating the limits of the area to be excavated and a redevelopment plan which proposes single family development along the east side of the lake area, as well as a private access road along the south and west sides of the lake area leading to an excavation operation adjacent to the north proposed for future multi-family development.
3. Inasmuch as sewers are not extended into this area and development is not yet projected, the sand and gravel operation would appear to be a logical use and should the Planning Commission recommend approval of this application, the following conditions of approval should be included in the recommendation:

Case No. CU-212  
MAPC AGENDA  
FEBRUARY 1, 1979  
PAGE TWO

- A. The applicant shall proceed in accordance with the operational sketch plan approved by the Metropolitan Area Planning Commission, and shall excavate the lake and form the banks as indicated on the approved plan.
- B. The earth shall be extracted to at least a minimum depth of six feet below the normal water table as determined by the City-County Health Department.
- C. To provide for bank stabilization and safety of future uses, the side slope of the excavation shall be no more steep than five horizontal to one vertical.
- D. All of the area outside of the sandpit lake shall be graded so as to drain into the lake.
- E. The sand plant operator shall be responsible for:
  - 1. That the grading of the area around the perimeter of the sandpit lake be maintained so as to direct drainage toward the lake.
  - 2. Construction of any structure, such as culverts, ditches, ditch checks, riprap, etc., necessary to carry out this plan.
  - 3. Maintaining all operational roads in a graveled condition.
- F. The applicant shall submit a restrictive covenant to the Planning Department in a form satisfactory to the County legal counsel, providing that no foreign matter, such as rubbish, trees, car bodies, etc., shall be deposited on the application area or within the excavation after approval of the conditional use by the Board of County Commissioners.
- G. The natural drainage flow shall be protected throughout the area. Any improvements made in the natural drainage or any obstruction or diversions shall meet with the approval of the Wichita-Sedgwick County Flood Control Office and the County Engineer, and shall be according to the specifications and standards of

Case No. CU-212  
MAPC AGENDA  
FEBRUARY 1, 1979  
PAGE THREE

these authorities.

- H. No commercial recreational activities, such as boating, fishing, skiing, etc., shall be permitted in the area, unless duly authorized under provisions of the County Zoning Resolution and amendments thereto.
- I. All slopes shall have vegetative covering consisting of a perennial drought resistant grass or combination of grasses which will permit the establishment of a good sod cover to help prevent erosion.
- J. The property shall be platted prior to the issuance of any zoning or building permits, except those necessary for the sand excavation operation.
- K. The applicant shall comply with Condition F, prior to the publication of the resolution effectuating the conditional use.
- L. Any violation of conditions attached shall declare the conditional use permit null and void.

WICHITA-SEDGWICK COUNTY  
METROPOLITAN AREA PLANNING DEPARTMENT

MAPC HEARING DATE: 2-1-79

Case No. CU-212

Request: Conditional Use Permit  
for extraction of sand  
and gravel

Location: Southwest corner of Gilda and 25th Street North

Acres: 30

Size: 1315' x 1500'  
(irregular shape)

	<u>Land Use</u>	<u>Zoning</u>
Existing	Undeveloped	"R-1"
North	Sand Pits	"R-1" & "E"
East	Single Family & Undeveloped	"R-1"
South	Sand Pit	"E"
West	Railroad	"R-1"

Platted: No. History: None.

COMMENTS:

1. The applicant is requesting a Conditional Use Permit to allow the expansion of an existing sand and gravel extraction operation located adjacent to the north which was approved in the latter part of 1958 (CU-5).
2. The applicant has submitted an operational plan indicating the limits of the area to be excavated and a redevelopment plan which proposes single family development along the east side of the lake area, as well as a private access road along the south and west sides of the lake area leading to an excavation operation adjacent to the north proposed for future multi-family development.
3. Inasmuch as sewers are not extended into this area and development is not yet projected, the sand and gravel operation would appear to be a logical use and should the Planning Commission recommend approval of this application, the following conditions of approval should be included in the recommendation:

Case No. CU-212  
MAPC AGENDA  
FEBRUARY 1, 1979  
PAGE TWO

- A. The applicant shall proceed in accordance with the operational sketch plan approved by the Metropolitan Area Planning Commission, and shall excavate the lake and form the banks as indicated on the approved plan.
- B. The earth shall be extracted to at least a minimum depth of six feet below the normal water table as determined by the City-County Health Department.
- C. To provide for bank stabilization and safety of future uses, the side slope of the excavation shall be no more steep than five horizontal to one vertical.
- D. All of the area outside of the sandpit lake shall be graded so as to drain into the lake.
- E. The sand plant operator shall be responsible for:
  - 1. That the grading of the area around the perimeter of the sandpit lake be maintained so as to direct drainage toward the lake.
  - 2. Construction of any structure, such as culverts, ditches, ditch checks, riprap, etc., necessary to carry out this plan.
  - 3. Maintaining all operational roads in a graveled condition.
- F. The applicant shall submit a restrictive covenant to the Planning Department in a form satisfactory to the County legal counsel, providing that no foreign matter, such as rubbish, trees, car bodies, etc., shall be deposited on the application area or within the excavation after approval of the conditional use by the Board of County Commissioners.
- G. The natural drainage flow shall be protected throughout the area. Any improvements made in the natural drainage or any obstruction or diversions shall meet with the approval of the Wichita-Sedgwick County Flood Control Office and the County Engineer, and shall be according to the specifications and standards of

Cas No. CU-212  
MAPC AGENDA  
FEBRUARY 1, 1979  
PAGE THREE

these authorities.

- H. No commercial recreational activities, such as boating, fishing, skiing, etc., shall be permitted in the area, unless duly authorized under provisions of the County Zoning Resolution and amendments thereto.
- I. All slopes shall have vegetative covering consisting of a perennial drought resistant grass or combination of grasses which will permit the establishment of a good sod cover to help prevent erosion.
- J. The property shall be platted prior to the issuance of any zoning or building permits, except those necessary for the sand excavation operation.
- K. The applicant shall comply with Condition F, prior to the publication of the resolution effectuating the conditional use.
- L. Any violation of conditions attached shall declare the conditional use permit null and void.

WICHITA-SEDGWICK COUNTY  
METROPOLITAN AREA PLANNING DEPARTMENT

MAPC HEARING DATE: 2-1-79

Case No. CU-212	Request: Conditional Use Permit for extraction of sand and gravel
-----------------	---

Location: Southwest corner of Gilda and 25th Street North

Acres: 30	Size: 1315' x 1500' (irregular shape)
-----------	--

	<u>Land Use</u>	<u>Zoning</u>
Existing	Undeveloped	"R-1"
North	Sand Pits	"R-1" & "E"
East	Single Family & Undeveloped	"R-1"
South	Sand Pit	"E"
West	Railroad	"R-1"

Platted: No. History: None.

COMMENTS:

1. The applicant is requesting a Conditional Use Permit to allow the expansion of an existing sand and gravel extraction operation located adjacent to the north which was approved in the latter part of 1958 (CU-5).
2. The applicant has submitted an operational plan indicating the limits of the area to be excavated and a redevelopment plan which proposes single family development along the east side of the lake area, as well as a private access road along the south and west sides of the lake area leading to an excavation operation adjacent to the north proposed for future multi-family development.
3. Inasmuch as sewers are not extended into this area and development is not yet projected, the sand and gravel operation would appear to be a logical use and should the Planning Commission recommend approval of this application, the following conditions of approval should be included in the recommendation:

Case No. CU-212  
MAPC AGENDA  
FEBRUARY 1, 1979  
PAGE TWO

- A. The applicant shall proceed in accordance with the operational sketch plan approved by the Metropolitan Area Planning Commission, and shall excavate the lake and form the banks as indicated on the approved plan.
- B. The earth shall be extracted to at least a minimum depth of six feet below the normal water table as determined by the City-County Health Department.
- C. To provide for bank stabilization and safety of future uses, the side slope of the excavation shall be no more steep than five horizontal to one vertical.
- D. All of the area outside of the sandpit lake shall be graded so as to drain into the lake.
- E. The sand plant operator shall be responsible for:
  - 1. That the grading of the area around the perimeter of the sandpit lake be maintained so as to direct drainage toward the lake.
  - 2. Construction of any structure, such as culverts, ditches, ditch checks, riprap, etc., necessary to carry out this plan.
  - 3. Maintaining all operational roads in a graveled condition.
- F. The applicant shall submit a restrictive covenant to the Planning Department in a form satisfactory to the County legal counsel, providing that no foreign matter, such as rubbish, trees, car bodies, etc., shall be deposited on the application area or within the excavation after approval of the conditional use by the Board of County Commissioners.
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Case No. CU-212  
MAPC AGENDA  
FEBRUARY 1, 1979  
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- K. The applicant shall comply with Condition F, prior to the publication of the resolution effectuating the conditional use.
- L. Any violation of conditions attached shall declare the conditional use permit null and void.

WICHITA-SEDGWICK COUNTY  
METROPOLITAN AREA PLANNING DEPARTMENT

MAPC HEARING DATE: 2-1-79

Case No. CU-212	Request: Conditional Use Permit for extraction of sand and gravel
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East	Single Family & Undeveloped	"R-1"
South	Sand Pit	"E"
West	Railroad	"R-1"

Platted: No. History: None.

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- L. Any violation of conditions attached shall declare the conditional use permit null and void.



June 27, 1979

Zoning Board  
PLANNING DEPARTMENT  
c/o Mr. Jack Galbraith  
CITY OF WICHITA  
455 N. Main  
Wichita, Kansas 67202



Gentlemen:

Last February 10, 1979, our request for sand zoning on Case No. Z-1769 was denied by the County Commission because of protests from residents in the immediate vicinity. Since that time, we have been working with these residents, trying to resolve the problems concerning their protests. We feel there has been sufficient change in some of their attitudes to warrant this zoning matter being heard again after the six month waiting period.

Enclosed find copies of a letter signed by some of the residents in the area, signifying that they would no longer protest the sand zoning if we guarantee performance of the promises made in the letter. We have not received any letters signed "No". There are a couple of people who are using their protest as a weapon for reasons not connected in any way with the zoning.

We have tried to do all we can to be good neighbors, and we feel that these changes deserve your early consideration.

Sincerely yours,

RITCHIE SAND

Proctor Ritchie

PR:jd  
Encl.

DIVISION OF RITCHIE PAVING, INC.  
6500 WEST 21ST ST. / P.O. BOX 4048 / WICHITA, KANSAS 67204 / (316) 722-0592



June 1, 1979

I am writing this letter to all the people who protested our proposed Use Permit to allow us to pump sand from the 30 acres of pasture land lying on the west side of Gilda between 23rd St. and 25th St.

I realize that all of you have legitimate reasons for protesting this zoning.... reasons such as: noise of the trucks, blowing dust, water standing in the street of one house, and danger of young children drowning in the lake. I feel that there are some things which we could do to eliminate these problems, or at least to offer something in return as compensation for your inconvenience. To do this, I propose that we offer the following two things in return for your support in getting the zoning. Of course, these two things would be dependent upon our obtaining the Use Permit Zoning:

- (1) Within three (3) weeks after obtaining zoning, we would close the entrance on Hoover St. (these three weeks would give us time to notify our customers) and all of the traffic to the sand plant would be required to use the 21st Street entrance until such time as the 30 acres would be pumped out. This would take approximately 3½ to 4 years from now before we could complete the pumping. Also, we would need the understanding that should the 21st Street entrance be closed for reasons beyond our control, that we could reopen the Hoover entrance until the 21st Street entrance was reopened.
- (2) After the 30 acres is pumped out, we would allow the owners and all tenants of property lying between 21st Street and 25th Street, and between Hoover and Gilda, to form a Homeowners Association for use of the lake formed on the 30 acres. The members of the association would have the right to fish, boat or picnic on this 30 acres for a period of 15 years. Access to the lake would be limited to an area on the west side of Gilda between 23rd St. and 25th St. We would place one drive-in gate and one walk-in gate in this location so that members could use their own key to use the lake. The only stipulations we would have on this use would be that the place be properly locked when not in use, kept neat and clean, no power boats, and sufficient insurance be carried by the association to relieve us of any and all liabilities for accidents occurring in this area.

DIVISION OF RITCHE PAVING, INC.  
6500 WEST 21ST ST. / P.O. BOX 4048 / WICHITA, KANSAS 67204 / (316) 722-0592

RITCHIE SAND

Page 2  
June 1, 1979

In responding to some of the other reasons for protest, I might say that the additional lake will cut down a good deal on the dust, as the pasture would then be water instead of dirt. There is already sufficient water presently in existence nearby so that an additional extension of the lake will not create any new hazard to children. Then too, with the Hoover Street entrance closed, I am sure the noise of trucks will be largely eliminated. All of these things together should increase the property value in the area.

In the event a sufficient number of people are willing to go along with these proposals, I would hire a lawyer to write them up in contract form, so that you would be assured that we would be bound to perform our obligations.

Very truly yours,

RITCHIE SAND

*Proctor Ritchie*

Proctor Ritchie

PR:jd

Yes, I would be willing to withdraw my protest against the zoning if an agreeable contract for the two above items is signed by Ritchie Sand.

Name *Proctor Ritchie*

Address *2557 Sunninglane*

Phone No. *943773*

No, I would not be willing to withdraw my protest.

Name \_\_\_\_\_

Address \_\_\_\_\_

Phone No. \_\_\_\_\_

RITCHIE SAND

Page 2  
June 1, 1979

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Very truly yours,

RITCHIE SAND

*Proctor Ritchie*

Proctor Ritchie

PR:jd

Yes, I would be willing to withdraw my protest against the zoning if an agreeable contract for the two above items is signed by Ritchie Sand.

Name *Ben Spence*

Address *2313 Le Hoover*

Phone No. *942 4478*

No, I would not be willing to withdraw my protest.

Name \_\_\_\_\_

Address \_\_\_\_\_

Phone No. \_\_\_\_\_

RITCHIE SAND

Page 2  
June 1, 1979

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RITCHIE SAND

*Proctor Ritchie*

Proctor Ritchie

PR:jd

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Name

*Thim R. Hood*

Address *P.O. Box 126, Hubert, KS*

Phone No. *265 2834*

No, I would not be willing to withdraw my protest.

Name \_\_\_\_\_

Address \_\_\_\_\_

Phone No. \_\_\_\_\_

RITCHIE SAND

Page 2  
June 1, 1979

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Very truly yours,

RITCHIE SAND



Proctor Ritchie

PR:jd

Yes, I would be willing to withdraw my protest against the zoning if an agreeable contract for the two above items is signed by Ritchie Sand.

Name Samy Austin  
Address 2301 W. Hoover  
Phone No. 942-7006

No, I would not be willing to withdraw my protest.

Name \_\_\_\_\_  
Address \_\_\_\_\_  
Phone No. \_\_\_\_\_

RITCHIE SAND

Page 2  
June 1, 1979

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RITCHIE SAND

*Proctor Ritchie*  
Proctor Ritchie

PR:jd

Yes, I would be willing to withdraw my protest against the zoning if an agreeable contract for the two above items is signed by Ritchie Sand.

Name James E. Burns  
Address 2559 N. Hoover  
Phone No. 943 1763

No, I would not be willing to withdraw my protest.

Name \_\_\_\_\_  
Address \_\_\_\_\_  
Phone No. \_\_\_\_\_

RITCHIE SAND

Page 2  
June 1, 1979

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Very truly yours,

RITCHIE SAND

*Proctor Ritchie*  
Proctor Ritchie

PR:jd

Yes, I would be willing to withdraw my protest against the zoning if an agreeable contract for the two above items is signed by Ritchie Sand.

Name *John S. McNew*  
Address 5633 W. 25<sup>th</sup> St. N.  
Phone No. 942-3749

No, I would not be willing to withdraw my protest.

Name \_\_\_\_\_  
Address \_\_\_\_\_  
Phone No. \_\_\_\_\_



CU 212

*Eddie*

WICHITA - SEDGWICK COUNTY  
**W.S.C.**  
METROPOLITAN AREA PLANNING  
DEPARTMENT

*722-0186  
no ans.*



*resent. 1-24-79*



*to:*

PETE & AVA LOUIS CLUPNY ✓  
2301 N. HOOVER  
WICHITA, KS. 67205

*Suburban cross  
directory show  
67204*

*10826 W. 53rd North*

Important! Notice of Meeting Enclosed

*67204 ~~5~~ per Post office*

CU 212

*Eddie*

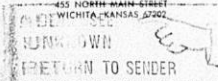
WICHITA - SEDGWICK COUNTY  
**W.S.C.**  
METROPOLITAN AREA PLANNING  
DEPARTMENT

*This is correct per secretary at their phone  
She gave me Po Box #.*



WICHITA INVESTMENT, INC.  
833 S. MARKET - APT. 101  
WICHITA, KS. 67211

*262-5700*



*this address in current City Dir.*

Important! Notice of Meeting Enclosed

*Rec'd 1-23-79*

*RAP 17192 - zip 67217*

*resent 1-24-79*

FORM 2-21

PAYMENT NOTICE  
City of Wichita

Bldg.	Use of Str.	Code Bks	Copies
Elec	Elev. Insp.	Hse Moving	Lic.
Mech	Boiler Insp.	Fav. Cuts	Cert.
Plbg	Exam Fees	Sewer	Elev.
Signs	Plan Rev. (P.W.)	Cement	M.S.P.

Planning

\$ 72.00

DESCRIPTION	AMOUNT
-------------	--------

NAME

ADDRESS

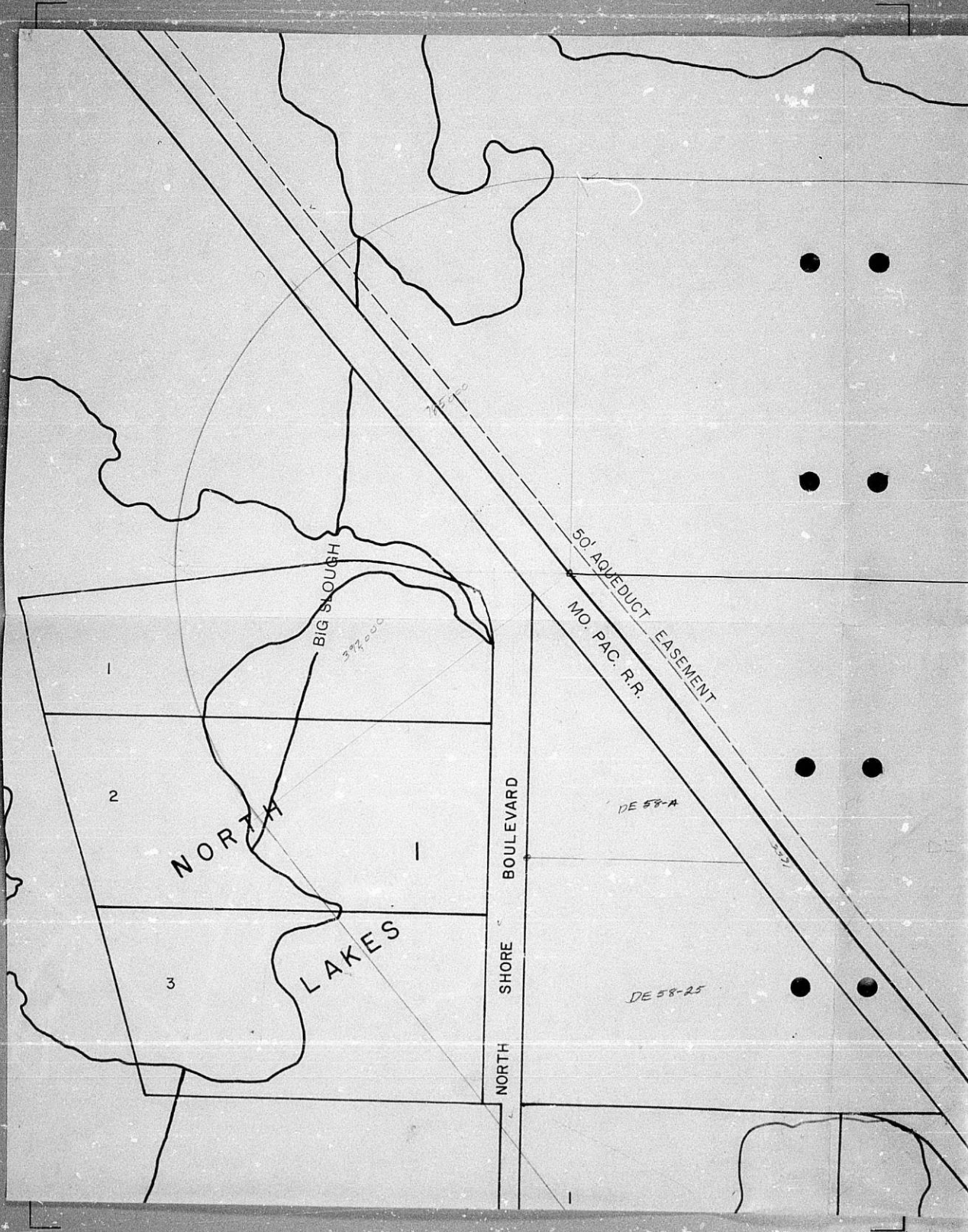
FUND

DUE DATE

COMMENTS

DATE

BY



BIG SLOUGH

NORTH

LAKES

SHORE BOULEVARD

50' AQUEDUCT EASEMENT  
MO. PAC. R.R.

1

2

3

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DE 58-A

DE 58-25

745 050

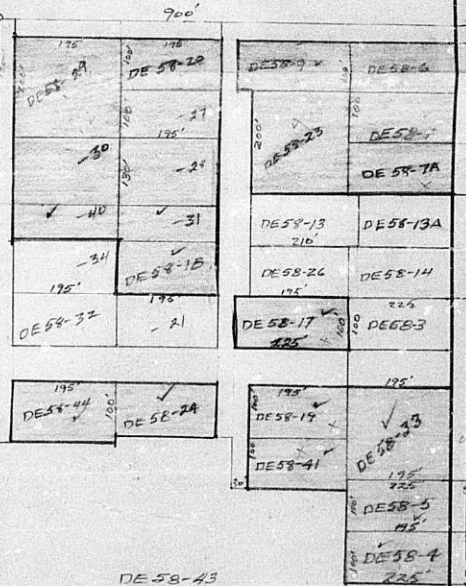
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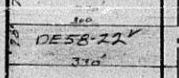
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DE 58-17S  
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DE 58-17Z

23RD ST. NO.

SUPERIOR



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DE 53-1V  
DE 53-1W  
DE 53-1X  
DE 53-1Y  
DE 53-1Z

\*

This CU File

Has a Large Drawing

On 35mm Microfilm.

Roll # 1

\*