

*POSTED
8-9-79*

ACTION

DATE

COMMITTEE

*Report until after Byg 66
M.A.P.C. actions completed 8-30-79*

*B.C.C./B. CO. Approved as
Recommender 12-5-79*

*MAPC Approved out to
condition 11-8-79*

B.C.C. (various resolutions) Approved 3-19-80

Closed

GU-223 - Builders, Inc. request
Conditional Use Permit to estab-
lish Multi-family and duplex
dwellings on property zoned the
"R-1" Suburban Residential Dist. -
generally located at the northwest

Map No. 4745
Sec. 31
Twp. 27
Range 1W

DATA SHEET
(ZONING & CONDITIONAL USE)

Z- _____
SCZ- _____
CU- 223
Filed 8-1-79

(Associated SCZ-0437)

APPLICATION DATA: From _____ to _____

1. Applicant: Builders, Inc.
Address 1000 Parklane, 67218 Phone 685-4391
2. Agent: Lawrence E. Wells, Architect
Address 254 Laura, Suite 205, 67211 Phone 262-3649
3. General Location: Northwest corner of Pawnee and 107th St. West (Lark Lane)
Address _____
4. Proposed Use: to permit establishment of multi-family and duplex dwellings
on property zoned the "R-1" Suburban Residential District.

AREA DATA:

1. Acres: 23.9 (900 (IRREGULAR) ft. by 1300 ft.)
2. Adjoining Zoning: E "R-1" S "R-1" W "R-1" N "R-1"
3. Land Use: East UNDEVELOPED South UNDEVELOPED
West UNDEVELOPED North UNDEVELOPED
4. Sketch Plan Land Use is for: _____
5. Present Land Use is for: UNDEVELOPED
6. Area (is) (is not) platted.

PROCEDURE DATA:

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

Date	Action
<u>8-30-79</u>	<u>Defer until after Bd of Co Com considers</u>
<u>11-8-79</u>	<u>Approved after to consider - SCZ-0437</u>

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

Date	Action	Resolution
<u>12-5-79</u>	<u>Approved to Report</u>	<u>March 31, 1980</u>
<u>3-19-80</u>	<u>Approved Revised Resolution</u>	

NOTES:

HASTINGS, MN - LOS ANGELES
LOAN - CH. - MADISON, W. U. S. A.

S
No. 2153C

MAPD

R# 55-1980

(origin) Published in The Wichita Beacon on March 31, 1980

RESOLUTION

CASE NO. CU-223

A RESOLUTION PERMITTING THE ESTABLISHMENT OF MULTIPLE FAMILY AND DUPLEX DWELLINGS IN THE "AA" ONE FAMILY DWELLING DISTRICT ON CERTAIN LAND LOCATED WITHIN THE UNINCORPORATED TERRITORY LYING 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 5.A.10.i)j), 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 OF 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 5.A.10.i)j), and Section 11.E of the Zoning Resolution as amended, a Conditional Use Permit to allow the establishment of Multiple Family and Duplex Dwellings in the "AA" One Family Dwelling District is hereby approved on the lands legally described as follows:

For Multiple Family Dwellings:

A tract lying in the SE 1/4 of Section 31, Township 27 South, Range 1 West of the Sixth Principal Meridian, Sedgwick County, Kansas, beginning at a point 33 feet west and 50 feet north of the southeast corner of the W 1/2 of said SE 1/4; thence north parallel to the east line of the W 1/2 of said SE 1/4 a distance of 822.39 feet; thence west 280.57 feet; thence along a curve to the left having a central angle of 90 degrees, a radius of 80 feet and a length of 125.66 feet; thence south 184 feet; thence west 264 feet; thence south 563.07 feet; thence east parallel with the south line of said SE 1/4 a distance of 630.35 feet to the point of beginning. (Being platted as Blocks 15 and 16, Pawnee Mesa Addition).

AND

For Duplex Dwellings:

A tract lying in the SE 1/4 of Section 31, Township 27 South, Range 1 West of the Sixth Principal Meridian, Sedgwick County, Kansas, beginning at a point 33 feet west and 872.39 feet north of the southeast corner of the W 1/2 of said SE 1/4; thence N 0° 24' 07" W, 132.00 feet; thence N 90° 0' 0" W, 294.57 feet; thence S 69° 56' 11" W, 219.80 feet; thence N 20° 03' 49" W, 100.00 feet; thence

R. # 55-1980

S 69° 56' 11" W, 59.65 feet; thence along a curve to the right having a central angle of 24° 33' 40", a radius of 196.62 feet and a length of 84.29 feet; thence S 51° 05' 22" E, 147.94 feet; thence S 45° 0' 0" E, 47.69 feet; thence S 0° 0' 0" E, 820.13 feet to a point 50 feet north of the south line of said section; thence N 89° 34' 26" E, 132.00 feet; thence N 0° 0' 0" E, 563.07 feet; thence N 90° 0' 0" E, 264.00 feet; thence N 0° 0' 0" W, 184.00 feet; thence along a curve to the right having a central angle of 90° 0' 0", a radius of 80.00 feet and a length of 125.66 feet; thence N 90° 0' 0" E, 280.57 feet to the point of beginning. (Being platted as Lots 16 thru 26 in Block 14 and Lots 1 thru 4 and 12 thru 19 in Block 17, Pawnee Mesa Addition.)

All generally located at the northwest corner of Pawnee and 107th Street West (Lark Lane).

SUBJECT TO THE FOLLOWING:

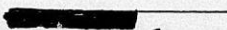
- a. Receiving approval of a variance to reduce the lot sizes for the two family dwellings from the County Board of Zoning Appeals.
- b. Not less than two off-street parking spaces for each dwelling unit shall be provided for each two family dwelling of which one space for each dwelling unit may be located in the front yard setback.
- c. Only one two family dwelling unit per platted lot shall be permitted on those lots to be developed with duplexes.
- d. Not less than one and one-half off-street parking spaces per dwelling unit shall be provided for each multiple family dwelling.
- e. Not more than 105 dwelling units shall be permitted on the larger multiple family tract, nor more than 22 dwelling units on the smaller multiple family tract.
- f. The resolution establishing the two family and multiple family uses shall not be published until the associated plat has been recorded with the Register of Deeds.

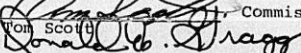
SECTION II. That upon the taking effect of this Resolution, the notation of such Conditional Use approval shall be entered in the Official Zoning atlas on file in the Office of the County Zoning Administrator and in the Office of the Wichita-Sedgwick County Metropolitan Area Planning Department.

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 19th day of March, 1980.


Everett Patrick, Chairman


Commissioner

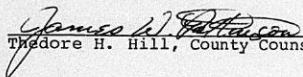

Donald B. Dragg, Commissioner

R#55-1980

TEST:
A circular seal for the County Clerk of Madison County, Tennessee. The seal features the text "CLERK" at the top and "MADISON COUNTY TENNESSEE" around the bottom edge. A signature is written across the seal, and the name "Thy K. White, County Clerk" is printed below it.

Thy K. White, County Clerk

Approved as to form by County Counselor

A handwritten signature in cursive script, which appears to read "James H. Hill".
Theodore H. Hill, County Counselor

WICHITA-SEDGWICK COUNTY

DATE

March 10, 1980

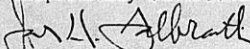
METROPOLITAN AREA PLANNING DEPARTMENT

TO Everett Patrick, Chairman, Board of County Commissioners
FROM Jack H. Galbraith, Chief Planner
SUBJECT CU-223 - Conditional use permit to allow duplex and multiple family dwellings in portions of Pawnee Mesa Addition

On December 5, 1979, the Board of County Commissioners adopted a resolution permitting duplex and multiple family dwellings on land zoned "AA" and being platted as part of Pawnee Mesa Addition. Since that time, the plattors have revised their final plat thus necessitating a revised legal description for the boundaries of the conditional use permit. No additional land is included in the revised legal description.

Please schedule this revised conditional use resolution on your agenda of March 19, 1980. Upon adoption of this revised resolution, the signed copies of the original resolution, dated December 5, 1979, should be destroyed.

Respectfully submitted,



Jack H. Galbraith
Chief Planner

JHG:LO:e1

cc:
Donald Gragg, County Commissioner
Tom Scott, County Commissioner
Theodore H. Hill, County Counselor
Joe Freeman, Acting County Engineer
Dorothy Peil, County Clerk's Office

(_____) Published in The Wichita Beacon on _____, 1980

R E S O L U T I O N

CASE NO. CU-223

A RESOLUTION PERMITTING THE ESTABLISHMENT OF MULTIPLE FAMILY AND DUPLEX DWELLINGS IN THE "AA" ONE FAMILY DWELLING DISTRICT ON CERTAIN LAND LOCATED WITHIN THE UNINCORPORATED TERRITORY LYING 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 5.A.10.i)j), 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 OF 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 5.A.10.i)j), and Section 11.E of the Zoning Resolution as amended, a Conditional Use Permit to allow the establishment of Multiple Family and Duplex Dwellings in the "AA" One Family Dwelling District is hereby approved on the lands legally described as follows:

For Multiple Family Dwellings:

A tract lying in the SE 1/4 of Section 31, Township 27 South, Range 1 West of the Sixth Principal Meridian, Sedgwick County, Kansas, beginning at a point 33 feet west and 50 feet north of the southeast corner of the W 1/2 of said SE 1/4; thence north parallel to the east line of the W 1/2 of said SE 1/4 a distance of 822.39 feet; thence west 280.57 feet; thence along a curve to the left having a central angle of 90 degrees, a radius of 80 feet and a length of 125.66 feet; thence south 184 feet; thence west 264 feet; thence south 563.07 feet; thence east parallel with the south line of said SE 1/4 a distance of 630.35 feet to the point of beginning. (Being platted as Blocks 15 and 16, Pawnee Mesa Addition).

AND

For Duplex Dwellings:

A tract lying in the SE 1/4 of Section 31, Township 27 South, Range 1 West of the Sixth Principal Meridian, Sedgwick County, Kansas, beginning at a point 33 feet west and 872.39 feet north of the southeast corner of the W 1/2 of said SE 1/4; thence N 0° 24' 07" W, 132.00 feet; thence N 90° 0' 0" W, 294.57 feet; thence S 69° 56' 11" W, 219.80 feet; thence N 20° 03' 49" W, 100.00 feet; thence

S 69° 56' 11" W, 59.65 feet; thence along a curve to the right having a central angle of 24° 33' 40", a radius of 196.62 feet and a length of 84.29 feet; thence S 51° 05' 22" E, 147.94 feet; thence S 45° 0' 0" E, 47.69 feet; thence S 0° 0' 0" E, 820.13 feet to a point 50 feet north of the south line of said section; thence N 89° 34' 26" E, 132.00 feet; thence N 0° 0' 0" E, 563.07 feet; thence N 90° 0' 0" E, 264.00 feet; thence N 0° 0' 0" W, 184.00 feet; thence along a curve to the right having a central angle of 90° 0' 0", a radius of 80.00 feet and a length of 125.66 feet; thence N 90° 0' 0" E, 280.57 feet to the point of beginning. (Being platted as Lots 16 thru 26 in Block 14 and Lots 1 thru 4 and 12 thru 19 in Block 17, Pawnee Mesa Addition.)

All generally located at the northwest corner of Pawnee and 107th Street West (Lark Lane).

SUBJECT TO THE FOLLOWING:

- a. Receiving approval of a variance to reduce the lot sizes for the two family dwellings from the County Board of Zoning Appeals.
- b. Not less than two off-street parking spaces for each dwelling unit shall be provided for each two family dwelling of which one space for each dwelling unit may be located in the front yard setback.
- c. Only one two family dwelling unit per platted lot shall be permitted on those lots to be developed with duplexes.
- d. Not less than one and one-half off-street parking spaces per dwelling unit shall be provided for each multiple family dwelling.
- e. Not more than 105 dwelling units shall be permitted on the larger multiple family tract, nor more than 22 dwelling units on the smaller multiple family tract.
- f. The resolution establishing the two family and multiple family uses shall not be published until the associated plat has been recorded with the Register of Deeds.

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
Everett Patrick

_____, Commissioner
Donald Gragg

_____, Commissioner
Tom Scott

ATTEST:

Dorothy K. White, County Clerk

(SEAL)

Approved as to form by County Counselor

Theodore H. Hill, County Counselor

114 PD
R# 283-1999

() Published in The Wichita Beacon on _____, 1979

RESOLUTION

CASE NO. CU-223

A RESOLUTION PERMITTING THE ESTABLISHMENT OF MULTIPLE FAMILY AND DUPLEX DWELLINGS IN THE "AA" ONE FAMILY DWELLING DISTRICT ON CERTAIN LAND LOCATED WITHIN THE UNINCORPORATED TERRITORY LYING 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 5.A.10.i)j), 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 OF 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 5.A.10.i)j), and Section 11.E of the Zoning Resolution as amended, a Conditional Use Permit to allow the establishment of Multiple Family and Duplex Dwellings in the "AA" One Family Dwelling District is hereby approved on the lands legally described as follows:

A tract lying in the southeast quarter of Section 31, Township 27 South, Range 1 West of the Sixth Principal Meridian, Sedgwick County, Kansas: Beginning at a point on the east line of the west half of said southeast quarter a distance of 920 feet north of the southeast corner of the west half of said southeast quarter; thence north along the east line of the west half of said southeast quarter a distance of 100 feet; thence west along a line parallel to the south line of said southeast quarter a distance of 425 feet; thence south along a line parallel to the east line of said southeast quarter a distance of 25 feet; thence west along a line parallel to the south line of said southeast quarter a distance of 115 feet; thence northwest at a bearing of North, 45 degrees west, a distance of 150 feet; thence southwest at a bearing of South, 45 degrees west, a distance of 265 feet; thence southeast at a bearing of South, 45 degrees east, a distance of 65 feet; thence south along a line parallel to the east line of said southeast quarter a distance of 860 feet more or less to a point on the south line of said southeast quarter; thence east along the south line of said southeast quarter a distance of 134 feet; thence north along a line parallel to the east line of said southeast quarter a distance of 650 feet; thence east along a line parallel to the south line of said southeast quarter a distance of 230 feet; thence north along a line parallel to the east line of said southeast quarter a distance of 275 feet; thence east along a line parallel to the south line of said southeast quarter a distance of 425 feet more or less to the point of beginning. AND, a tract lying in the southeast quarter of Section 31, Township 27 South, Range 1 West of the Sixth Principal Meridian, Sedgwick County, Kansas:

Beginning at the southeast corner of the west half of said southeast quarter; thence north along the east line of the west half of said southeast quarter a distance of 920 feet; thence west along a line parallel to the south line of said southeast quarter a distance of 425 feet; thence south along a line parallel to the east line of said southeast quarter a distance of 270 feet; thence west along a line parallel to the south line of said southeast quarter a distance of 235 feet; thence south along a line parallel to the east line of said southeast quarter a distance of 650 feet more or less to a point on the south line of said southeast quarter; thence east along the south line of said quarter a distance of 650 feet more or less to the point of beginning. All generally located at the northwest corner of Pawnee and 107th Street West (Lark Lane).

SUBJECT TO THE FOLLOWING:

- a. Receiving approval of a variance to reduce the lot sizes for the two family dwellings from the County Board of Zoning Appeals.
- b. Not less than two off-street parking spaces for each dwelling unit shall be provided for each two family dwelling of which one space for each dwelling unit may be located in the front yard setback.
- c. Only one two family dwelling unit per platted lot shall be permitted on those lots to be developed with duplexes.
- d. Not less than one and one-half off-street parking spaces per dwelling unit shall be provided for each multiple family dwelling.
- e. Not more than 105 dwelling units shall be permitted on the larger multiple family tract, nor more than 22 dwelling units on the smaller multiple family tract.
- f. The resolution establishing the two family and multiple family uses shall not be published until the associated plat has been recorded with the Register of Deeds.


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 5 day of December, 1979.


Tom Scott

Chairman


Donald Gragg

Commissioner


Everett Patrick

Commissioner



Dorothy K. White
Dorothy K. White, County Clerk

Approved as to form by County Counselor

Theodore H. Hill
Theodore H. Hill, County Counselor

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION TO
BOARD OF COUNTY COMMISSIONERS

REQUEST FOR CONDITIONAL USE PERMIT

CASE NO. CU-223

CONSIDERED BY MAPC: 11-8-79

REQUEST FOR: Conditional Use Permit

REASON FOR REQUEST (AS PROVIDED BY APPLICANT):

"To allow use of multi-family and duplex dwelling on
subject property."

GENERAL LOCATION: Northwest corner of Pawnee and 107th St. W. (Lark Lane).

LEGAL DESCRIPTION:

(See excerpt from Planning Commission minutes of
November 8, 1979)

APPLICANT: Builders, Inc., 1000 Parklane.

AGENT FOR APPLICANT: Lawrence E. Wells, Architect, 254 Laura, Suite 205.

PROTESTORS (LIST AGENT) IF ANY: None

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

LAND USE: Existing, North, South and West, Undeveloped; East, Undeveloped
and Farm house.

PLANNING COMMISSION RECOMMENDATION:

That this application be approved subject to the conditions as shown in
the attached excerpt from the Planning Commission minutes of November 8,
1979. Hennessy moved, Lofton seconded and it carried unanimously.
Gardner and Cole were not present. Jones was absent.

ACTION: 1. Concur with the findings of fact of the Metropolitan Area
Planning Commission, approve the application subject to recommended conditions
of approval, adopt a resolution establishing the conditional use and instruct
the Planning Department to withhold publication of the resolution until the
plat has been recorded with the Register of Deeds; or
2. Deny the application.

EXCERPT FROM PLANNING COMMISSION MINUTES OF NOVEMBER 8, 1979:

18. Case No. CU-223 - Builders, Inc., request Conditional Use Permit to establish Duplex and Multiple Family dwellings on a tract lying in the southeast quarter of Section 31, Township 27 South, Range 1 West of the Sixth Principal Meridian, Sedgwick County, Kansas: Beginning at a point on the east line of the west half of said southeast quarter a distance of 920 feet north of the southeast corner of the west half of said southeast quarter; thence north along the east line of the west half of said southeast quarter a distance of 100 feet; thence west along a line parallel to the south line of said southeast quarter a distance of 425 feet; thence south along a line parallel to the east line of said southeast quarter a distance of 25 feet; thence west along a line parallel to the south line of said southeast quarter a distance of 115 feet; thence northwest at a bearing of North, 45 degrees west, a distance of 150 feet; thence southwest at a bearing of South, 45 degrees west, a distance of 265 feet; thence southeast at a bearing of South, 45 degrees east, a distance of 65 feet; thence south along a line parallel to the east line of said southeast quarter a distance of 860 feet more or less to a point on the south line of said southeast quarter; thence east along the south line of said southeast quarter a distance of 130 feet; thence north along a line parallel to the east line of said southeast quarter a distance of 650 feet; thence east along a line parallel to the south line of said southeast quarter a distance of 230 feet; thence north along a line parallel to the east line of said southeast quarter a distance of 275 feet; thence east along a line parallel to the south line of said southeast quarter a distance of 425 feet more or less to the point of beginning. AND, a tract lying in the southeast quarter of Section 31, Township 27 South, Range 1 West of the Sixth Principal Meridian, Sedgwick County, Kansas: Beginning at the southeast corner of the west half of said southeast quarter; thence north along the east line of the west half of said southeast quarter a distance of 920 feet; thence west along a line parallel to the south line of said southeast quarter a distance of 425 feet; thence south along a line parallel to the east line of said southeast quarter a distance of 270 feet; thence west along a line parallel to the south line of said southeast quarter a distance of 235 feet; thence south along a line parallel to the east line of said southeast quarter a distance of 650 feet more or less to a point on the south line of said southeast quarter; thence east along the south line of said quarter a distance of 650 feet more or less to the point of beginning. All generally located at the northwest corner of Pawnee and 107th Street West (Lark Lane).

GALBRAITH pointed out adjacent land use, zoning, and showed slides of the general area. He reviewed the following staff report:

Comments:

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

At their regular meeting of August 30, 1979, the Planning Commission considered this application for approval to allow construction of two family dwellings on 67 lots and multiple family dwellings on 12 lots of the property being platted as Pawnee Mesa Addition. Accompanying this application was a zone change request for "AA" single family and "LC" Light Commercial zoning. The "LC" portion of the zone change request was recommended to be denied and this Conditional Use request

was deferred until the zone case had been considered by the County Commission. On September 26, 1979, the County Commission approved "AA" zoning and denied the request for "LC" zoning.

The applicant has now submitted a revised Conditional Use application which now includes the area denied for "LC", and the area immediately north for multiple family and has deleted the area along the north line of the property from the two family area. The proposal now is for approximately 8.5 acres of multiple family and 24 lots for two family development. The multiple family area is in two tracts, one at the corner of Pawnee and 107th Street West containing 7 acres which would permit 105 dwelling units; and the second, further north on 107th Street West, containing 1.5 acres which would permit 22 dwelling units.

2. A recommendation of an approval by the Planning Commission should be subject to the following conditions:
 - A. Receiving approval of a variance to reduce the lot sizes for the two family dwellings from the County Board of Zoning Appeals.
 - B. Not less than two off-street parking spaces for each dwelling unit shall be provided for each two family dwelling of which one space for each dwelling unit may be located in the front yard setback.
 - C. Only one two family dwelling unit per platted lot shall be permitted on those lots to be developed with duplexes.
 - D. Not less than one and one-half off-street parking spaces per dwelling unit shall be provided for each multiple family dwelling.
 - E. Not more than 105 dwelling units shall be permitted on the larger multiple family tract, nor more than 22 dwelling units on the smaller multiple family tract.
 - F. The resolution establishing the two family and multiple family uses shall not be published until the associated plat has been recorded with the Register of Deeds.

GALBRAITH stated that the staff recommends approval of the amended application. He said that the applicants have requested that the property be annexed into the City of Wichita.

GARDNER left the meeting.

There was no one present in opposition to the application.

MOTION: Having considered the factors as contained in Policy Statement No. 10; and the character of the area, the proposed plans for development and the staff recommendation; I move that we recommend to the Governing Body that this application be approved subject to the following conditions:

- a. Receiving approval of a variance to reduce the lot sizes for the two family dwellings from the County Board of Zoning Appeals.
- b. Not less than two off-street parking spaces for each dwelling unit shall be provided for each two family dwelling of which one space for each dwelling unit may be located in the front yard setback.

- c. Only one two family dwelling unit per platted lot shall be permitted on those lots to be developed with duplexes.
- d. Not less than one and one-half off-street parking spaces per dwelling unit shall be provided for each multiple family dwelling.
- e. Not more than 105 dwelling units shall be permitted on the larger multiple family tract, nor more than 22 dwelling units on the smaller multiple family tract.
- f. The resolution establishing the two family and multiple family uses shall not be published until the associated plat has been recorded with the Register of Deeds.

Hennessy moved, Lofton seconded and it carried unanimously. Gardner and Cole were not present. Jones was absent.

00223

(1)

17 Conditional Use Request to Permit Establishment of ~~the~~ ^{these}
Duplex Family Dwellings on Property Zoned "R-1" *approved for AD's*
One Family Dwelling District

A tract lying in the southeast quarter of Section 31, Township 27 South, Range 1 West of the Sixth Principal Meridian, Sedgwick County, Kansas: Beginning at a point on the east line of the west half of said southeast quarter a distance of 920 feet north of the southeast corner of the west half of said southeast quarter; thence north along the east line of the west half of said southeast quarter a distance of 100 feet; thence west along a line parallel to the south line of said southeast quarter a distance of 425 feet; thence south along a line parallel to the east line of said southeast quarter a distance of 25 feet; thence west along a line parallel to the south line of said southeast quarter a distance of 115 feet; thence northwest at a bearing of North, 45 degrees west, a distance of 150 feet; thence southwest at a bearing of South, 45 degrees west, a distance of 265 feet; thence southeast at a bearing of South, 45 degrees east, a distance of 65 feet; thence south along a line parallel to the east line of said southeast quarter a distance of 860 feet more or less to a point on the south line of said southeast quarter; thence east along the south line of said southeast quarter a distance of 130 feet; thence north along a line parallel to the east line of said southeast quarter a distance of 650 feet; thence east along a line parallel to the south line of said southeast quarter a distance of 230 feet; thence north along a line parallel to the east line of said southeast quarter a distance of 275 feet; thence east along a line parallel to the south line of said southeast quarter a distance of 425 feet more or less to the point of beginning.

CU 223

(2)

Conditional Use Request to Permit Establishment of
of Multiple Family Dwellings on Property Zoned
"AA" One Family District

Approved for the

A tract lying in the southeast quarter of Section 31, Township 27 South, Range 1 West of the Sixth Principal Meridian, Sedgwick County, Kansas: Beginning at the southeast corner of the west half of said southeast quarter; thence north along the east line of the west half of said southeast quarter a distance of 920 feet; thence west along a line parallel to the south line of said southeast quarter a distance of 425 feet; thence south along a line parallel to the east line of said southeast quarter a distance of 270 feet; thence west along a line parallel to the south line of said southeast quarter a distance of 235 feet; thence south along a line parallel to the east line of said southeast quarter a distance of 650 feet more or less to a point on the south line of said southeast quarter; thence east along the south line of said quarter a distance of 650 feet more or less to the point of beginning.

November 9, 1979

Alexander L. Dean
1000 Parkland
Wichita, Kansas 67218

Re: CU-223 - to establish
multiple family and duplex
dwellings northwest corner
of Pawnee and 107th St. West
(Lark Lane)

Dear Mr. Dean:

At its regular meeting of November 8, 1979, the Metropolitan Area Planning Commission considered the above-captioned request for a Conditional Use Permit to establish multiple family and duplex dwellings. The action of the Planning Commission was to recommend that this application be approved subject to the following conditions:

- a. Receiving approval of a variance to reduce the lot sizes for the two family dwellings from the County Board of Zoning Appeals.
- b. Not less than two off-street parking spaces for each dwelling unit shall be provided for each two family dwelling of which one space for each dwelling unit may be located in the front yard setback.
- c. Only one two family dwelling unit per platted lot shall be permitted on those lots to be developed with duplexes.
- d. Not less than one and one-half off-street parking spaces per dwelling unit shall be provided for each multiple family dwelling.
- e. Not more than 105 dwelling units shall be permitted on the larger multiple family tract, nor more than 22 dwelling units on the smaller multiple family tract.

Page 2
CU-223
11-9-79

- f. The resolution establishing the two family and multiple family uses shall not be published until the associated plat has been recorded with the Register of Deeds.

This matter will be forwarded to the Board of County Commissioners for their consideration at 9:00 a.m., on Wednesday, December 5, 1979, 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:sad

cc: Syd Werbin, County Zoning Officer
Builder's, Inc., 1000 Parklane, Wichita, Kansas 67213

CU-223 - 3 - "Notice to Adjoining Property Owners" mailed 10-25-79 for the
MAPC meeting for 11-8-79

1 to Grover C. McLure, Jr., County Director of the Dept. of
Public Works.

-

4 TOTAL

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

NOTICE TO ADJOINING PROPERTY OWNERS:

October 25, 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 Nov. 3, 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-223

Conditional Use Request to Permit Establishment of
Duplex Family Dwellings on Property Approved
for the "AA" One Family Dwelling District

AND

Conditional Use Request to Permit Establishment of
Multiple Family Dwellings on Property Approved
for the "AA" One Family Dwelling District

SEE LEGAL DESCRIPTION ATTACHED HERETO.

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

Summary Description of County Zoning Districts

- "R" - Rural Residential District
Permits one single-family dwelling for each lot of two acres.
- "R-1" - Suburban Residential District
Permits one single-family dwelling for each lot of 20,000 square feet of land area if served by a public water supply, or 40,000 square feet if served by a private domestic water supply source.
- "AA" - One-Family Dwelling District
One-family dwellings require a minimum of 6,500 square 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 one-family dwellings and any retail commercial uses conducted within an enclosed building.
- "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". Mobile home parks and trailer camps are not permitted.
- "F" - Heavy Industrial District
Permits any use except those objectionable uses such as slaughter houses, salvage yards and fertilizer plants which require special permits. Mobile home parks and trailer camps are not permitted.
- "CU" - Conditional Use in any of the above districts
Allows certain uses listed in the County Zoning Resolution by special permit rather than as a use by right.
- NOTE: - The above list is not intended to be all inclusive. For complete regulations see the Sedgwick County Zoning Resolution.

CASE NO. CU-223

Conditional Use Request to Permit Establishment of
Duplex Family Dwellings on Property Approved
for the "AA" One Family Dwelling District

A tract lying in the southeast quarter of Section 31, Township 27 South, Range 1 West of the Sixth Principal Meridian, Sedgwick County, Kansas: Beginning at a point on the east line of the west half of said southeast quarter a distance of 920 feet north of the southeast corner of the west half of said southeast quarter; thence north along the east line of the west half of said southeast quarter a distance of 100 feet; thence west along a line parallel to the south line of said southeast quarter a distance of 425 feet; thence south along a line parallel to the east line of said southeast quarter a distance of 25 feet; thence west along a line parallel to the south line of said southeast quarter a distance of 115 feet; thence northwest at a bearing of North, 45 degrees west, a distance of 150 feet; thence southwest at a bearing of South, 45 degrees west, a distance of 265 feet; thence southeast at a bearing of South, 45 degrees east, a distance of 65 feet; thence south along a line parallel to the east line of said southeast quarter a distance of 860 feet more or less to a point on the south line of said southeast quarter; thence east along the south line of said southeast quarter a distance of 130 feet; thence north along a line parallel to the east line of said southeast quarter a distance of 650 feet; thence east along a line parallel to the south line of said southeast quarter a distance of 230 feet; thence north along a line parallel to the east line of said southeast quarter a distance of 275 feet; thence east along a line parallel to the south line of said southeast quarter a distance of 425 feet more or less to the point of beginning. AND

Conditional Use Request to Permit Establishment of
Multiple Family Dwellings on Property Approved
for the "AA" One Family Dwelling District

A tract lying in the southeast quarter of Section 31, Township 27 South, Range 1 West of the Sixth Principal Meridian, Sedgwick County, Kansas: Beginning at the southeast corner of the west half of said southeast quarter; thence north along the east line of the west half of said southeast quarter a distance of 920 feet; thence west along a line parallel to the south line of said southeast quarter a distance of 425 feet; thence south along a line parallel to the east line of said southeast quarter a distance of 270 feet; thence west along a line parallel to the south line of said southeast quarter a distance of 235 feet; thence south along a line parallel to the east line of said southeast quarter a distance of 650 feet more or less to a point on the south line of said southeast quarter; thence east along the south line of said quarter a distance of 650 feet more or less to the point of beginning. All generally located at the northwest corner of Pawnee and 107th Street West (Lark Lane).

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

AMENDED APPLICATION

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.

A. APPLICANT Builder's, Inc.

ADDRESS 1000 Parklane, Wichita, Kansas 67218 PHONE 685-4391

AGENT Alexander L. Dea

ADDRESS 1000 Parklane Wichita KS 67218 PHONE 685-4391

B. APPLICANT N.A.

ADDRESS N.A. PHONE N.A.

AGENT N.A.

ADDRESS N.A. PHONE N.A.

C. APPLICANT N.A.

ADDRESS N.A. PHONE N.A.

AGENT N.A.

ADDRESS N.A. PHONE N.A.

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

III. The applicant proposes to establish a Multi-family dwelling and duplex family dwelling area (use)

on property legally described as Lot(s) N.A. (metes and bounds

description attached) Block(s) N.A. of the

N.A. Addition.

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

Conditional Use Request to Permit Establishment of
Duplex Family Dwellings on Property Zoned "AA"
One Family Dwelling District

approved for AA zoning

A tract lying in the southeast quarter of Section 31, Township 27 South, Range 1 West of the Sixth Principal Meridian, Sedgwick County, Kansas: Beginning at a point on the east line of the west half of said southeast quarter a distance of 920 feet north of the southeast corner of the west half of said southeast quarter; thence north along the east line of the west half of said southeast quarter a distance of 100 feet; thence west along a line parallel to the south line of said southeast quarter a distance of 425 feet; thence south along a line parallel to the east line of said southeast quarter a distance of 25 feet; thence west along a line parallel to the south line of said southeast quarter a distance of 115 feet; thence northwest at a bearing of North, 45 degrees west, a distance of 150 feet; thence southwest at a bearing of South, 45 degrees west, a distance of 265 feet; thence southeast at a bearing of South, 45 degrees east, a distance of 65 feet; thence south along a line parallel to the east line of said southeast quarter a distance of 860 feet more or less to a point on the south line of said southeast quarter; thence east along the south line of said southeast quarter a distance of 130 feet; thence north along a line parallel to the east line of said southeast quarter a distance of 650 feet; thence east along a line parallel to the south line of said southeast quarter a distance of 230 feet; thence north along a line parallel to the east line of said southeast quarter a distance of 275 feet; thence east along a line parallel to the south line of said southeast quarter a distance of 425 feet more or less to the point of beginning.

Conditional Use Request to Permit Establishment
of Multiple Family Dwellings on Property ~~Zoned~~
"AA" One Family District

Approved for AA

A tract lying in the southeast quarter of Section 31, Township 27 South, Range 1 West of the Sixth Principal Meridian, Sedgwick County, Kansas: Beginning at the southeast corner of the west half of said southeast quarter; thence north along the east line of the west half of said southeast quarter a distance of 920 feet; thence west along a line parallel to the south line of said southeast quarter a distance of 425 feet; thence south along a line parallel to the east line of said southeast quarter a distance of 270 feet; thence west along a line parallel to the south line of said southeast quarter a distance of 235 feet; thence south along a line parallel to the east line of said southeast quarter a distance of 650 feet more or less to a point on the south line of said southeast quarter; thence east along the south line of said quarter a distance of 650 feet more or less to the point of beginning.

111. THIS PROPERTY IS LOCATED AT (ADDRESS) _____.

THE GENERAL LOCATION IS (USE APPROPRIATE SECTION)

A. AT THE Northwest CORNER OF Pawnee AND
107th Street West, OR

B. ON THE N.A. SIDE OF N.A. (AVENUE)
STREET BETWEEN N.A. (AVENUE) STREET AND
N.A. (AVENUE) STREET.

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

V. I REQUEST THIS CONDITIONAL USE PERMIT FOR THE FOLLOWING REASONS:
To permit the construction of duplex family dwellings and multiple family
dwellings on the aforesaid property.

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 ABTRACTOR'S
CERTIFICATE AS REQUIRED IN THE INSTRUCTION SHEET; AND IS ACCOMPANIED
BY THE APPROPRIATE FEE. I (WE) FURTHER CERTIFY THAT THE ABOVE AND
FOREGOING INFORMATION IS TRUE AND CORRECT TO THE BEST OF MY (OUR)
KNOWLEDGE. I (WE) ACKNOWLEDGE THAT THE BOARD OF COUNTY COMMISSIONERS
SHALL HAVE AUTHORITY TO IMPOSE SUCH CONDITIONS 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.

Builder's, Inc.

BY William E. Morin
AUTHORIZED AGENT (IF ANY) AUTHORIZED AGENT (IF ANY)
William E. Morin
General Manager

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

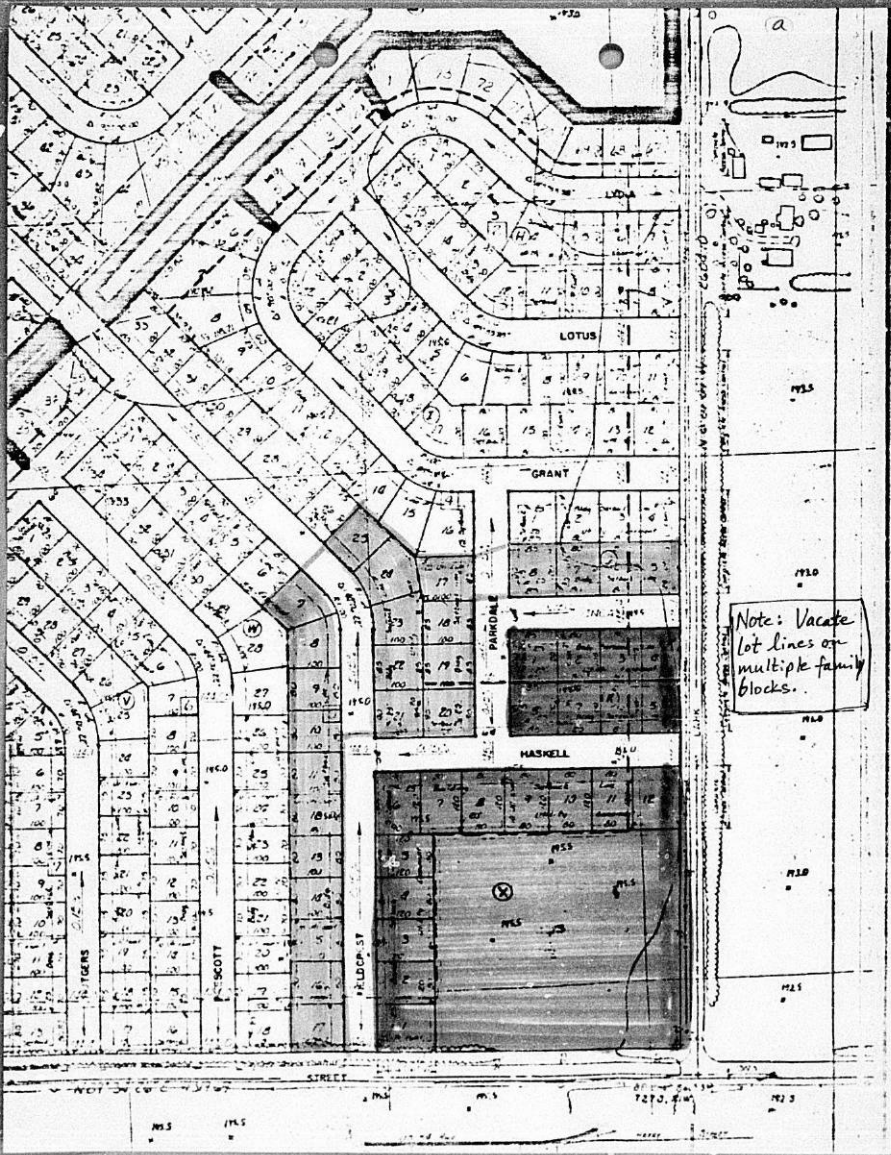
BY _____ BY _____
AUTHORIZED AGENT (IF ANY) AUTHORIZED AGENT (IF ANY)

V I I. OFFICE USE ONLY

This application was received at the Planning Department at _____
(AM, PM) on _____ (day, month, year). It has been checked
and found to be complete and accompanied by required documents and
the appropriate fee of \$ _____.

_____ Name

_____ Title



BUILDERS, INC.

1000 PARKLANE / WICHITA, KANSAS 67218

October 17, 1979

Mr. Jack Galbraith
Chief Planner
Metropolitan Area Planning Department
455 N. Main Street
Wichita, Kansas 67202

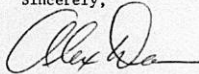
Dear Mr. Galbraith:

Please find submitted herewith an amended conditional use application for property currently being platted under the name of Pawnee Mesa, located generally northwest of Pawnee and 107th Street West. The enclosed application is intended to amend Conditional Use case CU-223, which was deferred indefinitely by action of the Metropolitan Area Planning Commission on August 30, 1979.

Submitted with the original application were the required fee and abstractor's certificate. A copy of that certificate is enclosed.

Please let me know if you need additional information and I will be happy to supply it.

Sincerely,



Alexander L. Dean
Manager, Land Development

AD/lkm

Enc.

BUILDERS, INC.

1000 PARKLANE / WICHITA, KANSAS 67218

RECEIVED

OCT 17 1979

METROPOLITAN PLANNING
ROUTE

October 16, 1979

Mr. Jack H. Galbraith
Chief Planner
Metropolitan Area Planning Department
455 Main Street
Wichita, Ks. 67202

Dear Mr. Galbraith:

I am writing in reply to your letter of September 26 to Lawrence Wells regarding CU-223, conditional use permit at the northwest corner of Pawnee and 107th St. West (Lark Lane).

We intend to modify our conditional use request as a result of the action of the Board of County Commissioners at their September 26 meeting. We will deliver a copy of the amended legal description to you by October 17 so that the case may be readvertised before the Planning Commission.

Thank you for your continuing assistance on our plat.

Sincerely,



Alexander L. Dean
Manager, Land Development

September 26, 1979

Lawrence E. Wells, Architect
254 Laura, Suite 205
Wichita, Kansas 67211

Re: CU-223 - Conditional Use Permit-
At the northwest corner of Pawnee
and 107th St. West (Lark Lane)

Dear Mr. Wells:

The Board of County Commission at their regular meeting on September 26, 1979, approved "AA" single family zoning for all of the area associated with zone case SCZ-0437. Regarding the associated Conditional Use Case (CU-223), the Planning Commission deferred this case until the Board of County Commission acted on the associated zone case. Since your request for "LC" zoning was denied and "AA" single family zoning was approved for that area, it would appear that that corner should either be redesigned for single family lots, or incorporated in your conditional use request for multiple family dwellings. Should you desire to request multiple family use, you need to amend your legal description and the case readvertised for hearing before the Planning Commission.

I would appreciate having you contact me regarding this case so that we can determine the next step to be taken.

Sincerely,

Jack H. Galbraith
Chief Planner

JHG:el

cc: Builders, Inc., 1000 Parklane, 67218

August 31, 1979

Wesley F. and Wanda L. Sears
1900 S. 107th Street West
Wichita, Kansas 67209

Re: SCZ-0437 & CU-223 - "R-1" to
"AA" & "LC" - northwest corner
of Pawnee & 107th St. W. (Lark
Lane)

Dear Mr. and Mrs. Sears:

The Planning Commission at its regular meeting of August 30, 1979, considered the above-captioned zone change and Conditional Use request, and their action was as indicated on the attached letter.

It is my understanding that after yesterday's meeting you secured eight protest petition forms from this office. 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, September 10, 1979. Should you have need for more forms, they may again be secured from this office.

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

Sincerely yours,

Jack H. Galbraith
Chief Planner

JHG:bbc

cc: Prince E. and Ruth C. McGuyre, 1920 S. 107th St. W. 67209

August 28, 1979

Lawrence E. Wells, Architect
254 Laura, Suite 205
Wichita, Kansas 67211

Re: SCZ-0437 - "R-1" to "AA" & "LC"
CU-223 - Conditional Use Permit
northwest corner of Pawnee &
107th St. W. (Lark Lane)

Dear Mr. Wells:

At its regular meeting on August 30, 1979, the Metropolitan Area Planning Commission considered the above-captioned cases. The action of the Planning Commission with regard to SCZ-0437 was to recommend that the area requested for "LC" Light Commercial be denied and that the "AA" Single Family classification be approved for the entire application area, subject to recording the associated plat of Pawnee Mesa Addition within one year from the date of approval of the zone change by the Board of County Commissioners; or the case be considered denied and closed; and that the resolution effectuating the zone change not be published until the plat has been recorded with the Register of Deeds.

Regarding the associated case, CU-223, the action of the Planning Commission was to defer this case until the Board of County Commissioners considers the request for zone change, SCZ-0437. At such time as that case has been acted upon, please contact us relative to rescheduling the associated Conditional Use case.

This matter will be forwarded to the Board of County Commissioners for their consideration at 9:00 a.m., on Wednesday, September 26, 1979, in Room 320, Sedgwick County Courthouse.

002936

Page 2
August 31, 1979
SCZ-0437 & CU-223

If you have any questions, please contact our office.

Sincerely yours,

Jack H. Galbraith
Chief Planner

JHG:bbc

cc: Builders, Inc., 1000 Parklane 67218
Syd Werbin, County Zoning Officer
Wesley F. and Wanda L. Sears, 1900 S. 107th St. W. 67209
Prince E. and Ruth C. McGuyre, 1920 S. 107th St. W. 67209

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING DEPARTMENT

MAPC HEARING DATE: 3-30-79

Case No. CU-223 Request: To establish multiple family
and duplex dwellings.

Location: Northwest corner of Pawnee & 107th St. W. (Lark Lane)

Reason: To allow use of multi-family and duplex dwellings on
subject property.

Acres: 23.9 Size: 800' x 1300' (irregular shape)

	<u>Land Use</u>	<u>Zoning</u>
Existing	Undeveloped	"R-1"
North	Undeveloped	"R-1"
East	Undeveloped & Farm House	"R-1"
South	Undeveloped	"R-1"
West	Undeveloped	"R-1"

Appropriate street rights-of-way to be provided on associated plat.

Platted: Being platted as part of Pawnee Mesa Addition.
History: None.

COMMENTS:

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

The applicant is requesting a Conditional Use Permit to construct two family dwellings on 67 lots and multiple family dwellings on 12 lots proposed for "AA" on property being platted as part of Pawnee Mesa Addition.

The applicant has chosen not to submit a site development plan for the 12 lots proposed for multiple family development. Therefore, it would be proper to limit development to 3 dwelling units per lot on the 2.7 net acre site. Due to the zoning district limitation of no more than 15 dwelling units per net acre, the maximum number of dwelling units for this area cannot exceed 20 units.
2. A recommendation of approval by the Planning Commission should be subject to the following conditions:

Page 2
CU-223
MAPC AGENDA
8-30-79

- A. Approval of the associated zone case, SCZ-0437, by the Board of County Commissioners.
- B. The 12 lots proposed for multiple family development shall not exceed one tri-plex per platted lot.
- C. The 67 lots proposed for two family development shall not exceed one duplex per platted lot.
- D. Not less than two off-street parking spaces for each dwelling unit shall be provided for each two family dwelling unit of which one space for each dwelling unit may be located in the front yard setback.
- E. Not less than one and one-half off-street parking spaces per dwelling unit shall be provided for each lot developed for multiple family.

CU-223 - 3 "Notice to Adjoining Property Owners" mailed 8-16-79 for the
MAPC meeting for 8-30-79

1 to Grover C. McLure, Jr., County Director of Dept. of Public Works

-

4 TOTAL

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

NOTICE TO ADJOINING PROPERTY OWNERS:

August 16, 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 Aug. 30, 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-223

Conditional Use Request to Permit Establishment of
Duplex Family Dwellings on Property Proposed
for the "AA" One Family Dwelling District

AND

Conditional Use Request to Permit Establishment of
Multiple Family Dwellings on Property Proposed
for the "AA" One Family Dwelling District

SEE LEGAL DESCRIPTION ATTACHED HERETO

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

T9-216

Summary Description of County Zoning Districts

- "R" - Rural Residential District
Permits one single-family dwelling for each lot of two acres.
- "R-1" - Suburban Residential District
Permits one single-family dwelling for each lot of 20,000 square feet of land area if served by a public water supply, or 40,000 square feet if served by a private domestic water supply source.
- "AA" - One-Family Dwelling District
One-family dwellings require a minimum of 6,500 square 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 one-family dwellings and any retail commercial uses conducted within an enclosed building.
- "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". Mobile home parks and trailer camps are not permitted.
- "F" - Heavy Industrial District
Permits any use except those objectionable uses such as slaughter houses, salvage yards and fertilizer plants which require special permits. Mobile home parks and trailer camps are not permitted.
- "CU" - Conditional Use in any of the above districts
Allows certain uses listed in the County Zoning Resolution by special permit rather than as a use by right.
- NOTE: - The above list is not intended to be all inclusive. For complete regulations see the Sedgwick County Zoning Resolution.

CASE NO. CU-223

Conditional Use Request to Permit Establishment of
Duplex Family Dwellings on Property Proposed
for the "AA" One Family Dwelling District

A tract lying in the southeast quarter of Section 31, Township 27 South, Range 1 West of the Sixth Principal Meridian, Sedgwick County, Kansas: Beginning at a point on the east line of the west half of said southeast quarter a distance of 610 feet north of the southeast corner of the west half of said southeast quarter; thence north along the east line of the west half of said southeast quarter a distance of 690 feet; thence west along a line parallel to the south line of said southeast quarter a distance of 500 feet; thence southwest at a bearing of South, 45 degrees west, a distance of 265 feet; thence southeast at a bearing south, 45 degrees east a distance of 40 feet; thence southwest at a bearing of South, 45 degrees west, a distance of 265 feet; thence southeast at a bearing of South, 45 degrees east a distance of 70 feet; thence south along a line parallel to the east line of the west half of said southeast quarter 855 feet more or less to a point on the south line of said southeast quarter; thence east along the south line of said southeast quarter 140 feet more or less to a point on the south line of said southeast quarter, said point being 650 feet west of the southeast corner of the west half of said quarter; thence north along a line parallel to the east line of the west half of said southeast quarter a distance of 610 feet; thence east along a line parallel to the south line of said southeast quarter a distance of 650 feet to point of beginning. AND

A tract lying in the southeast quarter of Section 31, Township 27 South, Range 1 West of the Sixth Principal Meridian, Sedgwick County, Kansas: Beginning at the northeast corner of the west half of said southeast quarter, thence west along the north line of said southeast quarter a distance of 950 feet; thence south along a line parallel to the east line of the west half of said southeast quarter a distance of 280 feet; thence east to a point on the east line of the west half of said southeast quarter, said point being 285 feet south of the northeast corner of the west half of said southeast quarter; thence north along the east line of the west half of said southeast quarter a distance of 285 feet to point of beginning. AND

Conditional Use Request to Permit Establishment of
Multiple Family Dwellings on Property Proposed
for the One Family Dwelling District

A tract lying in the southeast quarter of Section 31, Township 27 South, Range 1 West of the Sixth Principal Meridian, Sedgwick County, Kansas: Beginning at a point on the east line of the west half of said southeast quarter a distance of 460 feet north of the southeast corner of the west half of said southeast quarter; thence north along the east line of the west half of said southeast quarter a distance of 150 feet; thence west along a line parallel to the south line of said southeast quarter a distance of 650 feet; thence south along a line parallel to the east line of the west half of said southeast quarter to a point on the south line of said southeast quarter, said point being 650 feet west of the southeast corner of the west half of said southeast quarter; thence east along the south line of said southeast quarter a distance of 150 feet; thence north along a line parallel to the east line of the west half of said southeast quarter a distance of 460 feet; thence east along a line parallel to the south line of said southeast quarter a distance of 500 feet to point of beginning. All generally located at the northwest corner of Pawnee and 107th Street West. (Lark Lane)

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

#4745

CW 223 31-27-W

(Comm Sec-0437.)

N-R-1

E-R-1

S-R-1

W-R-1

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.

A. APPLICANT Builders, Inc.
1000 Parklane
ADDRESS Wichita, Kansas 67218 PHONE 685-4391

AGENT Lawrence E. Wells, Architect
254 Laura, Suite 205
ADDRESS Wichita, Kansas 67218 PHONE 672-11 262-3649

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 Multi-family dwelling and duplex dwelling (use)

on property legally described as Lot(s) See attachment
Block(s) of the _____
_____ Addition.

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

See attachment

I I. THIS PROPERTY IS LOCATED AT (ADDRESS) _____.

THE GENERAL LOCATION IS (USE APPROPRIATE SECTION)

A. AT THE Northwest CORNER OF Pawnee AND
107th St. West (Lark Lane), OR

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

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

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

To allow use of multi-family and duplex dwellings.

V I. I (WE), THE APPLICANT(S), ACKNOWLEDGE RECEIPT OF THE INSTRUCTION SHEET EXPLAINING THE METHOD OF SUBMITTING THIS APPLICATION. I (WE) REALIZE THAT THIS APPLICATION CANNOT BE PROCESSED UNLESS IT IS COMPLETELY FILLED IN; IS ACCOMPANIED BY A CURRENT ABTRACTOR'S CERTIFICATE AS REQUIRED IN THE INSTRUCTION SHEET; AND IS ACCOMPANIED BY THE APPROPRIATE FEE. I (WE) FURTHER CERTIFY THAT THE ABOVE AND FOREGOING INFORMATION IS TRUE AND CORRECT TO THE BEST OF MY (OUR) KNOWLEDGE. I (WE) ACKNOWLEDGE THAT THE BOARD OF COUNTY COMMISSIONER 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.

Builders, Inc.

Lawrence E. Wells, Architect

BY William E. Morin
AUTHORIZED AGENT (IF ANY)
William E. Morin, V.P.

BY Lawrence E. Wells
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 3 PM
(AM, PM) on Aug 1, 1979 (day, month, year). It has been checked
and found to be complete and accompanied by required documents and
the appropriate fee of \$ 70.00.

Curtis L. Plumbly Name
J. Plummer Title

Attachment to Application for Approval of Conditional Use Permit.
Builders, Inc.

Multi-family Conditional Use.

A tract lying in the southeast quarter of Section 31, Township 27 South, Range 1 west of the Sixth Principal Meridian, Sedgwick County, Kansas:
Beginning at a point on the east line of the west half of said southeast quarter a distance of 460' north of the southeast corner of the west half of said southeast quarter; thence north along the east line of the west half of said southeast quarter a distance of 150'; thence west along a line parallel to the south line of said southeast quarter a distance of 650'; thence south along a line parallel to the east line of the west half of said southeast quarter to a point on the south line of said southeast quarter, said point being 650' west of the southeast corner of the west half of said southeast quarter; thence east along the south line of said southeast quarter a distance of 150'; thence north along a line parallel to the east line of the west half of said southeast quarter a distance of 460'; thence east along a line parallel to the south line of said southeast quarter a distance of 500' to point of beginning.

Duplex Conditional Use - Part 1.

A tract lying in the southeast quarter of Section 31, Township 27 South, Range 1 west of the Sixth Principal Meridian, Sedgwick County, Kansas:
Beginning at a point on the east line of the west half of said southeast quarter a distance of 610' north of the southeast corner of the west half of said southeast quarter; thence north along the east line of the west half of said southeast quarter a distance of 690'; thence west along a line parallel to the south line of said southeast quarter a distance of 500'; thence southwest at a bearing of South, 45° west, a distance of 265'; thence southeast at a bearing of south, 45° east a distance of 40' thence southwest at a bearing of South, 45° west, a distance of 265'; thence southeast at a bearing of South, 45° east a distance of 70'; thence south along a line parallel to the east line of the west half of said southeast quarter 855'± to a point on the south line of said southeast quarter; thence east along the south line of said southeast quarter 140'± to a point on the south line of said southeast quarter, said point being 650' west of the southeast corner of the west half of said quarter; thence north along a line parallel to the east line of the west half of said southeast quarter a distance of 610'; thence east along a line parallel to the south line of said southeast quarter a distance of 650' to point of beginning.

Duplex Conditional Use - Part 2.

A tract lying in the southeast quarter of Section 31, Township 27 South, Range 1 west of the Sixth Principal Meridian, Sedgwick County, Kansas:
Beginning at the northeast corner of the west half of said southeast quarter, thence west along the north line of said southeast quarter a distance of 950'; thence south along a line parallel to the east line of the west half of said southeast quarter a distance of 280'; thence east to a point on the east line of the west half of said southeast quarter, said point being 285' south of the northeast corner of the west half of said southeast quarter; thence north along the east line of the west half of said southeast quarter a distance of 285' to point of beginning.



OWNERSHIP LIST

Tract	Property Owner
The west half of the SE $\frac{1}{4}$ of Section 31-27-1W	<input checked="" type="checkbox"/> Builders Inc. 1000 Parklane 67218
The SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 31-27-1W	<input checked="" type="checkbox"/> Robert A. Carr & Rosa M. Carr Address <u>Unknown</u>
The NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 31-27-1W	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> Joseph N. Weber Jr. 2126 South 107th St. West 67209
The NE $\frac{1}{4}$ of Section 6-28-1W	<input checked="" type="checkbox"/> Clara L. Woolf Address <u>Unknown</u>

We hereby certify the foregoing to be a true and correct list of the property owners of:

A 1000 foot radius of a tract lying in the SE $\frac{1}{4}$ of Section 31-27-1W, beginning at a point on the east line of the west half of said SE $\frac{1}{4}$ a distance of 460 feet north of the SE corner of the west half of said SE $\frac{1}{4}$; thence north along the east line of the west half of said SE $\frac{1}{4}$ a distance of 150 feet; thence west along a line parallel to the south line of said SE $\frac{1}{4}$ a distance of 650 feet; thence south along a line parallel to the east line of the west half of said SE $\frac{1}{4}$ to a point on the south line of said SE $\frac{1}{4}$, said point being 650 feet west of the SE corner of the west half of said SE $\frac{1}{4}$; thence east along the south line of said SE $\frac{1}{4}$ a distance of 150 feet; thence north along a line parallel to the east line of the west half of said SE $\frac{1}{4}$ a distance of 460 feet; thence east along a line parallel to the south line of said SE $\frac{1}{4}$ a distance of 500 feet to pob.

as shown by the last deeds of record on file in the Office of the Register of Deeds of Sedgwick County, Kansas, on the 2nd day of August, 1979 at 7:00 o'clock A.M.

THE SECURITY ABSTRACT & TITLE COMPANY, INC.

By

Mary Gable

Vice President

Order No. 279830
wh

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

Tract	Property Owner
The west half of the SE $\frac{1}{4}$ of Section 31-27-1W	D Builders Inc. 1000 Parklane 67218
The SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 31-27-1W	D Robert A. Carr & Rosa M. Carr Address <u>Unknown</u>
The NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 31-27-1W	D Joseph N. Weber Jr. 2126 South 107th St. West 67209
The NE $\frac{1}{4}$ of Section 6-28-1W	D Clara L. Woolf Address <u>Unknown</u>

We hereby certify the foregoing to be a true and correct list of the property owners of a 1000 foot radius of:

A tract in the SE $\frac{1}{4}$ of Section 31-27-1W beginning at a point on the east line of the west half of said SE $\frac{1}{4}$ a distance of 610 feet north of the SE corner of said west half SE $\frac{1}{4}$ thence north along the east line said west half a distance of 690 feet; thence west along a line parallel to the south line of said SE $\frac{1}{4}$ a distance of 500 feet; thence SW at a bearing of South 45° west, a distance of 265 feet; thence SE at a bearing of south 45° east, a distance of 40 feet, thence SW at a bearing of South, 45° west, a distance of 265 feet; thence SE at a bearing of south, 45° east a distance of 70 feet; thence south along a line parallel to the east line of the West half of said SE $\frac{1}{4}$ 855 feet more or less to a point on the south line of said SE $\frac{1}{4}$; thence east along the south line of said SE $\frac{1}{4}$, 140 feet more or less to a point on the south line of said SE $\frac{1}{4}$, said point being 650 feet west of the SE corner of the west half of said quarter; thence north along a line parallel to the east line of the west half of said SE $\frac{1}{4}$ a distance of 610 feet; thence east along a line parallel to the south line of said SE $\frac{1}{4}$ a distance of 650 feet to point of beginning

as shown by the last deeds of record on file in the Office of the Register of Deeds of Sedgwick County, Kansas, on the 2nd day of August, 1979 at 7:00 o'clock A.M.

THE SECURITY ABSTRACT & TITLE COMPANY, INC.

By

Mary Gable
Vice President

Order No. 279828

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

Tract	Property Owner
The west half of the SE $\frac{1}{4}$ of Section 31-27-1W	D Builders Inc. 67218 1000 Parklane
The SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 31-27-1W	D Robert A. Carr & Rosa M. Carr Address <u>Unknown</u>
The NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 31-27-1W	D Joseph N. Weber Jr. 2126 South 107th St. West 67209
The NE $\frac{1}{4}$ of Section 6-28-1W	D Clara L. Woolf, Address <u>Unknown</u>

We hereby certify the foregoing to be a true and correct list of the property owners of:

A 1000 foot radius of: a tract in the SE $\frac{1}{4}$ of Section 31-27-1W, beginning at the SE corner of the west half of said SE $\frac{1}{4}$, thence north along the east line of the west half of said SE $\frac{1}{4}$ a distance of 460 feet; thence west along a line parallel to the south line of said SE $\frac{1}{4}$ a distance of 500 feet; thence south along a line parallel to the east line of the west half of said SE $\frac{1}{4}$ to a point on the south line of said SE $\frac{1}{4}$, said point being 500 feet west of the SE corner of the west half of said SE $\frac{1}{4}$, thence east along the south line of said SE $\frac{1}{4}$ 500 feet to pob.

as shown by the last deeds of record on file in the Office of the Register of Deeds of Sedgwick County, Kansas, on the 2nd day of August, 1979 at 7:00 o'clock A.M.

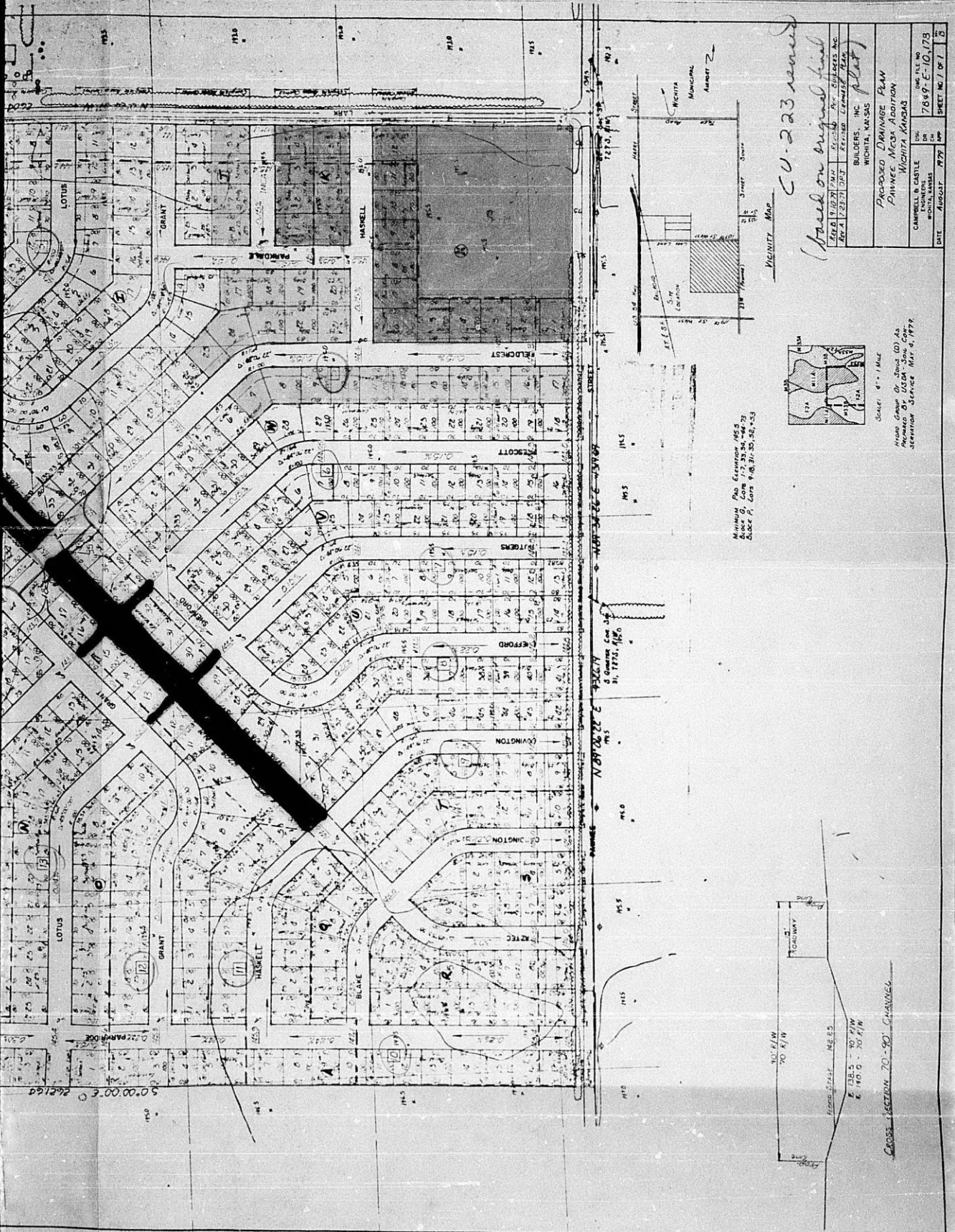
THE SECURITY ABSTRACT & TITLE COMPANY, INC.

By

Mary Stable

Vice President

Order No. 279831
wh



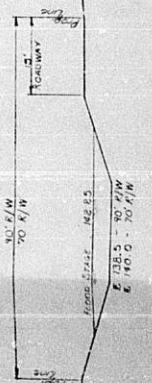
WICHITA MAP
 CU-223 revised
 (Based on original filed)

FILE NO. 9-1078	MAP	EXHIBIT	PLAT	PLANNED BY	WICHITA, KANSAS
REV. 4-1-23	207	EXHIBIT	PLANNED BY	BUILDERS, INC.	WICHITA, KANSAS
APPROVED DEMONSTRATION PLAN PHINNEY MEADOW ADDITION WICHITA, KANSAS					
DATE	AUGUST, 1929	FILE NO.	7849-E-10, 179	SHEET NO.	OF 13



Scale 4" = 1 MILE
 Approved by Ord. 103, 104
 Approved by USDA - 300-500
 SEVERANCE SERVICE MAY 8, 1929

Minimum Plat Extension 100.00
 Block 10, Lot 17, 30, 34, 44, 78
 Block 11, Lots 4, 8, 31, 32, 33, 35



CROSS SECTION 70-FOOT ROADWAY