

ACTION

DATE

COMMITTEE _____

1-3-80

M.A.P.C. *Approved subject to conditions*

B.C.C. B. CO. C. ~~_____~~
(was renewed forwarded to B.C.C. at applicant's verbal request)

*POSTED
12-11-79*

CU-229 - Tomlinson Oil Company requests Conditional Use Permit to construct a picnic shelter and swimming pool, on property zoned "AA" - Generally located on the east side of 143rd St. East in an

Closed
See letter in file

Map No. 6448
Sec. 13
Twp. 27
Range 2E

DATA SHEET
(XXXXXXXXXX CONDITIONAL USE)

Z- _____
SCZ- _____
CU- 229
Filed 12-7-79

ASSOCIATED CASE: S/D 79-112

APPLICATION DATA: From _____ to _____

1. Applicant: Tomlinson Oil Company, et al
Address 200 West Douglas, 67202 Phone 265-9678
2. Agent: Fourth Natl Bank & Trust - 100 N. Broadway, 67202 (261-4444) &
Agent: John G. York Assoc., 1523 Farmington, Norman, Okla. (405-364-0085)
3. General Location: on the east side of 143rd St. East, in an area between
Central and 9th Street Address _____
4. Proposed Use: to construct a picnic shelter and swimming pool.

AREA DATA:

- (IRREGULAR)
1. Acres: 0.22 (80 ft. by 120 ft.)
 2. Adjoining Zoning: E "AA" S "AA" W "AA" N "AA"
 3. Land Use: East UNDEVELOPED South UNDEVELOPED
West RESTING COUNTRY CLUB North UNDEVELOPED
96th COURSE
 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>1-3-80</u>	<u>Approved sub to condition</u>
_____	_____
_____	_____

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

Date	Action	Resolution
<u>1-30-80</u>	_____	_____
_____	_____	_____
_____	_____	_____

NOTES:

Map No. 6448
 Sec. 13
 Twp. 27
 Range 2E

DATA SHEET
 (ZONING & CONDITIONAL USE)

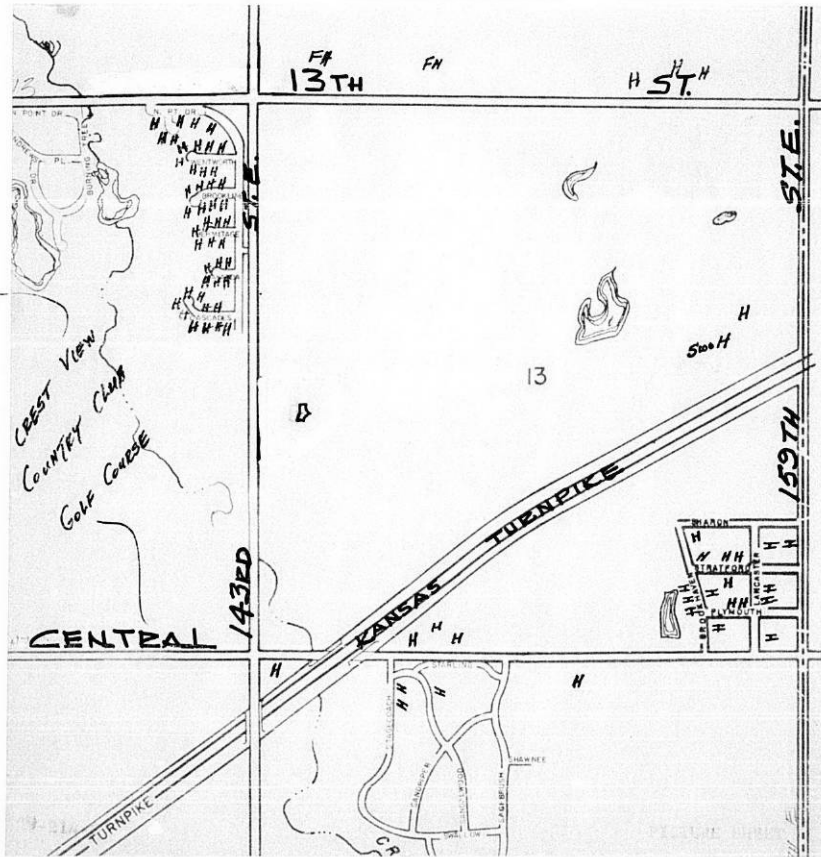
Z- _____
 SCZ- _____
 CU- 229
 Filed 12-7-79

ASSOCIATED CASE: S/D 79-112

- APPLICATION DATA: From _____ to _____
1. Applicant: Tomlinson Oil Company, et al
 Address: 200 West Douglas, 67202 Phone: 265-9678
 2. Agent: Fourth Nat'l Bank & Trust - 100 N. Broadway, 67202 (261-4444) &
John C. York Assoc., 1523 Farmington, Norman, Okla. (405-364-0085)
 3. General Location: on the east side of 143rd St., East, in an area between
Central and 9th Street Address _____
 4. Proposed Use: to construct a picnic shelter and swimming pool.

- AREA DATA: (IRREGULAR)
1. Acres: 0.22 (80 ft. by 120 ft.)
 2. Adjoining Zoning: E "AAA" S "AA" W "AA" N "AA"
 3. Land Use: East UNDEVELOPED South UNDEVELOPED
 West CRESTVIEW COUNTRY CLUB GOLF COURSE North UNDEVELOPED
 4. Sketch Plan Land Use is for: _____
 5. Present Land Use is for: UNDEVELOPED
 6. Area (is) (is not) platted. _____

PHOTO DATA:
 Taken by _____ Date _____ Time _____





February 3, 1981

Mr. Robert Lakin
Director
Wichita Area Planning Department
City of Wichita
455 North Main Street - 10th Floor
Wichita, Kansas 67226

Dear Bob:


Pursuant to our meeting regarding platting and zoning at Overbrook II Addition please be advised that the following action is requested:

Withdraw the following applications and/or actions regarding Crestview Country Club Estates Overbrook 2nd Addition.

S/D 79-112
SCZ - 0447
✓ CU 229

This action is requested on behalf of Tomlinson Oil Company, Inc. (Owner). Separate letters will follow concerning the school site.

Sincerely,



Eylon Parsons
Vice President of Operations

EP/ag

cc: Robert R. Fox
Comotara Properties, Inc.

Lou Cates
Tomlinson Oil Co., Inc.

RECEIVED

FEB 4 1981
METROPOLITAN PLANNING
ROUTE

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION TO
BOARD OF COUNTY COMMISSIONERS

REQUEST FOR CONDITIONAL USE PERMIT

CASE NO. CU-229

CONSIDERED BY MAPC: 1-3-80

REQUEST FOR: Conditional Use Permit

REASON FOR REQUEST (AS PROVIDED BY APPLICANT):

"Outdoor Recreational Area (Private swimming pool
and picnic shelter)."

GENERAL LOCATION: East side of 143rd Street East in an area
between Central and Ninth Streets.

LEGAL DESCRIPTION:

(See excerpt from Planning Commission minutes of
January 3, 1980)

APPLICANT: Tomlinson Oil Company, et al, 200 West Douglas.

COUNSEL FOR APPLICANT: Patrick Huff, 1523 Farmington, Norman, OK

PROTESTORS (LIST COUNSEL) IF ANY: None

SURROUNDING ZONING: North, East, South and West, "AA".

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

PLANNING COMMISSION RECOMMENDATION:

That this application be approved subject to the conditions as shown
in the attached excerpt from Planning Commission minutes of January 3,
1980. Jones moved, Martens seconded and it carried unanimously. Cole
and Hennessy were absent.

ACTION: 1. Concur with the findings of fact of the Metropolitan Area
Planning Commission, approve the application subject to the recommended
conditions and adopt a resolution establishing the conditional use; or
2. Take such action as the County Commission deems appropriate.

EXCERPT FROM PLANNING COMMISSION MINUTES OF JANUARY 3, 1980:

7. Case No. CU-229 - Tomlinson Oil Company, et al requests a Conditional Use permit commencing at the NW corner of the SW 1/4 of Section 13, T27S, R2E, of the 6th P.M., Sedgwick County, Kansas; thence N 88°52'12" E 780.0 feet; thence S 0°54'01" E 333.17 feet; thence S 45°18'28" W 276.80 feet; thence N 44°41'32" W 143.17 feet; thence N 01°07'48" W 244.40 feet to the point of beginning; thence N 69°00'00" W 65 feet; thence N 21°00'00" E 45 feet; thence N 01°07'48" W 65 feet; thence N 88°52'12" E 65 feet; thence S 01°07'48" E 30 feet to a point of curve; thence south along a circular curve to the left having a radius of 64.5 feet and a central angle of 40°52'12" 46.01 feet; thence S 39°18'22" W 56.76 feet; thence S 01°07'48" E 15.0 feet to the point of beginning. Generally located on the east side of 143rd Street East, in an area between Central and 9th Street.

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:

The applicant is requesting a Conditional Use approval for an outdoor recreational area in order to construct a private swimming pool and picnic shelter on the property being platted as Reserve A, Crestview Country Club Overbrook 2nd Addition. The 0.22 acre property is zoned "AA" Single-family, and in accordance with the provisions of the County Zoning Resolution, the swimming pool and picnic shelter will have to observe a 25' building setback from the adjoining streets. Although the applicant has indicated that the swimming pool and picnic shelter will be for the benefit of the residents of the Overbrook 2nd Addition only, consideration needs to be given to providing parking spaces for a few vehicles, appropriate fencing of the pool, hours of operation and covenants, or a homeowners association to assure that the facilities will not be open to the general public but will be for the residents of the Overbrook 2nd Addition.

Without the benefit of a site development plan it is difficult to determine where on the site parking can be provided or if the pool, picnic shelter, and parking can be constructed on the site and still observe the required building setback. However, it is recommended that a minimum of 4 parking spaces be provided so that a life guard and, or pool attendant and one or two other people who may not want to walk to the swimming pool can be accommodated. If it is not possible to observe the 25' building setbacks, the applicant will have to obtain approval of a variance of the 25' setbacks from the County Board of Zoning Appeals.

2. A recommendation of approval by the Planning Commission should include the following conditions.
- a. The applicant shall submit a restrictive covenant or homeowners association agreement which shall provide for maintenance and that the swimming pool and picnic shelter are to be used only by the residents of the Overbrook Addition and their guests and establish the hours of operation.

- b. The applicant shall submit a site plan to the Planning Department for approval which indicates the approved number of parking spaces and the proposed locations for the swimming pool and picnic shelter and fencing.
- c. Any variance of the required building setbacks shall require approval of a variance request by the County Board of Zoning Appeals prior to issuance of any building permits.

GALBRAITH recommended that item "c" of the staff report be eliminated entirely. He said that the applicants had submitted a site plan to the staff, and that the staff recommended approval of the application without any off-street parking being provided.

PATRICK HUFF, representing the applicant, said that he did not feel there would be a parking problem, and was in agreement with the staff report.

There was no one present in opposition to the application.

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

- a. The applicant shall submit a restrictive covenant or homeowners association agreement which shall provide for maintenance and that the swimming pool and picnic shelter are to be used only by the residents of the Overbrook Addition and their guests and establish the hours of operation. A statement that no employees are proposed would also be appropriate.
- b. The applicant shall submit four copies of a site plan to the Planning Department for approval which indicates the proposed locations for the swimming pool and picnic shelter and fencing.

Jones moved, Martens seconded and it carried unanimously. Cole and Hennessy were absent.

RESOLUTION

CASE NO. CU-229

A RESOLUTION PERMITTING AN OUTDOOR RECREATIONAL AREA (SWIMMING POOL AND PICNIC SHELTER) IN THE "AA" ONE-FAMILY DWELLING DISTRICT ON CERTAIN LANDS 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.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 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.f and Section 11.E of the Zoning Resolution as amended, a Conditional Use Permit to allow an outdoor recreational area (swimming pool and picnic shelter) in the "AA" One-Family Dwelling District is hereby approved on the lands legally described as follows:

Commencing at the NW corner of the SW 1/4 of Section 13, T27S, R2E, of the 6th P.M., Sedgwick County, Kansas; thence N 88°52'12" E 780.0 feet; thence S 0°54'01" E 333.17 feet; thence S 45°18'28" W 276.80 feet; thence N 44°41'32" W 143.17 feet; thence N 01°07'48" W 24.40 feet to the point of beginning; thence N 69°00'00" W 65 feet; thence N 21°00'00" E 45 feet; thence N 01°07'48" W 65 feet; thence N 88°52'12" E 65 feet; thence S 01°07'48" E 30 feet to a point of curve; thence south along a circular curve to the left having a radius of 64.5 feet and a central angle of 40°52'12" 46.01 feet; thence S 39°18'22" W 56.76 feet; thence S 01°07'48" E 15.0 feet to the point of beginning. Generally located on the east side of 143rd Street East, in an area between Central and 9th Street.

SUBJECT TO THE FOLLOWING:

- a. The applicant shall submit a restrictive covenant or homeowners association agreement which shall provide for maintenance and that the swimming pool and picnic shelter are to be used only by the residents of the Overbrook Addition and their guests and establish the hours of operation. A statement that no employees are proposed would also be appropriate.
- b. The applicant shall submit four copies of a site plan to the Planning Department for approval which indicates the proposed locations for the swimming pool and picnic shelter and fencing.

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



John g. york and assocts.

ARCHITECT

**TED MASON
CONSULTING
ARCHITECT**

January 4, 1980

Mr. Jack Galbraith
Metropolitan Area Planning Commission
455 N. Main
Wichita, Kansas 67202

RE: Crestview Country Club Estates
Overbrook II, Reserve A site sketch

Dear Mr. Galbraith:

Enclosed are four copies of the above referenced site sketches, as you requested during the commission hearing January 3, 1980.

Thank you for your attention and professional guidance in the pursuit of the Overbrook II plat.

Sincerely,

JOHN G. YORK AND ASSOCTS. ARCHITECT

Patrick D. Huff

fdw

Enclosures

RECEIVED

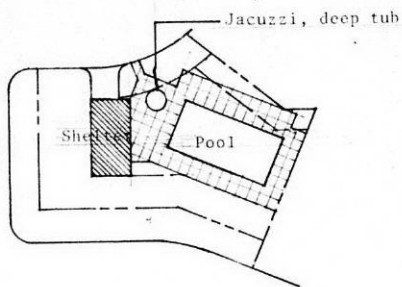
JAN 07 1980

METROPOLITAN PLANNING

ROUTE _____

1523 FARMINGTON, NORMAN, OKLAHOMA 73069
1491 WOODDROW, WICHITA, KANSAS 67203
(405) 384-0085 (318) 285-7443

SKETCH



SITE SKETCH for
RESERVE A.
scale = 1" to 50'

January 4, 1980

Mr. Patrick Huff
John G. York and Associates
1523 Farmington
Norman, Oklahoma

Re: Case No. CU-228
Outdoor Recreational
Area (Private swimming
pool & picnic shelter)

Dear Mr. Huff:

At its regular meeting of January 3, 1980, the Metropolitan Area Planning Commission considered the above-captioned conditional use request. The action of the Commission was to recommend that the application be approved subject to the following conditions:

- a. The applicant shall submit a restrictive covenant or homeowners association agreement which shall provide for maintenance and that the swimming pool and picnic shelter are to be used only by the residents of the Overbrook Addition and their guests and establish the hours of operation. A statement that no employees are proposed would also be appropriate.
- b. The applicant shall submit 4 copies of a site plan to the Planning Department for approval which indicates the proposed locations for the swimming pool and picnic shelter and fencing.

It is also necessary that these conditions be complied with by January 18th for subject case to be scheduled for consideration by the County Commission at 9:00 a.m., on Wednesday, January 30, 1980, in Room 320, Sedgwick County Courthouse.

If you have any questions, please contact our office.

Sincerely yours,

Jack H. Galbraith
Chief Planner

Page 2

JHG:sad

CC: National Reserve Life Insurance Co., Fourth National Bank &
Trust Co. of Wichita, Kansas, 100 N. Broadway, Wichita 67202
Tomlinson Oil Company, 200 West Douglas, Wichita 67202
Kenny Hill, Reiss & Goodness, 2100 West 21 St., Wichita
Syd Werbin, County Zoning Officer

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING DEPARTMENT

MAPC HEARING DATE: 1-03-80

Case No. CU-229 Request: Outdoor Recreational Area
(Private swimming pool
and picnic shelter)

Location: East side of 143rd Street East in an area between
Central and Ninth Streets.

Acres: 0.22 Size: 90' x 120' (irregular)

	<u>Land Use</u>	<u>Zoning</u>
Existing	Undeveloped	"AA"
North	Undeveloped	"AA"
East	Undeveloped	"AA"
South	Undeveloped	"AA"
West	Undeveloped	"AA"

Existing E/W - Not applicable Platted: Being platted as
Reserve A, Crestview Country Club Overbrook
2nd 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 approval for an outdoor recreational area in order to construct a private swimming pool and picnic shelter on the property being platted as Reserve A, Crestview Country Club Overbrook 2nd Addition. The 0.22 acre property is zoned "AA" Single-family, and in accordance with the provisions of the Country Zoning Resolution, the swimming pool and picnic shelter will have to observe a 25' building setback from the adjoining streets. Although the applicant has indicated that the swimming pool and picnic shelter will be for the benefit of the residents of the Overbrook 2nd Addition only, consideration needs to be given to

Page 2
Case No. CU-226
MAPC AGENDA
1-3-80

providing parking spaces for a few vehicles, appropriate fencing of the pool hours of operation and covenants, or a homeowners association to assure that the facilities will not be open to the general public but will be for the residents of the Overbrook 2nd Addition.

Without the benefit of a site development plan it is difficult to determine where on the site parking can be provided or if the pool, picnic shelter, and parking can be constructed on the site and still observe the required building setback. However, it is recommended that a minimum of 4 parking spaces be provided so that a life guard and, or pool attendant and one or two other people who may not want to walk to the swimming pool can be accommodated. If it is not possible to observe the 25' building setbacks, the applicant will have to obtain approval of a variance of the 25' setbacks from the County Board of Zoning Appeals.

2. A recommendation of approval by the Planning Commission should include the following conditions.
 - a. The applicant shall submit a restrictive covenant or homeowners association agreement which shall provide for maintenance and that the swimming pool and picnic shelter are to be used only by the residents of the Overbrook Addition and their guests and establish the hours of operation.
 - b. The applicant shall submit a site plan to the Planning Department for approval which indicates the approved number of parking spaces and the proposed locations for the swimming pool and picnic shelter and fencing.
 - c. Any variance of the required building setbacks shall require approval of a variance request by the County Board of Zoning Appeals prior to issuance of any building permits.

CU-229 - 3 - "Notice to Adjoining Property Owners" mailed 12-20-79
for the MAPC meeting for 1-3-80

- to County Director of Department 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:

DEC 20 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 JAN 3 1980, 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-229

Conditional Use Request to Permit Construction of
a Picnic Shelter and Swimming Pool on
Property zoned "AA" One Family Dwelling District

Commencing at the NW corner of the SW $\frac{1}{4}$ of Section 13, T27S, R2E, of the 6th P.M., Sedgwick County, Kansas; thence N 88°52'12" E 780.0 feet; thence S 0°54'01" E 333.17 feet; thence S 45°18'28" W 276.80 feet; thence N 44°41'32" W 143.17 feet; thence N 01°07'48" W 24.40 feet to the point of beginning; thence N 69°00'00" W 65 feet; thence N 21°00'00" E 45 feet; thence N 01°07'48" W 65 feet; thence N 88°52'12" E 65 feet; thence S 01°07'48" E 30 feet to a point of curve; thence south along a circular curve to the left having a radius of 64.5 feet and a central angle of 40°52'12" 46.01 feet; thence S 39°18'22" W 56.76 feet; thence S 01°07'48" E 15.0 feet to the point of beginning. Generally located on the east side of 143rd Street East, in an area between Central and 9th Street.

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.

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

MAP # 6448
Sec 13, T27, R2-E

N-AA
E-AA
S-AA
W-AA

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.

CU-229

A. APPLICANT National Reserve Life Insurance Company *Assoc S/D 79-112*

ADDRESS _____ PHONE _____

AGENT *3/16* Fourth National Bank and Trust Co. of Wichita, Kansas

ADDRESS 100 North Broadway *67202* PHONE 261-4444

B. APPLICANT Tomlinson Oil Company

ADDRESS 200 West Douglas *67202* PHONE 265-9678

AGENT John C. York and Associates

ADDRESS 1523 Farmington, Norman, Oklahoma PHONE 405-364-0085

C. APPLICANT _____

ADDRESS _____ PHONE _____

AGENT _____

ADDRESS _____ PHONE _____

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

- II. The applicant proposes to establish a _____ use providing for the
construction of a picnic shelter and swimming pool _____ (use)

on property legally described as Lot (s) Reserve A

_____, Block (s) _____ of the _____

Crestview Country Club Estates Overbrook 2nd _____ Addition.

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

See attached metes & bounds description for appropriate legal.

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

THE GENERAL LOCATION IS (USE APPROPRIATE SECTION)

A. AT THE _____ CORNER OF _____ AND _____, OR

B. ON THE East SIDE OF 143rd Street East (AVENUE) STREET BETWEEN Central (AVENUE) ~~STREET~~ AND 9th ~~(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 allow for the construction of a swimming pool and picnic shelter as planned in the proposed Overbrook 2nd Addition

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 ABSTRACTOR 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.

Tomlinson Oil Co Inc.

BY X Maurice A. Haller Inc. Trust BY _____
AUTHORIZED AGENT (IF ANY) AUTHORIZED AGENT (IF ANY)

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 9 AM (AM, PM) on Dec 7, 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. Newby Name
 Jr Planner Title



REISS & GOODNESS ENGINEERS
2160 WEST 21ST STREET - WICHITA, KANSAS 67203 (316) 632-0333

December 7, 1979

RECEIVED

DEC 10 1979

METROPOLITAN PLANNING

ROUTE Newby

Metropolitan Area Planning Commission
10th Floor - City Bldg.
455 N. Main
Wichita, Kansas 67202

ATTN: Curtis Newby

Dear Curtis:

The metes and bounds description of Reserve A, Overbrook 2nd Addition, that you requested in conjunction with the Conditional Use Application is as follows:

LEGAL

Commencing at the NW corner of the SW $\frac{1}{4}$ of Section 13, T27S, R2E, of the 6th P.M., Sedgwick County, Kansas; thence N 88°52'12" E 780.0 feet; thence S 0°54'01" E 333.17 feet; thence S 45°18'28" W 276.80 feet; thence N 44°41'32" W 143.17 feet; thence N 01°07'48" W 24.40 feet to the point of beginning; thence N 69°00'00" W 65 feet; thence N 21°00'00" E 45 feet; thence N 01°07'48" W 65 feet; thence N 88°52'12" E 65 feet; thence S 01°07'48" E 30 feet to a point of curve; thence south along a circular curve to the left having a radius of 64.5 feet and a central angle of 40°52'12" 46.01 feet; thence S 39°18'22" W 56.76 feet; thence S 01°07'48" E 15.0 feet to the point of beginning.

Sincerely,

REISS & GOODNESS ENGINEERS

Kenny E. Hill

Kenny E. Hill, P.E.

KEH/rmk

STATEMENT OF OWNERSHIP

COPY FOR YOUR INFORMATION

STATE OF KANSAS)
SEDGWICK COUNTY) SS

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:

All owners within CRESTVIEW COUNTRY COUNTRY CLUB ESTATES, OVERBROOK ADDITION, Sedgwick County, Kansas.

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.)

All that part of the West Half (W/2) of Section Thirteen (13), Township Twenty-seven (27) South, Range Two (2) East, lying north and west of the north boundary line of the Kansas Turnpike, except the following tract, to-wit: Lot 1, Block 4, and except Lots 1, 2, 3, 4, and 5, Block 3, in CRESTVIEW COUNTRY CLUB ESTATES, OVERBROOK ADDITION, Sedgwick County, Kansas:

National Reserve Life Insurance Co.
4/4 Fourth National Bank & Trust Co., by J. D. Newman, Vice President
100 N. Broadway
Wichita, Kansas 67202

No Mortgage

Lot 1, Block 4, CRESTVIEW COUNTRY CLUB ESTATES, OVERBROOK ADDITION,

✓ Karl Solomon
1102 Whitefield Lane
Wichita, Kansas 67206

Ⓣ Fourth National Bank holds mortgage

Lots 1, 2, and 3, Block 3, in CRESTVIEW COUNTRY CLUB ESTATES, OVERBROOK ADDITION,

✓ Thomas W. Boyd
934 North Vassar
Wichita, Kansas 67208

Ⓣ Fourth National Bank holds mortgage

Fidelity  Title
COMPANY, INC.

H

-2-

Lots 4 and 5, Block 3, CRESTVIEW
COUNTRY CLUB ESTATES, OVERBROOK
ADDITION,

Marilyn S. Hale-Hulnick
✓ 7711 Huntington Avenue
Wichita, Kansas 67206

No Mortgage

Dated at Wichita, Kansas this 25th day of October, 1979
at 7:00 A.M.

FIDELITY TITLE COMPANY, INC.

C. E. Reed Riddler
Vice President

Tracer No. 49416

*Note attached sheet
for notices*



Fidelity  Title
COMPANY, INC.

LAW OFFICES OF

ARN, MULLINS, UNRUH, KUHN & WILSON

330 R. H. GARVEY BUILDING - 300 WEST DOUGLAS

WICHITA, KANSAS 67202

AREA CODE 316 267-5267

November 1, 1979

EDWARD F. ARN
RICHARD F. MULLINS
MILO M. UNRUH
H. R. KUHN
ROGER K. WILSON
H. ALLAN CALDWELL
JOHN C. NODGAARD
MILO M. UNRUH, JR.
BERNICE BURKET

Reiss & Goodness
Attn: Kenny Hill
2160 West 21st Street
Wichita, Kansas 67203

Dear Kenny:

Below is a list of the additional persons to whom notice must be given of the rezoning of lot 19. Their names are in addition to those listed on the owners list supplied by Fidelity Title.

I.R.S. Realty
c/o Milton J. Nyberg
1402 North Brookfield
Wichita, Kansas 67206
Lot 2, Block 1

James C. Sanders & Vicky Sue Sanders, husband and wife
5108 East Pine
Wichita, Kansas 67208
Lot 5, Block 1

Dean E. Britting & Deborah A. Britting, husband and wife
8202 Brookhollow
Wichita, Kansas 67206
Lot 2, Block 4

Crestview Country Club Estates, Overbrook Addition
Homeowners Association, Inc.
c/o Michael N. Tomlinson, Resident Agent
200 West Douglas
Suite 1030
Wichita, Kansas 67202

If you have any questions please contact me.

Very truly yours,

John C. Nodgaard, of
Arn, Mullins, Unruh, Kuhn & Wilson

JCN:clj

FORM 25-31

PAYMENT NOTICE
City of Wichita

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

DESCRIPTION		AMOUNT
NAME		
ADDRESS		
FUND	DUE DATE	
COMMENTS		
DATE	BY	

*

This CU File

Has a Large Drawing

On 35mm Microfilm.

Roll # 1

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