

CU-239 - Crestview Development
Corp. requests Conditional Use to
permit establishment of Duplex
Family Dwellings on property
proposed for the "AA" One Family

Closed

ACTION

DATE

COMMITTEE _____

M.A.P.C.

Approved subject to conditions

8-28-80

~~B.C.C./B. CO. C.~~

appr. as per 7-24-80

Closed

*Henry has
over-riding
in envelope*

*POSTED
8-11-80*

CU-239 - Crestview Development Corp. requests Conditional Use to permit establishment of Duplex Family Dwellings on property proposed for the "AA" One Family

Map No. 6348C
Sec. 14
Twp. 27
Range 2E

DATA SHEET
(~~CONVINCING~~ CONDITIONAL USE)

Z- _____
SCZ- _____
CU- 239
Filed 8-5-80

ASSOCIATED CASE: SCZ-0460 &
S/D 80-65

- APPLICATION DATA: From _____ to _____
1. Applicant: Crestview Development Corporation % John F. Sheaks
Address 1355 St. Andrews Drive, 67230 Phone 733-0465
 2. Agent: Reiss and Goodness Engineers
Address 2160 W. 21st St., 67203 Phone 832-0213
 3. General Location: Northwest corner of Central & St. Andrews Drive
Address _____
 4. Proposed Use: To allow construction of duplex dwellings as in the
proposed Southern Village 3rd Addition.

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

PROCEDURE DATA:

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

Date	Action
<u>8-28-80</u>	<u>Approved sub to conditions</u>

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

Date	Action	Resolution
<u>9-24-80</u>	<u>Approve as per com</u>	<u>2-1-82</u>

NOTES:

Sheels
No. 2153C
ATTORNEYS AT LAW
LOG ANGELES, CHICAGO, COVINGTON, OH
MEMPHIS, MILWAUKEE, MOBILE, GA
U.S.A.

Map No. 6348C
 Sec. 14
 Twp. 27
 Range 2E

DATA SHEET
 (ZONING & CONDITIONAL USE)

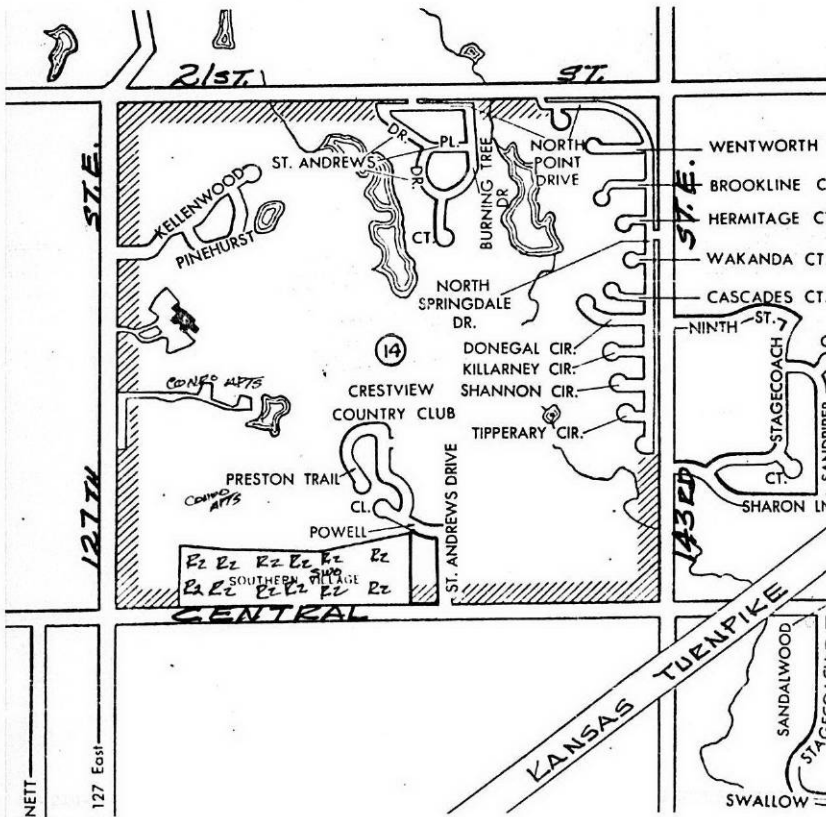
Z- _____
 SCZ- _____
 CU- 239
 Filed 8-5-80

ASSOCIATED CASE: SCZ-0460 & S/D 80-65

- APPLICATION DATA: From _____ to _____
- Applicant: Crestview Development Corporation % John F. Sheaks
 Address 1355 St. Andrews Drive, 67230 Phone 333-0465
 - Agent: Reiss and Goodness Engineers
 Address 2160 W. 21st St., 67203 Phone 332-0213
 - General Location: Northwest corner of Central & St. Andrews Drive
 Address _____
 - Proposed Use: To allow construction of duplex dwellings as in the proposed Southern Village 3rd Addition.

- AREA DATA:
- Acres: 3.5 (210 (IRREGULAR) ft. by 715 ft.)
 - Adjoining Zoning: E "R-1" S "R-1" W "AA" & "R-1N" "R-1"
 - Land Use: East UNDEVELOPED South UNDEVELOPED
 West TREE FARM North _____
 - Sketch Plan Land Use is for: _____
 - Present Land Use is for: _____
 - Area (is) (is not) platted.

PHOTO DATA:
 Taken by _____ Date _____ Time _____



R# 185-1980

(none given) Published in The Wichita Beacon on Feb 1, 1982 ~~1988~~

RESOLUTION

CASE NO. CU-239

A RESOLUTION PERMITTING ESTABLISHMENT OF DUPLEX FAMILY DWELLINGS ON PROPERTY PROPOSED FOR 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.j AND SECTION 11.E OF THE ZONING RESOLUTION ADOPTED BY THE BOARD OF 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.j and Section 11.E of the Zoning Resolution as amended, a Conditional Use Permit to allow establishment of duplex family dwellings on property proposed for the "AA" One Family Dwelling District is hereby approved on the lands legally described as follows:

Beginning 298.19 feet East of the Southwest corner of the Southeast Quarter of Section 14, Township 27 South, Range 2 East of the 6th P.M., Sedgwick County, Kansas, on the South line of said Southeast Quarter; thence N 1°11' 13" W, 649.85 feet to the Northeast corner of Lot 1, Block A, Southern Village 2nd Addition; thence N 17°39'42" E, 111.89 feet; thence S 63°03'34" E, 73.38 feet; thence on a circular curve to the left having a radius of 232.03 feet and a central angle of 28°02'39" for an arc distance of 113.57 feet to a point on the West line of St. Andrews Drive; thence S 1°11'13" E, 694.0 feet to the South line of said Southeast Quarter; thence S 88°48'47" W, 210 feet to the point of beginning. All generally located at the northwest corner of Central and St. Andrews Drive.

- a. Approval of associated case SCZ-0460 by the Board of County Commissioners.
- 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 the total of which shall not exceed five.

d. The resolution establishing the conditional use 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 24 day of September, 1980.

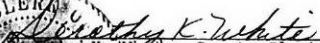

Everett Patrick, Chairman


Tom Scott, Commissioner

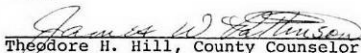

Donald E. Gragg, Commissioner

ATTEST:




Dorothy K. White, County Clerk

Approved as to form by County Counselor


Theodore H. Hill, County Counselor

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION TO
BOARD OF COUNTY COMMISSIONERS

REQUEST FOR ZONING
AND CONDITIONAL USE PERMIT

CASE NO. SCZ-0460 & CU-239 CONSIDERED BY MAPC: 8-28-80

REQUEST FOR: "R-1" to "AA" and Conditional Use Permit

REASON FOR REQUEST (AS PROVIDED BY APPLICANT):

"To allow the construction of duplex dwellings."

GENERAL LOCATION: Northwest corner of Central and St. Andrews Drive.

LEGAL DESCRIPTION:

(see excerpt from Planning Commission minutes of
August 28, 1980)

APPLICANT: Crestview Development Corp., 1355 St. Andrews Drive.

AGENT FOR APPLICANT: Mort Griffiths, Reiss & Goodness Engineers,
2150 W. 21st St.

PROTESTORS (LIST AGENT) IF ANY: Charles Reeves, 631 Preston Trail.

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

LAND USE: Existing, East and South, Undeveloped; North, Single-family
& undeveloped; West, Single-family & two-family.

PLANNING COMMISSION RECOMMENDATION:

That the zone change request be approved subject to platting within one year from the date of approval by the Board of County Commissioners; or the case be considered denied and closed; and that the resolution establishing the zone change not be published until the plat has been recorded with the Register of Deeds; and the approval of the associated conditional use request subject to conditions as shown in the excerpt from Planning Commission minutes of August 28, 1980. Bayouth moved, Gardner seconded and it carried unanimously. Shook was absent.

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

EXCERPT FROM PLANNING COMMISSION MINUTES OF AUGUST 28, 1980

- 7a. Case No. SCZ-0460 - Crestview Development Corporation requests zone change from "R-1" to "AA" beginning 298.19 feet East of the Southwest Corner of the Southeast Quarter of Section 14, Township 27 South, Range 2 East of the 6th P.M., Sedgwick County, Kansas, on the South line of said Southeast Quarter; thence N 1° 11' 13" W, 649.85 feet to the Northeast corner of Lot 1, Block A, Southern Village 2nd Addition; thence N 17° 39' 42" E, 111.89 feet; thence S 63° 08' 34" E, 73.38 feet; thence on a circular curve to the left having a radius of 232.03 feet and a central angle of 28° 02' 39" for an arc distance of 113.57 feet to a point on the West line of St. Andrews Drive; thence S 1° 11' 13" E, 694.0 feet to the South line of said Southeast Quarter; thence S 88° 48' 47" W, 210 feet to the point of beginning. All generally located at the northwest corner of Central and St. Andrews Drive.
- 7b. Case No. CU 239 - Crestview Development Corporation request a Conditional Use Permit for: (See legal description above for Case No. SCZ-0460).

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

Case No. SCZ-0460:

COMMENTS:

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

The applicant is requesting a change of zoning from "R-1" Suburban Residential to "AA" One-family for a tract of land approximately 3.5 acres in size located on a major street (Central) and located in the Crestview Improvement District.

In conjunction with this application, the applicant has filed a Conditional Use request (CU-239) to enable the construction of a series of duplexes (5) which requires a change of zoning as required by the County Zoning Resolution. The applicant's engineer has submitted a five lot plat of subject property which appears on this same agenda and would permit a total of 10 dwelling units if developed as proposed. Such a development is in keeping with the Planning Commission's general policy of looking with favor on the higher density residential uses adjacent to major streets.

2. In the event the Planning Commission recommends approval of this request, it should be approved subject to platting within one year from the date of approval by the Board of County Commissioners; or the case be considered denied and closed; and that the resolution establishing the zone change not be published until the plat has been recorded with the Register of Deeds.

Case No. CU-239:

COMMENTS:

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

The applicant is requesting a Conditional permit to construct two-family dwellings on property proposed for "AA" One-family zoning.

The County Zoning Resolution was amended in July of 1975, to permit two-family dwellings in the "AA" zone as a Conditional Use. The resolution provides that there shall be not less than two off-street parking spaces for each dwelling unit, of which one space for each dwelling unit may be located in the front yard setback.

In September of 1974, the Planning Commission considered a similar request for a tract of land adjacent to the west of the area contained in this application (SCZ-0329 and CU-162) which contained approximately 2.7 acres and recommended that it be approved subject to certain conditions.

2. A recommendation of an approval by the Planning Commission should be subject to the following conditions:
 - a. Approval of associated case SCZ-0460 by the Board of County Commissioners.
 - 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 the total of which shall not exceed five.
 - d. The resolution establishing the conditional use shall not be published until the associated plat has been recorded with the Register of Deeds.

GALBRAITH stated that the staff's general position has been to support duplexes when they are adjacent to major streets. He said that the staff supports this request for zoning subject to platting.

MORT GRIFFITHS, Reiss & Goodness Engineers, representing the applicant was present.

CHARLES REEVES, 631 Preston Trail, stated that the homeowners in the area were protesting the proposed zoning change mainly because the lack of an architectural plan for consideration on the type of dwellings that will be built. The housing in the immediate area is developed with anywhere from \$200,000 to \$400,000 homes. He pointed out that the duplexes that were last built were not representative of the area. He urged the Commission to defer any judgment for or against the change until an architectural plan had been received. Without the plan, the neighborhood feels that they have no guarantee of what type of dwellings would be built.

BAYOUTH asked if there were protective covenants in that area, and do they state that a Homeowner's Association is to have an architectural design committee set up to approve each structure that is built in that area.

REEVES stated that there were Homeowner's Associations set up in each Addition. This Addition has not been named or developed.

JOHN SHEAKS, applicant, stated that Mr. Reeves had called him and he did try to answer his questions. He said it was always their plan to develop along Central, and plan to keep the units at \$170,000 value.

MOTION: Having considered the factors as contained in Policy Statement No. 10; taking into account the character of the neighborhood, the zoning and uses of nearby properties, the

unsuitability of the subject property for the uses to which it has been restricted, and the recommendation of approval by staff. I move that we recommend to the governing body that the zone change request be approved subject to platting within one year from the date of approval by the Board of County Commissioners; or the case be considered denied and closed; and that the resolution establishing the zone change not be published until the plat has been recorded with the Register of Deeds; and the approval of the associated conditional use request subject to the following conditions:

- a. Approval of associated case SCZ-0460 by the Board of County Commissioners.
- 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 the total of which shall not exceed five.
- d. The resolution establishing the conditional use shall not be published until the associated plat has been recorded with the Register of Deeds.

Bayouth moved, Gardner seconded.

SAVINA asked if this development would be provided with City services.

GALBRAITH stated that the Crestview Improvement District has their own municipal sewer system that is maintained by the County, but they do utilize Wichita water.

SAVINA asked if they would sign a regular annexation agreement, and would they sign an agreement not be part of any incorporation, and asked if it could be added to the agreement to annex.

LAKIN said that this had not been asked of the applicant, and if the Commission wishes, he would be happy to discuss it with Mr. Dekker.

GARDNER said that he was not sure that they could tie a water petition or a petition for annexation to a zoning case, but that they could with the approval of the plat.

SAVINA felt that it was important that the agreement should be added to the zone case, and all the other rezonings hereafter.

LAKIN pointed out that the annexation agreements are standard.

VOTE ON THE MOTION: It carried
unanimously. Shook was absent.

HENNESSY and JONES were excused from the meeting.

() Published in The Wichita Beacon on _____, 1980

R E S O L U T I O N

CASE NO. CU-239

A RESOLUTION PERMITTING ESTABLISHMENT OF DUPLEX FAMILY DWELLINGS ON PROPERTY PROPOSED FOR 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.j AND SECTION 11.E OF THE ZONING RESOLUTION ADOPTED BY THE BOARD OF 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.j and Section 11.E of the Zoning Resolution as amended, a Conditional Use Permit to allow establishment of duplex family dwellings on property proposed for the "AA" One Family Dwelling District is hereby approved on the lands legally described as follows:

Beginning 298.19 feet East of the Southwest corner of the Southeast Quarter of Section 14, Township 27 South, Range 2 East of the 6th P.M., Sedgwick County, Kansas, on the South line of said Southeast Quarter; thence N 1°11' 13" W, 649.85 feet to the Northeast corner of Lot 1, Block A, Southern Village 2nd Addition; thence N 17°39'42" E, 111.89 feet; thence S 63°03'34" E, 73.38 feet; thence on a circular curve to the left having a radius of 232.03 feet and a central angle of 28°02'39" for an arc distance of 113.57 feet to a point on the West line of St. Andrews Drive; thence S 1°11'13" E, 694.0 feet to the South line of said Southeast Quarter; thence S 88°48'47" W, 210 feet to the point of beginning. All generally located at the northwest corner of Central and St. Andrews Drive.

- a. Approval of associated case SCZ-0460 by the Board of County Commissioners.
- 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 the total of which shall not exceed five.

- d. The resolution establishing the conditional use 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
Tom Scott

_____, Commissioner
Donald E. Gragg

ATTEST:

Dorothy K. White, County Clerk

(SEAL)

Approved as to form by County Counselor

Theodore H. Hill, County Counselor

August 29, 1980

Charles Reeves
631 Preston Trail
Wichita, Kansas 67230

Re: SCZ-0460 - "R-1" to "AA"
CU-239 - permit to establish duplex
family dwellings in proposed
"AA" zoning - located on the
northwest corner of Central
and St. Andrews Drive

Dear Mr. Reeves:

At its regular meeting of August 28, 1980, the Metropolitan Area Planning Commission considered the above-captioned requests. The action of the Planning Commission was as indicated on the attached letter.

This is to advise you that if you and others owning property within 1000 feet of the application area desire to submit legal protest petitions, they must be submitted to the Office of the County Clerk no later than 5:00 p.m., Monday, September 8, 1980. Enclosed are six copies of the protest petition forms, and if you have need for more forms, they may be obtained at this office.

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

Sincerely yours,

Jack H. Galbraith
Chief Planner

JHG:sad
Encl.

August 29, 1980

Crestview Development Corporation
% John F. Sheaks
1355 St. Andrews Drive
Wichita, Kansas 67230

Re: SCZ-0460 - "R-1" to "AA"
CU-239 - permit to establish duplex
family dwellings in proposed
"AA" zoning - located on the
northwest corner of Central
and St. Andrews Drive

Dear Mr. Sheaks:

At its regular meeting on August 28, 1980, the Metropolitan Area Planning Commission considered the above-captioned cases. The action of the Planning Commission was to recommend approval of the zone change request subject to platting within one year from the date of approval by the Board of County Commissioners; or the case be considered denied and closed; and that the resolution establishing the zone change not be published until the plat has been recorded with the Register of Deeds; and the approval of the associated conditional use request subject to the following conditions:

- a. Approval of associated case SCZ-0460 by the Board of County Commissioners.
- 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 the total of which shall not exceed five.
- d. The resolution establishing the conditional use shall not be published until the associated plat has been recorded with the Register of Deeds.

These cases will be forwarded to the Board of County Commissioners for their consideration at 9:00 a.m., on Wednesday, September 24, 1980, in Room 320, Sedgwick County Courthouse.

If you have any questions, please contact our office.

Sincerely yours,

Jack H. Galbraith
Chief Planner

JHG:sad

cc: Reiss & Goodness Engineers, 2160 West 21st Street, Wichita 67203
Charles Reeves, 631 Preston Trail, Wichita 67230
Syd Werbin, County Zoning Officer

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING DEPARTMENT

MAPC HEARING DATE: 3-28-80

Case No. CU-239 Request: Conditional Use Permit to
construct duplexes on land
proposed for "AA" zoning

Location: Northwest corner of Central and St. Andrews Drive.

Reason: To allow the construction of duplex dwellings.

Acres: 3.5 Size: 200' x 660'

	<u>Land Use</u>	<u>Zoning</u>
Existing	Undeveloped	"R-1"
North	Single-family & undeveloped	"R-1"
East	Undeveloped	"R-1"
South	Undeveloped	"R-1"
West	Single & two-family	"R-1" & "AA"

Necessary street rights-of-way to be acquired at the time of platting.

Platted: Being platted as Crestview Country Club Estates, Southern Village 3rd 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 permit to construct two-family dwellings on property proposed for "AA" One-family zoning.

The County Zoning Resolution was amended in July of 1975, to permit two-family dwellings in the "AA" zone as a Conditional Use. The resolution provides that there shall be not less than two off-street parking spaces for each dwelling unit, of which one space for each dwelling unit may be located in the front yard setback.

Page 2
CU-239
MAFC AGENDA
8-26-80

In September of 1974, the Planning Commission considered a similar request for a tract of land adjacent to the west of the area contained in this application (SCZ-0329 and CU-162) which contained approximately 2.7 acres and recommended that it be approved subject to certain conditions.

2. A recommendation of an approval by the Planning Commission should be subject to the following conditions:
 - a. Approval of associated case SCZ-0460 by the Board of County Commissioners.
 - 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 the total of which shall not exceed five.
 - d. The resolution establishing the conditional use shall not be published until the associated plat has been recorded with the Register of Deeds.

SCZ-0460 & }
✓ CU-239 }

42 "Notice to Adjoining Property Owners" mailed 8-14-80
for the MAPC meeting for 8-28-80

1 to Lawrence E. Mullins, County Director,
Department of Public Works

1 (Including Map To Karen Crook)

44 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 14, 1980

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 August 28, 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. SCZ-0460

Zone Change from the "R-1" Suburban Residential District
to the "AA" One Family Dwelling District

AND

CASE NO. CU-239

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

Beginning 298.19 feet East of the Southwest corner of the Southeast Quarter of Section 14, Township 27 South, Range 2 East of the 6th P.M., Sedgwick County, Kansas, on the South line of said Southeast Quarter; thence N 1°11'13" W, 649.85 feet to the Northeast corner of Lot 1, Block A, Southern Village 2nd Addition; thence N 17°39'42" E, 111.89 feet; thence S 63°08'34" E, 73.38 feet; thence on a circular curve to the left having a radius of 232.03 feet and a central angle of 28°02'39" for an arc distance of 113.57 feet to a point on the West line of St. Andrews Drive; thence S 1°11'13" E, 694.0 feet to the South line of said Southeast Quarter; thence S 80°48'47" W, 210 feet to the point of beginning. All generally located at the northwest corner of Central and St. Andrews Drive.

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.

WICHITA COUNTY, KANSAS

6348C
14-27-2E

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. CU-239

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. (Case No. SC2-0460 + 5128-65)

A. APPLICANT Crestview Development Corporation, Z John F. Sheaks

ADDRESS 1355 St. Andrews Dr 67230 PHONE 733-0465

AGENT Reiss and Goodness Engineers

ADDRESS 2160 West 21st Street 67203 PHONE 832-0213

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 _____

Duplex _____ (use)

on property legally described as Lot(s) 1 thru 5

_____, Block (s) 1 of the _____

Proposed Southern Village 3rd Addition.

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

Beginning 298.19 feet east of the southwest corner of the southeast quarter (SE $\frac{1}{4}$) of Section 14, Township 27 South, Range 2 East of the 6th P.M. Sedgwick County, Kansas on the south line of said southeast quarter (SE $\frac{1}{4}$); thence N 1° 11' 13" W 649.85 feet to the northeast corner of Lot 1, Block A Southern Village 2nd Addition, thence N 17° 39' 42" E 111.89 feet; thence S 63° 08' 34" E 73.38 feet; thence on a circular curve to the left having a radius of 232.03 feet and a central angle of 28° 02' 39" for an arc distance PR-3 of 113.57 feet to a point on the west line of St. Andrews Drive; thence S 1° 11' 13" E 694.0 feet to the south line of said southeast quarter (SE $\frac{1}{4}$), thence S 88° 48' 47" W 210.0 feet to the point of beginning, containing 3.5 acres more or less. The bearing of the south line of said southeast quarter (SE $\frac{1}{4}$) is assumed to be S 88° 48' 47" W.

N-R-1
S-R-1
E-R-1
W-AA-R-1

Use legal from ownership list

Same as SC2-0460

THE GENERAL LOCATION IS (USE APPROPRIATE SECTION)

A. AT THE Northwest CORNER OF Central AND
St. Andrews Drive, OR

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

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

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

To allow the construction of duplex dwellings as in the proposed Southern
Village 3rd Addition.

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.

X CRESTVIEW DEVELOPMENT CORPORATION

BY John F. Starks BY _____
AUTHORIZED AGENT (IF ANY) AUTHORIZED AGENT (IF ANY)

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

Received 9:15 AM August 5, 1980 with 300⁰⁰ filing fee

*Duplicate list for
SC 2-0460 and Assoc.
Case CU-239*

OWNERSHIP LIST

LOT	BLOCK	ADDITION	PROPERTY OWNER	
1	A	Fountain Hills	✓ T. Kenneth White 5925 Danbury	67220
2	"	"	✓ Richard L. Burkhart Connie M. Burkhart 646 Preston Trail	67230
3 & 4	"	"	✓ D. L. Van Buskirk 260 N. Rock Road	67206
1	B	"	✓ Gayle J. Reeves 631 Preston Trail	67230
2	"	"	✓ Charles W. Reeves 631 Preston Trail	67230
3	"	"	✓ John Roger Hall Kim Marion Hall 633 Powell Circle	67230
4	"	"	✓ Larry R. Cary Carolyn Cary 626 Powell	67230
5	"	"	✓ Merle Britting Helen Britting 617 Powell	67230
6	"	"	✓ Larry D. Fleming 601 Powell	67230
1	C	"	"	"
2	"	"	✓ Alonso Galvan Carol Ann Galvan 709 Preston Trail	67230
3	"	"	✓ Millard Eugene Countryman Helen June Countryman 8201 E. Harry	67207
4	"	"	✓ James M. Stewart Janice M. Stewart 700 Preston Trail	67230
5	"	"	✓ F. E. Kappelman Dorothy A. Kappelman 660 Preston Trail	67230
7	D	"	✓ Brian E. Barents Barbara A. Barents 701 Preston Trail	67230
8	"	"	✓ Jesse L. Harris Norma E. Harris 661 Preston Trail	67230
9	"	"	✓ Wayne M. Smith Mary Phyllis Smith 651 Preston Trail	67230

Beginning at a pt on the NWly ln of Lot 14, Crestview Country Club Estates, Southern Village Addition, 68.22' SWly of the NW cor of sd Lot 14; th at a defl. angle to the right of 84°41' a dist. of 58.10'; th NEly 16.05' th Ely 69.50' to the E ln Lot 14; th Nly 85.085' to the NE cor of Lot 14, th Wly along the N ln of Lot 14 95'; th SWly 68.22' to beginning.

✓ John C. Finn
Marguerite M. Finn
54 St. Cloud Place 67230

14 except above description

Crestview Country Club Estates, Southern Village Addition

✓ Paul F. Hamlin
Louise A. Hamlin
56 St. Cloud Place 67230

Beginning at the SW cor of Lot 15, Crestview Country Club Estates, Southern Village Addition; th Ely on the S ln of sd Lot 15 on an assumed bearing of N 88°48'47" E a dist. of 53.18', th N 6°37'39" W a dist. of 31.96'; th N 83°16'20" E a dist. of 10.25' th N 6°43'40" W a dist. of 25.97'; th N 83°16'20" E a dist. of 14.07'; th N 6°43'40" W a dist. of 12.35' th N 40°03'05" E a dist. of 90.02' to NE cor of sd Lot 15; th S 88°48'47" W a dist. of 130'; th S 01°11'13" a dist. of 140' to the point of beginning.

✓ Russell M. Gordon
Lois W. Gordon
58 St. Cloud 67230

Lot 15, except above described tract

Crestview Country Club Estates, Southern Village Addition

✓ Lloyd E. Forsse
Gwen M. Forsse
60 St. Cloud 67230

Beginning at a pt 82.75' N of the SE cor of Lot 16, in Crestview Country Club Estates, Southern Village Add; th Nly 121.27' to the NE cor of sd lot; th SWly 135' to NW cor of sd lot; th Sly along W ln of sd lot 16, 78.85'; th Ely to point of beginning.

✓ Harold E. Smith
Frances C. Smith
62 St. Cloud 67230

Lot 16, except the last above described tract

Crestview Country Club Estates, Southern Village Addition

✓ Richard B. Matassarin
Nancy C. Matassarin
64 St. Cloud 67230

Beginning at the SE cor of Lot 17, Crestview Country Club Estates, Southern Village Addition; th Wly on the S ln of sd lot, a dist. of 130' to the SW cor of sd lot; th Nly on W ln of sd lot, 99.65' th Ely with a defl. angle to the rt of 90°00'00", a dist. of 68.95'; th SEly with a defl. angle to the rt of 43°12'55" a dist. of 27.02'; th Ely with a defl. to the left of 43°12'55" a dist. of 41.36' to the E ln of sd lot; th Sly on sd E ln, a dist. of 81.15' to the point of beginning.

✓ Robert D. Gensch
Lois N. Gensch
68 St. Cloud 67230

Lot 17, except the last above described tract

Crestview Country Club Estates, Southern Village Addition

✓ Jack L. Margrave
Janet S. Margrave
67 St. Cloud 67230

S 70.25' of Lot 19

"

✓ Robert E. Staggs
Eleanor M. Staggs
76 St. Cloud 67230

N 59.75' of Lot 19.

"

/ Louis W. Cates
Patricia M. Cates
74 St. Cloud 67230

Lot 18

"

✓ John A. Elliott
Ruth M. Elliott
70 St. Cloud 67230

Beginning on S ln of Lot 20, Crestview Country Club Estates, Southern Village Addition, 46.3' E from the SW cor of sd lot, th N 00°02'10" W a dist. of 57.3', th N 89°57'57" E a dist. of 9'; th N 45°47'36" E, a dist. of 104.26' to the NE cor of sd lot; th S 00°00'00" E on the E ln of sd lot a dist. of 130'; th N 90°00'00" W on S ln of sd lot a dist. of 83.70' to the point of beginning.		✓ James W. Hakeman Wilma A. Hakeman 80 St. Cloud	67230
Lot 20, except last above described tract	Crestview Country Club Estates, Southern Village Addition	✓ L. E. Forsse, Inc. 1046 A Parklane	67218
Lot 21	"	✓ James F. Haugen Bonnie B. Haugen 82 St. Cloud	67230
Beginning at the SE cor of Lot 22, Crestview Country Club Estates, Southern Village Addition, th Nly along the E ln of sd lot, 60.67', th Wly to a pt on W ln of sd lot, sd point being 59.59' N of the SW cor of sd lot, th Sly 59.59' to the SW cor of sd lot, th Ely along S ln of sd lot, to point of beginning.		✓ John E. Oxler Mary L. Oxler 88 St. Cloud	67230
Lot 22, except the above described tract	Crestview Country Club Estates, Southern Village Addition	✓ George Ewonus Vadys L. Ewonus 86 St. Cloud	67230
S 60.27' of Lot 23	"	✓ Don J. Colchin Sharon R. Colchin 92 St. Cloud	67230
N 59.73' of Lot 23	"	✓ Lonnie William Parrish III Susan L. Parrish 90 St. Cloud	67230
Beginning at the NW cor of Lot 24, Crestview Country Club Estates, Southern Village Addition, th S 120' to the SW cor of sd lot, th E 79.8'; th N 56.58' to a pt 50.6' W of the E ln of sd Lot 24, th NWly to point of beginning.		✓ Eugene J. Reynolds Ruth Alberta Reynolds 96 St. Cloud	67230
Lot 24, except last above described tract	Crestview Country Club Estates, Southern Village Addition	✓ Bobby T. McGinnis Bobbie E. McGinnis 94 St. Cloud	67230
Lot 1	Crestview Country Club Estates, Southern Village 2nd Addition	✓ L. E. Forsse, Inc. 1046 A. Parklane	67218
Beginning at a pt on W ln of Lot 2, Crestview Country Club Estates, Southern Village 2nd Addition, th Nly along W ln of Lot 2, 70.7'; th Ely to a pt on E ln of Lot 2, 76.33' N of SE cor of Lot 2, th Sly along E ln Lot 2, 66.33'; th Wly par to N ln of Lot 2 198.19' to the point of beginning.		✓ Loren B. Shaw Vera I. Shaw 104 St. Cloud	67230
Lot 2, except the last above described tract	Crestview Country Club Estates, Southern Village 2nd Addition	✓ L. E. Forsse, Inc. 1046 A. Parklane	67218

Part of Lots 3 & 4, Crestview Country Club Estates Southern Village 2nd Addition, described as: Beg at the SW/c of Lot 4, th N 1°11'13" W, 104.8' to the pob, th N 1°11'13", 55.2'; th N 88°48'47" E, 198.19'; th S 1°11'13" E, 47.8'; th S 86°40'13" E 198.33' to pob.

✓ James R. Dawson
Kay L. Dawson
110 St. Cloud 67230

Lot 3, except that part in the last above desc. tract. Crestview Country Club Southern Village 2nd

RMP L. E. Forss, Inc.
1046 A, Parklane 67218

Beg at the SW/c of Lot 4, Crestview Country Club Estates Southern Village 2nd Add; th N 1°11'13" W, 104.8' th N 86°40'29" E, 198.33'; th S 1°11'13" E, 112.2'; th S 88°48'47" W, 198.19' to pob.

✓ Jack D. Bell, Sr.
Ruth Bell
112 St. Cloud 67230

The E 701.81' of the SW¼ 14-27-2E, ex that part platted as Fountain Hills Add and Crestview Country Club Estates Southern Village.

Crestview Country Club Association
1000 N 127th St. East 67230

Beg at SW/c of Lot 5, Block B, Fountain Hills Addn. th SErly along S ln of sd Lot 5 to SE/c Lot 5; th S along W ln of Lot 6, Block B, said addition to the SW/c Lot 6; th SWrly along the Nrly ln of sd Lot 6 and the extension thereof to a pt in the W ln of SE¼ of Sec. 14-27-2E; th N along sd W ln to the pob.

" "

That part of the SE¼ 14-27-2E lying within the following desc. tract: Commencing at the West corner of Lot 5, Block 6, Crestview Country Club Estates, East Meadows Addn.; th S 49°29'19" W, 124.07'; th N 68°46'48" W, 378.33' to pob; th S 32°12'54" E, 885.25'; th S 22°57' 07" E, 735.82'; th S 12°39'02" E, 296.17'; th S 16°13'40" E, 219.50'; th S 33°48'32" W, 822.02'; th S 69°44'57" W, 686.89'; th N 26°10'06" W, 348.44'; th N 46°18'39" E, 514.50'; th N 51°39'26" E, 407.62'; th N 63°29'25" E, 108.57'; th N 44°58'26" W, 469.15'; th N 67°58'54" W, 1166'; th S 88°19'45" W, 392.49'; th S 37°43'05" W, 136.18'; th N 16°07'48" W, 475.42'; th N 73°27'20" E, 876.32'; th N 35°05'13" E, 603.37'; th N 86°10'20" E, 415.85' to pob.

" "

SE¼ 14-27-2E, except the last two above described tracts and except those portions platted as Crestview Country Club Estates, Southern Village; Crestview Country Club Estates, Southern Village 2nd; Fountain Hills and Crestview Country Club Estates East Meadows.

✓ Crestview Development Corp. 67202
c/o James Haugen
536 S. Main

NE¼ 23-27-2E

✓ Rolfe D. Reber
13777 E. Central 67230

NE¼ of NW¼ 23-27-2E

✓ Virginia Blake Becker
Address Unknown

5

-5- CONTINUED

THE SECURITY ABSTRACT AND TITLE COMPANY, INC., hereby certifies the foregoing to be a true and correct list of property owners within a 1000 foot radius of the following described real property:

Beginning 298.19 feet East of the Southwest corner of the Southeast Quarter of Section 14, Township 27 South, Range 2 East of the 6th P.M., Sedgwick County, Kansas, on the South line of said Southeast Quarter; thence N 1°11'13" W, 649.85 feet to the Northeast corner of Lot 1, Block A, Southern Village 2nd Addition; thence N 17°39'42" E, 111.89 feet; thence S 63°08'34" E, 73.38 feet; thence on a circular curve to the left having a radius of 232.03 feet and a central angle of 28°02'39" for an arc distance of 113.57 feet to a point on the West line of St. Andrews Drive; thence S 1°11'13" E, 694.0 feet to the South line of said Southeast Quarter; thence S 88°48'47" W, 210 feet to the point of beginning,

as shown by the last deeds of record in the office of the Register of Deeds of Sedgwick County, Kansas, on this 25th day of July, 1980 at 7:00 A. M.

THE SECURITY ABSTRACT AND TITLE COMPANY, INC.

By

Laura A. Bell
President

Order No. 289445
ct-rnb

FORM 29-21

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	