

B.C.C./B. CO. C. Approved on 1-14-31  
Rebanded

Closed

CU-242 - Ritchie Corporation, et al request Conditional Use Permit to Establish an Earth Borrow Operation for the Extraction of Sand and Gravel on property zoned the "R-1" Suburban Residential District. Generally located on the north side of 29th Street

# ACTION

POSTED  
10-20-80  
H

COMMITTEE \_\_\_\_\_ DATE \_\_\_\_\_

M.A.P.C. Approved sub to 11-6-80  
Conditions

B.C.C./B. CO. C. Approved as 1-14-81  
recommended

closed

CU-242 - Ritchie Corporation, et al Request Conditional Use Permit One Acre of land in the Extracurricular Sand and Gravel on property zoned the "R-1" Suburban Residential District, generally located on the north side of 29th Street

Map No. 5051B  
Sec. 34  
Twp. 26S  
Range 1W

DATA SHEET  
(ZONING & CONDITIONAL USE)

Z- \_\_\_\_\_  
SCZ- \_\_\_\_\_  
CU- 242  
Filed 10-14-80

ASSOCIATED CASE: \_\_\_\_\_

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

1. Applicant: Ritchie Corporation (contract purchaser) et al  
Address P.O. Box 4048, Wichita 67204 Phone 838-9301
2. Agent: J.P. Ritchie (Engineer: P.E.C. Gary Wiley-1440 E.English 67211)  
Address Same Phone \_\_\_\_\_
3. General Location: North side of 29th St. North, in an area between Ridge Road and Hoover. Address \_\_\_\_\_
4. Proposed Use: To permit Establishment of an Earth Borrow Operation for the Extraction of Sand & Gravel on Property Zoned "R-1" Suburban Residential District.

AREA DATA:

1. Acres: 45 ( 1320 ft. by 1494 ft.)
2. Adjoining Zoning: E R-1 S R-1 W E N R-1
3. Land Use: East SINGLE HOME DWELLING South \_\_\_\_\_  
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>11-6-80</u>	<u>Approved sub to conditions</u>

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

Date	Action	Resolution
<u>1-14-81</u>	<u>Approved to Reconsider</u>	

NOTES:

108 ANDREWS PLAZA, SUITE 204  
HOUSTON, TEXAS 77002-3876  
U.S.A.

**Stylized**  
No. 2153C

Map No. 5051B  
Sec. 34  
Twp. 26S  
Range 1W

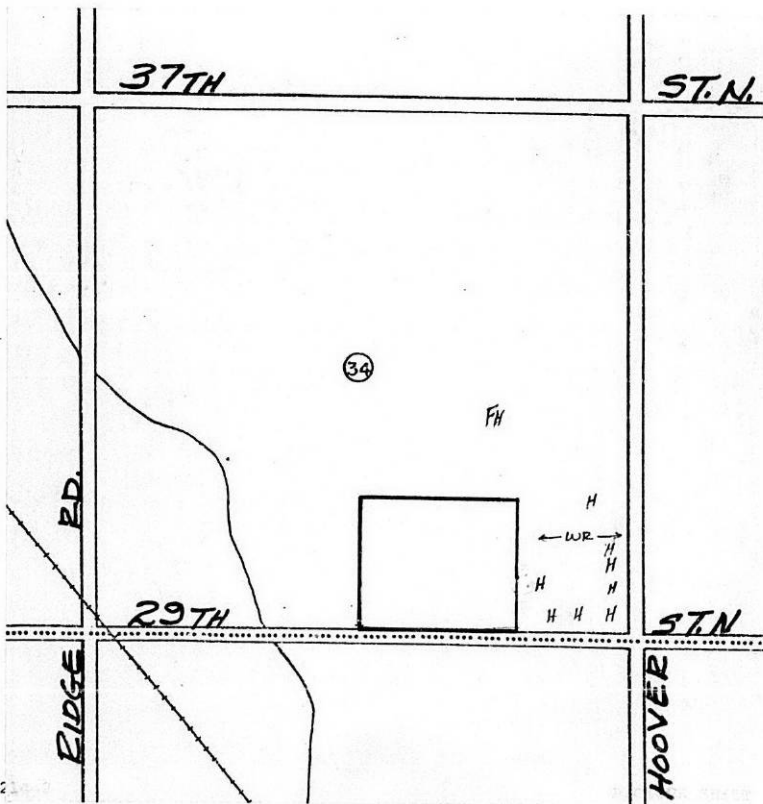
DATA SHEET  
(ZONING & CONDITIONAL USE)

Z- \_\_\_\_\_  
SCZ- \_\_\_\_\_  
CU- 242  
Filed 10-14-80

ASSOCIATED CASE: \_\_\_\_\_

- APPLICATION DATA: From \_\_\_\_\_ to \_\_\_\_\_
1. Applicant: Ritchie Corporation (contract purchaser), et al  
Address P.O. Box 4048, Wichita 67204 Phone 338-9301
  2. Agent: J.P. Ritchie (Engineer: P.E.C. Gary Wiley-1440 E. English-67211)  
Address Same Phone \_\_\_\_\_
  3. General Location: North side of 29th St. North, in an area between Ridge Road and Hoover Address \_\_\_\_\_
  4. Proposed Use: To permit Establishment of an Earth Borrow Operation for the Extraction of Sand & Gravel on Property Zoned "R-1" Suburban Residential District.
- AREA DATA:
1. Acres: 45 ( 1320 ft. by 1494 ft.)
  2. Adjoining Zoning: E R-1 S R-1 W E N R-1
  3. Land Use: East SINGLE FAMIL DWELING South \_\_\_\_\_  
West UNDEVELOPED North UNDEVELOPED
  4. Sketch Plan Land Use is for: \_\_\_\_\_
  5. Present Land Use is for: \_\_\_\_\_
  6. Area (is) (is not) platted. \_\_\_\_\_

PHOTO DATA:  
Taken by \_\_\_\_\_ Date \_\_\_\_\_ Time \_\_\_\_\_



MHPD

R #12-1981

(BR1102000) Published in The Wichita Eagle-Beacon on 11-8-82, 1982

RESOLUTION

CASE NO. CU-242

A RESOLUTION PERMITTING EXPANSION OF AN EARTH BORROW OPERATION FOR THE EXTRACTION OF SAND AND GRAVEL IN THE "R-1" SUBURBAN RESIDENTIAL 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 4.A.10.f 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 4.A.10.f, and Section 11.E of the Zoning Resolution as amended, a Conditional Use Permit to allow expansion of an earth borrow operation for the extraction of sand and gravel in the "R-1" Suburban Residential District is hereby approved on the lands legally described as follows:

The SW 1/4 of the SE 1/4 of Section 34, Township 26 South, Range 1 West of the 6th P.M., together with a tract in the SE 1/4 of the SE 1/4 of said Section 34 and described as follows: Beginning at a point in the south line of the SE 1/4 of the SE 1/4 of said Section 34, being 1145.00 feet west of the SE corner of said SE 1/4; thence north parallel with the east line of said SE 1/4 a distance of 1320.17 feet more or less to a point in the north line of said SE 1/4 of the SE 1/4; thence west along the north line of said SE 1/4 of the SE 1/4 a distance of 168.80 feet more or less to the NW corner of said SE 1/4 of the SE 1/4; thence south along the west line of said SE 1/4 of the SE 1/4 a distance of 1320.30 feet more or less to the SW corner of said SE 1/4 of the SE 1/4 a distance of 174.00 feet more or less to the point of beginning. Generally located on the north side of 29th Street North, in an area Ridge Road and Hoover.

SUBJECT TO THE FOLLOWING:

- A. The applicant shall submit four revised copies of the operational plan indicating the limits of the excavation to be 100 feet from the north line of 29th Street, and 50 feet from the north, east and west property lines.

- B. The applicant shall submit four revised copies of the redevelopment plan indicating the residential lots on the east and north, deleting the service road and indicating roadways adjacent to the north and east.
- C. The applicant shall dedicate, by separate instrument, 20 feet of additional street right-of-way for 29th Street.
- D. No part of the extraction operation, including the stockpiling of sand or storage of equipment, shall occur within 50 feet of any property line or within 100 feet of any public right-of-way.
- E. The applicant shall proceed in accordance with the operational plan approved by the Metropolitan Area Planning Commission, and shall excavate the lake and form the banks as indicated on the approved plan.
- F. The earth shall be extracted to at least a minimum depth of six feet below the water table as determined by the City-County Health Department.
- G. To provide for bank stabilization and safety of future uses, the side slopes of the excavation shall be no steeper than five horizontal to one vertical.
- H. All of the area outside of the sandpit lake shall be graded so as to drain into the lake.
- I. Once the sand extraction operation has ceased, all foreign matter, such as rubbish, construction debris and equipment, shall be removed from the property within six months.
- J. The applicant shall submit a restrictive covenant to the Planning Department in a form satisfactory to the County Counselor, providing that no foreign matter, such as rubbish, car bodies, etc., shall be deposited within the excavation after approval of the conditional use by the Board of County Commissioners.
- K. The applicant shall be responsible for maintaining all operational roads in a graveled condition.
- L. A minimum 58-inch high fence shall be constructed prior to the beginning of the excavation operation and shall be maintained along the perimeter of the site on no less than 7-foot steel posts, with posts set not more than 16 feet apart. The fence may provide for reasonable access gates installed at the same height and of the same construction as in the fence, which gates shall be kept locked except when in use. Such fence and gates shall be a minimum height of 58 inches and shall be of the following types of material:
  - 1. A 48-inch or higher chain link fence with three or more strands of barbed wire; or
  - 2. A 48-inch or higher solid metal or solid masonry fence with three or more strands of barbed wire; or
  - 3. A 48-inch or higher wood fence which may have cracks or openings not in excess of five percent of the area of such fence, with three or more strands of barbed wire.
- M. The term "barbed wire" shall mean any twisted wire with barbs spaced a minimum of 4 inches apart and placed at the top of the fence and gates at an angle not to exceed 150 degrees facing away from the excavation.

- N. Concrete or asphalt mixing plants, and commercial recreational activities, such as boating, fishing, skiing, etc., shall not be permitted in the area, unless duly authorized under provisions of the County Resolution and amendments thereto.
- O. All slopes shall have vegetative covering consisting of a perennial drouth-resistant grass or combination of grasses which will permit the establishment of a good sod cover to help prevent erosion.
- P. The property shall be platted prior to the issuance of any zoning or building permits, except those necessary for the sand excavation operation.
- Q. One row of the combination of coniferous or deciduous trees shall be planted along the east property line prior to commencing the extraction operation.
- R. The applicant shall comply with conditions A, B, C and J, prior to the publication of the resolution effectuating the conditional use.
- S. Violation of conditions of approval shall render the conditional use permit null and void.

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

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

PASSED AND ADOPTED by the Board of County Commissioners at Wichita, Kansas, this 14<sup>th</sup> day of January, 1981.

Donald E. Gragg Chairman  
DONALD E. GRAGG

Tom Scott, Commissioner  
TOM SCOTT

Jack Spratt, Commissioner  
JACK SPRATT

ATTEST:

Dorothy K. White  
Dorothy K. White, County Clerk

(SEAL)

Approved as to form by County Counselor

James W. Pattinson  
James W. Pattinson, Assistant County Counselor

September 21, 1982

Ron Worley, Director, County Dep't. of Bldg., Planning & Codes  
Jack H. Galbraith, Chief Planner

CU-242 - Conditional Use Permit - Earth Borrow Operation  
for extraction of Sand. Generally located on the north  
side of 29th Street North, in an area between Hoover and  
Ridge Road.

Attached are two copies of the operational and redevelopment  
plan associated with the above captioned case for your files.

Although we consider this plan acceptable, please note that  
the redevelopment plan does not completely comply with condi-  
tion "B" of the adopted resolution.

The service road has been eliminated, however, the area  
suggested for future development is in the southwest corner  
instead of along the north and east. There is definitely a  
conflict in conditions A and B. In A, they were to observe  
50-foot setbacks from the north and east which is certainly  
in conflict with "B" which requires lots along the north and  
east. The 50-foot setbacks would not have permitted such a  
lotting arrangement. Therefore, the revised plan is accept-  
able to us.

Inasmuch as the applicant has indicated the property proposed  
for future residential will be filled to avoid possible  
flooding, a minimum pad elevation will need to be established  
at the time of platting and prior to the issuance of building  
permits for residences.

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

Jack H. Galbraith  
Chief Planner

JHG:GLS:el

Attachments

September 21, 1982

Donald C. Gisick, City Clerk  
Jack H. Galbraith, Chief Planner

✓ CU-242 - Conditional Use Permit - Earth Borrow Operation for extraction of Sand. Generally located on the north side of 29th Street North, in an area between Hoover and Ridge Road.

Attached is a copy of street dedication (D-1090) which was a condition of approval on the above captioned case by the Board of County Commissioners at their meeting of January 14, 1981, which should be placed on the Clerk's agenda for acceptance by the Board of City Commissioners at their meeting of October 5, 1982.

Also attached is a copy of a restrictive covenant which was also a condition of approval of the case which requires no action by the City Commission, but needs to be recorded along with the dedication.

The street dedication and covenant should be filed with the Register of Deeds, with the cost being billed to the Planning Department.

Jack H. Galbraith  
Chief Planner

JHG:GLS:el  
Attachments

cc: Claud S. Shelor, Director, County Department of  
Public Works

D-1090

DEDICATION

KNOW ALL MEN BY THESE PRESENTS:

That for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable considerations, the receipt of which is hereby acknowledged, the undersigned, Ritchie Corporation

being the owner of the following described real estate in Sedgwick County, Kansas, to wit:

The north 20 feet of the south 50 feet of the southwest 1/4 of the southeast 1/4 of Section 34, Township 26 South, Range 1 West of the 6th P.M., together with the north 20 feet of the south 50 feet of the west 1/4 + of the southeast 1/4 of the southeast 1/4 of Section 34, Township 26 South, Range 1 West of the 6th P.M.

do hereby dedicate the above described real estate to the public for street purposes.

Executed this 28th day of January 19 81

Ritchie Corporation

*H. T. Ritchie*

H. T. Ritchie, President

STATE OF KANSAS )  
SEDGWICK COUNTY )<sup>SS</sup>

BE IT REMEMBERED, that on this 28th day of January, came Ritchie Corporation by its President, H. T. Ritchie

to me personally known to be the same person who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, the day and year last above written.

Submitted to the Wichita-Sedgwick County Metropolitan Area Planning Commission and the Board of Commissioners of the City of Wichita, Kansas, and approved by said Board of Commissioners of the City of Wichita, Kansas,  
this \_\_\_\_\_  
City Clerk

*R. K. Esheleman*  
R. K. ESHELEMAN  
NOTARY PUBLIC  
Notary Public  
Sedgwick County, Kansas  
My Commission Expires: 6-29-81

RESTRICTIVE COVENANTS

Ritchie Corporation does hereby make the following declaration as to restrictions, limitations and use of the following described real estate:

The Southwest Quarter (SW/4) of the Southeast Quarter (SE/4) of Section 34, Township 26 South, Range 1 West, and a tract in the Southeast Quarter (SE/4) of the Southeast Quarter (SE/4) of Section 34, Township 26 South, Range 1 West of the 6th Principal Meridian, Sedgwick County, Kansas described as follows: Beginning at a point in the South line of the Southeast Quarter (SE/4) of the Southeast Quarter (SE/4) of said Section 34, and 1145 feet West of the Southeast corner of said Southeast Quarter (SE/4), thence North parallel with the East line of said Southeast Quarter (SE/4), 425 feet; thence West parallel with the South line of said Southeast Quarter (SE/4), of the Southeast Quarter (SE/4) of the Southeast Quarter (SE/4); thence South to the Southeast corner of said Southeast Quarter (SE/4) of the Southeast Quarter (SE/4); thence East 174 feet more or less to the place of beginning, also the following described tract: Beginning at a point on the West line of the Southeast Quarter (SE/4) of the Southeast Quarter (SE/4) of said section 34, 425 feet North of the Southwest corner of said Southeast Quarter (SE/4) of the Southeast Quarter (SE/4); thence North 895.3 feet more or less to the Northwest corner of the Southeast Quarter (SE/4) of the Southeast Quarter (SE/4), thence East along the North line of said Southeast Quarter (SE/4) of the Southeast Quarter (SE/4), 168.8 feet more or less to a point 1145 feet West of the Northeast corner of said Southeast Quarter (SE/4) of the Southeast Quarter (SE/4), thence South parallel with the East line of said Southeast Quarter (SE/4) of the Southeast Quarter (SE/4), 895.17 feet more or less to a point 425 feet North of the South line of said Southeast Quarter (SE/4) of the Southeast Quarter (SE/4), thence West 172.33 feet more or less to the beginning.

Which said Declaration shall constitute covenants running with said land and shall be binding upon all owners and their successors, assigns and heirs;

"No rubbish, trees, car bodies or any other foreign matter shall be deposited on the application area, or within the excavation made in the removal of sand or gravel on the said premises at any time."

The above restriction and agreement shall be deemed a covenant running with the land and shall not be amended, deleted or changed.

IN WITNESS WHEREOF, this Restriction has been executed on this 23rd day of January, 1981.

RITCHIE CORPORATION

By H. T. Ritchie  
President

STATE OF KANSAS )  
SEDGWICK COUNTY )

The foregoing instrument was acknowledged before me this 23rd day of January, 1981 by H. T. Ritchie, President of Ritchie Corporation.



R. K. Edelman  
Notary Public



EXCERPT FROM PLANNING COMMISSION MINUTES OF NOVEMBER 6, 1980

20. Case No. CU-242 - Ritchie Corporation, et al request a Conditional Use Permit at the SW 1/4 of the SE 1/4 of Section 34, Township 26 South, Range 1 West of the 6th P.M., together with a tract in the SE 1/4 of the SE 1/4 of said Section 34 and described as follows: Beginning at a point in the south line of the SE 1/4 of the SE 1/4 of said Section 34, being 1145.00 feet west of the SE corner of said SE 1/4; thence north parallel with the east line of said SE 1/4 a distance of 1320.17 feet more or less to a point in the north line of said SE 1/4 of the SE 1/4; thence west along the north line of said SE 1/4 of the SE 1/4 a distance of 168.80 feet more or less to the NW corner of said SE 1/4 of the SE 1/4; thence south along the west line of said SE 1/4 of the SE 1/4 a distance of 1320.30 feet more or less to the SW corner of said SE 1/4 of the SE 1/4; thence east along the south line of said SE 1/4 of the SE 1/4 a distance of 174.00 feet more or less to the point of beginning. The above described tract contains 45.1 acres +. Generally located on the north side of 29th Street North in an area between Ridge Road and Hoover.

GALBRAITH pointed out 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 permit for a sand and gravel extraction operation on an approximate 45 acre site located on the north side of 29th Street North in an area approximately 1/4 mile west of Hoover.

The applicant has submitted an operational plan which indicates the maximum limits of the excavation, minimum depth of the excavation and fencing requirements. The plan also indicates that pumping operations will be by the plant located on the south side of 29th Street owned by this applicant which was approved for a sand and gravel extraction operation in 1958 (CU-5).

The applicant has also submitted a redevelopment plan which proposes residential lots on the west and south sides of the lake after the extraction operation ceases. The County Engineers office advises that the westerly portion of subject property lies within a fringe area of a "Zone A" special flood hazard area with a 1% annual (100 year) probability of flooding. They also advise that if any habitable structures were built in this area, they would be subject to minimum pad elevation requirements. Since the area is subject to flooding and noting that the land adjacent to the west is zoned "E" Light Industrial staff would suggest that the lots for residential development should be moved to the east side of the site. The proposed lots for residential development on the south are proposed to abutt a service road which the staff feels is unnecessary at this location and should be deleted, and perhaps relocated to the northern portion of the site.

2. Should the Planning Commission determine the extraction use is appropriate for the area, it should be approved subject to the following conditions:

- A. The applicant shall submit four revised copies of the operational plan indicating the limits of the excavation to be 100 feet from the north line of 29th Street, 150 feet from the north and east property lines and 50 feet from the west property line.
- B. The applicant shall submit four revised copies of the redevelopment plan indicating the residential lots on the east and north, deleting the service road and indicating roadways adjacent to the north and east.
- C. The applicant shall dedicate, by separate instrument, 20 feet of additional street right-of-way for 29th Street.
- D. No part of the extraction operation, including the stockpiling of sand or storage of equipment, shall occur within 50 feet of any property line or within 100 feet of any public right-of-way.
- E. The applicant shall proceed in accordance with the operational plan approved by the Metropolitan Area Planning Commission, and shall excavate the lake and form the banks as indicated on the approved plan.
- F. The earth shall be extracted to at least a minimum depth of six feet below the water table as determined by the City-County Health Department.
- G. To provide for bank stabilization and safety of future uses, the side slopes of the excavation shall be no steeper than five horizontal to one vertical.
- H. All of the area outside of the sandpit lake shall be graded so as to drain into the lake.
- I. Once the sand extraction operation has ceased, all foreign matter, such as rubbish, construction debris and equipment, shall be removed from the property within six months.
- J. The applicant shall submit a restrictive covenant to the Planning Department in a form satisfactory to the County Counselor, providing that no foreign matter, such as rubbish, car bodies, etc., shall be deposited within the excavation after approval of the conditional use by the Board of County Commissioners.
- K. The applicant shall be responsible for maintaining all operational roads in a graveled condition.
- L. A minimum 58-inch high fence shall be constructed prior to the beginning of the excavation operation and shall be maintained along the perimeter of the site on no less than 7-foot steel posts, with posts set not more than 16 feet apart. The fence may provide for reasonable access gates installed at the same height and of the same construction as in the fence, which gates shall be kept locked except when in use. Such fence and gates shall be a minimum height of 58 inches and shall be of the following types of material:
  - 1. A 48" or higher chain link fence with three or more strands of barbed wire; or
  - 2. A 48" or higher solid metal or solid masonry fence with three or more strands of barbed wire; or

3. A 48" or higher wood fence which may have cracks or openings not in excess of five percent of the area of such fence, with three or more strands of barbed wire.
- M. The term "barbed wire" shall mean any twisted wire with barbs spaced a minimum of 4 inches apart and placed at the top of the fence and gates at an angle not to exceed 150 degrees facing away from the excavation.
- N. Concrete or asphalt mixing plants, and commercial recreational activities, such as boating, fishing, skiing, etc., shall not be permitted in the area, unless duly authorized under provisions of the County Resolution and amendments thereto.
- O. All slopes shall have vegetative covering consisting of a perennial drought-resistant grass or combination of grasses which will permit the establishment of a good sod cover to help prevent erosion.
- P. The property shall be platted prior to the issuance of any zoning or building permits, except those necessary for the sand excavation operation.
- Q. One row of the combination of coniferous or deciduous trees shall be planted along the east property line prior to commencing the extraction operation.
- R. The applicant shall comply with conditions A, B, C and J, prior to the publication of the resolution effectuating the conditional use.
- S. Violation of conditions of approval shall render the conditional use permit null and void.

GALBRAITH called to the Commission's attention that condition "A" of the staff report should be changed now with the submission of the revised plan, and that the dimension for setbacks should be changed to 100 feet from 29th Street and from 150 feet to 50 feet from the north, east and west property lines as per the revised operation plan submitted this date November 6, if this plan is acceptable. GALBRAITH said that the staff recommended approval of the request subject to those conditions.

GARY WILEY, engineer representing the applicant, stated that they were in total agreement with all of conditions the Planning Department had set forth.

EARL CORNWELL, 6008 West 29th Street, speaking in opposition, stated that when he moved in the area 20 years ago the area south of the application site was a field. It is a lake now, and although he did not mind the water on the south he would object to water on the west side of his property.

JOHN R. SCHWIND, 3227 North Eisenhower, speaking in opposition, stated that he had lived in his home for 22 years. He objected to the potential blowing sand, the fallout from the existing blacktop plant and from the sand blasting. He also felt the land should not be annexed and turned into commercial property.

SHOOK questioned Schwind on the asphalt operation. SCHWIND said that they got the fallout from the plant, such as smoke, smell, and also from the dried-up sand. SHOOK asked if he had any problem with the water table dropping. SCHWIND said the water table dropped about two feet after the lake to the south was created.

BVERETT HARTMAN, R #1, Conway Springs, Kansas, said that he owned property north of Mr. Schwind, and has been trying to sell the property. If a sandpit goes in, it would not be very desirable. He said that there were plenty of places west to put in a sandpit where no one lives. HARTMAN said that he had heard that this site was not too suitable for sand, and would like to hear some statement as how big an area there is that was suitable for sand, and if the applicant owns the property or has an option on it.

VERNA CORNWELL, 6008 West 29th Street, speaking in opposition, was opposed to the blowing sand. She felt the use would devalue their property.

STEVE HATFIELD, Manager of the Sand and Gravel Operation for the Ritchies, stated that it was a mistake to blame them for the dropping of the water table at a time when there was an extremely dry season. He said that their operation was a closed circuit. They pump the material from the lake and the overflow goes back into the lake. It would not affect the water table whatsoever. HATFIELD said that if anything, they were aiding the area in a sense that they were creating a larger area that would be beneficial in times of high water because the large lake does absorb the runoff helping to stop any problems further down. He mentioned the blowing sand and the smokestacks, stating that those really have nothing to do with the sand extraction. He said that their operation has passed Federal regulations. HATFIELD spoke to the need of paving the road, pointing out that they would be going into the property with the dredge only. The plant will stay where it is now. The traffic would continue to go south out onto 21st Street. There would be no traffic on 29th Street at all. He said that they were required to build a 48-inch chainlink fence with 3-strands of barbwire. HATFIELD spoke on the comment of devaluation of property in the area, and asked what must the existing salvage yard to the northeast do to the value of the property.

SHOOK said that in terms of the fence that was required, he asked if the Company would be open to some other kind of barrier between this operation and residents, such as starting some sort of tree line?

HATFIELD said yes, he was sure that they had planted a tree line on most of the property that they have developed in the past, and on future property that have on 29th Street and West, they are in the process of planting a tree line. This particular parcel of property, if they receive approval, they will be extracting sand for approximately two years, which would not give them much time as far as developing a barrier.

DEAN RITCHIE, applicant, stated that they had planted trees around most all of their property, and found that it had been very beneficial for themselves and not just because of the neighbors. He said that they would be agreeable to planting the trees. He mentioned that an electric motor makes no noise at all, and there would be no sand piles, they would all be across the street to the south where they are now. As far as a distraction to the neighborhood, it would be hard to know that they were even there.

LOFTON was excused from the meeting.

**MOTION:** Having considered the factors as contained in Policy Statement No. 10; taking into consideration the land uses in the general area, the zoning and uses of adjacent properties; the unsuitability of subject

property for the uses as zoned and the recommendation of approval of staff; I move that we recommend to the County Commission that this application be approved subject to the following conditions:

- A. The applicant shall submit four revised copies of the operational plan indicating the limits of the excavation to be 100 feet from the north line of 29th Street, and 50 feet from the north, east and west property lines.
- B. The applicant shall submit four revised copies of the redevelopment plan indicating the residential lots on the east and north, deleting the service road and indicating roadways adjacent to the north and east.
- C. The applicant shall dedicate, by separate instrument, 20 feet of additional street right-of-way for 29th Street.
- D. No part of the extraction operation, including the stockpiling of sand or storage of equipment, shall occur within 50 feet of any property line or within 100 feet of any public right-of-way.
- E. The applicant shall proceed in accordance with the operational plan approved by the Metropolitan Area Planning Commission, and shall excavate the lake and form the banks as indicated on the approved plan.
- F. The earth shall be extracted to at least a minimum depth of six feet below the water table as determined by the City-County Health Department.
- G. To provide for bank stabilization and safety of future uses, the side slopes of the excavation shall be no steeper than five horizontal to one vertical.
- H. All of the area outside of the sandpit lake shall be graded so as to drain into the lake.
- I. Once the sand extraction operation has ceased, all foreign matter, such as rubbish, construction debris and equipment, shall be removed from the property within six months.
- J. The applicant shall submit a restrictive covenant to the Planning Department in a form satisfactory to the County Counselor, providing that no foreign matter, such as rubbish, car bodies, etc., shall be deposited within the excavation after approval of the conditional use by the Board of County Commissioners.
- K. The applicant shall be responsible for maintaining all operational roads in a graveled condition.
- L. A minimum 53-inch high fence shall be constructed prior to the beginning of the excavation operation and shall be maintained along the perimeter of the site on no less than 7-foot steel posts, with posts set not more than 16 feet apart. The fence may provide for reasonable access gates installed at the same height and of the same construction as in the fence, which gates shall be kept locked except when in use. Such fence and gates shall be a minimum height of 58 inches and shall be of the following types of material:
  - 1. A 48-inch or higher chain link fence with three or more strands of barbed wire; or

2. A 48-inch or higher solid metal or solid masonry fence with three or more strands of barbed wire; or
  3. A 48-inch or higher wood fence which may have cracks or openings not in excess of five percent of the area of such fence, with three or more strands of barbed wire.
- M. The term "barbed wire" shall mean any twisted wire with barbs spaced a minimum of 4 inches apart and placed at the top of the fence and gates at an angle not to exceed 150 degrees facing away from the excavation.
  - N. Concrete or asphalt mixing plants, and commercial recreational activities, such as boating, fishing, skiing, etc., shall not be permitted in the area, unless duly authorized under provisions of the County Resolution and amendments thereto.
  - O. All slopes shall have vegetative covering consisting of a perennial drouth-resistant grass or combination of grasses which will permit the establishment of a good sod cover to help prevent erosion.
  - P. The property shall be platted prior to the issuance of any zoning or building permits, except those necessary for the sand excavation operation.
  - Q. One row of the combination of coniferous or deciduous trees shall be planted along the east property line prior to commencing the extraction operation.
  - R. The applicant shall comply with conditions A, B, C and J, prior to the publication of the resolution effectuating the conditional use.
  - S. Violation of conditions of approval shall render the conditional use permit null and void.

Martens moved, Bayouth seconded and  
it carried unanimously. Savina and  
Lofton were absent.

-----

( ) Published in The Wichita Eagle-Beacon on \_\_\_\_\_, 198

R E S O L U T I O N

CASE NO. CU-242

A RESOLUTION PERMITTING EXPANSION OF AN EARTH BORROW OPERATION FOR THE EXTRACTION OF SAND AND GRAVEL IN THE "R-1" SUBURBAN RESIDENTIAL 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 4.A.10.f 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 4.A.10.f, and Section 11.E of the Zoning Resolution as amended, a Conditional Use Permit to allow expansion of an earth borrow operation for the extraction of sand and gravel in the "R-1" Suburban Residential District is hereby approved on the lands legally described as follows:

The SW 1/4 of the SE 1/4 of Section 34, Township 26 South, Range 1 West of the 6th P.M., together with a tract in the SE 1/4 of the SE 1/4 of said Section 34 and described as follows: Beginning at a point in the south line of the SE 1/4 of the SE 1/4 of said Section 34, being 1145.00 feet west of the SE corner of said SE 1/4; thence north parallel with the east line of said SE 1/4 a distance of 1320.17 feet more or less to a point in the north line of said SE 1/4 of the SE 1/4; thence west along the north line of said SE 1/4 of the SE 1/4 a distance of 168.80 feet more or less to the NW corner of said SE 1/4 of the SE 1/4; thence south along the west line of said SE 1/4 of the SE 1/4 a distance of 1320.30 feet more or less to the SW corner of said SE 1/4 of the SE 1/4 a distance of 174.00 feet more or less to the point of beginning. Generally located on the north side of 29th Street North, in an area Ridge Road and Hoover.

SUBJECT TO THE FOLLOWING:

- A. The applicant shall submit four revised copies of the operational plan indicating the limits of the excavation to be 100 feet from the north line of 29th Street, and 50 feet from the north, east and west property lines.

- B. The applicant shall submit four revised copies of the redevelopment plan indicating the residential lots on the east and north, deleting the service road and indicating roadways adjacent to the north and east.
- C. The applicant shall dedicate, by separate instrument, 20 feet of additional street right-of-way for 29th Street.
- D. No part of the extraction operation, including the stockpiling of sand or storage of equipment, shall occur within 50 feet of any property line or within 100 feet of any public right-of-way.
- E. The applicant shall proceed in accordance with the operational plan approved by the Metropolitan Area Planning Commission, and shall excavate the lake and form the banks as indicated on the approved plan.
- F. The earth shall be extracted to at least a minimum depth of six feet below the water table as determined by the City-County Health Department.
- G. To provide for bank stabilization and safety of future uses, the side slopes of the excavation shall be no steeper than five horizontal to one vertical.
- H. All of the area outside of the sandpit lake shall be graded so as to drain into the lake.
- I. Once the sand extraction operation has ceased, all foreign matter, such as rubbish, construction debris and equipment, shall be removed from the property within six months.
- J. The applicant shall submit a restrictive covenant to the Planning Department in a form satisfactory to the County Counselor, providing that no foreign matter, such as rubbish, car bodies, etc., shall be deposited within the excavation after approval of the conditional use by the Board of County Commissioners.
- K. The applicant shall be responsible for maintaining all operational roads in a graveled condition.
- L. A minimum 58-inch high fence shall be constructed prior to the beginning of the excavation operation and shall be maintained along the perimeter of the site on no less than 7-foot steel posts, with posts set not more than 16 feet apart. The fence may provide for reasonable access gates installed at the same height and of the same construction as in the fence, which gates shall be kept locked except when in use. Such fence and gates shall be a minimum height of 58 inches and shall be of the following types of material:
  - 1. A 48-inch or higher chain link fence with three or more strands of barbed wire; or
  - 2. A 48-inch or higher solid metal or solid masonry fence with three or more strands of barbed wire; or
  - 3. A 48-inch or higher wood fence which may have cracks or openings not in excess of five percent of the area of such fence, with three or more strands of barbed wire.
- M. The term "barbed wire" shall mean any twisted wire with barbs spaced a minimum of 4 inches apart and placed at the top of the fence and gates at an angle not to exceed 150 degrees facing away from the excavation.

- N. Concrete or asphalt mixing plants, and commercial recreational activities, such as boating, fishing, skiing, etc., shall not be permitted in the area, unless duly authorized under provisions of the County Resolution and amendments thereto.
- O. All slopes shall have vegetative covering consisting of a perennial drouth-resistant grass or combination of grasses which will permit the establishment of a good sod cover to help prevent erosion.
- P. The property shall be platted prior to the issuance of any zoning or building permits, except those necessary for the sand excavation operation.
- Q. One row of the combination of coniferous or deciduous trees shall be planted along the east property line prior to commencing the extraction operation.
- R. The applicant shall comply with conditions A, B. C and J, prior to the publication of the resolution effectuating the conditional use.
- S. Violation of conditions of approval shall render the conditional use permit null and void.

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

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

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

\_\_\_\_\_, Chairman

\_\_\_\_\_, Commissioner

\_\_\_\_\_, Commissioner

ATTEST:

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

(SEAL)

Approved as to form by County Counselor

\_\_\_\_\_  
James W. Pattinson, Assistant County Counselor

November 24, 1980

Mr. Proctor Ritchie  
Ritchie Corporation  
P.O. Box 4048  
Wichita, Kansas 67204

Re: CU-242 - Conditional Use Permit to  
Establish an earth borrow operation  
for extraction of sand and gravel -  
North side of 29th St. North, in an  
area between Ridge Road and Hoover.

Dear Mr. Ritchie:

Our letter to you dated November 7, 1980 advised that the above captioned case would be considered by the Board of County Commission on December 3, 1980. Inasmuch as you have advised that you will not be able to be represented that date, and based on your request that this case be rescheduled for January, this is to advise you and those receiving a copy of this letter that subject case will be scheduled for consideration by the Board of County Commission at its regular meeting of January 14, 1981. The meeting begins at 9.00 a.m. in Room 320, Sedgwick County Courthouse, 525 North Main.

If you have any questions, please call our office.

Sincerely,

Jack H. Galbraith  
Chief Planner

JHG:el

cc: Ritchie Corp., % Steve Hatfield, Mgr.P.O.Box 4048,67204  
J.P.Ritchie, Ritchie Corp., P.C.Box 4048, 67204  
Don Klock, 1535 Woodrow Court, 67203  
Earl and Verna Cornwall, 6008 W. 29th St. 67205  
John R. Schwind, 3227 N. Eisenhower, 67205  
Everett Hartman, R. #1, Conway Springs, Ka. 67031  
Syd Werblin, County Director of Building, Planning & Codes.



November 21, 1980

Mr. J.H. Galbraith  
Chief Planner  
c/o Planning Dept.  
455 N. Main  
Wichita, Kansas 67202

Dear Mr. Galbraith,

On December 3rd we have a Conditional Use Zoning Application, No. CU-242 coming before the County Commission for approval. Since we will be unable to be represented on that date, I would like for the hearing to be reset for the first meeting in January, 1981.

Sincerely,

*Proctor Ritchie*  
Proctor Ritchie

*PR* 11-24-80  
Called and requested  
Jan 14, 1981  
*JHO*

PR/dm

RECEIVED

NOV 24 1980

METROPOLITAN PLANNING  
ROUTE  10  
 \_\_\_\_\_

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

November 7, 1980

Earl & Verna Cornwell  
6008 West 29th Street  
Wichita, Ks. 67205

Re: CU-242 - Permit to establish a  
earth borrow operation for extrac-  
tion of sand & gravel - north side  
of 29th Street North, in an area  
between Ridge Road & Hoover

Dear Mr. Cornwell:

The Planning Commission at its regular meeting of November 6, 1980,  
considered the above-captioned request, and their action was as  
indicated on the attached letter.

This is to advise you that if you and others owning property  
within 1000 feet of the application area desire to submit legal  
protest petitions, they must be submitted to the Office of the  
County Clerk no later than 5:00 p.m., Monday, November 17, 1980.  
Enclosed are six copies of the protest petition form, 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.

cc: John R. Schwind, 3227 North Eisenhower, Wichita 67205 (1)  
Everett Hartman, R #1, Conway Springs, Ks. 67031 (1)

November 7, 1980

Gary Wiley  
Professional Engineering Consultants, P.A.  
1440 East English  
Wichita, Kansas 67211

Re: CU-242 - Permit to establish an  
earth borrow operation for extrac-  
tion of sand & gravel - north side  
of 29th Street North, in an area  
between Ridge Road & Hoover

Dear Mr. Wiley:

At its regular meeting on November 6, 1980, the Metropolitan Area Planning Commission considered the above-captioned case. The action of the Planning Commission was to recommend that this application be approved subject to the following conditions:

- A. The applicant shall submit four revised copies of the operational plan indicating the limits of the excavation to be 100 feet from the north line of 29th Street, and 50 feet from the north, east and west property lines.
- B. The applicant shall submit four revised copies of the redevelopment plan indicating the residential lots on the east and north, deleting the service road and indicating roadways adjacent to the north and east.
- C. The applicant shall dedicate, by separate instrument, 20 feet of additional street right-of-way for 29th Street.
- D. No part of the extraction operation, including the stockpiling of sand or storage of equipment, shall occur within 50 feet of any property line or within 100 feet of any public right-of-way.
- E. The applicant shall proceed in accordance with the operational plan approved by the Metropolitan Area Planning Commission, and shall excavate the lake and form the banks as indicated on the approved plan.

- F. The earth shall be extracted to at least a minimum depth of six feet below the water table as determined by the City-County Health Department.
- G. To provide for bank stabilization and safety of future uses, the side slopes of the excavation shall be no steeper than five horizontal to one vertical.
- H. All of the area outside of the sandpit lake shall be graded so as to drain into the lake.
- I. Once the sand extraction operation has ceased, all foreign matter, such as rubbish, construction debris and equipment, shall be removed from the property within six months.
- J. The applicant shall submit a restrictive covenant to the Planning Department in a form satisfactory to the County Counselor, providing that no foreign matter, such as rubbish, car bodies, etc., shall be deposited within the excavation after approval of the conditional use by the Board of County Commissioners.
- K. The applicant shall be responsible for maintaining all operational roads in a graveled condition.
- L. A minimum 58-inch high fence shall be constructed prior to the beginning of the excavation operation and shall be maintained along the perimeter of the site on no less than 7-foot steel posts, with posts set not more than 16 feet apart. The fence may provide for reasonable access gates installed at the same height and of the same construction as in the fence, which gates shall be kept locked except when in use. Such fence and gates shall be a minimum height of 58 inches and shall be of the following types of material:
  - 1. A 48" or higher chain link fence with three or more strands of barbed wire; or
  - 2. A 48" or higher solid metal or solid masonry fence with three or more strands of barbed wire; or
  - 3. A 48" or higher wood fence which may have cracks or openings not in excess of five percent of the area of such fence, with three or more strands of barbed wire.
- M. The term "barbed wire" shall mean any twisted wire with barbs spaced a minimum of 4 inches apart and placed at the top of the fence and gates at an angle not to exceed 150 degrees facing away from the excavation.

Page 3

- N. Concrete or asphalt mixing plants, and commercial recreational activities, such as boating, fishing, skiing, etc., shall not be permitted in the area, unless duly authorized under provisions of the County Resolution and amendments thereto.
- O. All slopes shall have vegetative covering consisting of a perennial drought-resistant grass or combination of grasses which will permit the establishment of a good sod cover to help prevent erosion.
- P. The property shall be platted prior to the issuance of any zoning or building permits, except those necessary for the sand excavation operation.
- Q. One row of the combination of coniferous or deciduous trees shall be planted along the east property line prior to commencing the extraction operation.
- R. The applicant shall comply with conditions A, B, C and J, prior to the publication of the resolution effectuating the conditional use.
- S. Violation of conditions of approval shall render the conditional use permit null and void.

Please note condition "R" above which required the completion of certain conditions prior to the resolution being published.

Please provide us with 4 amended copies of the plans by November 21, 1980 so that subject can be scheduled for consideration by the County Commission at its regular meeting of December 3, 1980. This meeting to be held at 9:00 a.m., 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: Ritchie Corp., % Steve Hatfield, Mgr., P. O. Box 4049, Wichita 67204  
J. P. Ritchie, Ritchie Corp., P. O. Box 4048, Wichita 67204  
Don Klock, 1535 Woodrow Court, Wichita 67203  
Earl & Verna Cornwell, 6008 West 29th Street 67205  
John R. Schwind, 3227 North Eisenhower, Wichita 67205  
Everett Hartman, R. #1, Conway Springs, Ks. 67031  
Syd Werbin, County Zoning Officer

WICHITA-SEDGWICK COUNTY  
METROPOLITAN AREA PLANNING DEPARTMENT

MAPC HEARING DATE: 11-06-80

Case No. CU-242 Request: Conditional Use Permit for  
a sand & gravel extraction  
operation

Location: North side of 29th Street North in an area between Ridge  
Road and Hoover

Reason: To expand existing sand and gravel operations in this general  
area.

Acres: 45 Size: 1320' x 1494'

	<u>Land Use</u>	<u>Zoning</u>
Existing	Undeveloped	"R-1"
North	Undeveloped	"R-1"
East	Single-family & salvage yard	"R-1"
South	Sand plant operation & single-family	"R"
West	Undeveloped	"E"

Existing R/W - 29th Street - half - 30 feet Platted: No  
Proposed R/W - 29th Street - half - 50 feet 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 for a sand and gravel extraction operation on an approximate 45 acre site located on the north side of 29th Street North in an area approximately 1/4 mile west of Hoover.

The applicant has submitted an operational plan which indicates the maximum limits of the excavation, minimum depth of the excavation and fencing requirements. The plan also indicates that pumping operations will be by the plant located on the south side of 29th Street owned by this applicant which was approved for a sand and gravel extraction operation in 1958 (CU-5).

The applicant has also submitted a redevelopment plan which proposes residential lots on the west and south sides of the lake after the extraction operation ceases. The County Engineers office advises that the westerly portion of subject property lies within a fringe area of a "Zone 2" special flood hazard area with a 1% annual (100 year) probability of flooding. They also advise that if any habitable structures were built in this area, they would be subject to minimum pad elevation requirements. Since the area is subject to flooding and noting that the land adjacent to the west is zoned "E" Light Industrial staff would suggest that the lots for residential development should be moved to the east side of the site. The proposed lots for residential development on the south are proposed to abutt a service road which the staff feels is unnecessary at this location and should be deleted, and perhaps relocated to the northern portion of the site.

2. Should the Planning Commission determine the extraction use is appropriate for the area, it should be approved subject to the following conditions:
  - A. The applicant shall submit four revised copies of the operational plan indicating the limits of the excavation to be 100 feet from the north line of 29th Street, 150 feet from the north and east property lines and 50 feet from the west property line.
  - B. The applicant shall submit four revised copies of the redevelopment plan indicating the residential lots on the east and north, deleting the service road and indicating roadways adjacent to the north and east. 1
  - C. The applicant shall dedicate, by separate instrument, 20 feet of additional street right-of-way for 29th Street.
  - D. No part of the extraction operation, including the stockpiling of sand or storage of equipment, shall occur within 50 feet of any property line or within 100 feet of any public right-of-way.
  - E. The applicant shall proceed in accordance with the operational plan approved by the Metropolitan Area Planning Commission, and shall excavate the lake and form the banks as indicated on the approved plan.
  - F. The earth shall be extracted to at least a minimum depth of six feet below the water table as determined by the City-County Health Department.
  - G. To provide for bank stabilization and safety of future uses, the side slopes of the excavation shall be no steeper than five horizontal to one vertical.
  - H. All of the area outside of the sandpit lake shall be graded so as to drain into the lake.
  - I. Once the sand extraction operation has ceased, all foreign matter, such as rubbish, construction debris and equipment, shall be removed from the property within six months.
  - J. The applicant shall submit a restrictive covenant to the Planning Department in a form satisfactory to the County Counselor, providing that no foreign matter, such as rubbish, car bodies, etc., shall be deposited within the excavation after approval of the conditional use by the Board of County Commissioners.
  - K. The applicant shall be responsible for maintaining all operational roads in a graveled condition.
  - L. A minimum 58-inch high fence shall be constructed prior to the beginning of the excavation operation and shall be maintained along the perimeter of the site on no less than 7-foot steel posts, with posts set not more than 16 feet apart. The fence may provide for reasonable access gates installed at the same height and of the same construction as in the fence, which gates shall be kept locked except when in use. Such fence and gates shall be a minimum height of 58 inches and shall be of the following types of materials:
    1. 3 1/2" or higher chain link fence with three or more strands of barbed wire; or
    2. 4 1/2" or higher solid metal or solid masonry fence with three or more strands of barbed wire; or

3. 4" or higher wood fence which may have cracks or openings not in excess of five percent of the area of such fence, with three or more strands of barbed wire.
- M. The term "barbed wire" shall mean any twisted wire with barbs spaced a minimum of 4 inches apart and placed at the top of the fence and gates at an angle not to exceed 150 degrees facing away from the excavation.
- N. Concrete or asphalt mixing plants, and commercial recreational activities, such as boating, fishing, skiing, etc., shall not be permitted in the area, unless duly authorized under provisions of the County Resolution and amendments thereto.
- O. All slopes shall have vegetative covering consisting of a perennial drought-resistant grass or combination of grasses which will permit the establishment of a good sod cover to help prevent erosion.
- P. The property shall be platted prior to the issuance of any zoning or building permits, except those necessary for the sand excavation operation.
- Q. The applicant shall comply with conditions T, B, C and J, prior to the publication of the resolution effectuating the conditional use.
- R. Violation of conditions of approval shall render the conditional use permit null and void.

**THE CITY OF WICHITA**

OFFICE OF Flood Control and Landfill Div. DATE October 30, 1980

1. Jack  
2. file

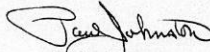
TO Art Chambers, Sr. Planner, MAPD

FROM Paul Johnston, Director

SUBJECT - CU 242 - Request for Borrow Operation

In review of subject request concerning the drainage on subject site in regard to the proposed operation, no particular problems appear apparent at this time. The grading of the site in general, and at such time as the single family housing development occurs around the lake, may be directed to the proposed lake eliminating potential problems often experienced with roadside ditches.

The Soil Survey of Sedgwick County, Kansas as published by the Soil Conservation Service indicates the soil as percolating slow and is noted for its shrink swell properties. The soil is favorable for a pond reservoir area; however, at time of development requirements may be imposed by the County.



Paul Johnston,  
Director

Flood Control and Landfill Division

PJ/glm

cc: CU-242 Condition Use File  
David Stowe, Dir., Dept. of Oper. & Maint.

RECEIVED

OCT 31 1980

METROPOLITAN PLANNING

ROUTE  est  
 \_\_\_\_\_



SEDGWICK COUNTY COURTHOUSE

*Shirley*

**COUNTY OF SEDGWICK**  
**DEPARTMENT OF PUBLIC WORKS**

1315 STILLWELL  
WICHITA, KANSAS 67213

PHONE 268-7901

JOE D. FREEMAN, P.E.  
ACTING COUNTY ENGINEER

TO: Art *APC* Chambers, Senior Planner, M.A.P.D.

FROM: Joe Freeman *JDF*

DATE: October 24, 1980

SUBJ: CU-242, Review of Plan

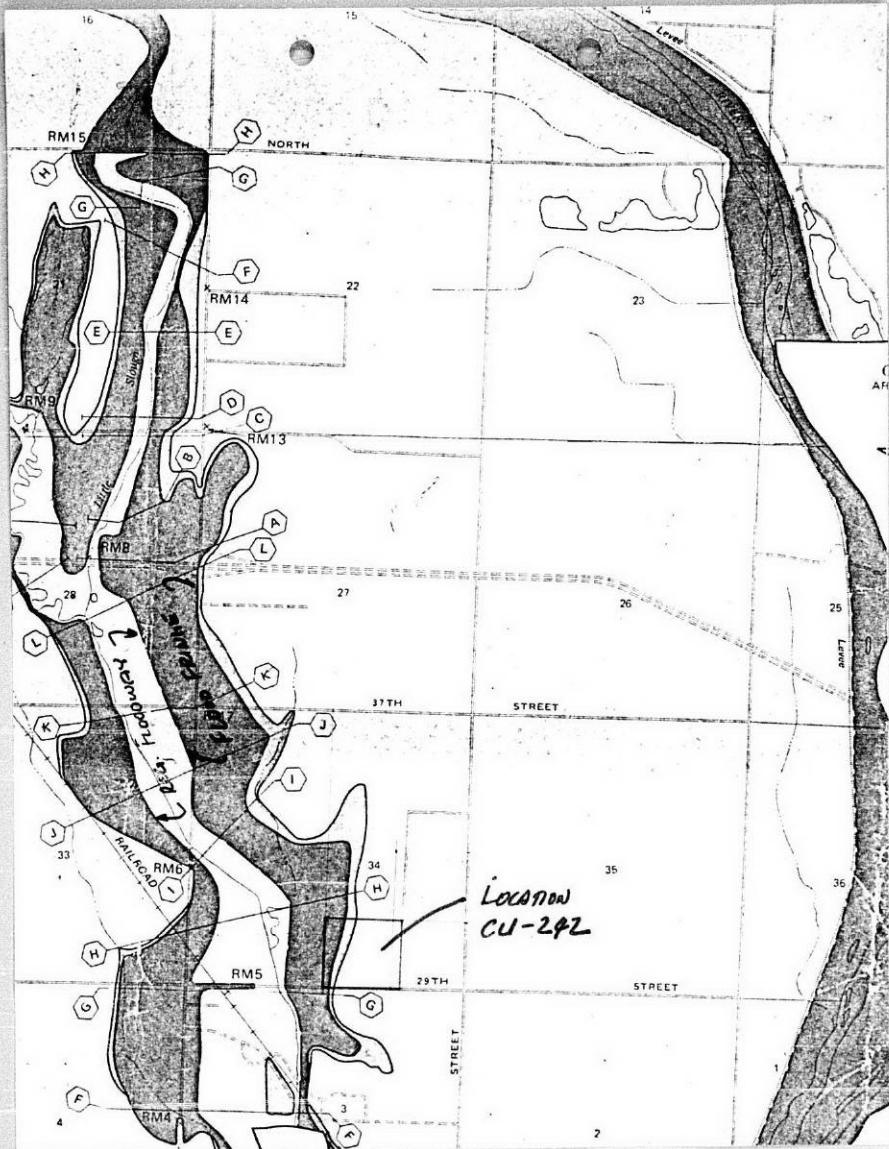
As per your request, this office has reviewed the above plan for above referenced Conditional Use and offers the following recommendations:

1. The westerly portion of the tract lies within a fringe area of a "Zone A" special flood hazard area with a 1% annual (100 yr.) probability of flooding. If any habitable structure were built in this area, it would be subject to minimum pad elevation requirements.
2. For the remainder of the proposed development as shown, not enough data is supplied on the proposal to give any further evaluation.

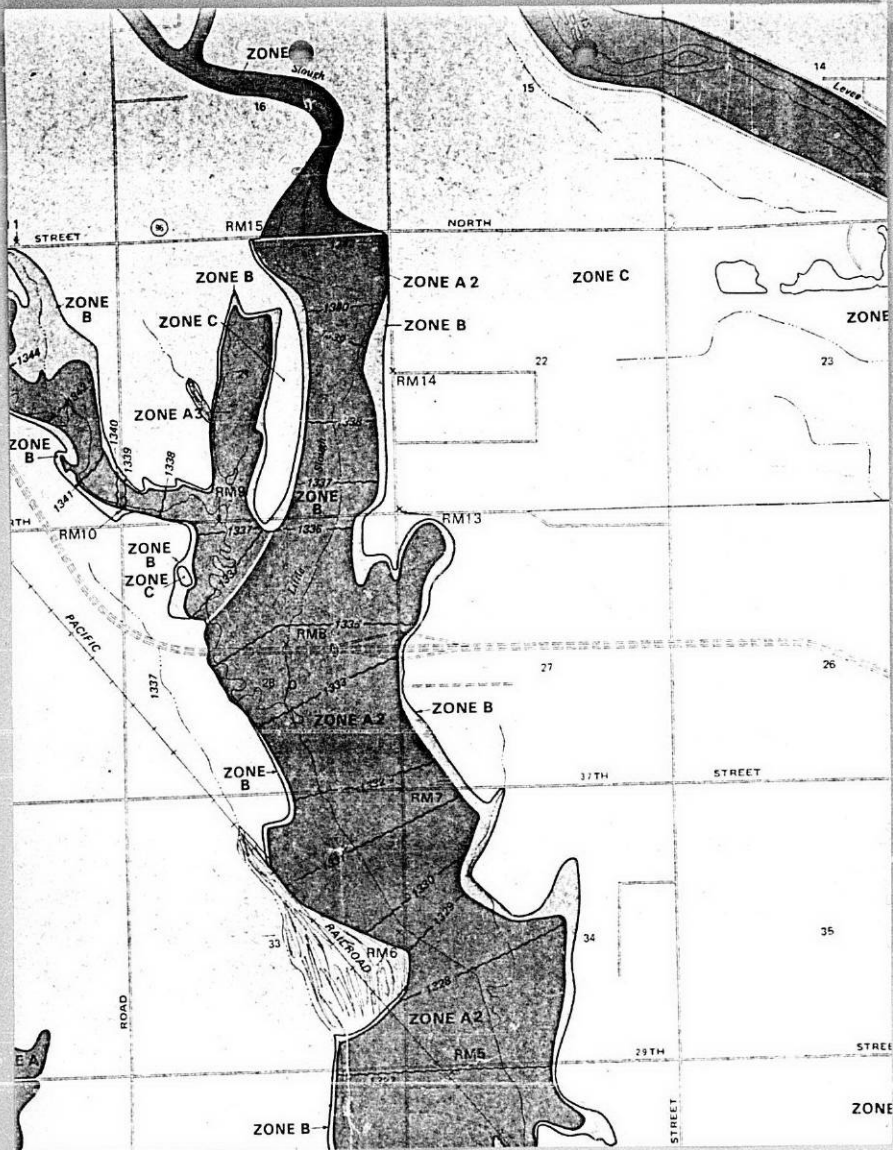
If you should have any additional questions, please contact this office.

Enc: Copies of Flood Hazard Map

cc: Phil Dietrich



LOCATION  
CU-292



CU-242 - 29 - "Notice to Adjoining Property Owners" mailed 10-23-80 for  
the MAPC meeting for 11-6-80

1 (including map) to CPO Office  
1 to Joe Freeman, Acting County Director - Dept. of Pub. Works

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31 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 23, 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 November 6, 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-242

Conditional Use Request to Permit Establishment of  
an Earth Borrow Operation for the Extraction of  
Sand and Gravel on Property Zoned  
"R-1" Suburban Residential District

The SW 1/4 of the SE 1/4 of Section 34, Township 26 South, Range 1 West of the 6th P.M., together with a tract in the SE 1/4 of the SE 1/4 of said Section 34 and described as follows: Beginning at a point in the south line of the SE 1/4 of the SE 1/4 of said Section 34, being 1145.00 feet west of the SE corner of said SE 1/4; thence north parallel with the east line of said SE 1/4 a distance of 1320.17 feet more or less to a point in the north line of said SE 1/4 of the SE 1/4; thence west along the north line of said SE 1/4 of the SE 1/4 a distance of 168.80 feet more or less to the NW corner of said SE 1/4 of the SE 1/4; thence south along the west line of said SE 1/4 of the SE 1/4 a distance of 1320.30 feet more or less to the SW corner of said SE 1/4 of the SE 1/4; thence east along the south line of said SE 1/4 of the SE 1/4 a distance of 174.00 feet more or less to the point of beginning. Generally located on the north side of 29th Street North, in an area between Ridge Road and Hoover.

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.

October 15, 1980

Paul Graves, Chief Engineer  
Paul Johnston, Acting Flood Control & Landfill Director  
Joe Freeman, Acting Director, Sedgwick County Dept. of Pub. Works

Art Chambers, Senior Planner

CU-242 - Request for a borrow operation. Generally located on the north side of 29th Street North, one-half mile west of Hoover.

The attached plan reflects a proposed borrow operation at the above location. After the borrow operation is no longer used, it is proposed to place single family housing around the lake. We would appreciate any comments you might have regarding drainage for this area in regard to the proposed operation. This case is scheduled for the November 6, 1980 MAPC meeting and would like to receive your comments by October 23, 1980.

If you have any questions, please call.

Arthur D. Chambers  
Senior Planner

ADC:el

Attachment

FOR PROPERTY LOCATED WITHIN THE JURISDICTION  
OF THE BOARD OF COUNTY COMMISSIONERS OF  
SEDERWICK COUNTY, KANSAS

map 50518  
re 34  
T265  
R/W

MAR 11/6/80

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-242

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 Ritchie Corporation (Contract Purchaser)

ADDRESS P.O. Box 4048 67204 PHONE 838-9301

AGENT J.P. Ritchie

ADDRESS Same 67206 PHONE \_\_\_\_\_

B. APPLICANT Don Klock

ADDRESS 535 Woodrow Ct. 67203 PHONE 264-5650

AGENT \_\_\_\_\_

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

C. Engineer Professional Engineering Consultants, P.A. (Gary Wiley)

ADDRESS 1440 E. English 67211 PHONE 263-1107

AGENT \_\_\_\_\_

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

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

II. The applicant proposes to establish a Borrow for the extraction of  
sand and gravel. (use)

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

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

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

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

See attached sheet

See for legal

*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 North SIDE OF 29th St. North (AVENUE) STREET BETWEEN Ridge Road (AVENUE) STREET AND Hoover (AVENUE) STREET.

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

V. I REQUEST THIS CONDITIONAL USE PERMIT FOR THE FOLLOWING REASONS:  
To expand our existing sand and gravel operations in this general area.

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

NOTE: AT LEAST ONE OWNER MUST SIGN THIS APPLICATION. OTHER OWNERS MAY BE REPRESENTED BY AN AGENT OR AGENTS.

Ritchie Corporation BY Don Klock  
BY W. K. Kline AUTHORIZED AGENT (IF ANY) 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 5.00 (AM, PM) on Oct. 14, 1980 (day, month, year). It has been checked and found to be complete and accompanied by required documents and the appropriate fee of \$ 500<sup>00</sup>.

J. J. Lytle Name  
Tit

THE SW 1/4 OF THE SE 1/4 OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 1 WEST OF THE 6TH P.M., TOGETHER WITH A TRACT IN THE SE 1/4 OF THE SE 1/4 OF SAID SECTION 34 AND DESCRIBED AS FOLLOWS: BEGINNING AT A POINT IN THE SOUTH LINE OF THE SE 1/4 OF THE SE 1/4 OF SAID SECTION 34, BEING 1145.00 FEET WEST OF THE SE CORNER OF SAID SE 1/4; THENCE NORTH PARALLEL WITH THE EAST LINE OF SAID SE 1/4 A DISTANCE OF 1320.17 FEET MORE OR LESS TO A POINT IN THE NORTH LINE OF SAID SE 1/4 OF THE SE 1/4; THENCE WEST ALONG THE NORTH LINE OF SAID SE 1/4 OF THE SE 1/4 A DISTANCE OF 168.80 FEET MORE OR LESS TO THE NW CORNER OF SAID SE 1/4 OF THE SE 1/4; THENCE SOUTH ALONG THE WEST LINE OF SAID SE 1/4 OF THE SE 1/4 A DISTANCE OF 1320.30 FEET MORE OR LESS TO THE SW CORNER OF SAID SE 1/4 OF THE SE 1/4; THENCE EAST ALONG THE SOUTH LINE OF SAID SE 1/4 OF THE SE 1/4 A DISTANCE OF 174.00 FEET MORE OR LESS TO THE POINT OF BEGINNING. THE ABOVE DESCRIBED TRACT CONTAINS 45.1 ACRES  $\pm$ .

*OK for  
[unclear]*

STATEMENT OF OWNERSHIP

STATE OF KANSAS )  
                  ) SS  
SEDGWICK COUNTY )

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

That we have examined the records in the office of the Register of Deeds of Sedgwick County, Kansas, with reference to the ownership of the following property in Sedgwick County, Kansas viz: Record Owners within 1000 feet of: The SW $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Sec. 34, Twp. 26-S, R-1-W, together with a tract in the SE $\frac{1}{4}$  of the SE $\frac{1}{4}$  of said Section, described as follows: Beginning at a point in the South line of the SE $\frac{1}{4}$  of the SE $\frac{1}{4}$  of said Section 34 and 1145 feet West of the S.E. Corner of said SE $\frac{1}{4}$ ; thence North parallel with the East line of said SE $\frac{1}{4}$ , 425 feet; thence West parallel with the South line of said SE $\frac{1}{4}$  of the SE $\frac{1}{4}$  172.33 feet more or less to the West line of said SE $\frac{1}{4}$  of the SE $\frac{1}{4}$ ; thence South to the S.W. Corner of said SE $\frac{1}{4}$  of the SE $\frac{1}{4}$ ; thence East 174 feet more or less to the place of beginning, also the following described tract, beginning at a point on the West line of the SE $\frac{1}{4}$  of the SE $\frac{1}{4}$  of said Sec. 34, 425 feet North of the S.W. Corner of said SE $\frac{1}{4}$  of the SE $\frac{1}{4}$ ; thence North 895.3 feet more or less to the N.W. Corner of the SE $\frac{1}{4}$  of the said SE $\frac{1}{4}$ ; thence East along the North line of said SE $\frac{1}{4}$  of the SE $\frac{1}{4}$ , 168.8 feet more or less to a point 1145 feet West of the N.E. Corner of said SE $\frac{1}{4}$  of the SE $\frac{1}{4}$ ; thence South parallel with the East line of said SE $\frac{1}{4}$  of the SE $\frac{1}{4}$ , 895.17 feet more or less to a point 425 feet North of the South line of said SE $\frac{1}{4}$  of the SE $\frac{1}{4}$ ; thence West 172.33 feet more or less to beginning. Containing 45.1089 Acres more or less.



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.)

<u>DESCRIPTIONS</u>	<u>OWNERS</u>
<p>The SW<math>\frac{1}{4}</math> of the SE<math>\frac{1}{4}</math> of Sec. 34, Twp. 26-S, R-1-W, together with a tract in the SE<math>\frac{1}{4}</math> of the SE<math>\frac{1}{4}</math> of said Section, described as follows: Beginning at a point in the South line of the SE<math>\frac{1}{4}</math> of the SE<math>\frac{1}{4}</math> of said Sec. 34 and 1145 feet West of the S.E. Corner of said SE<math>\frac{1}{4}</math>; thence North parallel with the East line of said SE<math>\frac{1}{4}</math>, 425 feet; thence West parallel with the South line of said SE<math>\frac{1}{4}</math> of the SE<math>\frac{1}{4}</math> 172.33 feet more or less to the West line of said SE<math>\frac{1}{4}</math> of the SE<math>\frac{1}{4}</math>; thence South to the S.W. Corner of said SE<math>\frac{1}{4}</math> of the SE<math>\frac{1}{4}</math>; thence East 174 feet more or less to the place of beginning, also the following described tract, beginning at a point on the West line of the SE<math>\frac{1}{4}</math> of the SE<math>\frac{1}{4}</math> of said Sec. 34, 425 feet North of the S.W. Corner of said SE<math>\frac{1}{4}</math> of the SE<math>\frac{1}{4}</math>; thence North 895.3 feet more or less to the N.W. Corner of the SE<math>\frac{1}{4}</math> of said SE<math>\frac{1}{4}</math>; thence East along the North line of said SE<math>\frac{1}{4}</math> of the SE<math>\frac{1}{4}</math>, 168.8 feet more or less to a point 1145 feet West of the N.E. Corner of said SE<math>\frac{1}{4}</math> of the SE<math>\frac{1}{4}</math>; thence South parallel with the East line of said SE<math>\frac{1}{4}</math> of the SE<math>\frac{1}{4}</math>, 895.17 feet more or less to a point 425 feet North of the South line of said SE<math>\frac{1}{4}</math> of the SE<math>\frac{1}{4}</math>; thence West 172.33 feet more or less to beginning.</p>	<p>Don and Dorothy Klock 1535 Woodrow Court Wichita, Kansas 67203</p>



DESCRIPTIONS

OWNERS

Beginning at the Northwest Corner of the Southeast Quarter, thence South 991.63 feet; thence East 1449.95 feet; thence South 329.62 feet; thence East 30 feet; thence North 1320.19 feet; thence West to beginning in the Southeast Quarter of Section 34, Township 26 South, Range 1 West,

Beginning 425 feet North of the Southeast Corner of the Southeast Quarter; thence North 180 feet; thence West 545 feet; thence South 180 feet; thence East 545 feet to beginning, in Section 34, Township 26 South, Range 1 West,

Beginning 327 feet West of the Southeast Corner of the South half of the Southeast Quarter of Section 34; thence North 425 feet; thence West 218 feet; thence South 425 feet; thence East to beginning in Section 34, Township 26 South, Range 1 West,

Beginning 825 feet North of the Southeast Corner of the South Half of the Southeast Quarter of Section 34; thence South 220 feet; thence West 545 feet; thence North 220 feet; thence East to beginning in Section 34, Township 26 South, Range 1 West,

Beginning 825 feet North of the Southeast Corner of the Southeast Quarter; thence West 499.6 feet; thence North 192.44 feet; thence East 212.6 feet; thence South 161 feet; thence East 287 feet; thence South to beginning in Section 34, Township 26 South, Range 1 West,

West 212 feet of the East 499.6 feet of the North 303.56 feet of the Southeast Quarter of the Southeast Quarter in Section 34, Township 26 South, Range 1 West,

Beginning 330.66 feet North of the Southeast Corner of the South half of the Southeast Quarter of Section 34; thence West 327 feet; thence North 94.34 feet; thence East 327 feet; thence South to beginning in Section 34, Township 26 South, Range 1 West,

✓ Everett Hartman  
RR 1  
Conway Springs, Kansas 67031

✓ Selden J. Carter, Jr.  
3059 North Hoover  
Wichita, Kansas 67205

✓ Leonard Bennett  
9400 East Lincoln  
Apartment #214  
Wichita, Kansas 67207

✓ Nancy Lee Scott  
3101 North Hoover  
Wichita, Kansas 67205

✓ Joseph Rhodes  
234 South Sheridan  
Wichita, Kansas 67213

✓ Alphonse Windholz  
3137 North 55th Street West  
Wichita, Kansas 67205

✓ David E. Vance  
3055 North Hoover  
Wichita, Kansas 67205



DESCRIPTIONS

OWNERS

Beginning at the Northeast Corner of the South half of the Southeast Quarter; thence West 287.6 feet; thence South 303.56 feet; thence East 287.6 feet; thence North to beginning in Section 34, Township 26 South, Range 1 West,

Aplhonse Windholz  
3137 North 55th Street West  
Wichita, Kansas 67205

Beginning 236.33 feet North of the Southeast Corner of the South Half of the Southeast Quarter of Section 34; thence West 327 feet; thence North 94.33 feet; thence East 327 feet; thence South to beginning in Section 34, Township 26 South, Range 1 West,

John E. Helstrom  
3045 North 55th Street West  
Wichita, Kansas 67205

Beginning 142 feet North of the Southeast Corner of the South half of the Southeast Quarter of Section 34, thence West 327 feet; thence North 94.33 feet; thence East 327 feet; thence South to beginning in Section 34, Township 26, Range 1 West,

Ila Paugh  
3035 North Hoover  
Wichita, Kansas 67205



Beginning 246 feet West of the Southeast Corner of the Southeast Quarter of Section 34; thence North 142 feet; thence West 81 feet; thence South 142 feet; thence East to beginning in Section 34, Township 26 South, Range 1 West,

Lloyd E. Oakman  
5620 West 29th Street North  
Wichita, Kansas 67205

Beginning 165 feet West of the Southeast Corner of the Southeast Quarter of Section 34; thence North 142 feet; thence West 81 feet; thence South 142 feet; thence East to beginning in Section 34, Township 26 South, Range 1 West,

Robert G. Harrell  
5618 West 29th Street North  
Wichita, Kansas 67205

Beginning 545 feet West of the Southeast Corner of the South Half of the Southeast Quarter of Section 34; thence North 425 feet; thence West 600 feet; thence South 425 feet; thence East to beginning in Section 34, Township 26 South, Range 1 West,

Earl K. Cornwell  
6009 West 29th Street North  
Wichita, Kansas 67205

Beginning 499.6 feet West of the Northeast Corner of the South half of the Southeast Quarter; thence West 645.4 feet; thence South 466 feet; thence East 348 feet; thence North 233 feet; thence East 297.4 feet; thence North 233 feet to beginning in Section 34, Township 26 South, Range 1 West,

Delbert Anderson  
3120 North Eisenhower  
Wichita, Kansas 67205



DESCRIPTIONS

OWNERS

Beginning 499.6 feet West and 855 feet North of the Southeast Corner of the Southeast Quarter; thence West 257.5 feet; thence North 1 feet; thence West 25 feet; thence North 232 feet; thence East 297.4 feet; thence South to beginning in Section 34, Township 26 South, Range 1 West,

Joseph Rhodes  
✓ D. L. Sandlian  
3129 North Hoover  
Wichita, Kansas 67205

Beginning 1052 feet West and 426 feet North of the Southeast Corner of Section 34; thence North 430 feet; thence West 93 feet; thence South 430 feet; thence East 93 feet to beginning in the Southeast Quarter of Section 34, Township 26 South, Range 1 West,

Eugene A. Grube  
✓ Jerry Mashaney  
3119 North Hoover  
Wichita, Kansas 67205

South 290 feet of the East 1145 feet of the North half of the Southeast Quarter, except the North 150 feet; thence East 290.4 feet of Section 34, Township 26 South, Range 1 West,

Alphonse Windholz  
D 3137 North 55th Street West  
Wichita, Kansas 67205



East 290.4 feet of the North 150 feet of the South 290 feet of the North half of the Southeast Quarter of Section 34, Township 26 South, Range 1 West,

✓ Jackie W. McGuire  
3223 North Hoover  
Wichita, Kansas 67205

Beginning 290 feet North of the Southeast Corner of the North half of the Southeast Quarter of Section 34, thence West 1145 feet; thence North 190 feet; thence East 1145 feet; thence South 190 feet to beginning in Section 34, Township 26 South, Range 1 West,

✓ Lloyd W. Wells  
3122 Bonn  
Wichita, Kansas 67217

Beginning 480 feet North of the Southeast Corner of the North half of the Southeast Quarter of Section 34; thence West 1145 feet; thence North 190 feet; thence East 1145 feet; thence South to beginning in Section 34, Township 26 South, Range 1 West,

✓ Lester C. Bohannon  
Charles R. Brown  
3235 West 55th Street North  
Wichita, Kansas 67205

Beginning 1175 feet West of the Southeast Corner of the North half of the Southeast Quarter of Section 34; thence West to the Southwest Corner of the North half of the Southeast Quarter; thence North 309.62 feet; thence East to a point North of beginning; thence South to beginning in Section 34, Township 26 South, Range 1 West,

✓ John R. Schwind  
3227 North Eisenhower  
Wichita, Kansas 67205



DESCRIPTIONS

OWNERS

Beginning 670 feet North of the South-east Corner of the North half of the Southeast Quarter of Section 34; thence North 190 feet; thence West 1145 feet; thence South 190 feet; thence East to beginning in Section 34, Township 26 South, Range 1 West, ✓

Helen L. Brewer  
%Billy G. Brewer  
3501 Pecos  
Wichita, Kansas 67203

East 600 feet of the West 800 feet of a tract beginning 860 feet North of the Southeast Corner of the North half of the Southeast Quarter of Section 34; thence North 190 feet; thence West 1145 feet; thence South 190 feet; thence East to beginning, except the South 77 feet of the East 285 feet in Section 34, Township 26 South, Range 1 West, ✓

Kenneth R. Mills  
3402 Sunnyslane  
Wichita, Kansas 67205

Beginning 1210.8 feet West of the Northeast Corner of the Northeast Quarter; thence 1210.8 feet to the Northeast Corner of the Northeast Quarter; thence South to Southeast Corner of the Northeast Quarter; thence West 1263.4 feet North to beginning in Section 3, Township 27 South, Range 1 West, D

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



North half of the East half of the Southwest Quarter in Section 34, Township 26 South, Range 1 West, ✓

Edward T. Neville  
9625 West Maple  
Wichita, Kansas 67209

Beginning 676.96 feet East of the Northwest Corner of the Northeast Quarter; thence East 200 feet; thence South 510 feet; thence West 200 feet; thence North 510 feet to beginning in Section 3, Township 27 South, Range 1 West, D

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

Beginning 876.96 feet East of the Northwest Corner of the Northeast Quarter; thence East 200 feet; thence South 510 feet; thence West 200 feet; thence North 510 feet to beginning in Section 3, Township 27 South, Range 1 West, ✓

Harold Bauer  
1112 North Armour  
Wichita, Kansas 67206

Beginning at the Southeast Corner of the Southeast Quarter of Section 34; thence North 142 feet; thence West 165 feet; thence South 142 feet; thence East to beginning in Section 34, Township 26 South, Range 1 West, ✓

Jacob W. Gillespie  
3025 North 55th Street West  
Wichita, Kansas 67205

DESCRIPTIONS

OWNERS

Beginning 545 feet West and 426 feet North of the Southeast Corner of the Southeast Quarter; thence North 430 feet; thence West 507 feet; thence South 430 feet; thence East 507 feet to beginning in Section 34, Township 26 South, Range 1 West,

Eugene A. Grube  
%Jerry Mashaney  
3119 North Hoover  
Wichita, Kansas 67205

Beginning 303.56 feet South of the Northeast Corner of the Southeast Quarter of the Southeast Quarter; thence West 287 feet; thence South 161 feet; thence East 287 feet; thence North 161 feet to beginning in the Southeast Quarter of Section 34, Township 26 South, Range 1 West,

Marcus Zimmerman  
1316 West 22nd  
Wichita, Kansas 67204

West 200 feet of a tract, beginning 860 feet North of the Southeast Corner of the North half of the Southeast Quarter in Section 34, thence North 190 feet; thence West 1145 feet; thence South 190 feet; thence East to beginning except the South 77 feet of the East 285 feet in Section 34, Township 34, Township 26 South, Range 1 West,

Wayne A. Elliott  
3334 North Eisenhower  
Wichita, Kansas 67205

*Returned 11-4-80  
no other add found.*



South half of the East half of the Southwest Quarter of Section 34, Township 26 South, Range 1 West,

Edward Neville  
9625 West Maple  
Wichita, Kansas 67209

Beginning at a point 676.96 feet East of the Northwest Corner of the Northeast Quarter; thence South 510 feet; thence East 745.2 feet; thence North 510 feet; thence West to beginning except the West 400 feet; of Section 3, Township 27 South, Range 1 West,

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

Beginning 1210.8 feet West and 510 feet South of the Northeast Corner of the Northeast Quarter; thence West 745.2 feet; thence North 510 feet; thence West 676.96 feet to the Northwest Corner of the Northeast Quarter; thence South 2618.37 feet; thence East to a point 1263.4 feet West of the Southeast Corner of the Northeast Quarter; thence North to beginning except for Railroad Right-of-Way in Section 3, Township 27 South, Range 1 West,

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

DESCRIPTIONS

Northeast Quarter of the Northwest  
Quarter of Section 3, Township 27  
South, Range 1 West,

OWNERS

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

DATED at Wichita, Kansas, this 7th day of October, 1980 at  
7:00 A.M.

FIDELITY TITLE COMPANY, INC.

By *C. E. Beal, Ritchie*  
Vice President

Tracer No. 51964



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

NOTICE TO ADJOINING PROPERTY OWNERS:

October 23, 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 November 6, 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-242

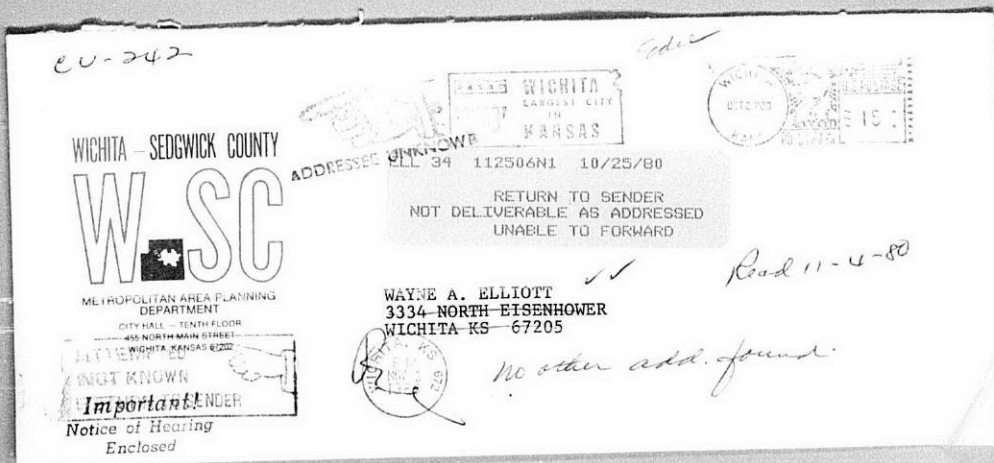
Conditional Use Request to Permit Establishment of  
an Earth Borrow Operation for the Extraction of  
Sand and Gravel on Property Zoned  
"R-1" Suburban Residential District

The SW 1/4 of the SE 1/4 of Section 34, Township 26 South, Range 1 West of the 6th P.M., together with a tract in the SE 1/4 of the SE 1/4 of said Section 34 and described as follows: Beginning at a point in the south line of the SE 1/4 of the SE 1/4 of said Section 34, being 1145.00 feet west of the SE corner of said SE 1/4; thence north parallel with the east line of said SE 1/4 a distance of 1320.17 feet more or less to a point in the north line of said SE 1/4 of the SE 1/4; thence west along the north line of said SE 1/4 of the SE 1/4 a distance of 168.80 feet more or less to the NW corner of said SE 1/4 of the SE 1/4; thence south along the west line of said SE 1/4 of the SE 1/4 a distance of 1320.30 feet more or less to the SW corner of said SE 1/4 of the SE 1/4; thence east along the south line of said SE 1/4 of the SE 1/4 a distance of 174.00 feet more or less to the point of beginning. Generally located on the north side of 29th Street North, in an area between Ridge Road and Hoover.

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



FORM 29-221

PAYMENT NOTICE  
City of Wichita

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

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

NAME

ADDRESS

FUND

DUR DATE

COMMENTS

DATE

BY

\*

This CU file

Has a Large Drawing

On 35mm Microfilm.

Roll # 1

\*