

COMMITTEE

Approved sent to  
M.A.P.C. Conductors 11/24/86

B.C.C./B-GO.C. 12-22-86

CUP to be filed  
as it has been determined  
that BZA cannot vary  
conditions of special use  
permits stemming in the  
going ordinance.

See DP-167

*[Handwritten signature]*

DR 86-13 - Special Use Permit to Establish a Recreation Area on Property zoned "AA" west of 119th Street West approx. 1/2 mile north of 13th Street North.

POSTED 11-6-86 KSE

OK

# ACTION

COMMITTEE	_____	DATE	_____
M.A.P.C.	<i>Approved sub to conditions</i>		<i>11/24/86</i>
B.C.C./B.CO.C.	_____		<del>12-23-86</del>

*CUP to be filed  
as it has been determined  
that BZA cannot vary  
conditions of special use  
permits itemized in the  
zoning ordinance.*

*See DP-167*

*Closed*

DR 86-13 - Special Use Permit to Establish a Recreation Area on Property zoned "AA" west of 119th Street West approx. 1/2 mile north of 13th Street North.

DATA SHEET

Z- \_\_\_\_\_  
SCZ- \_\_\_\_\_  
CU- \_\_\_\_\_  
DR- 86-13  
DP- \_\_\_\_\_

Amend  
Case Filed: 10-27-86  
Associated Case: \_\_\_\_\_

APPLICATION DATA: Map No. 4649B

1. General Location: West of 119th Street West approximately 1/4-mile north of 13th Street North

2. From \_\_\_\_\_ to \_\_\_\_\_

3. Proposed Use: Special Use Permit to Establish a Recreation Area on Property Zoned "AA" One-Family Dwelling District

4. DP Name: \_\_\_\_\_

5. Applicant: Autumn Ridge Partnership *to J.W. Russell*  
Address 889 North Maize Road, Suite 109, Wichita, KS. 67212 Phone 722-2417

6. Agent: BILL G. Yung Design  
Address 4912 East 29th Street North, Suite One, Wichita, KS. 67220 Phone 683-5567

AREA DATA:

1. Acres: .40± ( \_\_\_\_\_ ft. by \_\_\_\_\_ ft.)

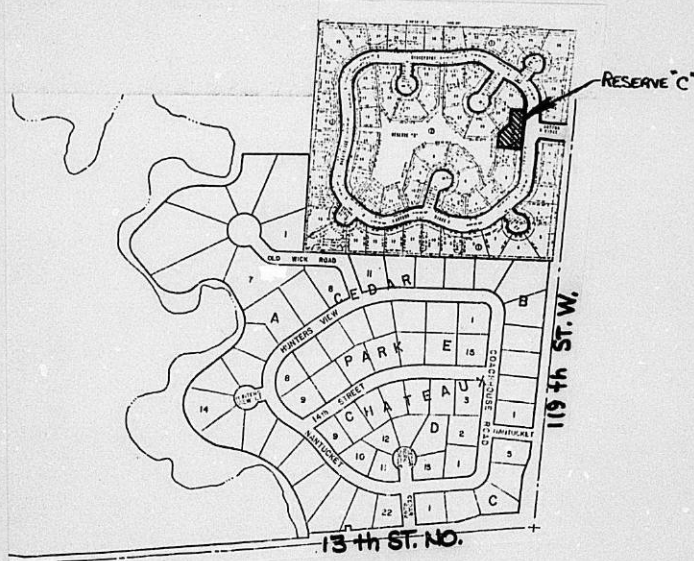
2. Adjoining Zoning: N "AA" S "AA" E "AA" W "AA"

3. Land Use: North \_\_\_\_\_ East \_\_\_\_\_  
South \_\_\_\_\_ West \_\_\_\_\_

PICTURE SHEET

PHOTO DATA:

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



NOTES:

**Shoemaker**  
No. 2-153C  
HASTINGS, MN  
LOS ANGELES, CHICAGO, LOGAN, OH  
MCGRACKON, TX, OGDEN GROVE, GA  
U.S.A.

November 25, 1986

Bill G. Yung Design  
4912 East 29th Street North, Suite One  
Wichita, Kansas 67220

Re: DR 86-13 Special Use Permit to Establish a Recreation Area on  
Property Zoned "AA" One-Family Dwelling District

Dear Mr. Yung:

At its regular meeting on November 24, 1986, the Metropolitan Area Planning Commission considered the above-captioned special use permit. The action of the Planning Commission was to recommend approval of this special use permit subject to the following conditions:

1. The number of parking spaces as required by the zoning ordinance shall be provided on site. *1/70 # pool area*
2. Setbacks for all structures shall be in accordance with zoning ordinance requirements.
3. Fencing of the swimming pool shall be provided as required by City Code.
4. A solid fence, wall or evergreen vegetation at least 3½ feet in height shall be provided around all automobile parking areas which are adjacent to a residential lot.
5. If parking and/or building setbacks are not to be provided as required by ordinance, then Board of Zoning Appeals variances shall be obtained prior to City Commission review of this application.
6. A landscape and/or fencing plan for the parking areas shall be submitted to the Planning Department for review and approval prior to issuance of any building permits on this site.
7. The applicant shall provide a covenant which limits use of these recreational facilities to residents of Autumn Ridge.

DR 86-13  
November 25, 1986  
Page 2

8. All lights shall be shielded to reflect or direct light away from adjoining property.
9. No loudspeakers or amplification system shall be used so as to be heard outside of the building.
10. Four copies of a revised site plan showing compliance with items one through five shall be submitted to the Planning Department prior to scheduling this request for City Commission review and within four months or this application shall be considered denied and closed.

It is necessary that you comply with condition #10 by December 10 in order for this matter to be forwarded to the Board of City Commissioners for consideration at their regular meeting on December 23, 1986. This meeting will be held in the City Commission Meeting Room, First Floor, City Hall, 455 North Main, Wichita, Kansas. We would remind you that Planning items are considered after all other matters of business.

This is a reminder that the zoning notification signs should now be removed from the property. If you have any questions concerning this matter, please contact our office.

Sincerely yours,

Jack H. Galbraith  
Chief Planner

JHG/lw

cc: Autumn Ridge Partnership, c/o J. W. Russell, 889 North Maize Road,  
Suite 109, Wichita, KS 67212

THE CITY OF WICHITA

OFFICE OF Citizen Rights & Services DATE November 20, 1986

TO Jack Galbraith, Chief Planner-Current Plans

FROM Barry L. Carroll, Administrative Aide III

SUBJECT DR 86-13: West of 119th Street  
West approximately 1/2 mile north  
of 13th Street

On Wednesday, November 19, CPO Council Area "A" considered the above captioned case, a request for a "special use permit" to establish a recreation area on property zoned "AA" One-Family Dwelling District. Council members were provided the notice to adjoining property owners, a map of the area and MAPD staff comments. After extensive discussion, the Council voted 8-0 to recommend approval of the request, subject to staff's comments.

The agent, Jay Russell, was present to describe the request and respond to questions from the Council members. Mr. Russell explained that a swimming pool and clubhouse were being planned for the Autumn Ridge Development and that a special use permit is needed in order to permit construction. Mr. Russell also explained that these recreational facilities would be used by the residents of the development and would not be available to the public.

The Council was supportive of the request.

Please provide these comments to the MAPC and the Board of City Commissioners when case DR 86-13 is considered.

*Barry L. Carroll*  
Barry L. Carroll  
Administrative Aide III

BLC:dm

Noted:

*Annie K. Montgomery*  
Annie K. Montgomery  
CRS Director

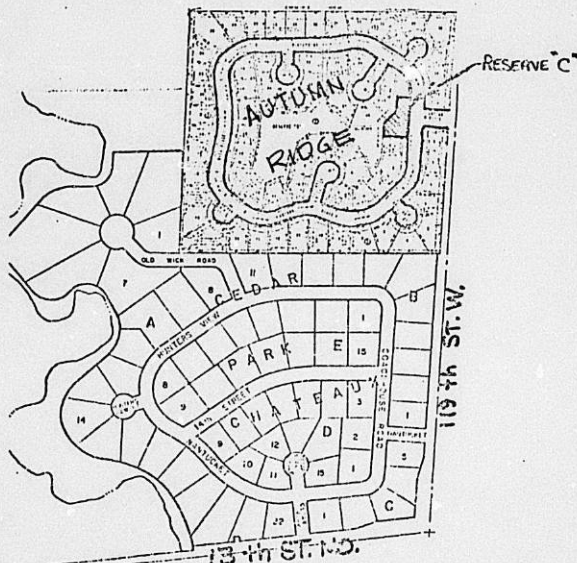
RECEIVED

NOV 21 1986

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

NOVEMBER 24, 1986

STAFF REPORT



DR 86-13 - REQUEST FOR A SPECIAL USE PERMIT TO ESTABLISH A SWIM CLUB AND RECREATION AREA ON PROPERTY ZONED "AA" ONE-FAMILY DWELLING DISTRICT, LOCATED WEST OF 119TH STREET WEST APPROXIMATELY 1/4-MILE NORTH OF 13TH STREET NORTH.

Applicant: Autumn Ridge Partnership, c/o J. W. Russell, 889 North Maize Road, Suite One, Wichita, KS 67212

	<u>Land Use</u>	<u>Zoning</u>	<u>Size</u>
Application Area	Undeveloped	"AA"	.40 acre
North	Undeveloped	"AA"	
South	Undeveloped	"AA"	
East	Undeveloped	"AA"	
West	Undeveloped	"AA"	

History: None.

Background: The applicant is requesting a special use permit for a recreational area (including a swim club, clubhouse and related recreational facilities) on a platted reserve containing .40-acre zoned "AA" Single-family Dwelling and located west of 119th Street West approximately 1/4-mile north of 13th Street North. The surrounding lots are undeveloped and are owned by the applicant.

Analysis: Private recreational facilities, such as this proposal, are permitted in "AA" zoning with a special permit. Section 28.04.182 of the Zoning Ordinance states that the Planning Commission may recommend approval of the location and preliminary plans for such a use after first finding "that such use is reasonable and is in harmony with the surrounding area and the objectives of the comprehensive plan and will preserve property values, personal and property rights, as well as promote the general welfare of the community." Section 28.04.182 also lists certain criteria for site plan development such as uses, setbacks, screening, etc. These criteria were established to protect existing neighborhoods and strict adherence to these guidelines may not be necessary for this particular case where the facility is to be constructed prior to development of the subdivision which it is to serve. The application area and all lots within Autumn Ridge are still in one ownership. The Autumn Ridge developer has stated that this recreational facility is to be a key feature of the subdivision. He prefers

exposure of the site rather than screening it from the view of adjacent lots. The clubhouse building is to be used initially as a sales office for the subdivision. Upon conversion to a clubhouse, it is to have a large party room, several small meeting rooms, a lounge, restrooms and some storage areas. An outdoor swimming pool is to be provided but no other outdoor recreational facilities are shown on the site plan submitted with this application.

Only nine parking spaces are shown on the plan. Although it is not possible to determine the exact number of required parking spaces until the precise size and use of the facilities are known, it appears that nine spaces is quite inadequate unless the clubhouse is to be used only by residents of Autumn Ridge and not for parties or receptions or meetings which a resident may have for invited guests. Staff is concerned that, if adequate parking is not provided on-site, the public streets surrounding the clubhouse area will be used for parking. As the clubhouse is located at the one and only entrance into Autumn Ridge from 119th Street, excessive on-street parking could create traffic congestion detrimental to the neighborhood.

Another concern of staff is the lack of screening around the parking lot. Parking lots in residential areas are usually required to be screened to prevent headlights from shining onto adjacent lots and to prevent cars from encroaching onto the adjacent lots. This case should be no exception.

The northwest corner of the clubhouse does not observe the required 20-foot rear yard. The building should be repositioned on the site so that it does observe the required setback or a variance by the Board of Zoning Appeals shall be obtained.

If adequate parking, setbacks and screening cannot be provided, consideration should be given to enlarging the site. The Commission may wish to defer this matter until a revised site plan is submitted.

If the Commission determines that the use is reasonable and is in harmony with the surrounding area, the following are recommended conditions of approval:

1. The number of parking spaces as required by the zoning ordinance shall be provided on site.
2. Setbacks for all structures shall be in accordance with zoning ordinance requirements.
3. Fencing of the swimming pool shall be provided as required by City Code.
4. A solid fence, wall or evergreen vegetation at least 3½ feet in height shall be provided around all automobile parking areas which are adjacent to a residential lot.
5. If parking and/or building setbacks are not to be provided as required by ordinance, then Board of Zoning Appeals variances shall be obtained prior to City Commission review of this application.
6. A landscape and/or fencing plan for the parking areas shall be submitted to the Planning Department for review and approval prior to issuance of any building permits on this site.
7. The applicant shall provide a covenant which limits use of these recreational facilities to residents of Autumn Ridge.
8. All lights shall be shielded to reflect or direct light away from adjoining property.
9. No loudspeakers or amplification system shall be used so as to be heard outside of the building.
10. Four copies of a revised site plan showing compliance with items one through five shall be submitted to the Planning Department prior to scheduling this request for City Commission review and within four months or this application shall be considered denied and closed.

CASE NO. DR 86-13

2 "Notice of Public Hearing and Zoning Data Sheet  
mailed on 11-10-86 to Applicant and Agent for  
MAPC meeting on 11-24-86.

3 One each to CPO, Carl Gipson and Karen Crook.

3 One each to Louise, Barbara and Glen.

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8 TOTAL

WICHITA-SEDGWICK COUNTY  
METROPOLITAN AREA PLANNING COMMISSION  
CITY HALL, TENTH FLOOR, 455 NORTH MAIN STREET  
WICHITA, KANSAS 67202-1688

November 10, 1986

NOTICE OF PUBLIC HEARING

Case No.: DR 86-13.

Location: West of 119th Street West approximately 1/2-mile north of 13th Street North.

Address: N/A.

Request: Special Use Permit to Establish a Recreation Area on Property Zoned "AA" One-Family Dwelling District.

A public hearing to consider the above noted request has been scheduled before the Wichita-Sedgwick County Metropolitan Area Planning Commission (MAPC) on Monday,

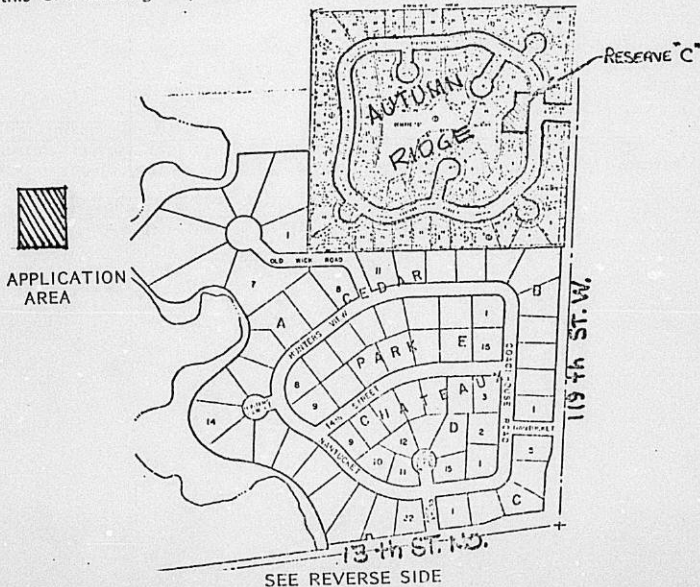
NOVEMBER 24, 1986

The meeting will begin at 1:30 p.m. in the City Commission Meeting Room, First Floor, City Hall, 455 North Main, Wichita, Kansas.

As an owner or occupant of property in the area, you have the right to appear at the MAPC meeting, either in person or by agent or attorney, to support or oppose this request. If you have no interest in or objection to the request, you have no obligation to appear at the public hearing.

If you have any questions or wish additional information about this case, please call the Planning Office at 268-4421.

NOTE: We have been advised by the Citizen Participation Organization staff that CPO Council "A" will consider this case at their meeting to be held on Wednesday, November 19, 1986, at 7 p.m. at the American National Bank, 10222 West Central. Additional information regarding this CPO meeting may be obtained by calling the CPO office at 268-4516.



LEGAL DESCRIPTION OF THE AREA PROPOSED TO BE CHANGED

CASE NO. DR 86-13

Special Use Permit to Establish a Recreation Area  
on Property Zoned "AA" One-Family Dwelling District

Reserve "C" in Autumn Ridge Addition, Wichita, Sedgwick County, Kansas.  
Generally located west of 119th Street West approximately 1/2-mile north  
of 13th Street North.

DISTRICT	NAME OF DISTRICT AND USES PERMITTED (FOR COMPLETE REGULATIONS AND EXCEPTIONS - SEE TEXT OF ORDINANCE)	
AA	ONE FAMILY DWELLINGS	One family dwellings, parks, schools, libraries, golf courses, nurseries, churches
A	TWO FAMILY DWELLINGS	Uses permitted in "AA" district and two family dwellings, care homes (5 or less)
RB	FOUR FAMILY DWELLINGS	Any use permitted in "AA" or "A" districts and four family dwellings
R-5	GENERAL RESIDENCE DISTRICT	Any use permitted in more restrictive districts and multiple family dwellings. Density: 17.5 dwelling units per acre
R-6	GENERAL RESIDENCE DISTRICT	Any use permitted in more restrictive districts and multiple family dwellings. Density: 29 dwelling units per acre
B	MULTIPLE FAMILY DWELLING	Any use permitted in more restrictive districts and multiple family dwellings, boarding houses, medical offices, hospitals, greenhouses, paring lots. Density: 75 dwelling units per acre
BB	OFFICE DISTRICT	Any uses permitted in more restrictive districts any general offices, medical laboratories
OC	OFFICE COMMERCIAL DISTRICT	Offices, limited retail and service uses operated within a building, and residential uses as permitted in the "R-5" district
LC	LIGHT COMMERCIAL DISTRICT	Any use permitted in more restrictive districts and purely retail business operated in a building
C	COMMERCIAL DISTRICT	Uses permitted in more restrictive districts and other uses not offensive because of dust, noise, odor or smoke
E	LIGHT INDUSTRIAL DISTRICT	All industrial and commercial uses except those most offensive because of noise, dust, odors and smoke; and except residential uses
F	HEAVY INDUSTRIAL DISTRICT	Any use, some conditional upon specific approval of City Commission; except residential uses

Special Districts		
D	CENTRAL BUSINESS DISTRICT	Those uses permitted in the "C" district and more restrictive districts and other uses not offensive because of dust, noise, odor or smoke
G	MOBILE HOME	Mobile home park when complying with Title 26 of the City Code, schools, churches, parks, day nurseries, home occupations
U	UNIVERSITY	Universities, colleges, seminaries and other institutions of learning and related uses
CLP	COMMUNITY UNIT PLAN	Commercial residential. Permits those uses approved as part of a total development plan

CASE NO. DR 86-13

Special Use Permit to Establish a Recreation Area  
on Property Zoned "AA" One-Family Dwelling District

Reserve "C" in Autumn Ridge Addition, Wichita, Sedgwick County, Kansas.  
Generally located west of 119th Street West approximately  $\frac{1}{4}$ -mile north  
of 13th Street North.

DR-86-13

APPLICATION FOR SPECIAL PERMIT

WICHITA-SEDGWICK COUNTY METROPOLITAN AREA PLANNING COMMISSION

This is an application for a Special 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.

1. The names of the owners of all property included in this application must be listed as applicants. Contract purchasers, leasees or others directly associated with the property may also be listed if they desire to be advised of the proceedings.

- A. APPLICANT Autumn Ridge Partnership
ADDRESS 889 N. Maize Road, Suite 109 Zip Code 67212 PHONE 722-2417
AGENT Bill G. Yung Design
ADDRESS 4912 E. 29th No., Suite One Zip Code 67220 PHONE 683-5567
B. APPLICANT
ADDRESS Zip Code PHONE
AGENT
ADDRESS Zip Code PHONE
C. APPLICANT
ADDRESS Zip Code PHONE
AGENT
ADDRESS Zip Code PHONE

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

2. A. The applicant proposes to establish a swim club and recreation area (use) on property zoned AA and legally described as Lot(s) N/A Block(s) N/A of the Addition.

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

Reserve "C" in Autumn Ridge Addition of Wichita, Sedgwick County, Kansas.

recorded 10-7-86

B. There are .40+ acres (round to nearest tenth) in the above described property.

FOR OFFICE USE ONLY

Map No. 4649B Zoning (N) AA (S) AA (E) AA (W) AA MAPC Monday 1-24-86

T9-212-2

CPO A 11-19-86

Revised 9/86

mail out 1-10-86

3. This property is located at (address) \_\_\_\_\_.

THE GENERAL LOCATION IS (USE APPROPRIATE SECTION)

A. At the \_\_\_\_\_ corner of \_\_\_\_\_ and

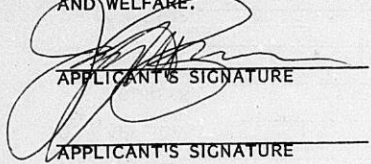
\_\_\_\_\_ , OR

B.  On the West side of 119th Street West ~~(Ave.) Street between~~ <sup>approx. 1/2 mile north of</sup>  
13th Street No. (Ave.) Street and 21st Street North ~~(Ave.) Street~~.

The property included in this application is zoned AA  
(ZONING DISTRICT CLASSIFICATION).

4. We request this special permit for the following reasons:  
To permit the construction of a swim club, clubhouse and related recreational facilities.

5. WE ACKNOWLEDGE RECEIPT OF THE INSTRUCTION SHEET EXPLAINING THE METHOD OF SUBMITTING THIS APPLICATION. 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. WE FURTHER CERTIFY THAT THE FOREGOING INFORMATION IS TRUE AND CORRECT TO THE BEST OF OUR KNOWLEDGE. WE ACKNOWLEDGE THAT THE BOARD OF CITY OR COUNTY COMMISSIONERS SHALL HAVE AUTHORITY TO IMPOSE SUCH CONDITIONS AS IT DEEMS NECESSARY IN ORDER TO SERVE THE PUBLIC INTEREST AND WELFARE.

  
\_\_\_\_\_  
APPLICANT'S SIGNATURE

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

\_\_\_\_\_  
APPLICANT'S SIGNATURE

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

\_\_\_\_\_  
APPLICANT'S SIGNATURE

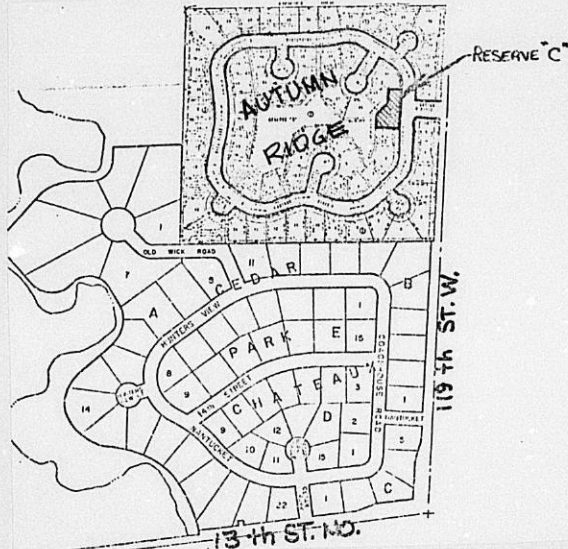
BY \_\_\_\_\_ AUTHORIZED AGENT (IF ANY)

OFFICE USE ONLY

This application was received at the Planning Department at 4 PM  
(AM, PM) on 10-27-86 (day, month, year). It has been checked and found to be complete and accompanied by required documents and the appropriate fee of \$ 150<sup>00</sup>.

*applicant owns all property within 200' (see proof of ownership in Autumn hedge plat file)*  
*No ownership list needed.*  
Louise Olvay Name  
Sr Planner Title

STAFF REPORT



DR 86-13 - REQUEST FOR A SPECIAL USE PERMIT TO ESTABLISH A SWIM CLUB AND RECREATION AREA ON PROPERTY ZONED "AA" ONE-FAMILY DWELLING DISTRICT, LOCATED WEST OF 119TH STREET WEST APPROXIMATELY 1/4-MILE NORTH OF 13TH STREET NORTH.

Applicant: Autumn Ridge Partnership, c/o J. W. Russell, 889 North Maize Road, Suite One, Wichita, KS 67212

	Land Use	Zoning	Size
Application Area	Undeveloped	"AA"	.40 acre
North	Undeveloped	"AA"	
South	Undeveloped	"AA"	
East	Undeveloped	"AA"	
West	Undeveloped	"AA"	

History: None.

**Background:** The applicant is requesting a special use permit for a recreational area (including a swim club, clubhouse and related recreational facilities) on a platted reserve containing .40-acre zoned "AA" Single-family Dwelling and located west of 119th Street West approximately 1/4-mile north of 13th Street North. The surrounding lots are undeveloped and are owned by the applicant.

**Analysis:** Private recreational facilities, such as this proposal, are permitted in "AA" zoning with a special permit. Section 28.04.182 of the Zoning Ordinance states that the Planning Commission may recommend approval of the location and preliminary plans for such a use after first finding "that such use is reasonable and is in harmony with the surrounding area and the objectives of the comprehensive plan and will preserve property values, personal and property rights, as well as promote the general welfare of the community." Section 28.04.182 also lists certain criteria for site plan development such as uses, setbacks, screening, etc. These criteria were established to protect existing neighborhoods and strict adherence to these guidelines may not be necessary for this particular case where the facility is to be constructed prior to development of the subdivision which it is to serve. The application area and all lots within Autumn Ridge are still in one ownership. The Autumn Ridge developer has stated that this recreational facility is to be a key feature of the subdivision. He prefers

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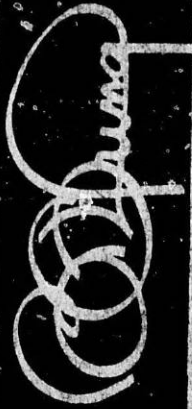
**MICROFILMED**  
**FROM THE BEST**  
**AVAILABLE COPY**

FORM 2 21

PAYMENT NOTICE  
 City of Wichita

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

DESCRIPTION		AMOUNT
[Handwritten Description]		[Handwritten Amount]
NAME		
ADDRESS		
FUND	DUE DATE	
COMMENTS		
DATE	BY	



**BILL G. YUNG DESIGN**  
4012 E. 28TH STREET NORTH, WICHITA, KS 67220  
316-683-5667

**date** 23 Oct 86  
**rev.**

19 Plan

DR 86-13