

THIS PLAT REPRESENTS A TRACT OF LAND DESCRIBED AS FOLLOWS:

THE WEST 158.0 FEET OF THE SOUTH 1/2 OF THE EAST 1/3 AND THE SOUTH 1/2 OF EAST 1/2 OF THE WEST 2/3 OF BLOCK 29 WEST LAWRENCE, ALSO BEGINNING AT THE SOUTH WEST CORNER OF SAID BLOCK 29 THENCE NORTH 100 FEET THENCE EAST 300 FEET THENCE SOUTH 100 FEET THENCE WEST 300 FEET TO POINT OF BEGINNING.

LEGEND
 ——— PROPERTY LINE
 ——— STREET CENTER LINE
 - - - EASEMENT LINE
 - - - BUILDING RESTRICTION LINE

KNOW ALL MEN BY THESE PRESENTS

THAT WE THE UNDERSIGNED, OWNERS OF THE ABOVE DESCRIBED TRACT, HAVE CAUSED THE SAME TO BE SURVEYED, PINNED AND PLATTED UNDER THE NAME OF GRANDVIEW HEIGHTS AND HAVE CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS AND PUBLIC STREETS INCLUDED IN AND SHOWN BY THE PLAT AND FULLY DEFINED IN THIS PLAT, AND ARE HEREBY DEDICATED FOR PUBLIC USE AS INDICATED.

THE RIGHT IS RESERVED TO CONSTRUCT AND MAINTAIN UNDERGROUND UTILITIES AND POLES FOR ELECTRIC LIGHTING AND TELEPHONE IN AND ON THE EASEMENT SPACE PROVIDED AS SHOWN ON THIS PLAT.

THE LAND AND LOTS SHOWN ON THIS PLAT SHALL BE HELD AND CONVEYED SUBJECT TO THE RESTRICTIONS, RESERVATIONS AND PROTECTIVE COVENANTS SET FORTH IN A SEPARATE DOCUMENT EXECUTED AND FILED FOR RECORD IN THE OFFICE OF THE REGISTER OF DEEDS OF DOUGLAS COUNTY, KANSAS, WHICH SAID RESTRICTION, RESERVATION, AND PROTECTIVE COVENANTS SHALL BE COVENANTS RUNNING WITH THE LAND AND SHALL BE A PART OF AND A COVENANT IN EACH CONVEYANCE THEREOF.

IN WITNESS WHEREOF, WE THE UNDERSIGNED OWNERS HAVE CAUSED THIS INSTRUMENT TO BE EXECUTED AS OF THE 15 DAY OF October 1956.

Ruby Alexander
 RUBY ALEXANDER

Edward E. Alexander
 EDWARD E. ALEXANDER

STATE OF KANSAS ☒ S.S.
 DOUGLAS COUNTY
 BE IT REMEMBERED THAT ON THIS 15 DAY OF October 1956 BEFORE ME A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, CAME EDWARD E. ALEXANDER AND RUBY ALEXANDER, HUSBAND AND WIFE, TO ME PERSONALLY KNOWN TO BE THE SAME PERSONS WHO EXECUTED THE FOREGOING INSTRUMENT, AND DULY ACKNOWLEDGED THE EXECUTION OF THE SAME.
 MY COMMISSION EXPIRES May 29 1958 *Mary K. Lipton*
 NOTARY PUBLIC

NO
 EX
 N
 State of Kansas, Douglas County, ss.
 I, *Harold A. Lick*, Clerk
 do hereby certify that this is a true and correct copy of the original as the same appears in the records of said County.
 By *Harold A. Lick* Deputy

STATE OF KANSAS ☒ S.S.
 DOUGLAS COUNTY
 THIS IS TO CERTIFY THAT I L.D. RICE, COUNTY SURVEYOR IN AND FOR SAID COUNTY AND STATE HAVE CHECKED THE PLAT HEREON SHOWN AND I HEREBY APPROVE IT FOR FILING IN THE COUNTY RECORDS.
 DATE *Oct. 15, 1956*
L.D. Rice
 COUNTY SURVEYOR — L.D. RICE

I HEREBY CERTIFY THAT THE PLATTED AREA AS SHOWN HEREON REPRESENTS ALL BOUNDARIES AND ACCURATELY GIVES ALL LOT DIMENSIONS AS DETERMINED AND MARKED BY FIELD SURVEY.
 DATE *Sept. 17, 1956*
L.D. Rice
 LICENSED ENGINEER — L.D. RICE

THE PLANNING BOARD OF THE CITY OF LAWRENCE AT ITS MEETING ON THE 16 DAY OF October 1956 HAS EXAMINED THIS PLAT TO BE KNOWN AS GRANDVIEW HEIGHTS AND HAS APPROVED IT FOR FILING IN THE COUNTY RECORDS.
E. F. Smallberg
 CHAIRMAN — E. F. SMALLBERG

THE CITY COMMISSION OF THE CITY OF LAWRENCE AT ITS MEETING ON THE 23 DAY OF October 1956 HAS EXAMINED THIS PLAT TO BE KNOWN AS GRANDVIEW HEIGHTS AND HAS APPROVED IT FOR FILING IN THE COUNTY RECORDS.
J. P. Crown
 MAYOR — J. P. CROWN
J. H. Wigglesworth
 CITY MANAGER — J. H. WIGGLESWORTH

GRANDVIEW HEIGHTS
 — SUB DIVISION —
 LAWRENCE • KANSAS
 SCALE 1" = 40'

GRANDVIEW HEIGHTS



March 31, 2009

Shoeb Uddin
City of Lawrence, City Hall
6 E. 6th Street
P.O. Box 708
Lawrence, Kansas 66044-0708

suddin@ci.lawrence.ks.us

**Re: Sight Distance Study for Proposed Driveway
John Chaney Property on W. 5th Street**

Dear Shoeb:

Per our previous phone conversation, we are submitting a sight distance study for John Chaney. As we discussed, he is proposing to construct a new driveway at his property on W. 5th Street in Lawrence, as shown on the enclosed Sight Distance Exhibit.

Taylor Design Group, P.A. (TDG) completed a survey of the area to determine the road centerline profile and the existing topography in the area. The Sight Distance Exhibit contains the calculations and information related to the sight distance triangles for this study, which are based on the applicable AASHTO guidelines.

This study indicates that the controlling sight distance is that of the road profile. The available sight distance left of the driveway is approximately 225', and to the right of the driveway is approximately 160'. The corresponding sight triangles have been shown on the exhibit. Most of the obstacles contained within the sight triangles are trees, which appear to be located within the road right-of-way, although TDG did not verify the right-of-way location in the area as part of this study.

Please review the exhibit, and contact me should there be any questions, or if you need additional information.

Respectfully Submitted,

Cara C. Hendricks, P.E.
Project Manager

pc: John Chaney

Comparison of slope, design and driveway locations between 5th Street and Morning Dove Circle.

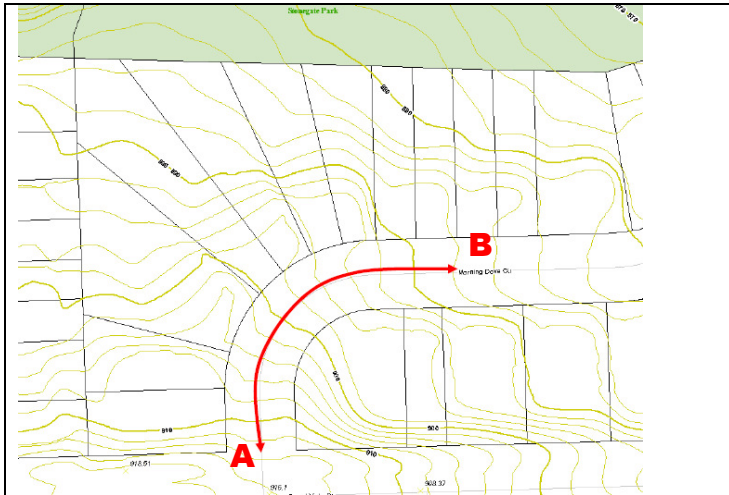


Figure 1. Elevation change and design of Morning Dove Circle.



Figure 2. Driveways along Morning Dove Circle.

Morning Dove Circle Point A to B

Approximately 287 ft distance [run]

Elevation change from 888 ft to 914 ft; 26 ft [rise]

% slope = rise/runx100; $26 / 287 = .0905 \times 100 = \mathbf{9.05\%}$

Number of driveways: 7 drives; 5 shared and 2 single



Figure 3. 5th Street contours and driveways near subject property

5th Street; Point A to B

Approximately 385 ft distance [run]

Elevation change from 961 ft to 932 ft; 29 ft [rise]

% slope = rise/runx100; $29 / 385 = .0905 \times 100 = \mathbf{7.5\%}$

Number of driveways: 5 drives: 4 existing and 1 proposed

Planning
Waiver

I need to apply for a waiver, curb cut is approximate 38.75 feet need to be 40 feet.
Would like this to be submitted , at the time of the preliminary plat.

Thank You

John M. Chaney

Mary Miller

From: Paul Werner [paulw@paulwernerarchitects.com]
Sent: Thursday, July 09, 2009 4:12 PM
To: Mary Miller
Cc: jmchomesinc@sbcglobal.net; Scott McCullough
Subject: RE: 5th street..
Follow Up Flag: Follow up
Due By: Thursday, July 09, 2009 4:45 PM
Flag Status: Red

Mary,

Please accept this as our formal request for 2 variances from the subdivision regulations on behalf of my client for the 5th street subdivision.

We are requesting a variance for the right-of way and for the lot frontage as required in the development code.

Strict application of these regulations will create an undue hardship on my client since he will not be allowed to build a house on a lot which could conform to the regulations. As you are aware my client was pleased to dedicate the right-of way as required by the subdivision regulation - - this dedication in turn would have provided a lot with the required frontage of 40'. If the city feels it is a better process to grant two variances in order to allow this property to re-platted my client will accept this decision, as long as the variances are in fact granted.

The proposed variances can be supported due to the existing conditions in this area in regards to the right-of-way. While we would not have chosen to seek these variances, with the comments and requests of the city commission to proceed in this manner, we can certainly support their reasoning. The width of 40' is actually somewhat arbitrary as to an actual required width of a lot in order to provide access. Obviously a lot does not need 40' to provide access.. so granting of a variance in this case of 2.5' from the required 40' seems to be in harmony with the required development code. The fact that IF the city actually accepted the required right of way dedication that the lot would be wider than 40' shows that this variance actually has no impact on the allowed improvements and therefore should be granted.

The granting of the variances does not change the physical improvements to the lot, therefore the health safety and welfare of the public is protected. The variance do not create a situation in which a re-platted lot is being created which is different than what it would be IF the city did in fact accept the right of way dedication.

Thanks for your time. We look forward to discussing this matter with you and look forward to your positive recommendation.

Let me know if you have any other questions or concerns.

Thanks
Paul

7/10/2009

Paul Werner
Paul Werner Architects
 PO Box 1536
 545 Columbia Drive Suite 1002
 Lawrence, Kansas 66044
(785) 832-0804
 (785) 832-0890 fax

From: Mary Miller [mailto:mmiller@ci.lawrence.ks.us]
Sent: Tuesday, July 07, 2009 12:46 PM
To: Paul Werner
Cc: jmchomesinc@sbcglobal.net
Subject: RE: 5th street..

Paul,
 The legal description of the property refers to a block in West Lawrence, although I don't find a corresponding plat. This property was at one time joined with the platted lot to the north, but was not platted with it (just joined through ownership).

We have also been discussing this item, to determine the correct process for the variance requests. Typically, when a property owner requests a variance or variances, they provide Planning with a written request stating why the variance is necessary and stating how the variance complies with the 3 criteria listed in Section 20-813(g)(2) of the Subdivision Regulations. In this case, the City Commission refused to accept the dedication of right-of-way and directed the applicant to return to the Planning Commission to request the variance from the frontage requirement and from the required road right-of-way. The variances would be from Section 20-810(a)(2)(i) of the Sub Regs (which requires lots to be created in compliance with the zoning district regulations) and Section 20-810(d)(4)(i) of the Sub Regs (which requires 60 ft of right-of-way for a local street).

In order to process this request correctly, please provide a written request for both variances which includes the reason why the variances are necessary

In addition please discuss how the following 3 criteria (Section 20-813(g)(2) of the Sub Regs) apply to each requested variance:

1. Strict application of these regulations will create an unnecessary hardship upon the Subdivider
2. The proposed variance is in harmony with the intended purpose of these regulations; and,
3. The public, health, safety and welfare will be protected.

Please provide your written request and discussion of the variances by Friday, June 10th. I will include your information in the staff memo and will provide staff's analysis as well.

Please feel free to contact me if you have any questions.

Thanks,
 Mary

Mary K Miller, AICP, City/County Planner- mmiller@ci.lawrence.ks.us
 Planning Division | www.lawrenceks.org/pds
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