

ACTION

DATE

COMMITTEE

M.A.P.C. *Approved subject to conditions 5-14-87*

R.C.C./B. CO. C. *Approved subject to amended conditions 6-10-87*

Young

DR 87-10 - W.R., Jr. & Rita K. Young & Barbara L. Hale request special use permit to install an above-ground metal cabinet for telephone switching equipment on the north side of 53rd Street North, 1/3-mile west of Ridge Rd.

DATA SHEET

Z- _____
 SCZ- _____
 CU- _____
 DR- 87-10
 DP- _____

Amend
 Case Filed: 4-9-87
 Associated Case: _____

APPLICATION DATA: Map No. 4954 B

1. General Location: On the north side of 53rd Street North, 1/3-mile west of Ridge Road.

2. From _____ to _____

3. Proposed Use: Special Use Permit to install an above-ground metal cabinet for telephone switching equipment on property zoned the "R" Rural Residential District.

4. DP Name: _____

5. Applicant: W.R. Young, Jr. and Rita K. Young; and Barbara L. Hale Box 4027
 Address ~~7710 West 53rd Street North, Wichita, KS. 67207~~ Phone 721-4214

6. Agent: Southwestern Bell Telephone Company, c/o Fred L. Neff
 Address 154 North Broadway, Room 956, Wichita, KS. 67202 Phone 268-2800

AREA DATA:

1. Acres: .02 (_____ ft. by _____ ft.)

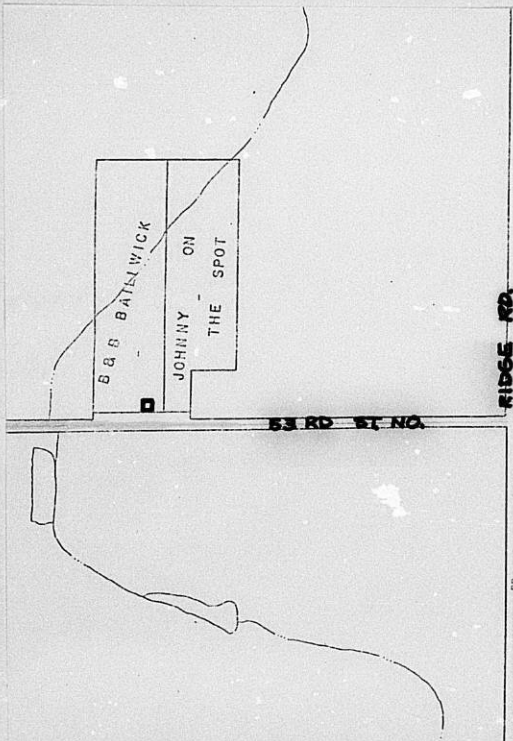
2. Adjoining Zoning: N "R" & "E" S "R" E "R" W "R"

3. Land Use: North _____ East _____
 South _____ West _____

PICTURE SHEET

PHOTO DATA:

Taken by _____ Date _____ Time _____



NOTES:

Standard
 No. 2153C
 HASTINGS, ILL.
 LOS ANGELES, CHICAGO, DODAN, OH.
 MEMPHIS, MOBILE, NEW YORK, PHOENIX, ST. LOUIS, TAMPA, WASHINGTON, D.C.
 U.S.A.

July 2, 1987

Mr. Fred Neff
Southwestern Bell Telephone
154 North Broadway, Room 956
Wichita, Kansas 67202

RE: DK 87-9 - Telephone Cabinet on 151st Street West at 109th Street
North.
DR 87-10 - Telephone Cabinet on 53rd Street North, west of Ridge
Road.

Dear Fred:

Enclosed are copies of the two resolutions adopted by the Board of County Commissioners for above-ground metal telephone switching cabinets at the locations cited above. Each resolution specifies a minimum setback from the street as well as a maximum size of cabinet.

Ron Worley has a copy of these resolutions and should be able to issue you a land use permit at any time. If you have any questions about this matter, please call.

Sincerely,

Louise Olivarez
Principal Planner

LO:blw
Enclosures

RESOLUTION NO. R#217-1987

A RESOLUTION AUTHORIZING A SPECIAL USE PERMIT FOR CERTAIN LANDS LOCATED IN SEDGWICK COUNTY, KANSAS, UNDER THE AUTHORITY GRANTED BY SECTION 13.F. OF THE ZONING REGULATIONS FOR THE UNINCORPORATED AREA OF SEDGWICK COUNTY, KANSAS.

BE IT RESOLVED BY THE GOVERNING BODY OF SEDGWICK COUNTY, KANSAS.

SECTION I. That after receiving a recommendation from the Wichita-Sedgwick County Metropolitan Area Planning Commission, and proper notice having been given and hearing held and under authority of and subject to the provisions of Section 13.F of the Zoning Regulations for the Unincorporated Area of Sedgwick County, Kansas, a Special Use Permit to install an above-ground metal cabinet for telephone switching equipment on property zoned the "R" Rural Residential District is hereby approved on lands legally described as follows:

CASE NO. DR 87-10

The south 40 feet of the west 30 feet of the east 80 feet of Lot 1, B & B Bailiwick Addition, Sedgwick County, Kansas. Generally located on the north side of 53rd Street North, 1/3-mile west of Ridge Road.

SUBJECT TO THE FOLLOWING CONDITION:

1. The cabinet shall maintain a setback of no less than 35 feet from the south lot line of B & B Bailiwick Addition.
2. The cabinet shall not exceed a height of 5½ feet, a width of 6½ feet, and a depth of 27 inches.

SECTION II. That this Resolution shall take effect and be in force from and after its adoption.

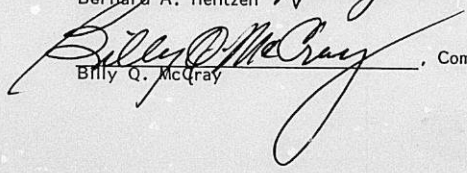
ADOPTED AT WICHITA, KANSAS, this 10th day of June, 1987


Tom Scott, Chairman


Mark F. Schroeder, Chairman pro tem


David Bayboth, Commissioner


Barbara A. Hentzen, Commissioner


Billy Q. McCray, Commissioner

ATTEST:



Don Wright
Don Wright, County Clerk

APPROVED AS TO FORM:

Robert R. Arnold
Robert R. Arnold, County Counselor

RESOLUTION NO. _____

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BE IT RESOLVED BY THE GOVERNING BODY OF SEDGWICK COUNTY, KANSAS.

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SECTION II. That this Resolution shall take effect and be in force from and after its adoption.

ADOPTED AT WICHITA, KANSAS, this _____ day of _____, 19__.

_____, Chairman
Tom Scott

_____, Chairman pro tem
Mark F. Schroeder

_____, Commissioner
David Bayouth

_____, Commissioner
Bernard A. Hentzen

_____, Commissioner
Billy Q. McCray

revised by _____

ATTEST:

Don Wright, County Clerk _____

(SEAL)

APPROVED AS TO FORM:

Robert R. Arnold, County Counselor _____

Planning Agenda

Item #

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION
TO BOARD OF COUNTY COMMISSIONERS

REQUEST FOR SPECIAL USE PERMIT

DR 87-10 - REQUEST FOR SPECIAL USE PERMIT FOR AN ABOVE-GROUND METAL CABINET FOR TELEPHONE SWITCHING EQUIPMENT ON PROPERTY ZONED THE "R" RURAL RESIDENTIAL DISTRICT, LOCATED ON THE NORTH SIDE OF 53RD STREET NORTH, 1/3-MILE WEST OF RIDGE ROAD.

The MAPC recommends that the application be approved subject to conditions.
(see minutes for full motion)

Gardner moved, Crockett seconded and it carried unanimously. Banzer, Parsons and Wilson were absent.

ACTION:

1. Adopt the findings of fact of the Metropolitan Area Planning Commission and approve the special use permit subject to the recommended conditions; adopt a resolution authorizing the special use permit; or
2. Adopt findings and deny the application.

DATA AND MINUTES

MAPC Hearing Date: 5/14/87 Approve

BCoC Hearing Date: 6/10/87

COMMISSION DISTRICT #4

	<u>Land Use</u>	<u>Zoning</u>	<u>Size</u>
Application Area	Undeveloped	"R"	30'x40'
North	Manufacturing	"R" & "E"	
South	Agriculture	"R"	
East	Entrance drive to industrial uses & single-family dwelling	"R"	
West	Agriculture	"R"	
History:	SCZ-0539 "R" to "E"	(B & B Bailiwick and Johnny-on-the Spot Additions) 9/6/84 MAPC approve except south 200 ft. 10/3/84 BCoC approve as recommended	
Applicant:	W. R. Young, Jr., et al, Box 4027 Wichita, KS 67204 (owner) Southwestern Bell Telephone Co., c/o Fred Neff, 154 N. Broadway, Wichita, KS 67202 (lessee)		
Protestors:	Nadine Holle, 7510 W. 53rd Street North, Wichita, KS.		

EXCERPT FROM PLANNING COMMISSION MINUTES OF MAY 14, 1987

LEGAL:

3. Case No. DR 87-10 - W. R. Young, Jr., et al request Special Use Permit for the south 40 feet of the west 30 feet of the east 80 feet of Lot 1, B & B Bailiwick Addition, Sedgwick County, Kansas. Generally located on the north side of 53rd Street North, 1/3-mile west of Ridge Road.

OLIVAREZ pointed out land use, zoning and showed slides of the general area. She reviewed the following staff report:

Background: The applicants are requesting a special use permit for an above-ground metal cabinet for Southwestern Bell Telephone switching equipment on a 30-foot by 40-foot portion of a 9-acre platted lot located on the north side of 53rd Street North, 1/3-mile west of Ridge Road. The south 200 feet of the lot remains zoned "R" while the balance has been changed to "E". The 200-foot depth of "R" zoning was retained in order to protect the residential property to the east.

Analysis: The application area will be leased by Southwestern Bell for purposes of installing and operating a "state-of-the-art" service cabinet for switching equipment which is 6½ feet wide, 5½ feet high and 27 inches deep. Construction will be of corrosion-resistant aluminum. Although all properties immediately adjacent to this site are zoned "R", 160 feet to the north are two light industrial uses. This cabinet's location will be adjacent to the entrance drive to Meter Engineer's facilities, one of those industrial uses. The reason for the 40-foot depth of the application area is to locate behind the platted 35-foot setback line.

A recommendation of approval of the special use permit should be subject to the following condition:

1. The cabinet shall maintain a setback of no less than 35 feet from the south lot line of B & B Bailiwick Addition.

DISCUSSION:

OLIVAREZ stated that staff's requirement on this request is that a 35-foot setback from the south line be retained. She said that staff recommended approval of the request.

FRED NEFF, representing Southwestern Bell Telephone, was present.

NADINE HOLLE, 7510 West 53rd Street North, stated that since rezoning has occurred in this area, they have tried to sell their property, and out of 63 people that came to see the property, not one wanted to look any further after they saw what was behind the property. She said that she was opposed to anything that goes in out there that causes any more devaluation of their property.

BARBARA HALE, owner of B & B Bailiwick, stated that she did not believe that this proposed facility would be anything that would detract from the area. It will look nicer than the sign that they have. She said that the front 200 feet of their property was not zoned so they could use it for anything. They bought this property to use as a business which it was before they bought it, and she would like to see this request approved.

MOTION: Having considered the factors as contained in Policy Statement No. 10; taking into consideration the character of the neighborhood; the zoning and uses of properties nearby; the suitability of subject property for the uses property; and the recommendation of staff; I move that we recommend to the governing body that this application be approved subject to the following condition:

1. The cabinet shall maintain a setback of no less than 35 feet from the south lot line of B & B Bailiwick Addition.

5-14-87
Page 2

Gardner moved, Crockett seconded and it carried unanimously. Banzer, Parsons and Wilson were absent.

PL/1232/2

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING A SPECIAL USE PERMIT FOR CERTAIN LANDS LOCATED IN SEDGWICK COUNTY, KANSAS, UNDER THE AUTHORITY GRANTED BY SECTION 13.F. OF THE ZONING REGULATIONS FOR THE UNINCORPORATED AREA OF SEDGWICK COUNTY, KANSAS.

BE IT RESOLVED BY THE GOVERNING BODY OF SEDGWICK COUNTY, KANSAS.

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CASE NO. DR 87-10

The south 40 feet of the west 30 feet of the east 80 feet of Lot 1, B & B Bailiwick Addition, Sedgwick County, Kansas. Generally located on the north side of 53rd Street North, 1/3-mile west of Ridge Road.

SUBJECT TO THE FOLLOWING CONDITION:

1. The cabinet shall maintain a setback of no less than ³⁵ ~~75~~ feet measured from the ~~section line~~ ^{of the Bailiwick Addition} ~~or the east~~ ~~measured from the west line of the application area~~.
2. The cabinet shall not exceed a height of 5 1/2 feet, a width of 6 1/2 feet, and a depth of 27 inches.

SECTION II. That this Resolution shall take effect and be in force from and after its adoption.
ADOPTED AT WICHITA, KANSAS, this _____ day of _____, 19__.

_____, Chairman
Tom Scott
_____, ~~Commissioner~~ ^{Chairman}
Mark F. Schroeder
_____, Commissioner
David Bayouth
_____, Commissioner
Bernard A. Hentzen
_____, Commissioner
Billy Q. McCray

ATTEST:

Don Wright, County Clerk

(SEAL)

APPROVED AS TO FORM:

Robert R. Arnold, County Counselor

May 18, 1987

Fred Neff
c/o Southwestern Bell Telephone Company
154 North Broadway, Room 956
Wichita, Kansas 67202

Re: DR 87-10 Special Use Permit. On the north side of 53rd Street
North, 1/3-mile west of Ridge Road.

Dear Mr. Neff:

At its regular meeting on May 14, 1987, the Metropolitan Area Planning Commission considered the above-captioned request for a special use permit. The action of the Planning Commission was to recommend that this application be approved subject to the following condition:

1. The cabinet shall maintain a setback of no less than 35 feet from the south lot line of B & B Balliwick Addition.

This matter will be forwarded to the Board of County Commissioners for consideration at their regular meeting on Wednesday, June 10, 1987. This meeting will be held in Room 320, Sedgwick County Courthouse, 525 North Main, Wichita, Kansas, beginning at 9:00 a.m.

If you have any questions concerning this matter, please contact our office.

Sincerely yours,

Jack H. Galbraith
Chief Planner

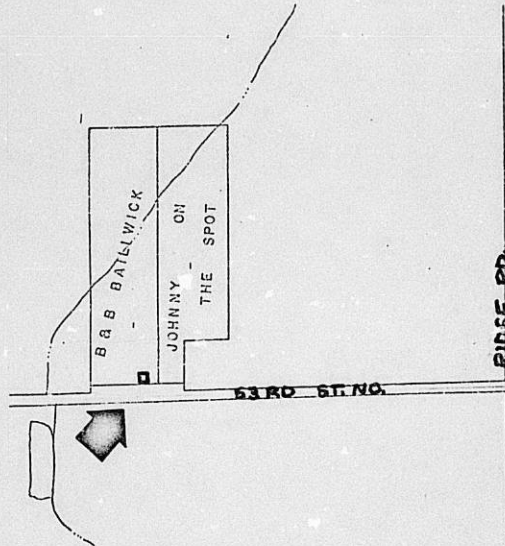
JHG/lw

cc: W. R. Young, Jr., et al., Bcx 4027, Wichita, KS 67204
Nadine Holle, 7510 W. 53rd St. North, Wichita, KS 67205
Ron Worley, County Zoning Administrator

PL/0157/1

MAY 14, 1987

STAFF REPORT



DR 87-10 - REQUEST FOR SPECIAL USE PERMIT FOR AN ABOVE-GROUND METAL CABINET FOR TELEPHONE SWITCHING EQUIPMENT ON PROPERTY ZONED THE "R" RURAL RESIDENTIAL DISTRICT, LOCATED ON THE NORTH SIDE OF 53RD STREET NORTH, 1/3-MILE WEST OF RIDGE ROAD.

Applicant: W. R. Young, Jr., et al, Box 4027 Wichita, KS 67204 (owner)
Southwestern Bell Telephone Co., c/o Fred Neff, 154 N. Broadway,
Wichita, KS 67202 (lessee)

	<u>Land Use</u>	<u>Zoning</u>	<u>Size</u>
Application Area	Undeveloped	"R"	30'x40'
North	Manufacturing	"R" & "E"	
South	Agriculture	"R"	
East	Entrance drive to industrial uses & single-family dwelling	"R"	
West	Agriculture	"R"	

History: SCZ-0539 "R" to "E" (B & B Bailiwick and Johnny-on-the Spot Additions)
9/6/84 MAPC approve except south 200 ft.
10/3/84 BCoC approve as recommended

Background: The applicants are requesting a special use permit for an above-ground metal cabinet for Southwestern Bell Telephone switching equipment on a 30-foot by 40-foot portion of a 9-acre platted lot located on the north side of 53rd Street North, 1/3-mile west of Ridge Road. The south 200 feet of the lot remains zoned "R" while the balance has been changed to "E". The 200-foot depth of "R" zoning was retained in order to protect the residential property to the east.

Analysis: The application area will be leased by Southwestern Bell for purposes of installing and operating a "state-of-the-art" service cabinet for switching equipment which is 6½ feet wide, 5½ feet high and 27 inches deep. Construction will be of corrosion-resistant aluminum. Although all properties immediately adjacent to this site are zoned "R", 160 feet to the north are two light industrial

uses. This cabinet's location will be adjacent to the entrance drive to Meter Engineer's facilities, one of those industrial uses. The reason for the 40-foot depth of the application area is to locate behind the platted 35-foot setback line.

A recommendation of approval of the special use permit should be subject to the following condition:

1. The cabinet shall maintain a setback of no less than 35 feet from the south lot line of B & B Bailiwick Addition.

CASE NO. DR 87-10

3	Notices to adjoining property owners mailed on 4-30-87 MAPC meeting on 5-14-87.
2	One each to Applicants and Agents.
3	One each to Ron Worley, David Spears and Karen Crook.
3	One each to Louise, Barbara and Glen.
<hr/>	
11	TOTAL

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

April 30, 1987

NOTICE OF PUBLIC HEARING

Case No.: DR 87-10.

Location: On the north side of 53rd Street North, 1/3-mile west of Ridge Road.

Address: 7718 West 53rd Street North.

Request: Special Use Permit to Install an Above-Ground Metal Cabinet for Telephone Switching Equipment on Property Zoned the "R" Rural Residential District.

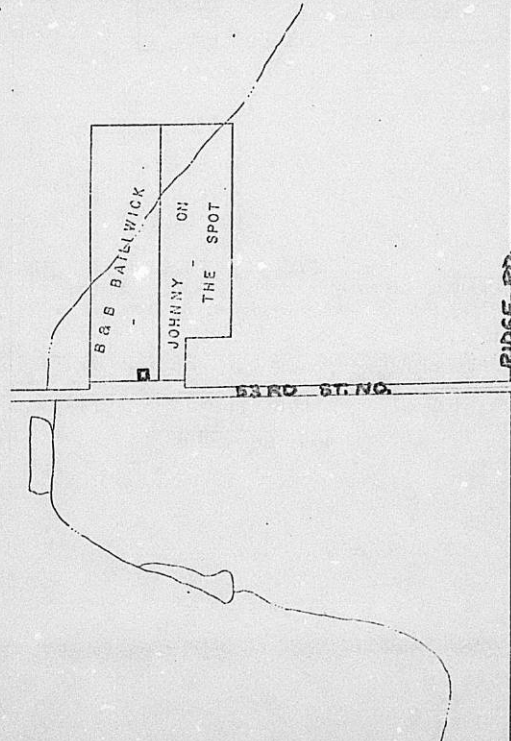
A public hearing to consider the above noted request has been scheduled before the Wichita-Sedgwick County Metropolitan Area Planning Commission (MAPC) on Thursday,

MAY 14, 1987

The meeting will begin at 1:30 p.m. in the City Council 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, please call 268-4421.

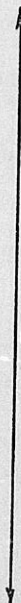


CASE NO. DR 87-10

Special Use Permit to Install an Above-Ground
Metal Cabinet for Telephone Switching Equipment
on Property Zoned the "R" Rural Residential District

The south 40 feet of the west 30 feet of the east 80 feet of Lot 1, B & B
Balliwick Addition, Sedgwick County, Kansas. Generally located on the north
side of 53rd Street North, 1/3-mile west of Ridge Road.

Most Restrictive



Least Restrictive

DISTRICT	NAME OF DISTRICT AND USES PERMITTED
R	RURAL RESIDENTIAL Agriculture and One Family Dwellings
R-1	SUBURBAN RESIDENTIAL Agriculture, One Family Dwellings, Schools and Churches
AA	ONE FAMILY DWELLING Agriculture, One Family Dwellings, Schools and Churches
BB	OFFICE All Uses Permitted in More Restrictive Zones and Business and Professional Offices
OC	OFFICE COMMERCIAL Offices, Limited Retail and Service Uses Operated Within a Building.
LC	LIGHT COMMERCIAL All Uses Permitted in More Restrictive Zones and Purely Retail Businesses Operated Within a Building.
C	GENERAL COMMERCIAL All Uses Permitted in More Restrictive Zones Plus All Commercial Uses
E	LIGHT INDUSTRIAL All Uses Permitted in More Restrictive Zones Plus Industrial Uses Which Do Not Create Hazards or Nuisance From Fire, Dust, Odor or Smoke***
F	HEAVY INDUSTRIAL Any Use, Some as Conditional Uses***

***Mobile home parks and trailer camps are not permitted.

CASE NO. DR 87-10

Special Use Permit to Install an Above-Ground
Metal Cabinet for Telephone Switching Equipment
on Property Zoned the "R" Rural Residential District

The south 40 feet of the west 30 feet of the east 80 feet of Lot 1, B & B
Bailiwick Addition, Sedgwick County, Kansas. Generally located on the north
side of 53rd Street North, 1/3-mile west of Ridge Road.

PL/0231/4

DR 87-10

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 W.R., Jr. and Rita Kay Young and Barbara L. Hale
ADDRESS 7748 W. 93rd St. W. Box 4927 Zip Code 67204 PHONE 721-4214
Wichita, Ks.
AGENT S. W. Bell Telephone Co. % Fred L. Neff
154 N. Budy. rm. 956
ADDRESS Wichita, Ks. Zip Code 67202 PHONE 268-2800

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 ^{install} ~~establish a~~ an above-ground metal
cabinet for telephone switching equipment (use)
on property zoned AA R and legally described as Lot(s) 1
_____, Block(s) _____
of the B AND B Bailiwick Addition, Sedgwick Co., Ks. Addition.

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

The South 40 feet of the West 30 feet of the East 80 feet

Legal: The south 40 feet of the west 30 feet of the east 80 feet of Lot 1, B & B Bailiwick Addition, Sedgwick County, Kansas,

- B. There are 0.02 acres (round to nearest tenth) in the above described property.

FOR OFFICE USE ONLY

Map No. 4954 Zoning (N) R (E) R (W) R MAPC 5-14-87

(no legal advertisement)

3. This property is located at (address) 7718 W. 53rd. St. N. Wichita, Ks.

THE GENERAL LOCATION IS (USE APPROPRIATE SECTION)

A. At the _____ corner of _____ and _____, OR

✓ B. On the North side of 53rd. St. North, ^{1/3-mile west of Ridge Rd.} (Ave.) Street between Tyler (Ave.) Street and Ridge (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 provide accomodation for an above ground metal cabinet to house telephone electronic equipment to service the surrounding area.

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 Fred L. Niff 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 2
(AM, PM) on 4-9-87 (day, month, year). It has been checked and found to be complete and accompanied by required documents and the appropriate fee of \$ 150⁰⁰.

Lynise Olway Name
Sr. Planner Title

WICHITA - SEDGWICK COUNTY

METROPOLITAN AREA PLANNING
DEPARTMENT

CITY HALL - TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202-1688

PRESORTED
FIRST-CLASS



RECEIVED

MAY 04 1987

W. R., Jr. and Rita K. Young
Barbara Hale
7718 West 53rd Street North
Wichita, Kansas 67205

METROPOLITAN PLANNING
ROUTE DR 87-10

*Re-sent to
Bot 4027
67204
5-7-87*



Important! Notice of Meeting Enclosed

AA 5/1/87

STATEMENT OF OWNERSHIP

STATE OF KANSAS)
) SS
SEDGWICK COUNTY)

The undersigned duly bonded and qualified abstractor 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 200 feet of:
The South 35 feet of the West 30 feet of the East 80 feet of Lot 1, B AND B BAILLWICK ADDITION, Wichita, Sedgwick County, Kansas.



And from such examination find that the owners thereof are as set opposite the description of the property below, viz: (Addresses as given are furnished as a service and not certified.)

DESCRIPTIONS

RECORD OWNERS

includes application areas

Lot 1, B AND B BAILLWICK ADDITION,

W. R., JR. & Rita Kay Young and
Barbara L. Hale
~~ADDRESS UNKNOWN~~ 7718 W. 53rd St. No. 67205
Box 4027 67204

Lot 1, JOHNNY ON THE SPOT ADDITION,

Johnny on the Spot, Inc.
10242 Alamo Court
Wichita, Kansas 67212

South 258.71 feet of the East 208.71 feet of the Southwest Quarter of the Southwest Quarter of Section 16, Township 26 South, Range 1 West,

7510 Clarence E. & Nadine M. Holle
7600 W. 53rd Street North
Wichita, Kansas 67205

Northwest Quarter of the Northeast Quarter of Section 21, Township 26 South, Range 1 West,

Glenn A. Collins
7813 W. 53rd Street North
Wichita, Kansas 67205



-2-

Dated at Wichita, Kansas, this 12th day of March, 1987
at 7:00 A.M.

FIDELITY TITLE COMPANY, INC.

Medina L. Sutter

By

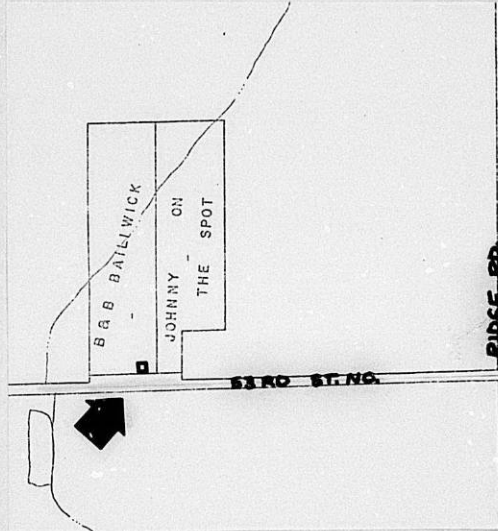
Medina L. Sutter
Administrative Secretary

Tracer No. 73775



MAY 14, 1987

STAFF REPORT



DR 87-10 - REQUEST FOR SPECIAL USE PERMIT FOR AN ABOVE-GROUND METAL CABINET FOR TELEPHONE SWITCHING EQUIPMENT ON PROPERTY ZONED THE "R" RURAL RESIDENTIAL DISTRICT, LOCATED ON THE NORTH SIDE OF 53RD STREET NORTH, 1/3-MILE WEST OF RIDGE ROAD.

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Southwestern Bell Telephone Co., c/o Fred Neff, 154 N. Broadway,
Wichita, KS 67202 (lessee)

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South	Agriculture	"R"	
East	Entrance drive to industrial uses & single-family dwelling	"R"	
West	Agriculture	"R"	

History: SCZ-0539 "R" to "E" (B & B Bailiwick and Johnny-on-the Spot Additions)
9/6/84 MAPC approve except south 200 ft.
10/3/84 BCoC approve as recommended

Background: The applicants are requesting a special use permit for an above-ground metal cabinet for Southwestern Bell Telephone switching equipment on a 30-foot by 40-foot portion of a 9-acre platted lot located on the north side of 53rd Street North, 1/3-mile west of Ridge Road. The south 200 feet of the lot remains zoned "R" while the balance has been changed to "E". The 200-foot depth of "R" zoning was retained in order to protect the residential property to the east.

Analysis: The application area will be leased by Southwestern Bell for purposes of installing and operating a "state-of-the-art" service cabinet for switching equipment which is 6½ feet wide, 5½ feet high and 27 inches deep. Construction will be of corrosion-resistant aluminum. Although all properties immediately adjacent to this site are zoned "R", 160 feet to the north are two light industrial

uses. This cabinet's location will be adjacent to the entrance drive to Meter Engineer's facilities, one of those industrial uses. The reason for the 40-foot depth of the application area is to locate behind the platted 35-foot setback line.

A recommendation of approval of the special use permit should be subject to the following condition:

1. The cabinet shall maintain a setback of no less than 35 feet from the south lot line of B & B Balliwick Addition.

