

DR 89-10 STEPHEN T. AND ALICE M. JETT requests "Special Use Permit to establish a above ground metal cabinet for telephone switching equipment" on the west

ACTION

M.A.P.C.	██████████	DATE
	deferred until 6-20-89	5/11/89
MAIZE P.C.	appr. sup. to staff recommendations	13/1/89
M.A.P.C.	Approved subject to conditions	6/22/89
W.C.B. CO. C.	Approved as recommended	7/19/89

474A

Closed

POSTED 4-17-89 KC
d

ACTION

		DATE
M.A.P.C.	XXXXXXXXXX	deferred until 6-22-89 5/11/89
MAIZE P.C.	app. subj. to staff recommendation	6/13/89
M.A.P.C.	Approved subj. to condition	6/22/89
W.C.C./B. CO. C.	Approved as recommended	7/19/89

475AA

Closed

DR 89-10 STEPHEN T. AND ALICE H. JETT
requester "Special Use Permit to establish
a above ground metal cabinet for tele-
phone switching equipment" on the west

DATA SHEET

MAP #: 4754A

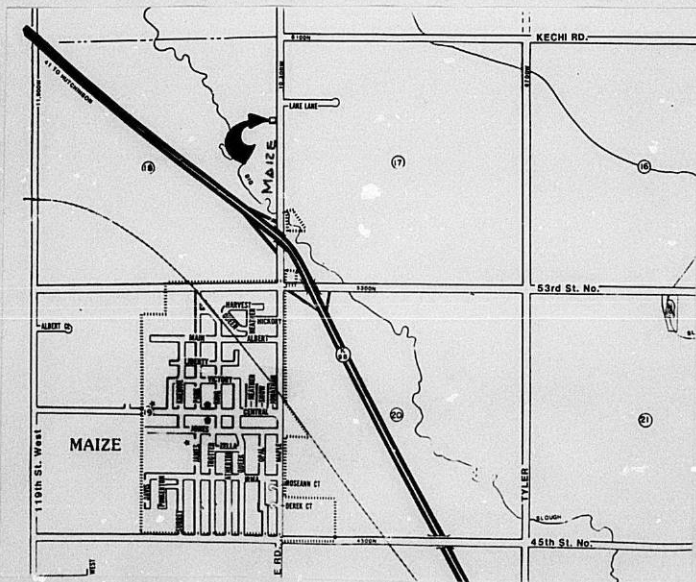
Z-
SCZ-
CU-
DR- 89-10
DP-
Amend #
Case Filed: 4/12/89
Associated Case:
CPO Council Area:
CPO Meeting Date:
MAPC Hearing Date: 5/11/89

APPLICATION DATA:

1. GENERAL LOCATION: On the west side of 103rd Street approximately 3/4 mile north of 53rd Street North.
2. SPECIAL USE PERMIT IN "R" ZONING DISTRICT
3. Proposed Use: Establish an above ground metal cabinet for telephone switching equipment.
4. DP Name:
5. Applicant: Stephen T. And Alice M. Jett
Address: 5911 N. Maize Rd., Wichita, KS 67101 Phone: 722-8352
6. Agent: Southwestern Bell Tel Co. c/o Fred L. Neff
ADDRESS: 154 N. Broadway, Room 940, Wichita, KS 67202 Phone: 268-2800

AREA DATA:

1. Acres: .02 (ft. by ft.)
2. Adjoining Zoning: N R S R E R W R
3. Land Use: North South
 East West



LOS ANGELES
MEMPHIS
NEW YORK
PHOENIX
SAN ANTONIO
SAN JOSE
ST. LOUIS
TAMPA
WASHINGTON
WICHITA
USA

Shred
No. 2153C

HASTINGS MN
LEWISVILLE OH
MARIETTA OH
MILWAUKEE WI
MONTICELLO TN
MOUNTAIN VIEW OK
NEW YORK NY
PHOENIX AZ
SAN ANTONIO TX
SAN JOSE CA
ST. LOUIS MO
TAMPA FL
WASHINGTON DC
WICHITA KS

Provided copy of published
resolution to Kirby for
posting.

Fent 10/25/89

Evidently this was not
cut out of paper.

R#229-1989

Published in The Daily Reporter on July 26, 1989, 1989

RESOLUTION NO. 229-1989

A RESOLUTION AUTHORIZING A SPECIAL USE PERMIT FOR AN ABOVE-GROUND METAL CABINET FOR TELEPHONE SWITCHING EQUIPMENT ON CERTAIN LANDS LOCATED WITHIN THE UNINCORPORATED AREA OF SEDGWICK COUNTY, KANSAS, UNDER THE AUTHORITY GRANTED IN SECTION 13.F OF THE ZONING REGULATIONS ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS, DECEMBER 12, 1984, AND SUBSEQUENTLY AMENDED.

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 after said Planning Commission has given proper notice and held a public hearing as provided by law, and under authority granted by Section 13.F of the Zoning Regulations, a special use permit for an above-ground metal cabinet for telephone switching equipment on property zoned the "R" Rural Residential District is hereby granted on land legally described as follows:

Case No. DR 89-10

A tract in the Northeast Quarter (NE 1/4) of Section Eighteen (18), Township Twenty Six (26) South, Range One (1) West of the Sixth P.M., Sedgwick County, Kansas, more particularly described as follows: Beginning at a point marked by a 1/2-inch iron pin, lying 1039.69 feet North and 25.00 feet West of the Southeast corner of the said Northeast Quarter, which point is on the West right-of-way line of Maize Road; thence continuing on a bearing of North 90°00'00" west for a distance of 45.00 feet to a 1/2-inch iron pin; thence on a bearing of North 0°00'00" east for a distance of 25.00 feet to a 1/2-inch iron pin; thence on a bearing North 90°00'00" east for a distance of 45.00 feet to a 1/2-inch iron pin on the said West right-of-way line of Maize Road; thence on a bearing of South 0°00'00" east along the said West right-of-way line of Maize Road for a distance of 25.00 feet to the point of beginning. Generally located on the west side of 103rd Street approximately 3/4-mile north of 53rd Street North.

CONDITIONS OF APPROVAL:

1. The cabinet shall maintain a setback of no less than 50 feet measured from the section line (or 25 feet measured from the east line of the application area).
2. The cabinet shall not exceed a height of 5.5 feet, a width of 6.5 feet and a depth of 27 inches.
3. The surfaces of the cabinet shall not be used for any advertising purposes.

SECTION II. That upon the taking effect of this Resolution, the notation of such special use 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 19th day of July, 1989.

Paul W. Hancock, Chairman
Paul W. Hancock

Bernard A. Hentzen Chairman pro tem
Bernard A. Hentzen

David Bayouth, Commissioner
David Bayouth

Billy Q. McCray, Commissioner
Billy Q. McCray

Mark F. Schroeder, Commissioner
Mark F. Schroeder



Don Wright
Don Wright, County Clerk

(SEAL)

APPROVED AS TO FORM:

Henry H. Blase
Henry H. Blase, County Counselor

July 21, 1989


Fred Neff
Southwestern Bell Telephone Co.
154 N. Broadway, Room 940
Wichita, KS 67202

RE: DR 89-10 - Special Use Permit to establish an above ground metal cabinet
for telephone switching equipment. Located on the west side of 103rd
Street west, approximately 3/4-mile North of 53rd Street North.

Dear Mr. Neff:

On July 19, 1989, the Board of County Commissioners approved the above-captioned case. Attached is a copy of the unsigned resolution. A signed copy of this resolution will be published in the Daily Reporter next week.

Sincerely,


Forrest L. Nagley
Senior Planner

FLN/pu

FILE COPY

Planning Agenda

Item # _____

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION
TO BOARD OF COUNTY COMMISSIONERS

SPECIAL USE PERMIT REQUEST

DR 89-10 - SPECIAL USE PERMIT FOR AN ABOVE-GROUND METAL CABINET FOR
TELEPHONE SWITCHING EQUIPMENT, LOCATED ON THE WEST SIDE OF 103RD ST.
WEST, APPROXIMATELY 3/4-MILE NORTH OF 53RD ST. NORTH.

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

GARDNER moved, PARSONS seconded, and it carried unanimously.

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

MPC Hearing Date: 6/13/89
MAPC Hearing Date: 6/22/89

BCoC Hearing Date: 7/19/89

COMMISSION DISTRICT # 4

ADJACENT ZONING AND LAND USE:

NORTH	"R"	Agricultural use/single-family residence
SOUTH	"R"	Agricultural use
EAST	"R"	Agricultural use
WEST	"R"	Agricultural use

Applicants: Stephen & Alice Jett, 5911 N. Maize, 67101
Fred Neff (agent), Southwestern Bell Telephone, 154 N.
Broadway, Room 940, 67202

Protestors: None.

R E S O L U T I O N N O .

A RESOLUTION AUTHORIZING A SPECIAL USE PERMIT FOR AN ABOVE-GROUND METAL CABINET FOR TELEPHONE SWITCHING EQUIPMENT ON CERTAIN LANDS LOCATED WITHIN THE UNINCORPORATED AREA OF SEDGWICK COUNTY, KANSAS, UNDER THE AUTHORITY GRANTED IN SECTION 13.F OF THE ZONING REGULATIONS ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS, DECEMBER 12, 1984, AND SUBSEQUENTLY AMENDED.

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 after said Planning Commission has given proper notice and held a public hearing as provided by law, and under authority granted by Section 13.F of the Zoning Regulations, a special use permit for an above-ground metal cabinet for telephone switching equipment on property zoned the "R" Rural Residential District is hereby granted on land legally described as follows:

Case No. DR 89-10

A tract in the Northeast Quarter (NE 1/4) of Section Eighteen (18), Township Twenty Six (26) South, Range One (1) West of the Sixth P.M., Sedgwick County, Kansas, more particularly described as follows: Beginning at a point marked by a 1/2-inch iron pin, lying 1039.69 feet North and 25.00 feet West of the Southeast corner of the said Northeast Quarter, which point is on the West right-of-way line of Maize Road; thence continuing on a bearing of North 90°00'00" west for a distance of 45.00 feet to a 1/2-inch iron pin; thence on a bearing of North 0°00'00" east for a distance of 25.00 feet to a 1/2-inch iron pin; thence on a bearing North 90°00'00" east for a distance of 45.00 feet to a 1/2-inch iron pin on the said West right-of-way of line of Maize Road; thence on a bearing of South 0°00'00" east along the said West right-of-way line of Maize Road for a distance of 25.00 feet to the point of beginning. Generally located on the west side of 103rd Street approximately 3/4-mile north of 53rd Street North.

CONDITIONS OF APPROVAL:

1. The cabinet shall maintain a setback of no less than 50 feet measured from the section line (or 25 feet measured from the east line of the application area).
2. The cabinet shall not exceed a height of 5.5 feet, a width of 6.5 feet and a depth of 27 inches.
3. The surfaces of the cabinet shall not be used for any advertising purposes.

SECTION II. That upon the taking effect of this Resolution, the notation of such special use 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 19th day of July, 1989.

_____, Chairman
Paul W. Hancock

_____, Chairman pro tem
Bernard A. Hentzen

_____, Commissioner
David Bayouth

_____, Commissioner
Billy Q. McCray

_____, Commissioner
Mark F. Schroeder

ATTEST:

Don Wright, County Clerk

(SEAL)

APPROVED AS TO FORM:

Henry H. Blase, County Counselor

EXCERPT FROM PLANNING COMMISSION MINUTES OF JUNE 22, 1989

4. Case No. DR 89-10 - Stephen & Alice Jett request Special Use Permit for an above-ground metal cabinet for telephone switching equipment on a tract in the Northeast Quarter (NE 1/4) of Section Eighteen (18), Township Twenty Six (26) South, Range One (1) West of the Sixth P.M., Sedgwick County, Kansas, more particularly described as follows: Beginning at a point, marked by a 1/2" iron pin, lying 1039.69 feet North and 25.00 feet West of the Southeast corner of the said Northeast Quarter, which point is on the West Right-of-Way line of Maize Road; thence continuing on a bearing of North 90 degrees 00 minutes 00 seconds West for a distance of 45.00 feet to a 1/2" iron pin; thence on a bearing of North 0 degrees 00 minutes 00 seconds East for a distance of 25.00 feet to a 1/2" iron pin; thence on a bearing North 90 degrees 00 minutes 00 seconds East for a distance of 45.00 feet to a 1/2" iron pin on the said West Right-of-Way line of Maize Road; thence on a bearing of South 0 degrees 00 minutes 00 seconds East along the said West Right-of-Way line of Maize Road for a distance of 25.00 feet to the Point of Beginning. Generally located on the west side of 103rd. Street approximately 3/4 mile north of 53rd Street North.

NAGLEY pointed out land use, zoning and showed slides of the general area. He 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 25-foot by 45-foot portion of an unplatted tract of land located on the west side of 103rd Street West, approximately 3/4-mile north of 53rd Street North. The applicatic. area will be leased by Southwestern Bell for purposes of installing and operating a "state of the art" service cabinet which is 6.5 feet wide, 5.5 feet high and 27 inches deep. Construction will be of corrosion-resistant aluminum, will include a "silent" alarm, and does not require on-site personnel. The telephone switching cabinet will provide a communication facility to serve the surrounding area.

In 1988, the text of the County Zoning Resolution was amended to permit utility service structures measuring up to 150 cubic feet in size and 6 feet in height in any zoning district if all required setbacks are observed. Section 13(D)(5)(i) of the zoning text requires a minimum building setback of 85 feet from the center line of any section line road. Since Maize Road is a section line road and the proposed switching cabinet is planned to be constructed within the 85-foot setback, a special use permit is required. One of the purposes of the special use permit procedure is to establish an appropriate building setback. In recommended condition one, a 50-foot minimum building setback is established. This setback will assure that the utility service structure will not be located within needed street right-of-way.

CASE HISTORY: None.

ADJACENT ZONING AND LAND USE:

NORTH	"R"	Agricultural use/single-family residence
SOUTH	"R"	Agricultural use
EAST	"R"	Agricultural use
WEST	"R"	Agricultural use

PUBLIC SERVICES: The telephone facility will not require either municipal water or sewerage facilities. One Hundred Third Street West is an unpaved two-lane arterial street with only 25 feet of half-street right-of-way, whereas 50 feet is required.

CONFORMANCE TO PLANS/POLICIES: Section 13(F)(1) of the County Zoning Resolution provides for the establishment of public utility installations or improvements in any zoning district, provided the Metropolitan Area Planning Commission reviews the request and the Board of County Commissioners approves the use by issuing a Special Use Permit. Since this Special Use Permit request involves land within the City of Maize's Zoning Area of Influence, this case will be reviewed by Maize's Planning Commission.

RECOMMENDATION: It is recommended that the Special Use Permit be approved, subject to the following conditions:

1. The cabinet shall maintain a setback of no less than 50 feet measured from the section line (or 25 feet measured from the east line of the application area).
2. The cabinet shall not exceed a height of 5.5 feet, a width of 6.5 feet and a depth of 27 inches.
3. The surfaces of the cabinet shall not be used for any advertising purposes.

DISCUSSION:

NAGLEY stated that the special use permit has been filed in order to allow the telephone company to install a telephone switching cabinet. He said that this case is within the City of Maize's area of zoning influence, and the Maize Planning Commission considered this request on June 13, 1989 and voted to recommend approval of the request. NAGLEY said that staff recommended approval of the request.

PARSONS asked if there was a policy now that allows administrative approval of these kind of cases.

NAGLEY said yes, as long as it observes the required setback from a major street which is 85 feet from the centerline of the street. He said that this is within that 85 feet. He further explained that had it been out more into the field, it would have been permitted outright.

There was no one present in opposition to the application.

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 proposed; and the recommendation of staff; I move that we recommend to the governing body that this application be approved subject to the following conditions:

1. The cabinet shall maintain a setback of no less than 50 feet measured from the section line (or 25 feet measured from the east line of the application area).
2. The cabinet shall not exceed a height of 5.5 feet, a width of 6.5 feet and a depth of 27 inches.
3. The surfaces of the cabinet shall not be used for any advertising purposes.

Gardner moved, Parsons seconded and it carried unanimously. Goebel was absent. One vacancy.

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION

AGENDA ITEM NO. 4
Maize PC 6/13/89
MAPC 6/22/89

STAFF REPORT

CASE NUMBER: DR 89-10

OWNER/APPLICANT/AGENT: Stephen & Alice Jett (owners/applicants)
Southwestern Bell Telephone (agent)

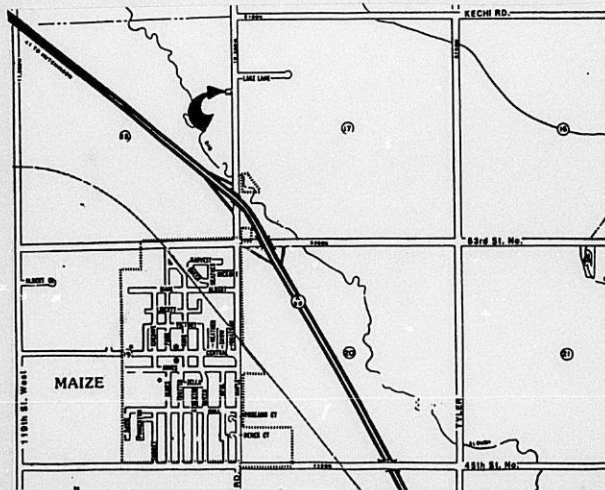
REQUEST: Special Use Permit for an above-ground metal cabinet for telephone switching equipment.

CURRENT ZONING: "R" Rural Residential District

SITE SIZE: .02 acre (25 ft. x 45 ft.)

LOCATION: On the west side of 103rd St. W., approx.
3/4-mi. north of 53rd St. N.

PROPOSED USE: Above-ground metal cabinet for telephone switching equipment.



BACKGROUND: The applicants are requesting a Special Use Permit for an above-ground metal cabinet for Southwestern Bell Telephone switching equipment on a 25-foot by 45-foot portion of an unplatted tract of land located on the west side of 103rd Street West, approximately 3/4-mile north of 53rd Street North. The application area will be leased by Southwestern Bell for purposes of installing and operating a "state of the art" service cabinet which is 6.5 feet wide, 5.5 feet high and 27 inches deep. Construction will be of corrosion-resistant aluminum, will include a "silent" alarm, and does not require on-site personnel. The telephone switching cabinet will provide a communication facility to serve the surrounding area.

In 1988, the text of the County Zoning Resolution was amended to permit utility service structures measuring up to 150 cubic feet in size and 6 feet in height in any zoning district if all required setbacks are observed. Section 13(D)(5)(i) of the zoning text requires a minimum building setback of 85 feet from the center line of any section line road. Since Maize Road is a section line road and the proposed switching cabinet is planned to be constructed within the 85-foot setback, a special use permit is required. One of the purposes of the special use permit procedure is to establish an appropriate building setback. In recommended condition one, a 50-foot minimum building setback is established. This setback will assure that the utility service structure will not be located within needed street right-of-way.

CASE HISTORY: None.

ADJACENT ZONING AND LAND USE:

NORTH	"R"	Agricultural use/single-family residence
SOUTH	"R"	Agricultural use
EAST	"R"	Agricultural use
WEST	"R"	Agricultural use

PUBLIC SERVICES: The telephone facility will not require either municipal water or sewerage facilities. One Hundred Third Street West is an unpaved two-lane arterial street with only 25 feet of half-street right-of-way, whereas 50 feet is required.

CONFORMANCE TO PLANS/POLICIES: Section 13(F)(1) of the County Zoning Resolution provides for the establishment of public utility installations or improvements in any zoning district, provided the Metropolitan Area Planning Commission reviews the request and the Board of County Commissioners approves the use by issuing a Special Use Permit. Since this Special Use Permit request involves land within the City of Maize's Zoning Area of Influence, this case will be reviewed by Maize's Planning Commission.

DR 89-10 Staff Report
Page 3

RECOMMENDATION: It is recommended that the Special Use Permit be approved, subject to the following conditions:

1. The cabinet shall maintain a setback of no less than 50 feet measured from the section line (or 25 feet measured from the east line of the application area).
2. The cabinet shall not exceed a height of 5.5 feet, a width of 6.5 feet and a depth of 27 inches.
3. The surfaces of the cabinet shall not be used for any advertising purposes.

WICHITA SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

CITY HALL - TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202-1688
(316) 268-4561

June 23, 1989

Fred L. Neff
Southwestern Bell Telephone Co.
154 N. Broadway, Room 940
Wichita, KS 67202

Re: DR 89-10 - Special Use Permit for an above-ground metal cabinet for telephone switching equipment, located on the west side of 103rd St. W., approx. 3/4-mi. north of 53rd St. N.

Dear Mr. Neff:

At its regular meeting on June 22, 1989, the Metropolitan Area Planning Commission considered the above-captioned zone change request. The action of the Planning Commission was to recommend that this request for a special use permit be approved, subject to the following conditions:

1. The cabinet shall maintain a setback of no less than 50 feet measured from the section line (or 25 feet measured from the east line of the application area).
2. The cabinet shall not exceed a height of 5.5 feet, a width of 6.5 feet and a depth of 27 inches.
3. The surfaces of the cabinet shall not be used for any advertising purposes.

This matter will be forwarded to the Board of County Commissioners for consideration at their regular meeting on Wednesday, July 19, 1989. This meeting will be held in Room 320, Sedgwick County Courthouse, 525 N. 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:jcm

cc: Stephen & Alice Jett, 5911 N. Maize Rd., 67101
Ron Worley, County Zoning Administrator

FILE COPY

BACKGROUND: The applicants are requesting a Special Use Permit for an above-ground metal cabinet for Southwestern Bell Telephone switching equipment on a 25-foot by 45-foot portion of an unplatted tract of land located on the west side of 103rd Street West, approximately 3/4-mile north of 53rd Street North. The application area will be leased by Southwestern Bell for purposes of installing and operating a "state of the art" service cabinet which is 6.5 feet wide, 5.5 feet high and 27 inches deep. Construction will be of corrosion-resistant aluminum, will include a "silent" alarm, and does not require on-site personnel. The telephone switching cabinet will provide a communication facility to serve the surrounding area.

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CASE HISTORY: None.

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NORTH	"R"	Agricultural use/single-family residence
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PUBLIC SERVICES: The telephone facility will not require either municipal water or sewerage facilities. One Hundred Third Street West is an unpaved two-lane arterial street with only 25 feet of half-street right-of-way, whereas 50 feet is required.

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DR 89-10 Staff Report
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2. The cabinet shall not exceed a height of 5.5 feet, a width of 6.5 feet and a depth of 27 inches.
3. The surfaces of the cabinet shall not be used for any advertising purposes.

MEETING NOTICE
MAIZE PLANNING COMMISSION
REGULAR MEETING

TIME: 7:00 p.m.
DATE: June 13, 1989
PLACE: Maize Community Building
401 Khedive

AGENDA

1. Call to Order
2. Review of County Special Use Permit Request
3. Review of Planning Commission Function
4. Review Filing Fees
5. Review Paving Policy
6. Adjournment

RECEIVED

JUN 09 1989

METROPOLITAN PLANNING

ROUTE

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

June 8, 1989

NOTICE OF PUBLIC HEARING

Case No.: DR 89-10

Location: On the west side of 103rd Street approximately 3/4 mile north of 53rd Street North.

Address: 5911 N. Maize Rd.

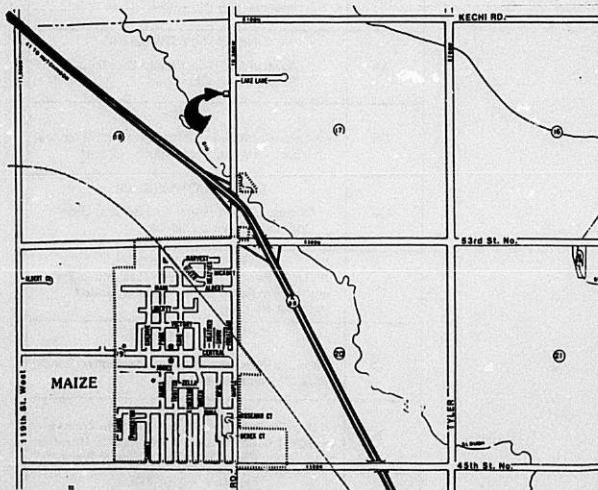
Request: Special Use Permit to establish a above ground metal cabinet for telephone switching equipment on property zoned "R" Rural Residential.

NOTICE IS HEREBY GIVEN that on Tuesday, June 13, 1989, the Maize City Planning Commission meeting at 7:30 p.m., at the Maize Community Building, 401 South Khedive, Maize, Kansas, will consider the above-referenced item for purposes of making a recommendation to the Metropolitan Area Planning Commission and Board of County Commissioners.

If this matter is not deferred for further hearings by the Maize Planning Commission, it will appear on the agenda for the regular meeting of the Wichita-Sedgwick County Metropolitan Area Planning Commission, which begins at 1:30 p.m., on Thursday, June 22, 1989, in the City Council Chambers, First Floor, City Hall, 455 North Main Street, Wichita, Kansas.

As an owner or occupant of property in the area, you have the right to appear at the Planning Commission meetings, 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 hearings.

If you have any questions or wish additional information, please call 268-4421.



SEE REVERSE SIDE

FILE COPY

LEGAL DESCRIPTION OF THE AREA PROPOSED TO BE CHANGED

Case No. DR 89-10

Special Use Permit to establish an above ground metal cabinet for telephone switching equipment on property zoned "R" Rural Residential District.

A tract in the Northeast Quarter (NE 1/4) of Section Eighteen (18), Township Twenty Six (26) South, Range One (1) West of the Sixth P.M., Sedgwick County, Kansas, more particularly described as follows: Beginning at a point, marked by a 1/2" iron pin, lying 1039.69 feet North and 25.00 feet West of the Southeast corner of the said Northeast Quarter, which point is on the West Right-of-Way line of Maize Road; thence continuing on a bearing of North 90 degrees 00 minutes 00 seconds West for a distance of 45.00 feet to a 1/2" iron pin; thence on a bearing of North 0 degrees 00 minutes 00 seconds East for a distance of 25.00 feet to a 1/2" iron pin; thence on a bearing North 90 degrees 00 minutes 00 seconds East for a distance of 45.00 feet to a 1/2" iron pin on the said West Right-of-Way of line of Maize Road; thence on a bearing of South 0 degrees 00 minutes 00 seconds East along the said West Right-of-Way line of Maize Road for a distance of 25.00 feet to the Point of Beginning. Generally located on the west side of 103rd. Street approximately 3/4 mile north of 53rd Street North.

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.

PROPERTY OWNER NOTICES

CASE NO. DR99-10

DATE OF MAILOUT: 4/8/89

3

Property Owners

2

Applicant(s) and Agent(s)

3

Ron Worley, Jim Weber, and Kim Dewey

5

Jack, Louise, Bob and Karen, Forrest

1

File

14

TOTAL

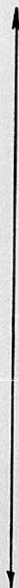
LEGAL DESCRIPTION OF THE AREA PROPOSED TO BE CHANGED

Case No. DR 89-10

Special Use Permit to establish an above ground metal cabinet for telephone switching equipment on property zoned "R" Rural Residential District.

A tract in the Northeast Quarter (NE 1/4) of Section Eighteen (18), Township Twenty Six (26) South, Range One (1) West of the Sixth P.M., Sedgwick County, Kansas, more particularly described as follows: Beginning at a point, marked by a 1/2" iron pin, lying 1039.69 feet North and 25.00 feet West of the Southeast corner of the said Northeast Quarter, which point is on the West Right-of-Way line of Maize Road; thence continuing on a bearing of North 90 degrees 00 minutes 00 seconds West for a distance of 45.00 feet to a 1/2" iron pin; thence on a bearing of North 0 degrees 00 minutes 00 seconds East for a distance of 25.00 feet to a 1/2" iron pin; thence on a bearing North 90 degrees 00 minutes 00 seconds East for a distance of 45.00 feet to a 1/2" iron pin on the said West Right-of-Way line of Maize Road; thence on a bearing of South 0 degrees 00 minutes 00 seconds East along the said West Right-of-Way line of Maize Road for a distance of 25.00 feet to the Point of Beginning. Generally located on the west side of 103rd. Street approximately 3/4 mile north of 53rd Street North.

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.

WICHITA — SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

CITY HALL — TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202-1888
(316) 266-4561

May 30, 1989

Karen D. Fitzmier, CMC/AAE
City Clerk - City Maize
P.O. Box 245
Maize, KS 67101

RE: DR 89-10 - Special Use Permit to establish an above-ground cabinet for telephone switching equipment. Located on the west side of 103rd Street West, approximately 3/4 - mile north of 53rd Street North.

Dear Ms. Fitzmier:

Thank you for your letter of May 8, 1989. Enclosed are 10 copies of the staff report for the above - captioned case. Surrounding property owners will be notified that the Maize Planning Commission will consider this matter at their meeting on June 13, 1989.

Sincerely,

Forrest Nagley
Senior Planner

FLN/pu

Enclosure

cc: Fred Neff, Southwestern Bell Telephone Co., 154 N. Broadway, Room 940,
Wichita, KS 67202

FILE COPY

WICHITA - SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

CITY HALL - TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202-1888
(316) 266-4581

May 12, 1989

Fred Neff
Southwestern Bell Telephone Co.
154 N. Broadway, Room 940
Wichita, KS 67202

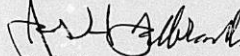
Re: DR 89-10 - Special Use Permit to establish an above-ground
metal cabinet for telephone switching equipment, located on
the west side of 103rd St. approx. 3/4-mi. N. of 53rd S. N.

Dear Mr. Neff:

At its regular meeting on May 11, 1989, the Metropolitan Area
Planning Commission considered the above-captioned request for a
Special Use Permit to establish an above-ground metal cabinet for
telephone switching equipment. Inasmuch as the Maize Planning
Commission will not consider this case until June 13, the action
of the Planning Commission was to defer this case to their meet-
ing of June 22, 1989.

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

Sincerely yours,



Jack H. Galbraith
Chief Planner

JHG:jcm

cc: Stephen & Alice Jett, 5911 N. Maize Rd., Wichita, KS, 67101

FILE COPY



The City of Maize

123 Khedive
P.O. Box 245
Maize, Kansas 67101
(316) 722-7561

RECEIVED

MAY 09 1989

METROPOLITAN PLANNING

ROUTE Spillman
 Nagley (last)

May 8, 1989

Forest Nagley
Wichita-Sedgwick County
Metropolitan Area Planning Department
10th Floor, City Hall
455 North Main
Wichita, KS 67202

Dear Mr. Nagley:

I apologize for the confusion regarding the Planning Commission meeting scheduled for May 9. As you may or may not know, Maize has a new Mayor, Mr. Tom Holmes. His duties with the City began May 2, and in the confusion of the change over, the Planning Commission meeting was cancelled.

Although this may prove to be an inconvenience for you, it will be helpful to Mayor Holmes as he will be able to review the data to be discussed.

Again, I apologize for any inconvenience this delay may have caused. Please plan to meet with the Planning Commission on June 13. If you need to meet sooner, a special meeting can be scheduled, so please just give me a call.

Thank you for your kind indulgence.

Sincerely,

Karen D. Fitzmier, CMC/AE
City Clerk

KDF/awg

cc Tom H. Holmes, Mayor
Max Hubbell, Chairman

The City of Maize



P.O. BOX 245 MAIZE, KANSAS 67101

FOREST NAGLEY
WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING DEPARTMENT
10TH FLOOR, CITY AHLL
455 NORTH MAIN
WICHITA, KS 67202



WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION

AGENDA ITEM NO. 6
Maize PC 5/9/89
MAPC 5/11/89

STAFF REPORT

CASE NUMBER: DR 89-10

OWNER/APPLICANT/AGENT: Stephen & Alice Jett (owners/applicants)
Southwestern Bell Telephone (agent)

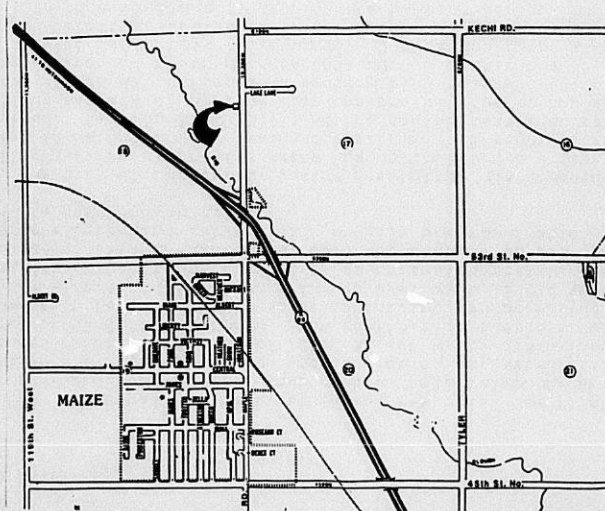
REQUEST: Special Use Permit for an above-ground metal cabinet for telephone switching equipment.

CURRENT ZONING: "R" Rural Residential District

SITE SIZE: .02 acre (25 ft. x 45 ft.)

LOCATION: On the west side of 103rd St. W., approx. 3/4-mi. north of 53rd St. N.

PROPOSED USE: Above-ground metal cabinet for telephone switching equipment.



BACKGROUND: The applicants are requesting a Special Use Permit for an above-ground metal cabinet for Southwestern Bell Telephone switching equipment on a 25-foot by 45-foot portion of an unplatted tract of land located on the west side of 103rd Street West, approximately 3/4-mile north of 53rd Street North. The application area will be leased by Southwestern Bell for purposes of installing and operating a "state of the art" service cabinet which is 6.5 feet wide, 5.5 feet high and 27 inches deep. Construction will be of corrosion-resistant aluminum, will include a "silent" alarm, and does not require on-site personnel. The telephone switching cabinet will provide a communication facility to serve the surrounding area.

In 1988, the text of the County Zoning Resolution was amended to permit utility service structures measuring up to 150 cubic feet in size and 6 feet in height in any zoning district if all required setbacks are observed. Section 13(D)(5)(i) of the zoning text requires a minimum building setback of 85 feet from the center line of any section line road. Since Maize Road is a section line road and the proposed switching cabinet is planned to be constructed within the 85-foot setback, a special use permit is required. One of the purposes of the special use permit procedure is to establish an appropriate building setback. In recommended condition one, a 50-foot minimum building setback is established. This setback will assure that the utility service structure will not be located within needed street right-of-way.

CASE HISTORY: None.

ADJACENT ZONING AND LAND USE:

NORTH	"R"	Agricultural use/single-family residence
SOUTH	"R"	Agricultural use
EAST	"R"	Agricultural use
WEST	"R"	Agricultural use

PUBLIC SERVICES: The telephone facility will not require either municipal water or sewerage facilities. One Hundred Third Street West is an unpaved two-lane arterial street with only 25 feet of half-street right-of-way, whereas 50 feet is required.

CONFORMANCE TO PLANS/POLICIES: Section 13(F)(1) of the County Zoning Resolution provides for the establishment of public utility installations or improvements in any zoning district, provided the Metropolitan Area Planning Commission reviews the request and the Board of County Commissioners approves the use by issuing a Special Use Permit. Since this Special Use Permit request involves land within the City of Maize's Zoning Area of Influence, this case will be reviewed by Maize's Planning Commission.

DR 89-10 Staff Report
Page 3

RECOMMENDATION: It is recommended that the Special Use Permit be approved, subject to the following conditions:

1. The cabinet shall maintain a setback of no less than 50 feet measured from the section line (or 25 feet measured from the east line of the application area).
2. The cabinet shall not exceed a height of 5.5 feet, a width of 6.5 feet and a depth of 27 inches.
3. The surfaces of the cabinet shall not be used for any advertising purposes.

DOBLER SURVEYING

2909 W. 12th Ave.
Emporia, KS 66801
316-342-2200

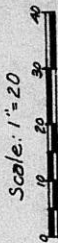
Route 1, Box 23
Hamilton, KS 66853
316-678-3833

April 6, 1989

DESCRIPTION OF SURVEY FOR SOUTHWESTERN BELL AND JETT

A tract in the Northeast Quarter (NE 1/4) of Section Eighteen (18), Township Twenty Six (26) South, Range One (1) West of the Sixth P.M., Sedgwick County, Kansas, more particularly described as follows: Beginning at a point, marked by a 1/2" iron pin, lying 1039.69 feet North and 25.00 feet West of the Southeast corner of the said Northeast Quarter, which point is on the West Right-of-Way line of Maize Road; thence continuing on a bearing of North 90 degrees 00 minutes 00 seconds West for a distance of 45.00 feet to a 1/2" iron pin; thence on a bearing of North 0 degrees 00 minutes 00 seconds East for a distance of 25.00 feet to a 1/2" iron pin; thence on a bearing of North 90 degrees 00 minutes 00 seconds East for a distance of 45.00 feet to a 1/2" iron pin on the said West Right-of-Way of line of Maize Road; thence on a bearing of South 0 degrees 00 minutes 00 seconds East along the said West Right-of-Way line of Maize Road for a distance of 25.00 feet to the Point of Beginning.

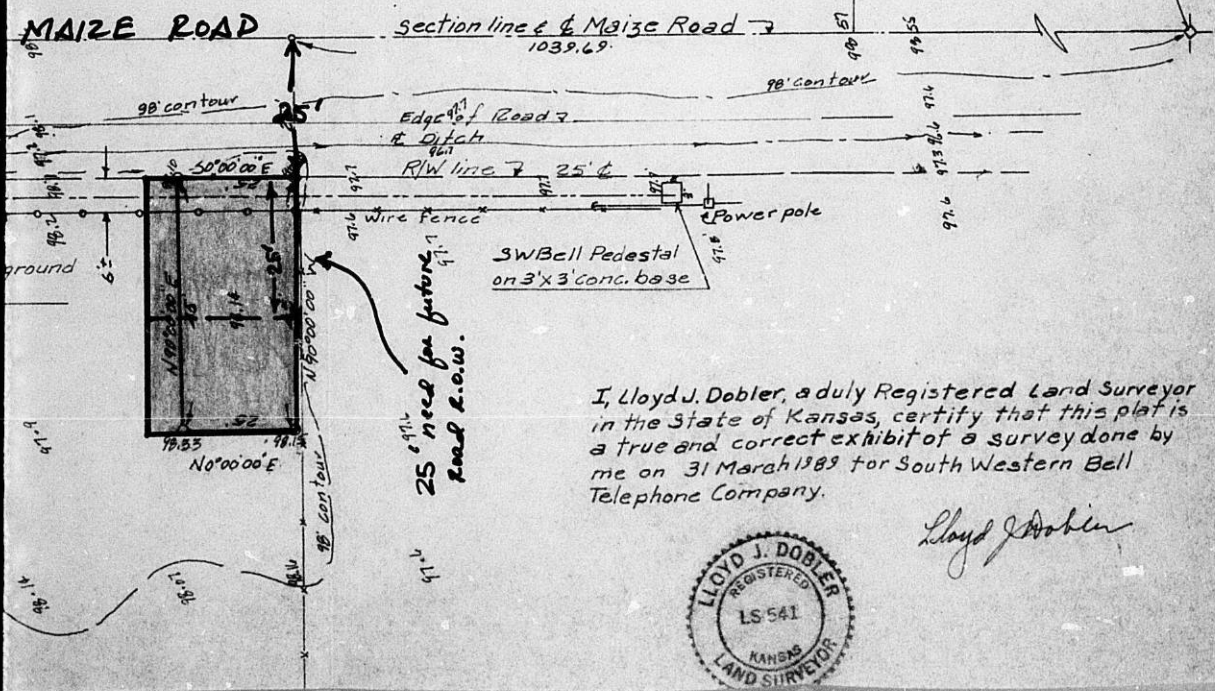
S.T. JETT - S.W. BELL TELEPHONE SURVEY



South east corner of NE 1/4 Section 18
T26S, R1W of Sixth P.M. - found pin

DE 89-10
MAY 5-11-89

Road records. 25' on each side of section line.

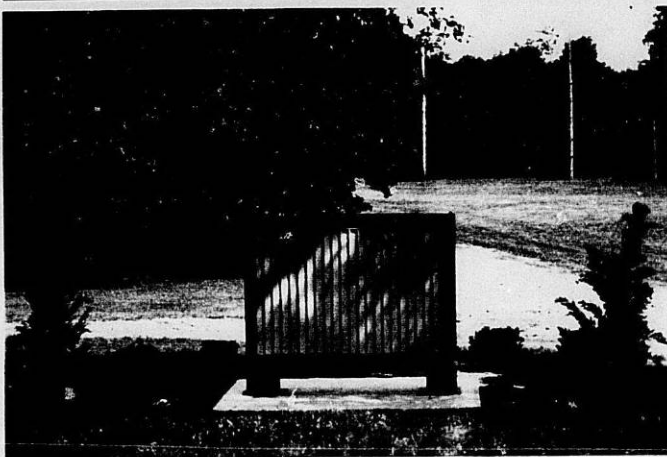


I, Lloyd J. Dobler, a duly Registered Land Surveyor in the State of Kansas, certify that this plat is a true and correct exhibit of a survey done by me on 31 March 1989 for South Western Bell Telephone Company.

Lloyd J. Dobler



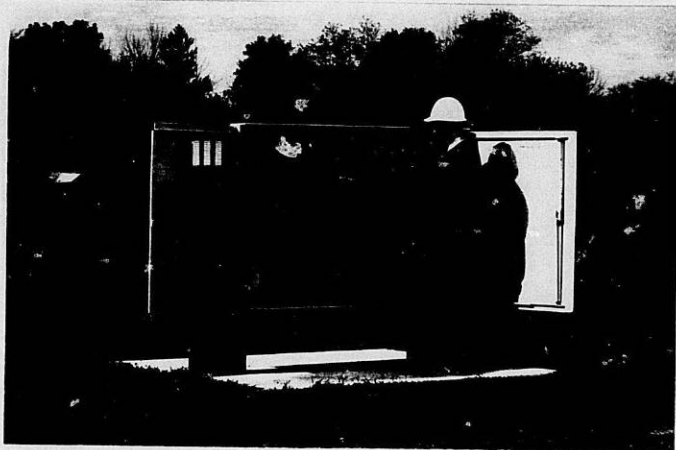
80-TYPE COMMUNITY SERVICE CABINET



Designed to resemble a signboard, the 80-Type Community Service Cabinet is suitable for locations in full public view, such as driveway entrances to apartment complexes or industrial parks.

- Construction is corrosion-resistant aluminum.
- Heavy-duty construction provides vandalism protection.
- Enclosure is shipped completely assembled and wired.
- Construction is weather and fire resistant.
- Raised open design prevents accumulation of leaves or windblown debris.
- Guidelines are available for using the enclosure as a signboard.
- The enclosure does not require on-site personnel, and maintenance activity is minimal.
- The **SLC-96** system is electronic, so operation is virtually noiseless.
- Enclosure is protected by "silent" security systems—alarms do not sound at the enclosure site, but at the local central office.

...a **SLC™-96 System Remote Terminal Enclosure**



80-TYPE COMMUNITY SERVICE CABINET

- Size:** The 80-type cabinet is 6½ feet wide, 5½ feet high, and 27 inches deep.
- Capacity:** The 80-type cabinet can accommodate two **SLC-96** systems and a serving area interface.
- Security:** The enclosure is well secured. It can only be opened by using a special tool. A "silent" alarm (alarm sounds only at the central office, not at the enclosure site) provides protection against unauthorized entry.
- Primary Power:** The power source is commercial 117 Vac, 60 Hz.
- Back-up Power:** Each **SLC-96** system has a string of 48 Vdc batteries that can provide operation for a minimum of eight hours during commercial power failure.



Western Electric

PROPERTY OWNER NOTICES

CASE NO. DR 89-10

DATE OF MAILOUT: 4/20/89

3	Property Owners
2	Applicant(s) and Agent(s) <i>Staff rpt + agenda mailed 5/5/89 - gem</i>
3	Ron Worley, Jim Weber, and Kim Dewey
5	Jack, Louise, Bob and Karen, Forrest
1	Zoning Administrator Maize KS
<hr/>	
14	TOTAL

*Copy of Staff report sent to Karen at Maize and to
7 Planning Commissioners on 5/5/89. Fee!*

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

April 20, 1989

CORRECTED
NOTICE OF PUBLIC HEARING

Case No.: DR 89-10

FILE COPY

Location: On the west side of 103rd Street approximately
3/4 mile north of 53rd Street North.

Address: 5911 N. Maize Rd.

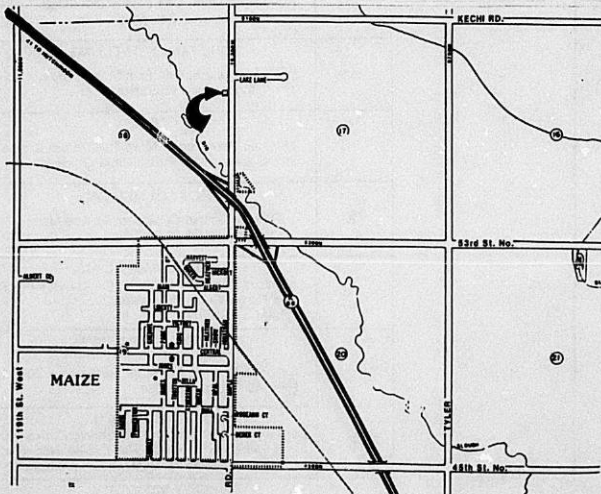
Request: Special Use Permit to establish a above ground
metal cabinet for telephone switching
equipment on property zoned "R" Rural
Residential.

NOTICE IS HEREBY GIVEN that on Tuesday, May 9, 1989, the Maize City Planning Commission meeting at 7:30 p.m., at the Maize Community Building, 401 South Khedive, Maize, Kansas, will consider the above-referenced item for purposes of making a recommendation to the Metropolitan Area Planning Commission and Board of County Commissioners.

If this matter is not deferred for further hearings by the Mazie Planning Commission, it will appear on the agenda for the regular meeting of the Wichita-Sedgwick County Metropolitan Area Planning Commission, which begins at 1:30 p.m., on Thursday, May 11, 1989, in the City Council Chambers, First Floor, City Hall, 455 North Main Street, Wichita, Kansas.

As an owner or occupant of property in the area, you have the right to appear at the Planning Commission meetings, 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 hearings.

If you have any questions or wish additional information, please call 268-4421.



SEE REVERSE SIDE

LEGAL DESCRIPTION OF THE AREA PROPOSED TO BE CHANGED

Case No. DR 89-10

Special Use Permit to establish an above ground metal cabinet for telephone switching equipment on property zoned "R" Rural Residential District.

A tract in the Northeast Quarter (NE 1/4) of Section Eighteen (18), Township Twenty Six (26) South, Range One (1) West of the Sixth P.M., Sedgwick County, Kansas, more particularly described as follows: Beginning at a point, marked by a 1/2" iron pin, lying 1039.69 feet North and 25.00 feet West of the Southeast corner of the said Northeast Quarter, which point is on the West Right-of-Way line of Maize Road; thence continuing on a bearing of North 90 degrees 00 minutes 00 seconds West for a distance of 45.00 feet to a 1/2" iron pin; thence on a bearing of North 0 degrees 00 minutes 00 seconds East for a distance of 25.00 feet to a 1/2" iron pin; thence on a bearing North 90 degrees 00 minutes 00 seconds East for a distance of 45.00 feet to a 1/2" iron pin on the said West Right-of-Way of line of Maize Road; thence on a bearing of South 0 degrees 00 minutes 00 seconds East along the said West Right-of-Way line of Maize Road for a distance of 25.00 feet to the Point of Beginning. Generally located on the west side of 103rd. Street approximately 3/4 mile north of 53rd Street North.

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.

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION

AGENDA ITEM NO. _____
Maize PC 5/9/89
MAPC 5/11/89

STAFF REPORT

CASE NUMBER: DR 89-10

OWNER/APPLICANT/AGENT: Stephen & Alice Jett (owners/applicants)
Southwestern Bell Telephone (agent)

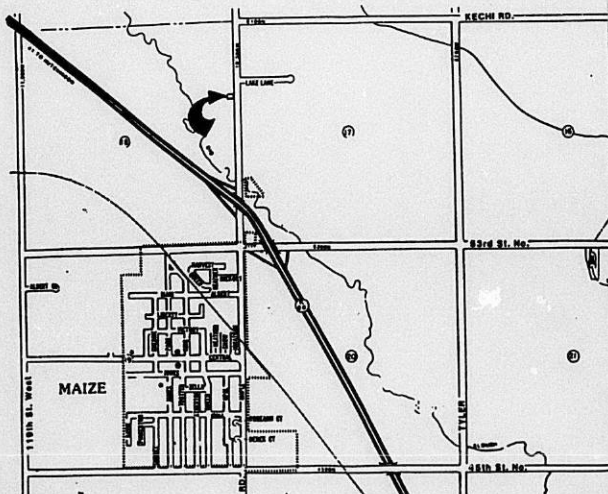
REQUEST: Special Use Permit for an above-ground metal cabinet for telephone switching equipment.

CURRENT ZONING: "R" Rural Residential District

SITE SIZE: .02 acre (25 ft. x 45 ft.)

LOCATION: On the west side of 103rd St. W., approx. 3/4-mi. north of 53rd St. N.

PROPOSED USE: Above-ground metal cabinet for telephone switching equipment.



BACKGROUND: The applicants are requesting a Special Use Permit for an above-ground metal cabinet for Southwestern Bell Telephone switching equipment on a 25-foot by 45-foot portion of an unplatted tract of land located on the west side of 103rd Street West, approximately 3/4-mile north of 53rd Street North. The application area will be leased by Southwestern Bell for purposes of installing and operating a "state of the art" service cabinet which is 6.5 feet wide, 5.5 feet high and 27 inches deep. Construction will be of corrosion-resistant aluminum, will include a "silent" alarm, and does not require on-site personnel. The telephone switching cabinet will provide a communication facility to serve the surrounding area.

In 1988, the text of the County Zoning Resolution was amended to permit utility service structures measuring up to 150 cubic feet in size and 6 feet in height in any zoning district if all required setbacks are observed. Section 13(D)(5)(i) of the zoning text requires a minimum building setback of 85 feet from the center line of any section line road. Since Maize Road is a section line road and the proposed switching cabinet is planned to be constructed within the 85-foot setback, a special use permit is required. One of the purposes of the special use permit procedure is to establish an appropriate building setback. In recommended condition one, a 50-foot minimum building setback is established. This setback will assure that the utility service structure will not be located within needed street right-of-way.

CASE HISTORY: None.

ADJACENT ZONING AND LAND USE:

NORTH	"R"	Agricultural use/single-family residence
SOUTH	"R"	Agricultural use
EAST	"R"	Agricultural use
WEST	"R"	Agricultural use

PUBLIC SERVICES: The telephone facility will not require either municipal water or sewerage facilities. One Hundred Third Street West is an unpaved two-lane arterial street with only 25 feet of half-street right-of-way, whereas 50 feet is required.

CONFORMANCE TO PLANS/POLICIES: Section 13(F)(1) of the County Zoning Resolution provides for the establishment of public utility installations or improvements in any zoning district, provided the Metropolitan Area Planning Commission reviews the request and the Board of County Commissioners approves the use by issuing a Special Use Permit. Since this Special Use Permit request involves land within the City of Maize's Zoning Area of Influence, this case will be reviewed by Maize's Planning Commission.

DR 89-10 Staff Report
Page 3

RECOMMENDATION: It is recommended that the Special Use Permit be approved, subject to the following conditions:

1. The cabinet shall maintain a setback of no less than 50 feet measured from the section line (or 25 feet measured from the east line of the application area).
2. The cabinet shall not exceed a height of 5.5 feet, a width of 6.5 feet and a depth of 27 inches.
3. The surfaces of the cabinet shall not be used for any advertising purposes.

PROPERTY OWNER NOTICES

CASE NO. DR-89-10

DATE OF MAILOUT: 4/18/89

3 Property Owners

2 Applicant(s) and Agent(s)

3 Ron Worley, Jim Weber, and Kim Dewey

5 Jack, Louise, Bob and Karen, Forrest
Zoning Administrator Maize Ks

13

TOTAL

*Sent 9 copies to staff report to MAZE
on 4/19/89*

*Sent copy of staff report to Fred Neff on
4/19/89
Fred*

() Published in The Daily Reporter on April 18, 1989
(One Time)

OFFICIAL NOTICE

TO WHOM IT MAY CONCERN AND TO ALL PERSONS INTERESTED:

FILE COPY

NOTICE IS HEREBY GIVEN that on, **Tuesday, May 9, 1989**, the Maize Planning Commission meeting at 7:00 p.m., at the Maize City Hall, 123 South Khedive, Maize, Kansas, will consider the following application:

Case No. DR 89-10

Special Use Permit to establish an above ground metal cabinet for telephone switching equipment on property zoned "R" Rural Residential District.

A tract in the Northeast Quarter (NE 1/4) of Section Eighteen (18), Township Twenty Six (26) South, Range One (1) West of the Sixth P.M., Sedgwick County, Kansas, more particularly described as follows: Beginning at a point, marked by a 1/2" iron pin, lying 1039.69 feet North and 25.00 feet West of the Southeast corner of the said Northeast Quarter, which point is on the West Right-of-Way line of Maize Road; thence continuing on a bearing of North 90 degrees 00 minutes 00 seconds West for a distance of 45.00 feet to a 1/2" iron pin; thence on a bearing of North 0 degrees 00 minutes 00 seconds East for a distance of 25.00 feet to a 1/2" iron pin; thence on a bearing North 90 degrees 00 minutes 00 seconds East for a distance of 45.00 feet to a 1/2" iron pin on the said West Right-of-Way line of Maize Road; thence on a bearing of South 0 degrees 00 minutes 00 seconds East along the said West Right-of-Way line of Maize Road for a distance of 25.00 feet to the Point of Beginning. Generally located on the west side of 103rd. Street approximately 3/4 mile north of 53rd Street North.

If this matter is not deferred for further hearings by the Maize Planning Commission, it will appear on the agenda for the regular meeting of the Wichita-Sedgwick County Metropolitan Area Planning Commission, **Thursday, May 11, 1989**, in the City Council Chambers, First Floor, City Hall, 455 North Main Street, Wichita, Kansas, beginning at 1:30 p.m., at which time you may appear either in person or by agent or attorney, if you so desire.

As provided in Section 17-C of the Sedgwick County Zoning Regulations, the same will then and there be discussed and considered by the said MAPC, and all persons interested in said matters will be heard at this time concerning their views and wishes in the premises, and any protest against any of the provisions of the proposed application will be considered as by law provided.

WITNESS MY HAND this 17th day of April, 1989.

Marvin S. Krout, Secretary
Wichita-Sedgwick County
Metropolitan Area Planning Commission

DR-89-10

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 Stephen T. and Alice M. Jett
ADDRESS 5911 N. Maize Rd. Wichita, Kan. Zip Code 67101 PHONE 722-8352
AGENT Southwestern Bell Tel. Co. c/o Fred L. Neff
ADDRESS 154 N. Bwy. rm 940 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 establish a above ground metal cabinet for telephone switching equipment (use) on property zoned X R and legally described as Lot(s)

A tract in the Northeast Quarter (NE 1/4) of Section Eighteen (18), Township Twenty Six (26) South, Range One (1) West of the Sixth P.M., Sedgwick County, Kansas, more particularly described as follows: Beginning at a point, marked by a 1/2" iron pin, lying 1039.69 feet North and 25.00 feet West of the Southeast corner of the said Northeast Quarter, which point is on the West Right-of-Way line of Maize Road; thence continuing on a bearing of North 90 degrees 00 minutes 00 seconds West for a distance of 45.00 feet to a 1/2" iron pin; thence on a bearing of North 0 degrees 00 minutes 00 seconds East for a distance of 25.00 feet to a 1/2" iron pin; thence on a bearing of North 90 degrees 00 minutes 00 seconds East for a distance of 45.00 feet to a 1/2" iron pin on the said West Right-of-Way of line of Maize Road; thence on a bearing of South 0 degrees 00 minutes 00 seconds East along the said West Right-of-Way line of Maize Road for a distance of 25.00 feet to the Point of Beginning.

USE FOR LEGAL

thence

FOR OFFICE USE ONLY

Map No. 4754A Zoning (N) R (S) R (E) R (W) R MAPC 5-11-89

Maize P.C. 5-7-89

T9-212-2

Advertized by 4/18/89
Neighborhood Notification: 4/25/89

Revised 9/86

DR-89-10

APPLICATION FOR SPECIAL PERMIT

WICHITA-SEDGWICK COUNTY METROPOLITAN AREA PLANNING COMMISSION

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A. APPLICANT Stephen T. and Alice M. Jett
ADDRESS 5911 N. Maize Rd. Wichita, Kan Zip Code 67101 PHONE 722-8352
AGENT Southwestern Bell Tel. Co. c/o Fred L. Neff
ADDRESS 154 N. Bwy. rm 940 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 establish a above ground metal cabinet for telephone switching equipment (use) on property zoned X R and 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 SURVEY
25' x 45' Commencing at the Southeast corner of the NE 1/4 of Section 18, T 26 S, R 1 W of the Sixth PM & hence North along the east line of said quarter section a distance of 1039.69; thence bearing S 90° 00' 00" W

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

FOR OFFICE USE ONLY

Map No. 4754A Zoning (N) R (S) R (E) R (W) R

Maize P.C. 5-7-89

MAPC 5-11-89

T9-212-2

Advertized by 4/18/89
Neighborhood Notification: 4/25/89

Revised 9/86

3. This property is located at (address) 5911 N. Maize Rd.

THE GENERAL LOCATION IS (USE APPROPRIATE SECTION)

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

B. On the west side of 103 rd. (Ave.) Street ~~between~~

~~north of Hwy. 94 (Ave.) Street and _____ (Ave.) Street.~~

approximately 3/4-mile north of 53rd Street North

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

4. We request this special permit for the following reasons:

To provide accommodations for an above ground metal cabinet to house telephone communication facilities to serve 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 [Signature]
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
(AM, PM) on 4-12-89 (day, month, year). It has been checked and found to be complete and accompanied by required documents and the appropriate fee of \$ 350⁰⁰.

[Signature] Name

Title

Nº 00660

METROPOLITAN AREA PLANNING DEPARTMENT

Description Special permit (5911 71. Th. King Rd.)
Name Southwestern Bell
Address 154 71. Broadway
Fund No. (circle one) 755-40710-003 (fees) 755-40710-004
(books, xerox) 755-40710-026 (microfilm) 300210 - 9026
Amount 350.⁰⁰
Date 4-12-89 Due Date 4-12-89 By SL

Form 00-000

STATEMENT OF OWNERSHIP

STATE OF KANSAS }
SEDGWICK COUNTY } SS:

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

That we have examined the record in the office of the Register of Deeds of Sedgwick County, Kansas, with reference to the following real estate in Sedgwick County, Kansas:

A 200 foot around: Beginning at the Southeast corner of the Northeast Quarter; thence North 0° 0' West along the East line of the Northeast 1039.69 feet to the point of beginning. Thence west 45 feet; North 20 feet; East 45 feet; South 20 feet to the point of beginning.

AN ACCURATE LEGAL DESCRIPTION SHOULD BE OBTAINED FROM A LAND SURVEYOR.

And from such examination find that the owners of real estate within a 200' foot radius thereof are as set opposite the description of the property below, viz: (Addresses as given are furnished as a service and not certified.)



DESCRIPTIONS

Lot 1, Block 1, LAKELANE ESTATES
ADDITION to Wichita, Sedgwick
County, Kansas.

Beginning 589 feet North of the
Southeast Corner of the Northeast
Quarter; West 920.51 feet Northerly
288.74 feet Northwesterly 172.6 feet;
East 996.69 feet to the East line of
the Northeast Quarter; South 450.69
feet to the beginning. Section 18,
Township 26 South, Range 1 West,
Sedgwick County, Kansas.

RECORD OWNERS

Michael Edward and
Kathleen A. Bliss
1831 N. Woodrow
Wichita, Kansas 67203

Charles F. Clupny
3007 W. Elm
Wichita, Kansas 67203

CONTINUED

**FIDELITY
TITLE**

Fidelity Title Company, Inc.

DESCRIPTIONS

Beginning 130 feet North of the South west Corner of the Northwest Quarter; North 773.71 feet; West 563 feet to the beginning. Except West 25 feet for the road. Section 17, Township 26 South, Range 1 West, Sedgwick County, Kansas.

Beginning 1039.69 feet North of the South east corner of the Northeast Quarter; West 996.69 feet Northwesterly along the big slough to the point 899 feet South of the Northwest corner; East half of the Northeast Quarter East to the point on the East line 1634.4 feet; North of the Southeast corner; South to the beginning. Except East 25 feet for the road. Section 18 South, Range 1 West, Sedgwick County, Kansas.

RECORD OWNERS

Billy T. and Frances J. Lane
5828 N. Maize Rd.
Wichita, Kansas 67101

Stephen T. and Alice M. Jett
5911 N. Maize Rd.
Wichita, Kansas 67101

Dated at Wichita, Kansas, this 24 day of March
1989 at 7:00 a.m.



FIDELITY TITLE COMPANY, INC.

By Debra J. Schimmer
LICENSED ABSTRACTER

TRACER NO. 85516

**FIDELITY
TITLE**

Fidelity Title Company, Inc.

119 TH STREET



61ST ST.

MAIZE RD.

K-96

53RD STREET





KANSAS GAS AND ELECTRIC COMPANY

SEC 18 - T26S - R1W

4754