

Postcard
9-26-83
682

ACTION

BZA 54-83 Defer / mo. 10/25/83
DATE

BZA APPROVED 10/27/83

RESOLUTION VOIDED

BY BZA Case No. 13-84
on 3/27/84

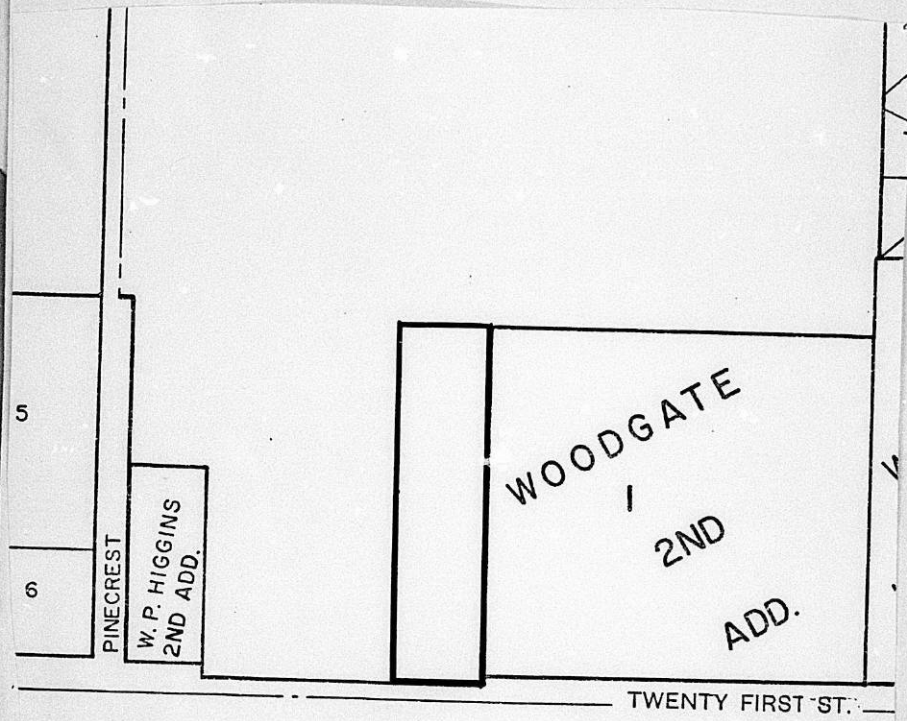
Case No. BZA 54-83 - Caliendo Investment Inc. - requests an exception to permit the establishment of residential storage warehouses on property zoned the "LC" Light Commercial District and generally located on the north side of 21st Street, approximately

Map No. 5850

BZA 54-83
Filed _____

AREA DATA:

1. Acres: _____ (_____ ft. by _____ ft.)
2. Adjoining Zoning: E R-6 S AA W AA N AA
3. Land Use: East APTS South ONE FAM
West VACANT North VACANT
4. Area (is) ~~(is not)~~ being platted.



LOS ANGELES COUNTY
REGISTERED PROFESSIONAL
SURVEYOR
No. 2153C
U.S.A.

S
ignard

November 23, 1983

Richard Callendo
Callendo Investment Inc.
400 North Woodlawn
Wichita, Kansas

Re: BZA 54-83 - Request for Exception

Dear Mr. Callendo:

At the regular meeting of the Board of Zoning Appeals on November 22, 1983, your request for an exception to permit the establishment of residential storage warehouses in the "LC" Light Commercial District was considered. It was the action of the Board to approve your request subject to the following conditions:

1. Prior to the release of the Resolution authorizing the construction of Residential Storage Warehouses, the applicant shall complete the plat of Callendo 9th Addition which is necessary to establish "LC" Light Commercial Zoning on the property.
2. A 15' landscaped yard shall be provided along all property lines that are adjacent to any Residential zoning district.
3. A six to eight foot screening fence, constructed to prevent the passage of light and debris shall be erected along the east, north and west property lines at the required 15' setback line wherever the buildings do not provide the screening. Said fence shall be constructed of either brick, stone, architectural tile, masonry, wood or other similar material (not including woven wire).

4. The remainder of the property shall be fenced in some manner for security and control provisions, preferably of a material compatible with the design of the building, but at the option of the applicant.
5. Any side of the buildings providing access to storage areas shall maintain a minimum 25' setback from the property line.
6. Off-street parking shall be provided by ordinance on the basis of the total square feet of floor area in the facility.
7. All driveways, parking, loading and vehicle circulation areas shall be paved with concrete, asphalt or asphaltic concrete. Adequate bumper guards or fences shall be provided to prevent the extension of vehicles beyond property lines.
8. All lights shall be shielded to direct light onto the uses established and directed away from adjacent property.
9. No activities such as miscellaneous or garage sales shall be conducted on the premises.
10. The servicing or repair of motor vehicles, boats, trailers, lawn mowers and other similar equipment shall not be conducted on the premises.
11. On-site ground or pole signs shall be limited to one per arterial street frontage and in this case, one sign would be permitted adjacent to 21st Street. This sign shall not exceed 20' in height nor exceed 50 square feet in gross surface area and shall not project over any public right-of-way.
12. The area shall be properly policed by the owner or operator for removal of trash and debris.
13. The operation of this facility shall in no way be deemed to include a transfer and storage business, where the use of vehicles are part of such business, nor shall storage space be rented or leased to any commercial business, individual or corporation for the storage of any merchandise, stock, furnishings or vehicles of a business of any kind.
14. No outdoor storage of any kind shall be permitted on the premises.
15. A resident manager shall be required on the site and shall be responsible for maintaining the operation of the facility in conformance with the conditions of approval.
16. A copy of this resolution shall be maintained in the office for the convenience of the manager and the tenants. In addition, a log of all tenants shall be maintained on the premises for review by the Central Inspection Superintendent to assure compliance that no commercial storage is occurring in violation of this resolution.

17. Only one point of public ingress/egress shall be permitted to/from subject project. That access being from 21st Street. Any access deemed necessary by the Fire Department other than 21st Street shall be provided by dedicated fire lane easements and any gates necessary for Fire Department use shall be kept locked and used only in emergencies.
18. All areas not paved as required by condition of approval #7 shall be landscaped with deciduous and coniferous plant materials. Provisions shall be made for watering and maintaining the landscaping in good condition.
19. All improvements as set forth herein shall be completed prior to the occupancy of the site for a Residential Storage Warehouse Facility.

A Resolution setting forth the official action of the Board is being prepared and you will be mailed a copy upon completion of plat.

If you have any questions, please call our office.

Sincerely yours,

Glen E. Lytle
Assistant Secretary

GEL:sad

cc Robert Feldner, Superintendent of Central Inspection (2)
Don Gisick, City Clerk

THE CITY OF WICHITA

OFFICE OF CITIZEN PARTICIPATION

DATE November 16, 1983

TO Glen Lytle, Special Assistant for Zoning

FROM Dean Kruthof, Administrative Aide III

SUBJECT BZA 54-83, North of 21st
Street, $\frac{1}{2}$ mile east of Oliver

At its November 15th meeting, CPO Neighborhood Council "I" considered the captioned exception to permit the establishment of residential storage warehouses on property zoned "LC" Light Commercial. The applicant, Richard Caliendo, was present to discuss the case with the Council. No area residents or property owners were present concerning the case.

The Council voted, 5-1, to recommend that the exception be approved subject to the BZA Secretary's recommended conditions.

Please provide the Council's recommendation to the Board of Zoning Appeals when the case is considered on November 22nd.

Dean Kruthof

Dean Kruthof
Administrative Aide III

DK:sm

RECEIVED

NOV 18 1983

METROPOLITAN PLANNING

ROUTE

SECRETARY'S REPORT
CASE NO. BZA 54-83

APPLICANT: Caliendo Investment Inc., 400 North Woodlawn, Wichita, Kansas.

AGENT: Richard Caliendo, Caliendo Investment Inc., 400 North Woodlawn, Wichita, Kansas.

REQUEST: Exception pursuant to Section 28.04.183.5, Code of the City of Wichita to permit the establishment of residential storage warehouses in the "LC" Light Commercial District.

GENERAL LOCATION: On the north side of 21st Street and east of Pinecrest.

ZONING: Subject property has been approved the "LC" Light Commercial. Property to the west is "AA" One-family residential. To the south is "BB" Office and to the east is "R-6" and the "AA" property to the north has been approved for "R-5" General Residence District.

LAND USE: Subject property is vacant as are the properties to the north and west. Apartment development to the east and offices to the south.

JURISDICTION:

The Board has jurisdiction to consider this request under the provisions outlined under Section 2.12.590.C, Code of the City of Wichita. The Board may grant the exception provided the conditions set out in Section 28.04.183.5 can be complied with.

COMMENTS BY THE SECRETARY:

The applicant is requesting an exception in order to construct Residential Storage Warehouses in the "LC" Light Commercial District. The property is over 2 acres in size which meets the minimum requirement set forth in the zoning ordinance. The property is adjacent to residential zoning on the north, west and east, therefore the design of the facility must be compatible to residential development and approved by the Superintendent of Central Inspection. The 15' setback adjacent to the residential zoning districts shall be maintained as a landscaped yard.

This case was advertised to be heard by the Board at the October 25, 1983 meeting, but the applicant failed to submit a site plan and design in time for the meeting. The site plan has now been submitted and provides for the required setbacks, screening and landscaping as required by the ordinance. It does not, however, show the required off-street parking spaces on the property.

Prior to the release of the resolution authorizing the issuance of permits for the construction of the facility, a total development plan should be submitted in accordance with all regulations. If the applicant wishes to stage the construction and occupancy of the facility, some schedule should be set for the total completion of a minimum of 2 acres of residential storage warehouses. It will also be necessary to complete the plat which is required before the zoning would become effective.

RECOMMENDATION:

Should the Board determine that Residential Storage Warehouses are appropriate at this location, then it is the Secretary's recommendation that the application be approved subject to the following conditions:

1. Prior to the release of the Resolution authorizing the construction of Residential Storage Warehouses, the applicant shall complete the plat of Caliendo 9th Addition which is necessary to establish "LC" Light Commercial Zoning on the property.
2. A 15' landscaped yard shall be provided along all property lines that are adjacent to any Residential zoning district.
3. A six to eight foot screening fence, constructed to prevent the passage of light and debris shall be erected along the east, north and west property lines at the required 15' setback line wherever the buildings do not provide the screening. Said fence shall be constructed of either brick, stone, architectural tile, masonry, wood or other similar material (not including woven wire).
4. The remainder of the property shall be fenced in some manner for security and control provisions, preferably of a material compatible with the design of the building, but at the option of the applicant.
5. Any side of the buildings providing access to storage areas shall maintain a minimum 25' setback from the property line.
6. Off-street parking shall be provided by ordinance on the basis of the total square feet of floor area in the facility.
7. All driveways, parking, loading and vehicle circulation areas shall be paved with concrete, asphalt or asphaltic concrete. Adequate bumper guards or fences shall be provided to prevent the extension of vehicles beyond property lines.
8. All lights shall be shielded to direct light onto the uses established and directed away from adjacent property.
9. No activities such as miscellaneous or garage sales shall be conducted on the premises.
10. The servicing or repair of motor vehicles, boats, trailers, lawn mowers and other similar equipment shall not be conducted on the premises.
11. On-site ground or pole signs shall be limited to one per arterial street frontage and in this case, one sign would be permitted adjacent to 21st Street. This sign shall not exceed 20' in height nor exceed 50 square feet in gross surface area and shall not project over any public right-of-way.
12. The area shall be properly policed by the owner or operator for removal of trash and debris.
13. The operation of this facility shall in no way be deemed to include a transfer and storage business, where the use of vehicles are part of such business, nor shall storage space be rented or leased to any commercial business, individual or corporation for the storage of any merchandise, stock, furnishings or vehicles of a business of any kind.
14. No outdoor storage of any kind shall be permitted on the premises.
15. A resident manager shall be required on the site and shall be responsible for maintaining the operation of the facility in conformance with the conditions of approval.
16. A copy of this resolution shall be maintained in the office for the convenience of the manager and the tenants. In addition, a log of all tenants shall be maintained on the premises for review by the Central Inspection Superintendent to assure compliance that no commercial storage is occurring in violation of this resolution.

17. Only one point of public ingress/egress shall be permitted to/from subject project. That access being from 21st Street. Any access deemed necessary by the Fire Department other than 21st Street shall be provided by dedicated fire lane easements and any gates necessary for Fire Department use shall be kept locked and used only in emergencies.
 18. All areas not paved as required by condition of approval #7 shall be landscaped with deciduous and coniferous plant materials. Provisions shall be made for watering and maintaining the landscaping in good condition.
 19. All improvements as set forth herein shall be completed prior to the occupancy of the site for a Residential Storage Warehouse Facility.
-

October 26, 1983

Richard Caliendo
Caliendo Investment Company
400 North Woodlawn
Wichita, Kansas 67208

Re: BZA 54-83 - Request for Exception

Dear Mr. Caliendo:

At the regular meeting of the Board of Zoning Appeals on October 25, 1983, your request for an exception was considered. It was the action of the Board to defer action on your request, to establish residential storage warehouses in the "LC" Light Commercial District, for one month to the meeting of November 22, 1983.

This will give you ample time to furnish the necessary site plans and design for review. Please furnish this information by November 1, 1983 to this office.

If you have any questions, please give me a call at 268-4421.

Sincerely yours,

Glen E. Lytle
Assistant Secretary

GEL:sad

THE CITY OF WICHITA

OFFICE OF CITIZEN PARTICIPATION

DATE October 21, 1983

RECEIVED

OCT 21 1983

TO Glen Lytle, Special Assistant for Zoning

METROPOLITAN PLANNING

FROM Dean Kruihof, Administrative Aide III

ROUTE _____

SUBJECT BZA 54-83, North of 21st Street,
East of Oliver

CPD Council "I" was scheduled to consider the captioned project at its October 18th meeting.

The Council deferred consideration on the case based on the BZA Secretary's comments.

Dean Kruihof
Dean Kruihof
Administrative Aide III

DK:sm

SECRETARY'S REPORT
CASE NO. BZA 54-83

APPLICANT: Caliendo Investment Company, 400 North Woodlawn,
Wichita, Kansas.

AGENT: Richard Caliendo, Caliendo Investment Company,
400 North Woodlawn, Wichita, Kansas.

REQUEST: Exception pursuant to Section 28.04.183.5, Code
of the City of Wichita to permit the establish-
ment of residential storage warehouses in the
"LC" Light Commercial District.

GENERAL LOCATION: On the north side of 21st Street North and
approximately $\frac{1}{2}$ mile east of Oliver.

ZONING: Subject property is vacant as are the properties
to the north and west. An apartment project is
to the east and single-family dwellings to the
south.

LAND USE: Subject property has been approved for "LC"
Light Commercial. Properties to the north,
west and south are "AA" One-family District and
to the east is the "R-6" General Residence District.

JURISDICTION:

The Board has jurisdiction to consider this request under the provisions
outlined under Section 2.12.590.C, Code of the City of Wichita. The Board may
grant the exception provided the conditions set out in Section 28.04.183.5 can
be complied with.

COMMENTS BY THE SECRETARY:

The applicant has failed to submit a site plan and overall design for
review by the Secretary and the Board and this case should be deferred to
the meeting of November 22, 1983 providing the information is recieved by
October 28, 1983.

BZA CASE NO. 54-83

1 NOTICES SENT TO APPLICANT/AGENT

10 *Legal Adv.*
~~NOTICES~~ SENT TO MAPC

-1 NOTICES SENT TO CPO

12 NOTICES SENT TO ADJOINING PROPERTY OWNERS

14 TOTAL NOTICES SENT 10-5-83

BOARD OF ZONING APPEALS
Tenth Floor - City Hall
455 North Main, Wichita, Kansas 67202

October 5, 1983

NOTICE TO ADJOINING PROPERTY OWNERS:

CASE NO. BZA 54-83

As required by law, all property owners of record, within 200 feet of a property to be considered for an exception or variance by the Board of Zoning Appeals, are to be notified of the public hearing. An application has been filed by Caliendo Investment Company, 400 North Woodlawn, Wichita, Kansas, requesting an exception.

Pursuant to Section 2.12.590.C, of the Code of the City of Wichita, the applicant is requesting an exception to permit the establishment of residential storage warehouses on property zoned "LC" Light Commercial District. A legal description of the applicant's property is as follows:

The E. 1/4 of the E. 1/4 of the S. 1/4 of the W. 1/4 of the S.E. 1/4 of the S.W. 1/4 of Sec. 1, Twp. 27-S, R-1-E of the 6th P.M., Sedgwick County, Kansas. Being platted as Lot 1, Caliendo 9th Addition to Wichita, Sedgwick County, Kansas. Generally located on the north side of 21st Street, approximately one-half mile east of Oliver.

This application has been assigned Case BZA 54-83. It will be considered by the Board of Zoning Appeals on October 25, 1983 at 1:30 p.m. in the Board Room, First Floor of City Hall, 455 North Main Street, Wichita, Kansas. If you have no interest or objections regarding the requested exception, you have no obligation to appear or comment. If you desire to appear at the Board meeting, you are invited to do so, either in person or by agent or attorney.

It should be noted that the Citizen Participation Organization Area Council may consider this case at its next meeting. Additional information about such a meeting may be obtained by calling the CPO Office, 268-4516.

If you have any questions about the application, please feel free to call the Wichita-Sedgwick County Metropolitan Area Planning Department at 268-4421.

Jack H. Galbraith
Secretary

BOARD OF ZONING APPEALS
CITY OF WICHITA, KANSAS

CASE NO. 54-83
FILED 9-26-83

APPLICATION FOR EXCEPTION

I. Name of Applicant CALIBRO INVESTMENT CORP.

Mailing Address 400 N. WOODLAWN Phone 675-2581

Name of Authorized Agent RICHARD CALIBRO

Mailing Address _____ Phone _____

Relationship of applicant to property is that of _____
(Owner) Tenant, Lessee, Other)

II. Application is made for an exception as provided in Section
2.12.590.C, Code of the City of Wichita, Kansas, to permit
the establishment of RESIDENTIAL MINI-STORAGE UNITS

on property zoned "LC" Light Commercial,
located northside of 21st St - 1/2 mile east of Oliver

and legally described as: the E. 1/2 of the E. 1/2
of the S. 1/2 of the W. 1/2 of the S.E. 1/4 of the S.W. 1/4
of Sec. 1, Twp. 27-S, R-1-E of the 6th P.M., Sedgwick
County, Kansas. Being platted as Lot 1, Calibro 9th Addn. to
Wichita, Sedgwick County, Kansas.

III. The applicant herein, or his authorized agent, acknowledges:

- That he has received an instruction sheet concerning the filing and hearing of this matter;
- That he has been advised of the fee requirements established by Section 2.12.580 of the Code of the City of Wichita (Ordinance No. 36-596); and that the appropriate fee is herewith tendered;
- That all documents are attached hereto as noted in paragraphs 2, 3, and 4 of the instructions;
- That he has been advised of his right to bring action in the District Court of Sedgwick County to appeal the decision of the Board.

Applicant Richard Calibro
for Calibro Investment Corp.

Authorized Agent _____

OFFICE USE ONLY: Received in Office of Secretary, Board of Zoning Appeals, 3:30 (a.m.-p.m.), SEPT. 26, 1983, together with appropriate fee of 200.00.

Signed D. Lytle

OWNERSHIP LIST

Legal Description

Owner/Address

The East Half of the East Half of the South Half of the West Half of the Southeast Quarter of the Southwest Quarter of Section 1, Township 27 South, Range 1 East of the 6th P.M., Sedgwick County, Kansas.

Caliendo Investment Corp.
400 N. Woodlawn
Wichita, Kansas 67208

The West half of the East half of the South half of the West half of the Southeast quarter of the Southwest quarter of Section 1, Township 27 South, Range 1 East of the 6th P.M., Sedgwick County, Kansas.

Rev. Paul F. Holmes
 No Address Available
 Wichita, Mo. 67563

The East Half of the West Half of the South Half of the West Half of the Southeast Quarter of the Southwest Quarter of Section 1, Township 27 South, Range 1 East of the 6th P.M., Sedgwick County, Kansas.

Wichita Land Associates, Inc.
 No Address Available

The South Half of the Northwest Quarter of the Southeast Quarter of the Southwest Quarter of Section 1, Township 27 South, Range 1 East of the 6th P.M., except the West 30 feet of the South 56.69 feet thereof, Sedgwick County, Kansas.

Wichita Land Associates, Inc.
No Address Available

The North Half of the Northwest Quarter of the Southeast Quarter of the Southwest Quarter of Section 1, Township 27 South, Range 1 East of the 6th P.M., Sedgwick County, Kansas.

Wichita Land Associates, Inc.
No Address Available

The North Half of the East Half of the Southeast Quarter of the Southwest Quarter of Section 1, Township 27 South, Range 1 East of the 6th P.M., Sedgwick County, Kansas.

George H. Bruce
4505 E. Lewis
Wichita, Kansas 67218

Lot 1, Block 1,
Woodgate Second Addition

Windsor at Woodgate
5400 E. 21st
Wichita, Kansas 67208

Lot 1, W. P. Higgins Second Addition, except the North 140 feet thereof

V. E. Lygrisse
 No Address Available
 Wichita, Mo. 67204

The North 140 feet of Lot 1,
W. P. Higgins Second Addition

V. E. Lygrisse
No Address Available

The North 262.91 feet of the West $\frac{1}{4}$ of the West $\frac{1}{4}$ of the South $\frac{1}{4}$ of the West $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 1, Township 27 South, Range 1 East of the 6th P.M., Sedgwick County, Kansas; except the West 30 feet for street.

Southwestern Bell Telephone Co.
154 N. Broadway
Wichita, Kansas 67202

Lots 1, 2, 3, 12, 13 and 14, Block 6,
First Addition to Crestview Heights

Center Development Company, Inc.
 No Address Available

Lots 1, 2 and 3, Block 7,
First Addition to Crestview Heights

Forbes, Inc.
2146 N. Old Manor
Wichita, Kansas 67208

Description	Owner/Address
Lots 10 and 11, Block 7, First Addition to Crestview Heights, except the North 25 feet of Lot 11.	<input checked="" type="checkbox"/> <i>As Found</i> <input checked="" type="checkbox"/> City of Wichita <input checked="" type="checkbox"/> 455 N. Main <input checked="" type="checkbox"/> Wichita, Kansas 67202
Lot 12, and the North 25 feet of Lot 11, Block 7, First Addition to Crestview Heights	<input checked="" type="checkbox"/> William R. King <i>Rt 1, Benton</i> <input checked="" type="checkbox"/> No Address Available <i>720 67017</i>
The North 70 feet of Lot 1, Block 9, First Addition to Crestview Heights	<input checked="" type="checkbox"/> Edward C. & Barbara J. Barnett <input checked="" type="checkbox"/> No Address Available <input checked="" type="checkbox"/> <i>City: 2124 N. Parkwood Ln. 67208</i>
The South 30 feet of Lot 1, and the North 57.5 feet of Lot 2, Block 9, First Addition to Crestview Heights	<input checked="" type="checkbox"/> Robert E. & Debora M. Seidler <input checked="" type="checkbox"/> 2120 N. Parkwood Ln. <input checked="" type="checkbox"/> Wichita, Kansas 67208
The South 42.5 feet of Lot 2, and the North 39.5 feet of Lot 3, Block 9, First Addition to Crestview Heights	<input checked="" type="checkbox"/> Louis V. & Edna F. Mundy <input checked="" type="checkbox"/> 2116 N. Parkwood Ln. <input checked="" type="checkbox"/> Wichita, Kansas 67208
Lot 14, Block 9, First Addition to Crestview Heights	<input checked="" type="checkbox"/> Everett D. & Doris N. Hladik <input checked="" type="checkbox"/> 2125 N. Ridgewood <input checked="" type="checkbox"/> Wichita, Kansas 67208

Columbian National Title Insurance of Wichita, Inc., hereby certifies the foregoing to be a true and correct list of all property owners within a 350 foot radius of the following described property, according to the last deeds of record in the Register of Deeds Office, Sedgwick County, Kansas, as of April 27, 1983, at 7:00 a.m.:

The East Half of the East Half of the South Half of the West Half of the Southeast Quarter of the Southwest Quarter of Section 1, Township 27 South, Range 1 East of the 6th P.M., Sedgwick County, Kansas.

OK for legal ↗

Columbian National Title Insurance of
 Wichita, Inc.
 By: *David L. Herd*
 David L. Herd, Licensed & Bonded Abstractor

**MICROFILMED
FROM THE BEST
AVAILABLE COPY**

FORM 29-

PAYMENT NOTICE
City of Wichita

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

Planning

DESCRIPTION	AMOUNT
CITY OF WICHITA	7500-

NAME *CALIFORNIA CO.*

ADDRESS *400 N. W. 10th St.*

FUND *100-100000* DUE DATE

COMMENTS

DATE *10/20/53* BY *[Signature]*