

DR 89-12 - SOUTHERN KANSAS TELEPHONE CO.  
INC. "Special Use Permit to establish a  
equipment storage building on the south

FILED 5-16-89 KK

\*

### ACTION

| S/D COMMITTEE                                    | DATE          |
|--|---------------|
| <u>Special permit to</u><br><u>W.C.B. CO. C.</u> | <u>6/8/89</u> |
| <u>Appx as recommended</u>                       | <u>7/5/89</u> |

CLOSED

ALUC

Proceed 5-16-89 KY

+

# ACTION

S/D COMMITTEE \_\_\_\_\_ DATE \_\_\_\_\_

M.A.P.C.

*Approved subject to  
W.C.C./B. CO. C.* 6/8/89

~~W.C.C./B. CO. C.~~ *App. as recommended* 7/5/89

**CLOSED**

4640c

DR 89-12 - SOUTHERN KANSAS TELEPHONE CO.  
INC. "Special Use Permit to establish a  
equipment storage building on the south

DATA SHEET

MAP #: 46<sup>39</sup>DC

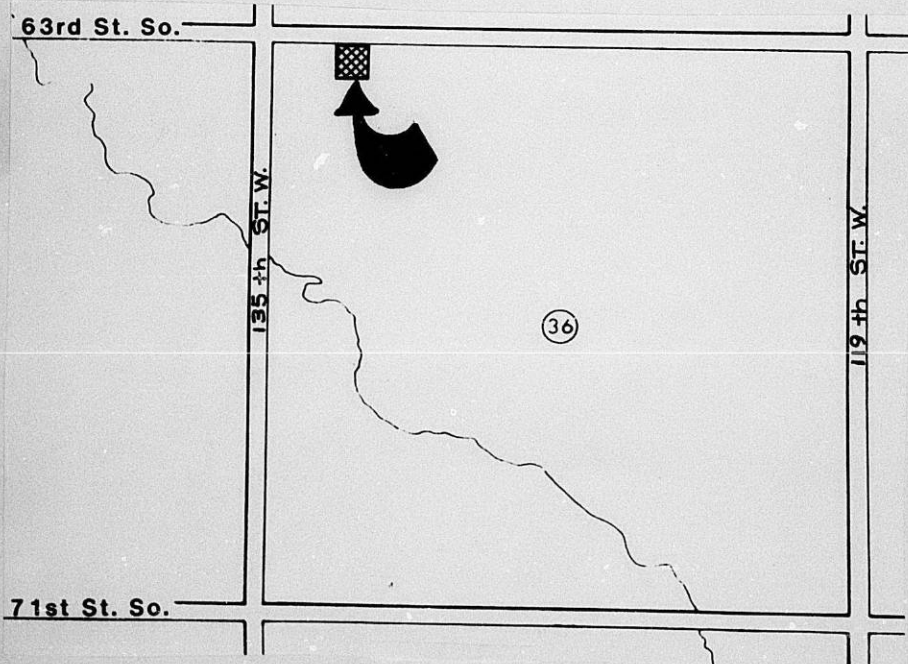
Z-  
SCZ-  
CU-  
DR- 89-12  
DP-  
Amend #  
Case Filed: 5/10/89  
Associated Case:  
CPO Council Area:  
CPO Meeting Date:  
MAPC Hearing Date: 6/8/89

APPLICATION DATA:

1. GENERAL LOCATION: On the south side of 63rd St. S. approx. 500 feet east of 135th Street West.
2. FROM to
3. Proposed Use: To establish a storage building for electronic equipment.
4. DP Name:
5. Applicant: Southern Kansas Telephone Co, Inc.  
Address: 112 S. Lele, Clearwater, KS 67026 Phone: 584-2255
6. Agent: Triple B Construction  
ADDRESS: R.R. 2, Box 47, clearwater, KS 67026 Phone: 584-6803

AREA DATA:

1. Acres: 2.00 ( ft. by ft.)
2. Adjoining Zoning: N "R" S "R" E "R" W "R"
3. Land Use: North South  
East West



HASTINGS, MN  
LOS ANGELES, CHICAGO, DULLES, OH  
MCKINNON, TX, WEST GROVE, PA  
USA

Spread  
No. 2153C

R# 214-1989

Published in The Daily Reporter on August 29, ~~1989~~ 1990

RESOLUTION NO. 214-1989

A RESOLUTION AUTHORIZING A SPECIAL USE PERMIT FOR AN EQUIPMENT STORAGE BUILDING ON CERTAIN LANDS LOCATED WITHIN THE UNINCORPORATED AREA OF SEDGWICK COUNTY, KANSAS, UNDER THE AUTHORITY GRANTED IN SECTION 17.C 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 17.C of the Zoning Regulations, a special use permit for an equipment storage building on property zoned the "R" Rural Residential District is hereby granted on land legally described as follows:

CASE NO. DR 89-12

Beginning 282 feet East of the Northwest Corner of the North west Quarter of Section 36, Township 28 South, Range 2 West of the 6th p.m., Sedgwick County, Kansas, Thence East 282 feet; thence South 309 feet; thence West 282 feet; thence North 309 feet to the place of beginning. Generally located on the South side of 63rd Street South approx. 500 feet east of 135th Street West.

CONDITIONS OF APPROVAL:

1. Submission of the platting application prior to the issuance of a building permit and completing the plat within one year from the date of approval by the Board of County Commissioners, or the case shall be considered denied and closed. Subject plat shall provide for a 35-foot front yard building setback from the south line of right-of-way for 63rd St. South.
2. All lights shall be shielded to reflect or direct light away from adjacent properties.
3. This property shall not be used for residential purposes.

SECTION II. That upon the taking effect of this Resolution, the notation of such special use permit 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.

Send to be published 8/27/90  
FEN

PASSED AND ADOPTED by the Board of County Commissioners  
at Wichita, Kansas, this 5th day of July, 1989.

Paul W. Hancock, Chairman  
Paul W. Hancock

Bernard A. Hentzen, Chairman pro tem  
Bernard A. Hentzen

Davis Bayouh, Commissioner  
Davis Bayouh

Billy Q. McCray, Commissioner  
Billy Q. McCray

Mark F. Schroeder, Commissioner  
Mark F. Schroeder



Don Wright, County Clerk  
Don Wright, County Clerk

(SEAL)

APPROVED AS TO FORM:

Henry H. Blase  
Henry H. Blase, County Counselor

*Southern Kansas Telephone Addition recorded 8/13/90  
FW*

July 6, 1989

Southern Kansas Telephone Co.  
Attention: Kendall Mikesell  
112 S. Lee  
Clearwater, KS 67026

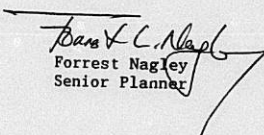
RE: DR 89-12 - Special Use Permit for a telephone equipment storage building on  
land zoned "R".

Dear Mr. Mikesell:

On July 5, 1989, the County Commission approved the above-referenced case  
subject to platting the property within one year or the case will be considered  
denied and closed. The Special Use Permit resolution will not be published  
until the plat has been recorded with the Register of Deeds. You will have  
until July 5, 1990 to record a plat of this property.

This will be our only letter advising you of your platting deadline. If you  
have not recorded the plat by July 5, 1990, the Special Use Permit case file  
will be marked denied and closed. If you have any questions about this case or  
required plat, please call our office at 268-4421.

Sincerely,

  
Forrest Nagley  
Senior Planner

FLN/pu

cc: Triple B Construction, RR #2, Box 47, Clearwater, KS 67026  
Ron Worley, County Zoning Administrator

FILE COPY

Planning Agenda

Item # \_\_\_\_\_

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION  
TO BOARD OF COUNTY COMMISSIONERS

SPECIAL USE PERMIT REQUEST

DR 89-12 - SPECIAL USE PERMIT FOR AN EQUIPMENT STORAGE BUILDING ON  
PROPERTY ZONED THE "R" RURAL RESIDENTIAL DISTRICT, LOCATED ON THE  
SOUTH SIDE OF 63RD STREET SOUTH IN AN AREA EAST OF 135TH STREET W.

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

PARSONS moved, MILES 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 and instruct the Planning Department to withhold release of the resolution until the appropriate conditions have been complied with; or
2. Adopt findings and deny the application.

-----  
DATA AND MINUTES

MAPC Hearing Date: 6/8/89

BCoC Hearing Date: 7/5/89

COMMISSION DISTRICT # 3

ADJACENT ZONING AND LAND USE:

|       |     |                              |
|-------|-----|------------------------------|
| NORTH | "R" | Agricultural use/undeveloped |
| SOUTH | "R" | Agricultural use/undeveloped |
| EAST  | "R" | Agricultural use/undeveloped |
| WEST  | "R" | Single-family residence      |

Applicants: Kendall Mikesell, Southern Kansas Telephone Co., 112 S. Lee, Clearwater, KS, 67026  
Triple B Construction (agent), R. R. 2, Box 47, Clearwater, KS, 67026

Protestors: None.  
-----

Published in The Daily Reporter on \_\_\_\_\_, 1989

RESOLUTION NO.

A RESOLUTION AUTHORIZING A SPECIAL USE PERMIT FOR AN EQUIPMENT STORAGE BUILDING ON CERTAIN LANDS LOCATED WITHIN THE UNINCORPORATED AREA OF SEDGWICK COUNTY, KANSAS, UNDER THE AUTHORITY GRANTED IN SECTION 17.C 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 17.C of the Zoning Regulations, a special use permit for an equipment storage building on property zoned the "R" Rural Residential District is hereby granted on land legally described as follows:

CASE NO. DR 89-12

Beginning 282 feet East of the Northwest Corner of the North west Quarter of Section 36, Township 28 South, Range 2 West of the 6th p.m., Sedgwick County, Kansas, Thence East 282 feet; thence South 309 feet; thence West 282 feet; thence North 309 feet to the place of beginning. Generally located on the South side of 63rd Street South approx. 500 feet east of 135th Street West.

CONDITIONS OF APPROVAL:

1. Submission of the platting application prior to the issuance of a building permit and completing the plat within one year from the date of approval by the Board of County Commissioners, or the case shall be considered denied and closed. Subject plat shall provide for a 35-foot front yard building setback from the south line of right-of-way for 63rd St. South.
2. All lights shall be shielded to reflect or direct light away from adjacent properties.
3. This property shall not be used for residential purposes.

SECTION II. That upon the taking effect of this Resolution, the notation of such special use permit 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.

DR 89-12 Resolution  
Page 2

PASSED AND ADOPTED by the Board of County Commissioners  
at Wichita, Kansas, this 5th 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 8, 1989

7. Case No. DR 89-12 - Southern Kansas Telephone Co. requests Special Use Permit for an equipment storage building beginning 282 feet East of the Northwest Corner of the North west Quarter of Section 36, Township 28 South, Range 2 West of the 6th p.m., Sedgwick County, Kansas, Thence East 282 feet; thence South 309 feet; thence West 282 feet; thence North 309 feet to the place of beginning. Generally located on the South side of 63rd Street South approx. 500 feet east of 135th Street West.

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

BACKGROUND: The applicant is requesting a Special Use Permit for construction of a second building for the separation of the telephone company's electronic switching equipment and radio equipment. This separation of equipment is required by both the Federal Communication Commission (FCC) and the Rural Electrification Administration (REA). These two agencies regulate independent telephone companies. The application area involves a two-acre unplatted tract located on the south side of 63rd Street South in an area east of 135th Street West. The site is presently developed with one building which houses telephone switching equipment. There are no employees stationed or working out of this property; however, the site is served by an existing septic tank system.

CASE HISTORY: None.

ADJACENT ZONING AND LAND USE:

|       |     |                              |
|-------|-----|------------------------------|
| NORTH | "R" | Agricultural use/undeveloped |
| SOUTH | "R" | Agricultural use/undeveloped |
| EAST  | "R" | Agricultural use/undeveloped |
| WEST  | "R" | Single-family residence      |

PUBLIC SERVICES: Adjacent 63rd Street South is a two-lane unpaved arterial street apparently existing within a 20-foot-wide roadway easement adjacent to this site. A minimum of 50 feet of half-street right-of-way is required for this section line road. This property is not served with either municipal water or sanitary sewer.

CONFORMANCE TO PLANS/POLICIES: The Land Use Element of Sedgwick County's Comprehensive Plan depicts agricultural land use for this general area.

RECOMMENDATION: Approve the special use permit, subject to the following conditions:

1. Platting of the subject property within one year from the date of approval by the Board of County Commissioners, or the case shall be considered denied and closed. Subject plat shall provide for a 35-foot front yard building setback from the south line of right-of-way for 63rd Street South.
2. All lights shall be shielded to reflect or direct light away from adjacent properties.

DISCUSSION:

GALBRAITH stated that staff is in support of the application subject to conditions. He said that the first condition was the platting of the property prior to issuance of building permits. He said that the applicants advised that not being able to get a building permit until the property was platted was a concern of

theirs. He said the applicants assured staff that they would plat, but that it is most critical that they build this small new building to separate this equipment.

KENDALL MIKESELL, representing Southern Kansas Telephone Company, Clearwater, Kansas, stated that he wanted to clarify the reason they were pushing to get this done as quickly as possible. He said that they are in the process, at this time, of installing a new digital switchboard. He said that the equipment that is in place right now is an older technology mechanical switch, and it has not had compatibility problems with the radio paging equipment that is in the same building. The new equipment is much more susceptible to radio frequency problems and is also much more susceptible to lightning surging, etc., and both the RE and their consulting engineer and several other parties that they listen closely to, recommend total separation of electronic switching and radio facilities. He said that the request for the building that they want to put in is a very small building. He said that there is a tower behind the building and the proposed building is 10'x 18'x 8' tall that would house the radio paging equipment. He said that part of the building would be a standby generator in case there is a power failure. He said that they have no problem with replatting the property, and intend to do so.

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 rural character of the area; the zoning and uses of properties nearby; 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. Submission of the platting application prior to the issuance of a building permit and completing the plat within one year from the date of approval by the Board of County Commissioners, or the case shall be considered denied and closed. Subject plat shall provide for a 35-foot front yard building setback from the south line of right-of-way for 63rd St. South.
2. All lights shall be shielded to reflect or direct light away from adjacent properties.
3. This property shall not be used for residential purposes.

Parsons moved, Miles seconded and it carried unanimously. Gardner was absent. Two vacancies.

-----

WICHITA-SEDGWICK COUNTY  
METROPOLITAN AREA PLANNING COMMISSION

AGENDA ITEM NO. 7

June 8, 1989

STAFF REPORT

CASE NUMBER: DR 89-12

OWNER/APPLICANT/AGENT: Southern Kansas Telephone Co.  
(owner/applicant)  
Donald A. Berntsen (agent)

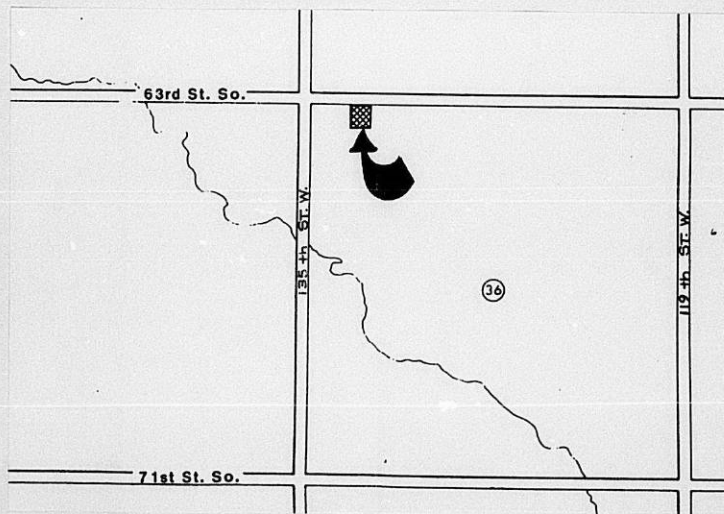
REQUEST: Special Use Permit for an equipment storage building.

CURRENT ZONING: "R" Rural Residential District

SITE SIZE: 2 acres (282 ft. x 309 ft.)

LOCATION: On the south side of 63rd St. S., in an area east of 135th St. W.

PROPOSED USE: To establish a second building so electronic switching equipment may be separated from radio equipment.



**BACKGROUND:** The applicant is requesting a Special Use Permit for construction of a second building for the separation of the telephone company's electronic switching equipment and radio equipment. This separation of equipment is required by both the Federal Communication Commission (FCC) and the Rural Electrification Administration (REA). These two agencies regulate independent telephone companies. The application area involves a two-acre unplatted tract located on the south side of 63rd Street South in an area east of 135th Street West. The site is presently developed with one building which houses both telephone switching and radio equipment. There are no employees stationed or working out of this property; however, the site is served by an existing septic tank system.

**CASE HISTORY:** None.

**ADJACENT ZONING AND LAND USE:**

|       |     |                              |
|-------|-----|------------------------------|
| NORTH | "R" | Agricultural use/undeveloped |
| SOUTH | "R" | Agricultural use/undeveloped |
| EAST  | "R" | Agricultural use/undeveloped |
| WEST  | "R" | Single-family residence      |

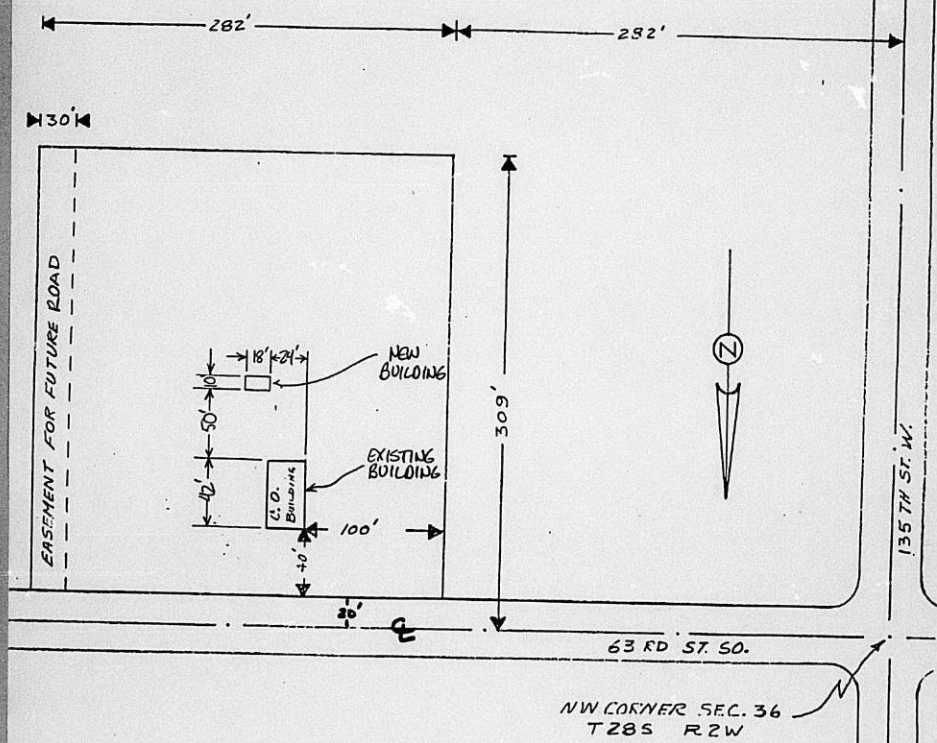
**PUBLIC SERVICES:** Adjacent 63rd Street South is a two-lane unpaved arterial street apparently existing within a 20-foot-wide roadway easement adjacent to this site. A minimum of 50 feet of half-street right-of-way is required for this section line road. This property is not served with either municipal water or sanitary sewer.

**CONFORMANCE TO PLANS/POLICIES:** The Land Use Element of Sedgwick County's Comprehensive Plan depicts agricultural land use for this general area.

**RECOMMENDATION:** Approve the special use permit, subject to the following conditions:

1. Platting of the subject property within one year from the date of approval by the Board of County Commissioners and prior to the issuance of a building permit, or the case shall be considered denied and closed. Subject plat shall provide for a 35-foot front yard building setback from the south line of right-of-way for 63rd Street South.
2. All lights shall be shielded to reflect or direct light away from adjacent properties.
3. This property shall not be used for residential purposes.

SEDGWICK COUNTY  
SEC. 36



DP 89-12

| Date   | REVISION           |  |
|--------|--------------------|--|
| 2-73   |                    | SOUTHERN KANSAS TELE. CO. INC.<br>CLEARWATER, KANSAS |
| 5/5/87 | ADDED NEW BUILDING | BUILDING PLOT PLAN<br>(NTS)                          |
|        |                    | CLEARWATER NORTH EXCHANGE                            |
|        |                    | FANNING ENGINEERS, INC., Enid, Okla.                 |

WICHITA — SEDGWICK COUNTY



METROPOLITAN AREA PLANNING  
DEPARTMENT

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

June 9, 1989

Kendall Mikesell  
Southern Kansas Telephone Co.  
112 S. Lee  
Clearwater, KS 67026

Re: DR 89-12 - Special Use Permit for an equipment storage building on property zoned "R" Rural Residential, located on the south side of 63rd Street So. in an area east of 135th Street West.

Dear Mr. Mikesell:

At its regular meeting on June 8, 1989, the Metropolitan Area Planning Commission considered the above-captioned request for a Special Use Permit, DR 89-12, for an equipment storage building. The action of the Planning Commission was to recommend that the application be approved subject to the following conditions:

1. Submission of the platting application prior to the issuance of a building permit and completing the plat within one year from the date of approval by the Board of County Commissioners, or the case shall be considered denied and closed. Subject plat shall provide for a 35-foot front yard building setback from the south line of right-of-way for 63rd St. South.
2. All lights shall be shielded to reflect or direct light away from adjacent properties.
3. This property shall not be used for residential purposes.

You should immediately contact a licensed surveyor to proceed with filing a one-lot plat of this property. Enclosed is the necessary application. If you or your surveyor desire a meeting to discuss the platting of this property, please call.

FILE COPY

Kendall Mikesell - 6/9/89  
Page 2

This matter will be forwarded to the Board of County Commissioners for consideration at their regular meeting on Wednesday, July 5, 1989. This meeting will be held in Room 320, Sedgwick County Courthouse, 525 N. Main, Wichita, Kansas, beginning at 9:00 a.m.

Sincerely yours,



Jack H. Galbraith  
Chief Planner

JHG:jcm  
Enclosure

cc: Triple B Construction, R.R. 2, Box 47, Clearwater, KS, 67026  
Ron Worley, County Zoning Administrator



WICHITA-SEDGWICK COUNTY  
METROPOLITAN AREA PLANNING COMMISSION

AGENDA ITEM NO. 7

June 8, 1989

STAFF REPORT

CASE NUMBER: DR 89-12

OWNER/APPLICANT/AGENT: Southern Kansas Telephone Co.  
(owner/applicant)  
Donald A. Berntsen (agent)

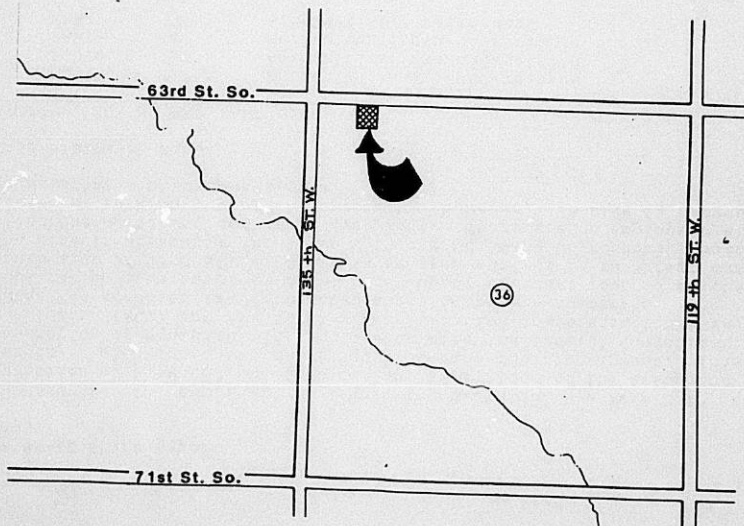
REQUEST: Special Use Permit for an equipment storage building.

CURRENT ZONING: "R" Rural Residential District

SITE SIZE: 2 acres (282 ft. x 309 ft.)

LOCATION: On the south side of 63rd St. S., in an area east of 135th St. W.

PROPOSED USE: To establish a second building so electronic switching equipment may be separated from radio equipment.



**BACKGROUND:** The applicant is requesting a Special Use Permit for construction of a second building for the separation of the telephone company's electronic switching equipment and radio equipment. This separation of equipment is required by both the Federal Communication Commission (FCC) and the Rural Electrification Administration (REA). These two agencies regulate independent telephone companies. The application area involves a two-acre unplatted tract located on the south side of 63rd Street South in an area east of 135th Street West. The site is presently developed with one building which houses both telephone switching and radio equipment. There are no employees stationed or working out of this property; however, the site is served by an existing septic tank system.

**CASE HISTORY:** None.

**ADJACENT ZONING AND LAND USE:**

|       |     |                              |
|-------|-----|------------------------------|
| NORTH | "R" | Agricultural use/undeveloped |
| SOUTH | "R" | Agricultural use/undeveloped |
| EAST  | "R" | Agricultural use/undeveloped |
| WEST  | "R" | Single-family residence      |

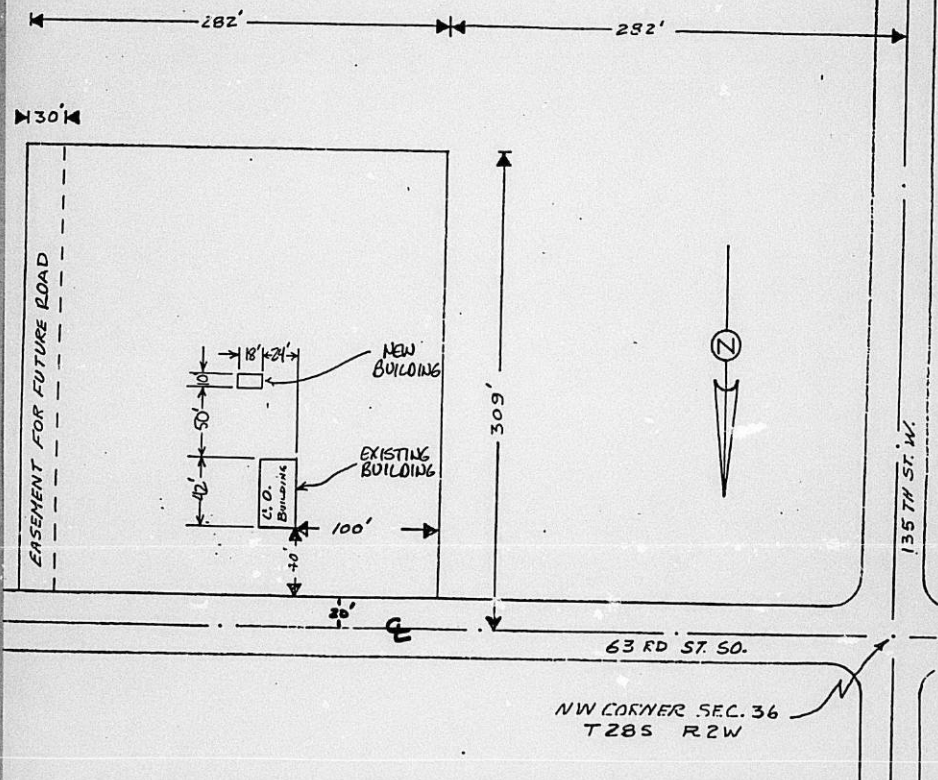
**PUBLIC SERVICES:** Adjacent 63rd Street South is a two-lane unpaved arterial street apparently existing within a 20-foot-wide roadway easement adjacent to this site. A minimum of 50 feet of half-street right-of-way is required for this section line road. This property is not served with either municipal water or sanitary sewer.

**CONFORMANCE TO PLANS/POLICIES:** The Land Use Element of Sedgwick County's Comprehensive Plan depicts agricultural land use for this general area.

**RECOMMENDATION:** Approve the special use permit, subject to the following conditions:

1. Platting of the subject property within one year from the date of approval by the Board of County Commissioners and prior to the issuance of a building permit, or the case shall be considered denied and closed. Subject plat shall provide for a 35-foot front yard building setback from the south line of right-of-way for 63rd Street South.
2. All lights shall be shielded to reflect or direct light away from adjacent properties.
3. This property shall not be used for residential purposes.

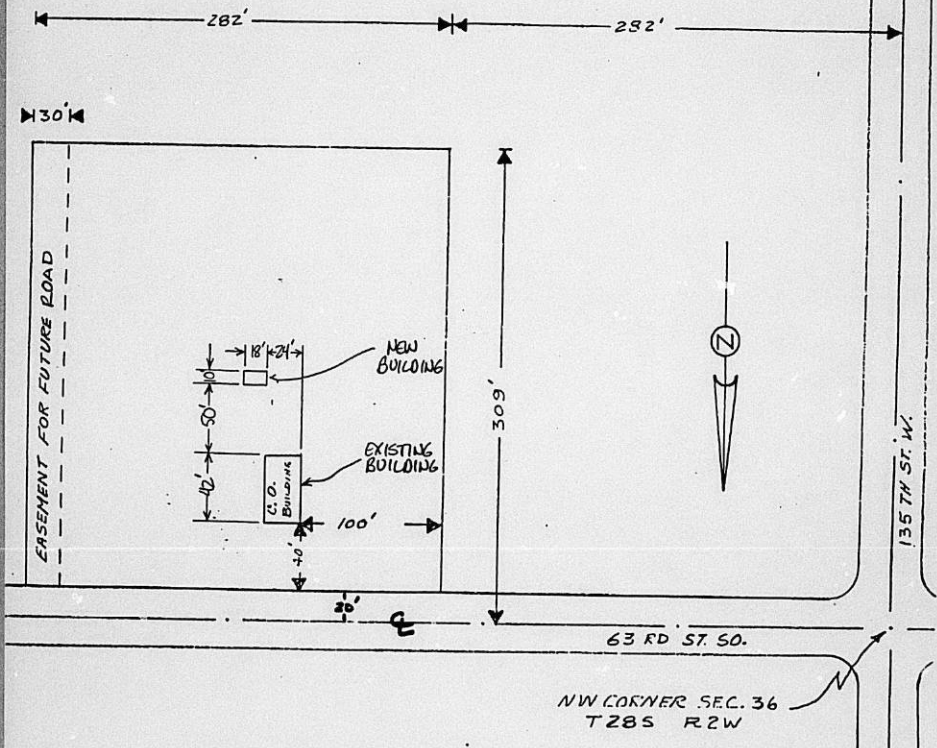
SEDGWICK COUNTY  
SEC. 36



DP 89-12

| Date   | REVISION           | SOUTHERN KANSAS TALE. CO. INC.<br>CLEARWATER, KANSAS |
|--------|--------------------|--|
| 2-73   |                    | BUILDING PLOT PLAN<br>(NTS)                          |
| 5/3/89 | ADDED NEW BUILDING | CLEARWATER NORTH EXCHANGE                            |
|        |                    | FANNING ENGINEERS, INC., Enid, Okla.                 |

SEDGWICK COUNTY  
SEC. 36

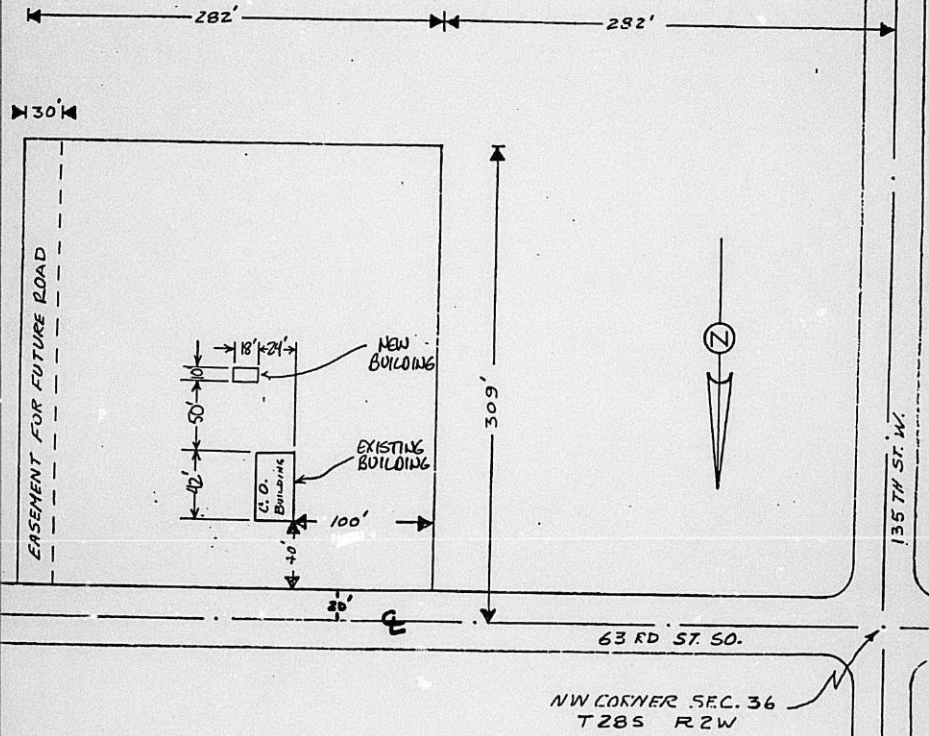


NW CORNER SEC. 36  
T285 R2W

DP 89-12

| Date    | REVISION           | SOUTHERN KANSAS T&E CO. INC.<br>CLEARWATER, KANSAS |
|---------|--------------------|--|
| 2-73    |                    | BUILDING FLOT PLAN<br>(NTS)                        |
| 5/15/89 | ADDED NEW BUILDING | CLEARWATER NORTH EXCHANGE                          |
|         |                    | FANNING ENGINEERS, INC., Enid, Okla.               |

SEDGWICK COUNTY  
SEC. 36



DR 89-12

| Date   | REVISION           | SOUTHERN KANSAS TELE. CO. INC.<br>CLEARWATER, KANSAS |
|--------|--------------------|--|
| 2-73   |                    | BUILDING PLOT PLAN<br>(NTS)                          |
| 5/3/89 | ADDED NEW BUILDING | CLEARWATER NORTH EXCHANGE                            |
|        |                    | FANNING ENGINEERS, INC., Enid, Okla.                 |

PROPERTY OWNER NOTICES

CASE NO. PR 89-12

DATE OF MAILOUT: 5/25/89

9

Property Owners

2

Applicant(s) and Agent(s) S.R. + Agency Mailed 6/2

3

Ron Worley, Jim Weber, and Kim Dewey

5

Jack, Louise, Bob and Karen, Forrest

1

File

20

TOTAL

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

DATE: May 25, 1989

NOTICE OF PUBLIC HEARING

CASE NO: DR 89-12

LOCATION: On the south side of 63rd Street South approx.  
500 feet east of 135th Street West.

ADDRESS: 13423 West 63rd Street South.

REQUEST: Special Use Permit to establish a storage  
building for the separation of electronic  
equipment associated with Southern Kansas  
Telephone Company.

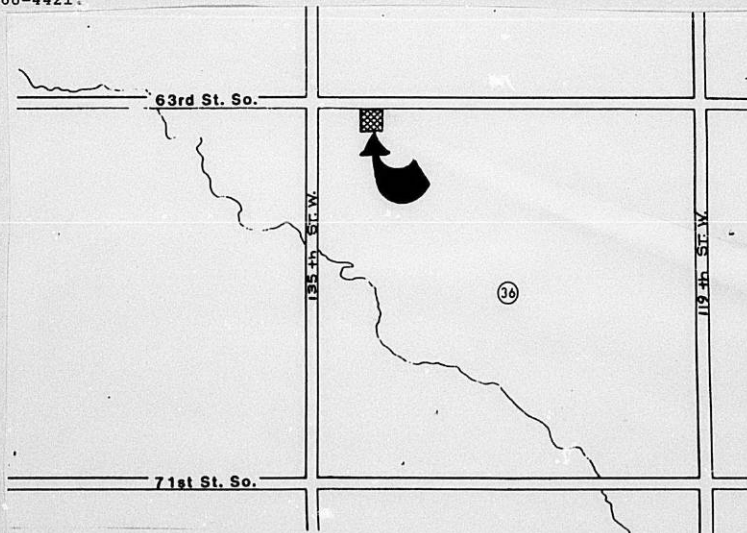
A public hearing to consider the above noted request has been  
scheduled before the Wichita-Sedgwick County Metropolitan Area  
Planning Commission (MAPC) on Thursday,

JUNE 8, 1989

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

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

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



LEGAL DESCRIPTION OF THE AREA PROPOSED TO BE CHANGED

**CASE NO. DR 89-12  
SPECIAL USE PERMIT TO ESTABLISH A  
STORAGE BUILDING FOR ELECTRONIC EQUIPMENT.**

Beginning 282 feet East of the Northwest Corner of the North west Quarter of Section 36, Township 28 South, Range 2 West of the 6th p.m., Sedgwick County, Kansas, Thence East 282 feet; thence South 309 feet; thence West 282 feet; thence North 309 feet to the place of beginning. Generally located on the South side of 63rd Street South approx. 500 feet east of 135th Street West.

Most Restrictive



Least Restrictive

| DISTRICT | NAME OF DISTRICT AND USES PERMITTED   |
|----------|---|
| R        | RURAL RESIDENTIAL<br>Agriculture and One Family Dwellings   |
| R-1      | SUBURBAN RESIDENTIAL<br>Agriculture, One Family Dwellings, Schools and Churches   |
| AA       | ONE FAMILY DWELLING<br>Agriculture, One Family Dwellings, Schools and Churches  |
| BB       | OFFICE<br>All Uses Permitted in More Restrictive Zones and Business and Professional Offices  |
| OC       | OFFICE COMMERCIAL<br>Offices, Limited Retail and Service Uses Operated Within a Building.   |
| LC       | LIGHT COMMERCIAL<br>All Uses Permitted in More Restrictive Zones and Purely Retail Businesses Operated Within a Building  |
| C        | GENERAL COMMERCIAL<br>All Uses Permitted in More Restrictive Zones Plus All Commercial Uses   |
| E        | LIGHT INDUSTRIAL<br>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<br>Any Use, Some as Conditional Uses***  |

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

*Ron Waly*

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

DATE: May 25, 1989

NOTICE OF PUBLIC HEARING

CASE NO: DR 89-12

LOCATION: On the south side of 63rd Street South approx.  
500 feet east of 135th Street West.

ADDRESS: 13423 West 63rd Street South.

REQUEST: Special Use Permit to establish a storage  
building for the separation of electronic  
equipment associated with Southern Kansas  
Telephone Company.

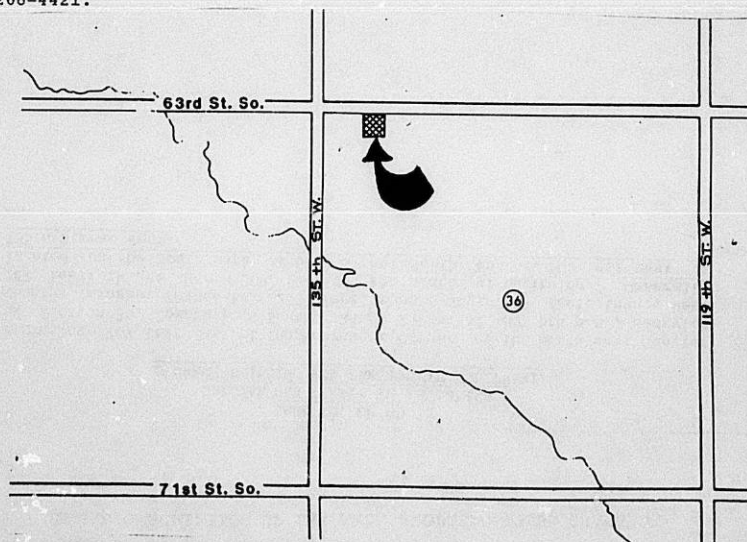
A public hearing to consider the above noted request has been scheduled before the Wichita-Sedgwick County Metropolitan Area Planning Commission (MAPC) on Thursday,

JUNE 8, 1989

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

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

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



DR 89-18

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, lessees or others directly associated with the property may also be listed if they desire to be advised of the proceedings. *Kendall Mikesell*

A. APPLICANT SOUTHERN KANSAS TELEPHONE CO. INC. PHONE 316-584-2255

ADDRESS 112 S. LEE, CLEARWATER, KS Zip Code 67026

AGENT \_\_\_\_\_ PHONE \_\_\_\_\_

ADDRESS \_\_\_\_\_ Zip Code \_\_\_\_\_

B. APPLICANT \_\_\_\_\_ PHONE \_\_\_\_\_

ADDRESS \_\_\_\_\_ Zip Code \_\_\_\_\_

TRIPLE B CONSTRUCTION CO. INC.

R. R. 2 Box 47  
 Clearwater, Kansas 67026  
 Phone (316) 584-6803

*Donald A. Berntsen*

PHONE \_\_\_\_\_

Zip Code \_\_\_\_\_

PHONE \_\_\_\_\_

Zip Code \_\_\_\_\_

PHONE \_\_\_\_\_

Zip Code \_\_\_\_\_

(Use separate sheet if necessary for additional applicants).

2. A. The applicant proposes to establish a EQUIPMENT STORAGE BUILDING (use)

on property zoned R and legally described as Lot(s) \_\_\_\_\_

PER ATTACHMENT, Block \_\_\_\_\_ of the \_\_\_\_\_

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

*PER ATTACHMENT*

B. There are 2.00 acres (round to nearest tenth) in the above described property.

FOR OFFICE USE ONLY

CPO N/A

Map No. 46<sup>39</sup>C Zoning (N) R (S) P (E) R (W) P MAPC 6/8/89

T9-212-2

*Normalize by 5/11/89  
 Merge Notification 5/25/89*

Revised 1/89

3. This property is located at (address) 13423 WEST 63RD ST. S.

THE GENERAL LOCATION IS (USE APPROPRIATE SECTION)

A. At the NW QUARTER corner of SECTION 36, T28S, R21W and \_\_\_\_\_, OR

B. On the SOUTH side of 63RD ST. S. (Ave.) Street ~~between 135TH ST. W. (Ave.) Street & 147TH ST. W. (Ave.) Street.~~ Approx. 500 feet east of 135TH Street West

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

TO BUILD A BUILDING FOR SEPERATION OF RADIO EQUIPMENT AND ELECTRONIC SWITCHING EQUIPMENT,

*Rural Electrification Corp.  
From Home Admin. requires separation.*

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 ABSTRACTOR'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 GOVERNING BODY SHALL HAVE AUTHORITY TO IMPOSE SUCH CONDITIONS AS IT DEEMS NECESSARY IN ORDER TO SERVE THE PUBLIC INTEREST AND WELFARE.

SOUTHERN KANSAS TELEPHONE CO., INC.

Ronald S. Mubarell  
APPLICANT'S SIGNATURE  
SECRETARY-TREASURER

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

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

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

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

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

OFFICE USE ONLY

This application was received at the Planning Department at 11:20  
(a.m., p.m.) on 5/10/89 (day, month, year). It has  
been checked and found to be complete and accompanied by required documents and the appropriate fee of \$ 350.00.

PCD  
Name

S.D.  
Title

Nº 00691

METROPOLITAN AREA PLANNING DEPARTMENT

Description Special Use Permit in County  
Name Southern Kansas Telephone Company, Inc.  
Address 112 South Lee Ave., Clewiston KS 67624  
Fund No. (~~circle one~~) 755-40710-003 (fees) 755-40710-004  
(books, xerox) 755-40710-026 (microfilm) 300210-9028  
Amount \$350.00  
Date 5/10/89 Due Date 5/10/89 By Fenl

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:

Beginning 282 feet East of the Northwest Corner of the North west Quarter of Section 36, Township 28 South, Range 2 West of the 6th p.m., Sedgwick County, Kansas. Thence East 282 feet; thence South 309 feet; thence West 282 feet; thence North 309 feet to the place of beginning.

And from such examination find that the owners of real estate within a 1000' 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

The Southwest Quarter of Section 25, Township 28 South, Range 2 West of the 6th p.m., Sedgwick County, Kansas.

Beginning 282 feet East of the Northwest Corner of the Northwest Quarter of Section 36, Township 28 South, Range 2 West of the 6th p.m., Sedgwick County, Kansas. Thence East 282 feet; thence South 309 feet; thence West 282 feet; thence North 309 feet to the place of beginning.

A tract of land in the Northwest Quarter of the Northwest Quarter of Section 36, Township 28 South, Range 2 West of the 6th p.m., Sedgwick County, Kansas. Beginning at the Northwest Corner of the Northwest Quarter of the North west Quarter, thence East along the North line thereof a distance of 282 feet, thence South parallel to the West line thereof a distance of 463.4 feet, thence West parallel to the North line thereof a distance of 282 feet, thence North a distance of distance of 463.4 feet to the point of beginning.

RECORD OWNERS

Charles E. and Elaine M. Wells  
649 S. 183rd W.  
Goddard, Kansas 67052

The Southern Kansas Telephone Company, Inc  
112 S. Lee  
Clearwater, Kansas 67026

Cecil V. and Letha F. Stafford  
6402 S. 135th St. W.  
Clearwater, Kansas 67026

CONTINUED

**FIDELITY  
TITLE**

Fidelity Title Company, Inc.

DESCRIPTIONSRECORD OWNERS

A tract in the Northwest Quarter of Northwest Quarter of Section 36, Township 28 South, Range 2 West of the 6th p.m., Sedgwick County, Kansas. Beginning at a point 463.4 feet South of the Northwest Corner of the Northwest Quarter of the Northwest Quarter, thence East parallel to the North line a distance of 282 feet, thence South parallel to the West line a distance of 154.47 feet, thence West parallel to the North line a distance of 282 feet, thence North a distance of 154.47 feet to the point of beginning.

Steve L. and Phyllis Jane Rucker  
RR 1 Box 19A-1  
Clearwater, Kansas 67026

A tract of land in the Northwest Quarter of the Northwest Quarter of Section 36, Township 28 South, Range 2 West of the 6th p.m., Sedgwick County, Kansas. Beginning at a point 549.47 feet North of the Southwest Corner of the Northwest Quarter of the Northwest Quarter, thence East parallel to the South line thereof a distance of 282 feet, thence North parallel to the West line thereof a distance of 175 feet, thence West parallel to the South line thereof a distance of 282 feet, thence South 175 feet to the point of beginning.

David B. and Janice M. McDiffett  
RR 1 Box 19A3  
6470 S. 135th St. W.  
Clearwater, Kansas 67026

A tract in the Northwest Quarter of the Northwest Quarter of Section 36, Township 28 South, Range 2 West of the 6th p.m., Sedgwick County, Kansas. Beginning at a point 374.47 feet North of the Southwest Corner ; thence East parallel to the South line thereof a distance of 282 feet, thence North parallel to the West line thereof a distance of 175 feet; thence West parallel to the South line thereof a distance of 282 feet; thence 175 feet to the point of beginning. Subject to public road across the West 40 feet thereof.

Austin T.A. Janne  
RT 1 Box 19A2  
Clearwater, Kansas 67026



Beginning at a point 220 feet North of the Southwest Corner of the Northwest Quarter of the Northwest Quarter of Section 36, Township 28 South, Range 2 West of the 6th p.m., Sedgwick County, Kansas. Thence East parallel to the South line thereof a distance of 282 feet, thence North parallel to the West line thereof a distance of 154.47 feet, thence West parallel to the South line thereof a distance of 282 feet, thence South 154.47 feet to the point of beginning.

Richard A. and Shirley J. Fulton  
RR Box 1 19A4  
Clearwater, Kansas 67026

CONTINUED

**FIDELITY  
TITLE**

Fidelity Title Company, Inc.

DESCRIPTIONS

RECORD OWNERS

The Northwest Quarter of the North west Quarter; EXCEPT West 282 feet and EXCEPT Beginning 282 feet East of the Northwest Corner of the North west Quarter; thence East 282 feet; thence South 309 feet; thence West 282 feet; thence North 309 feet to the beginning. Section 36, Township 28 South, Range 2 West of the 6th p.m., Sedgwick County, Kansas.

> Arthur A. and Mary A. Strunk  
Clearwater, Kansas 67026

South Half of the Southeast Quarter of Section 26, Township 28 South, Range 2 West of the 6th p.m., Sedgwick County, Kansas. Except a tract beginning at the Southwest Corner of the Southeast Quarter of Section 26, Township 28 South, Range 2 West of the 6th p.m., thence East along the South line 510 feet; thence North parallel with the West line, 442.06 feet; thence West parallel with the South line, 510 feet; thence South along the West line, 442.06 feet to beginning.

8 Dale A. Zogleman  
Box 17042  
Wichita, Kansas 67217

The Northeast Quarter of Section 35, Township 28 South, Range 2 West of the 6th p.m., Sedgwick County, Kansas.

7 Ralph E. Struthers  
RT 1  
Clearwater, Kansas 67026



Dated at Wichita, Kansas, this 5th day of May  
1989 at 7:00 a.m.

FIDELITY TITLE COMPANY, INC.

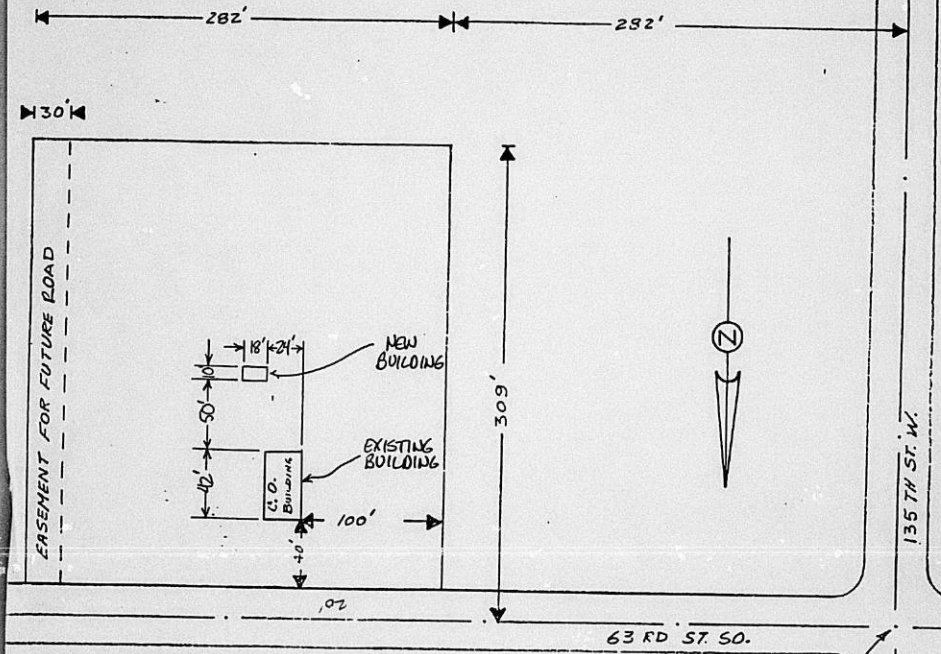
By Dolra J. Schramm  
LICENSED ABSTRACTER

TRACER NO. 85777

**FIDELITY  
TITLE**

Fidelity Title Company, Inc.

SEDGWICK COUNTY  
SEC. 36



NW CORNER SEC. 36  
T28S R2W

271-7I

| Date   | REVISION           | SOUTHERN KANSAS TITLE CO. INC.<br>CLEARWATER, KANSAS |
|--------|--------------------|--|
| 2-73   |                    | BUILDING PLOT PLAN<br>(NTS)                          |
| 5/3/87 | ADDED NEW BUILDING | CLEARWATER NORTH EXCHANGE                            |
|        |                    | FANNING ENGINEERS, INC., Enid, Okla.                 |