CITY OF WICHITA

SEDGWICK COUNTY KANSAS

Wichita-Sedgwick County Metropolitan Area Planning Department

April 25, 2024

Jenifer and Sheldon Dillinger
9850 Southeast Blvd.
Mulvane, KS 67110

Patrick Erwin
PO Box 25786
Overland Park, KS 66225

Re: **CON2024-00025:** Administrative Adjustment in the County to CON2023-00006 to extend the deadline for construction of a 185-foot Wireless Communications Facility on property zoned RR Rural Residential District, located southeast of South Woodlaw Blvd. and East of K-15 Highway (9850 Southeast Blvd).

Legal Description: A leased premises over and across part of the SW1/4 NW1/4 of SEC 19-29-2 East of the 6th Principal Meridian, Sedgwick County, Kansas, being more particularly described as follows:

Commencing at an existing rebar with cap "CLS 141" at the southerly corner of parcel number 246-24-14-00-002.00 in said SE1/4 NE1/4, Section 24-29-1; Thence N59°45'07"E along the southerly line of said parcel number 246-24-0-14-00-002.00 in the SE1/4 NE1/4 Section 24-29-1 and said parcel number 234-19-0-23-001.00 in the SW1/4 NW1/4 Section 19-29-02, a distance of 1004.99 feet; thence N00°00'00"E, a distance of 382.96 feet to the point of beginning; thence continuing N00°00'00"E, a distance of 75.00 feet; thence N90°00'00"E, a distance of 75.00 feet; thence S00°00'00"W, a distance of 75.00 feet; thence S90°00'00"W, a distance of 75 feet to the point of beginning, containing 5,625 square feet or 0.129 acres.

Dear Applicants:

We have reviewed your request for a County Administrative Adjustment to modify Condition #2 for CON2023-00006 to extend the construction deadline for a 185-foot Wireless Communications Facility to November 24, 2024 (a 6-month extension). Condition #2 states that the Wireless Communications Facility shall be erected within one-year of final approval of the Conditional Use. The Conditional Use received final approval by the Board of County Commissioners on May 24, 2023.

We understand that you are requesting the 6-month extension due to a delay in being able to acquire materials.

Section V-D.14 of the Unified Zoning Code (UZC) allows the Planning Director, with the concurrence of the Zoning Administrator, to approve minor adjustments to conditions of approval for Conditional Uses as long as the adjustment does not have any negative impacts as stated in Section V-I.6. We find that extending the time of the Conditional Use to November 24, 2024, meets the four conditions required by Section V-I.6 of the UZC.

1. Impact on safety and convenience of vehicular and pedestrian circulation: Extending the construction deadline for the Wireless Communications Facility will have no significant impact on the safety and convenience of vehicular and pedestrian traffic. No changes are being made to how the lease area for the tower compound is being accessed from the parent parcel.

2. Impact on existing uses in the surrounding area: Condition #2 of CON2023-00006 is in place to ensure that construction of the tower was completed within a reasonable amount of time. Extending the deadline by which the tower should be constructed by 6-months should not detrimentally impact the existing nearby uses.

3. Compatibility with existing or permitted uses on abutting sites: A 185-foot Wireless Communications Towers has been found to be compatible with existing or permitted uses on the site through the approval of CON2023-00006. The compatibility with existing or permitted uses on abutting sites should not be impacted significantly by extending the construction deadline for a Wireless Communications Facility. Properties to the north, east, south, and west are zoned RR Rural Residential District and developed with large lot single-family residential uses and agricultural purposes. In 1976 a Conditional Use (CU-186) was approved for the property to the north to permit the construction of a Wireless Communications Facility. The tower is still in operation at this time.

4. Effect on public health, safety, or welfare: There will be no encroachment into public utility easements or rights-of-way. The extended construction deadline is not anticipated to have significant negative impacts on public health, safety, or welfare, nor it is anticipated that any properties or improvements in the vicinity will be materially damaged.

Our signatures below indicate that an Administrative Adjustment to Condition #2 of CON2023-00006 to extend the construction deadline for a Wireless Communications Facility for 6-months is hereby granted for the aforementioned property subject to the following conditions:

1. The 185-foot Wireless Communications Facility shall be constructed no later than November 24, 2024.
2. The location of the Wireless Communications Facility shall be as shown on the original approved site plan.
3. All other conditions of approval of CON2023-00006 shall be met.
4. If the Zoning Administrator finds that there is a violation of any of the conditions of the Administrative Adjustment, the Zoning Administrator, in addition to enforcing the other remedies set forth in the Unified Zoning Code, may, with the concurrence of the Planning Director, declare the Zoning Adjustment is null and void.

The "Development Applicant" sign should now be removed from the property.

Scott Wadle, Director
Metropolitan Area Planning Department

J.R. COX JR

John R. Cox, Jr., Zoning Administrator
Metropolitan Area Planning Department

cc: MABCD
James Howell, BOCC District 5

BOUNDARY NOTICE

PARENT PARCEL(S) BOUNDARY LINES SHOWN ON THESE DRAWINGS ARE CALCULATED FROM RECORDED DOCUMENTS AND ARE NOT INTENDED TO BE USED FOR BOUNDARY LOCATIONS.

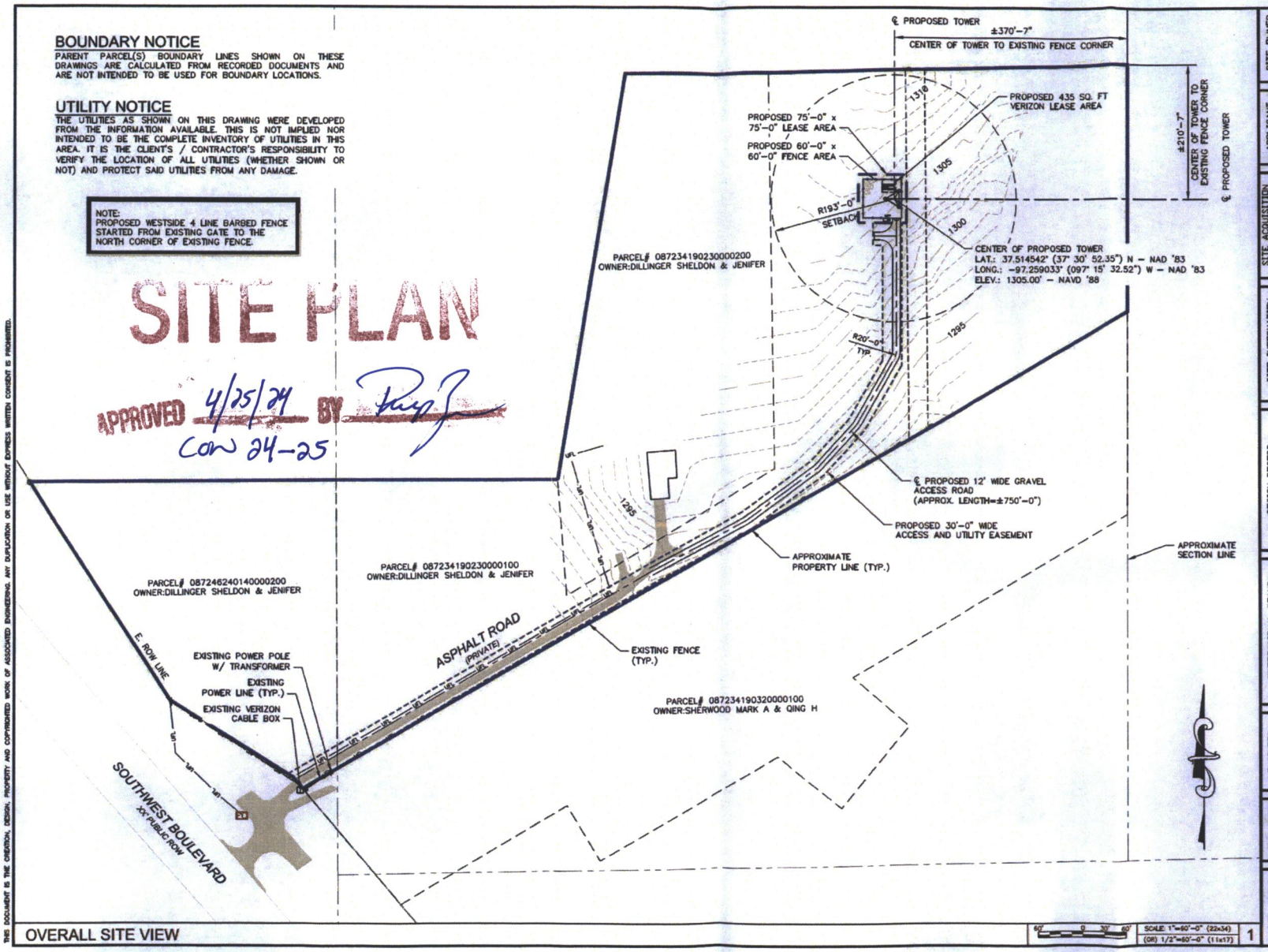
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THE UTILITIES AS SHOWN ON THIS DRAWING WERE DEVELOPED FROM THE INFORMATION AVAILABLE. THIS IS NOT IMPLIED NOR INTENDED TO BE THE COMPLETE INVENTORY OF UTILITIES IN THIS AREA. IT IS THE CLIENT'S / CONTRACTOR'S RESPONSIBILITY TO VERIFY THE LOCATION OF ALL UTILITIES (WHETHER SHOWN OR NOT) AND PROTECT SAID UTILITIES FROM ANY DAMAGE.

NOTE:
PROPOSED WESTSIDE 4 LINE BARBED FENCE STARTED FROM EXISTING GATE TO THE NORTH CORNER OF EXISTING FENCE.

SITE PLAN

APPROVED 4/25/24 BY
Con 24-25



OVERALL SITE VIEW

60' 0 30' 60'
SCALE: 1"=60'-0" (22x34)
(OR) 1/2"=60'-0" (11x17)
1

THIS DOCUMENT IS THE CREATION, DESIGN, PROPERTY AND COPYRIGHTED WORK OF ASSOCIATED ENGINEERING. ANY DUPLICATION OR USE WITHOUT EXPRESS WRITTEN CONSENT IS PROHIBITED.

SITE OWNER: TILLMAN INFRASTRUCTURE

APPLICANT: verizon

SITE ACQUISITION /ENGINEERING: SKYWARD LAND SERVICES, INC. / ASSOCIATED Engineering & Surveying
AE INC. Project #6022

SITE INFORMATION:
WICDERBY-RELHR
TI-OPP-21047-A
RELOCATION CODE:710693
9850 SOUTHEAST BLVD,
MULVANE, KS 67110

DESIGN RECORD

REV	DATE	DESCRIPTION	BY
1	12/09/22	ZONING DRAWINGS	JMV
0	12/07/22	ZONING DRAWINGS	JMV
A	11/21/22	ZONING DRAWINGS	MS

PROFESSIONAL STAMP: GAUTAM (TOM) MECHI LICENSED 23232 KANSAS PROFESSIONAL ENGINEER

ENGINEER:
Tom Mechi 12-09-2022
Tom Mechi Date
MY LICENSE RENEWAL DATE IS 04/30/2023
I HEREBY CERTIFY THAT THIS ENGINEERING DOCUMENT WAS PREPARED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF KANSAS

SHEET TITLE: OVERALL SITE PLAN

SHEET NUMBER: ZD-2