



**Wichita-Sedgwick County
Metropolitan Area
Planning Department**

April 15, 2026

Kristopher Nicholson
5800 N. Tyler Rd.
Maize, KS 67101

Fred Nicholson
1940 N. St. Paul St.
Wichita, KS 67203

MKEC Engineering, Inc.
Attn: Joey Deneke
411 N. Webb Rd.
Wichita, KS 67206

Re: CON2026-00042: Administrative Adjustment in the County to CON2016-00004 to extend the timeframe for Mining and Quarrying Use for an additional 2 years on property zoned RR Rural Residential District; generally located between North Ridge Road and North Tyler Road, within one-half mile south of West 61st Street North (5800 N. Tyler Rd).

Legal Description: The Southwest Quarter of the Northeast Quarter of Section 16, Township 26 South, Range 1 West of the 6th P.M.,

AND

The Southeast Quarter of the Northwest Quarter of Section 16, Township 26 South, Range 1 West of the 6th P.M.

AND

A 60 foot wide tract of land in the East half of the Northeast Quarter of Section 16, Township 26 South, Range 1 West of the Sixth Principal Meridian, Maize, Sedgwick County, Kansas, said tract of land being the South 60.00 of the following described tract of land: Beginning at a point on the East line and 658.36 feet South of the Northeast corner of said Section 16; thence South 328.48 feet; thence West 1326 feet; thence North 328.46 feet; thence East 1326.5 feet more or less to the point of beginning in Sedgwick County, Kansas.

Dear Applicant:

We have reviewed your request for a County Administrative Adjustment to modify Condition #3 of CON2016-00004 to allow for a 2-year extension of Mining and Quarrying to March 17, 2028. The original 10-year period expired on March 17, 2026 (10 years after the original approval date by the Metropolitan Area Planning Commission). Condition #3 states that an extension of the Conditional Use can be applied for by Administrative Adjustment. The site is zoned RR Rural Residential District (RR), and the use was permitted in March 2016.

We have reviewed the site plan submitted with this application and see that there are no proposed changes.

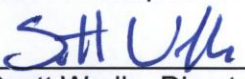
Condition #3 of the Conditional Use permits a 2-year extension to be considered by Administrative Adjustment. Furthermore, Section V-D.14 of the Unified Zoning Code (UZC) allows the Planning Director, with the concurrence of the Zoning Administrator, to approve minor adjustments to conditions of approval 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 March 17, 2028, 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 length of time to continue using the site as a Mining and Quarrying operation will have no significant impact on the safety and convenience of vehicular and pedestrian traffic.
2. Impact on existing uses in the surrounding area: The submitted site plan does not propose any changes to the area of extraction, and the use will not extend any closer to neighboring dwellings than what was originally approved.
3. Compatibility with existing or permitted uses on abutting sites: Mining and Quarrying has been found to be compatible with existing or permitted uses on abutting sites through the approval of CON2016-00004. No complaint or other issues have been reported. The compatibility with existing or permitted uses on abutting sites should not be impacted significantly by extending the time period for which Mining and Quarrying is permitted. The submitted site plan does not propose any changes to the area of extraction, and the use will not extend any closer to neighboring dwellings than originally approved.
4. Effect on public health, safety, or welfare: There will be no encroachment into public utility easements or rights-of-way. The extended length of time for Mining and Quarrying 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 #3 of CON2016-00004 to extend the time for Mining and Quarrying for 2 years is hereby granted for the aforementioned property subject to the following conditions:

1. Mining and Quarrying must cease operation no later than March 17, 2028, as only one, 2-year extension was permitted by CON2016-00004.
2. Mining and Quarrying is limited to the area as indicated on the approved site plan associated with this Administrative Adjustment (CON2026-00042).
3. All other conditions of approval of CON2016-00004 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



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

cc: MABCD, Ryan Baty, BOCC District 4

SITE PLAN

APPROVED 4/15/16 BY *[Signature]*

CON-26-45

SITE PLAN

APPROVED 8/24/16 BY *[Signature]*

CONDITIONAL USE DESCRIPTION

The applicants desire a conditional use permit to mine sand from the ground on unincorporated land. The applicants previously achieved a Conditional Use (CU-01-009) in the City of Maize Kansas on the site directly north and adjoining the subject property. The applicants have previously obtained the necessary water rights for both the proposed groundwater pond and the existing groundwater pond depicted as CU-01-009 Sandpit. The applicants are desiring to continue their operations on their lands to the south as per this application. They desire to utilize the same haul road route as previously approved and desire to retain the existing scales, sand washing / sifting, and office locations on the land as approved on CU-01-009 until the completion within the next five-ten years. The hours of operation is proposed to be 7:00 AM to 5:00 PM for trucking and from 8:30 AM to sunset for dredging operations.

LEGAL DESCRIPTION:

The Southeast Quarter of the Northwest Quarter Except Road on West AND the Southwest Quarter of the Northeast Quarter all in Section 16, Township 26 South, Range 1 West of the Sixth Principal Meridian, Sedgwick County, Kansas

PROPERTY OWNERS / CO-APPLICANTS

Kristopher Nicholson
5800 N. Tyler Road
Maize, Kansas 67201

Fred Nicholson
1940 N. Saint Paul Street
Wichita, Kansas 67203

PROPOSED OPERATOR

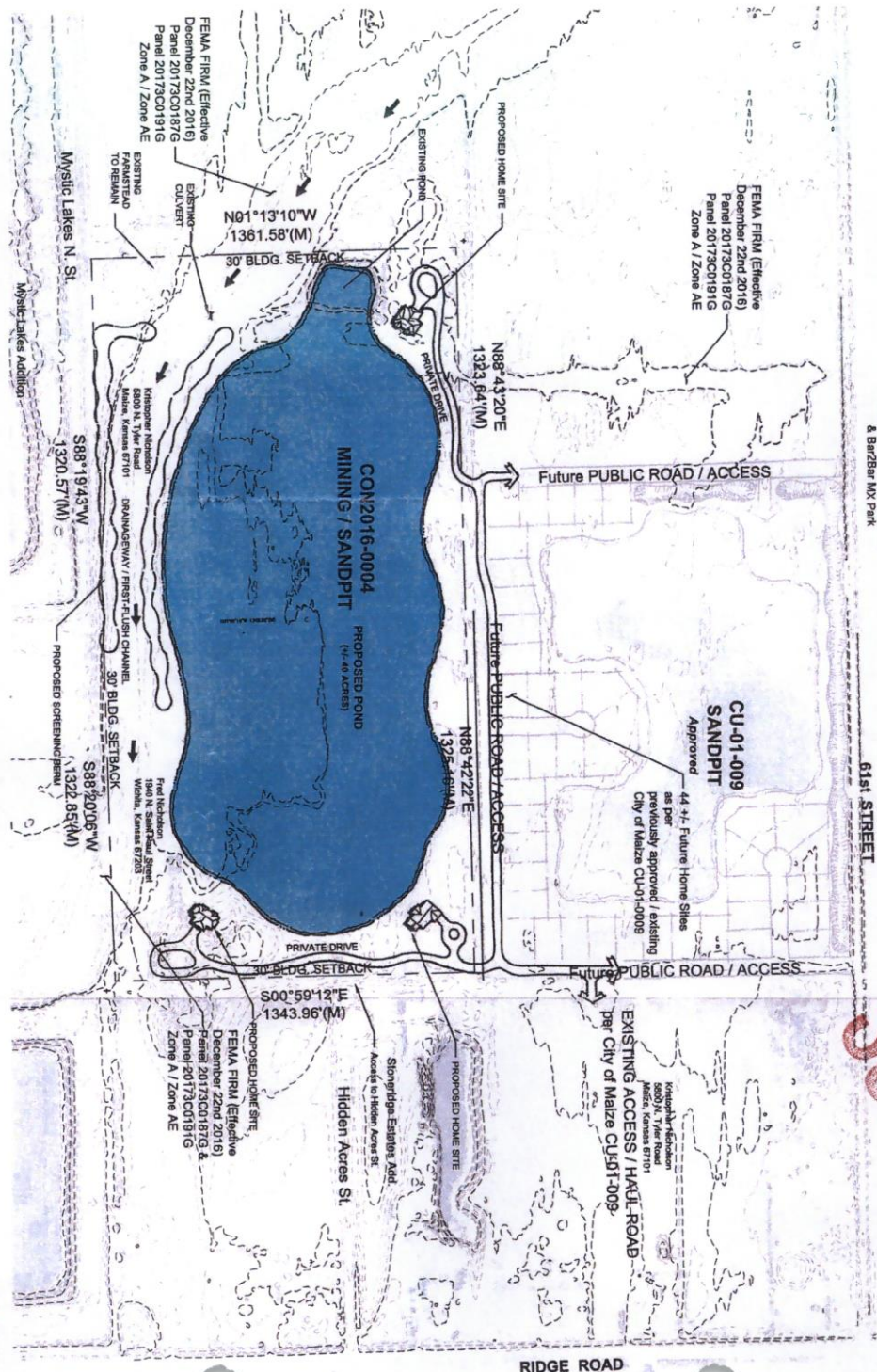
Northridge Sand, LLC
6033 N. Ridge Rd
Maize, Kansas 67201
316-721-3862

PROPERTY AGENTS

Brian Lindeback
MKEC Engineering, Inc.
4111 N. Webb Rd.
Wichita, KS 67206

Sabrina K. Standler, esq
Morris Loring Evans Brock & Kennedy
Chartered
Old Town Square
300 N. Mead, Suite 200
Wichita, KS 67202-2722

SITE PLAN



POST OPERATIONAL PLAN
Nicholson Property - 61st and Ridge Road

03.11.2016
revised 08-26-2016