



Wichita-Sedgwick County Metropolitan Area Planning Department

February 9, 2009

Telecom Reality Consultants, LLC
c/o Paul Wrablica
3864 W 75th Street
Prairie Village, KS, 66208

Re: CON2009-00002 – Sedgwick County Administrative Permit for a temporary 80-foot high wireless communication facility on property zoned LI Limited Industrial (“LI”). Generally located approximately 880 feet south of MacArthur Road, on the east side of Oliver Street.

Note: see the Legal description of the site on the attached legal to the Site Plan

Dear Sir:

We have reviewed your request for a Sedgwick County Administrative Permit for a temporary 80-foot high (x) 24-inch wide wireless communication facility on property zoned LI Limited Industrial (“LI”). Your application indicates that a temporary “cellular on wheels” (COW) lattice type of tower is needed for AT &T to provide wireless phone coverage for the Boeing Company until a permanent wireless communication facility is approved and constructed. Your application and site plan also notes an existing Sprint COW tower located in close proximity (40 – 50 feet southeast) to the proposed AT &T COW, and states that the Sprint tower is not structurally designed for collocation and thus does allow placement of your equipment on it. You estimate it will take up to 12 months before a permanent wireless communication facility can be operational.

Art III, Sec III-D.6.g. (3) (e) of the Wichita-Sedgwick County Unified Zoning Code (UZC) states that new ground-mounted wireless communication facilities up to 150 feet in height in the LI zoning district shall be approved by Administrative Permit if they conform to the Location/Design Guidelines of the Wireless Communication Master Plan and the Compatibility Height Standards of Art IV, Sec IV-C.5 of the UZC. Sec VI-A.1. (d) of the Location/Design Guidelines states that if a new or modified lattice tower no larger than 18-inches wide up on any side up to 80 feet in height measured from grade can apply for a building permit. Because your COW lattice type tower is 24-inches wide it does not qualify for a building permit, thus the application for an Administrative Permit.

The Location/Design Guidelines provide policy guidance regarding the placement of permanent wireless communication facilities, but does not specifically address the placement of temporary facilities such as a COW. We find that the impact of the temporary facility on the surrounding LI zoned properties will be limited due to the short time period for which the 80-foot high COW will be located on the subject site; therefore, we find that the request conforms to the Location/Design Guidelines of the Wireless Communication Master Plan

The Compatibility Height Standards require the proposed 80-foot high COW to be located no closer than 80 feet from the lot line of property zoned TF-3 Two-Family Residential (“TF-3”) or more restrictive. The proposed 80-foot high COW, as shown on the site plan submitted with this application, is surrounded by LI zoned property and

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is located 138.87 from property owned by another entity; therefore, we find that the request does conform to the Compatibility Height Standards.

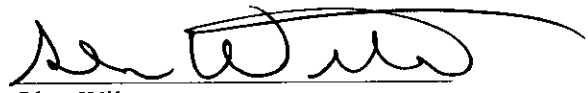
Our signatures below indicate that an Administrative Permit for a temporary 80-foot high wireless communication facility on the aforementioned property is hereby GRANTED, subject to the following conditions:

- (1) The temporary wireless communication facility approved for placement on the site is an 80-foot high cellular on wheels, which shall be removed from the site no later than February 13, 2010.
- (2) The applicant shall obtain all permits necessary to construct the wireless communication facility.
- (3) All requirements of Section III.D.6.g. of the Unified Zoning Code shall be met.
- (4) The site and the temporary wireless communication facility shall be developed in general conformance with the approved site plans and elevation drawings. All improvements shall be completed before the facility becomes operational.
- (5) The site and the temporary wireless communication facility shall be developed and operated in compliance with all federal, state, and local rules and regulations.
- (6) If the County Zoning Administrator finds that there is a violation of any of the conditions of the Administrative Permit, 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 that the Administrative Permit is null and void.

The zoning adjustment sign may now be removed from the property.



John Schlegel
Planning Director



Glen Wiltse
Sedgwick County Superintendent of Central Inspection
(Zoning Administrator)

Attachments

cc: The Boeing Company, PO Box 3707, M/C 6X-AA, Seattle Washington, 98124
AT &T Mobility, 13075, Manchester Road, Suite 100, Des Peres MO, 66208

