



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

April 13, 2021

Professional Engineering Consultants  
Attn: Rebecca Mellies  
303 S. Topeka  
Wichita, KS 67202

City of Wichita  
Attn: Bill Perkins  
455 N. Main, 8<sup>th</sup> Floor  
Wichita, KS 67202

**RE: BZA2021-00010 - City Variance to allow an increase in height of solid screening wall from 8 feet to 9 feet and waive the landscaping requirement along West 13<sup>th</sup> Street North; Generally located 1,200 feet east of North Ridge Road on the south side of West 13<sup>th</sup> Street North.**

Dear Applicant,

The official action of the Board of Zoning Appeals was to grant the requested variance. You will receive an executed copy of the BZA2021-00010 Resolution adopted by the Board of Zoning Appeals on April 8, 2021 once it has been processed. The approval of the request is subject to the following condition.

The site is to be developed as shown on the Midian Shrine Substation Site Plan dated April 8, 2021 by Professional Engineering Consultants, PA.

If you have any questions concerning this application, please contact our office at 268-4421.

Sincerely,

Kathy L. Morgan, Senior Planner  
Metropolitan Area Planning Department  
271 West 3<sup>rd</sup> Street, Room 203  
Wichita, KS 67202

Copies to: Cindy Claycomb, WCC VI, Mail Stop 1-13  
Ana Lopez, CRS District VI, Mail Stop 1-13  
Jeff Van Zandt, City Law, Mail Stop 1-72  
MABCD

**BZA RESOLUTION NO. BZA2021-00010**

**WHEREAS**, the City of Wichita (Owner/Applicant); pursuant to Kansas Statutes Annotated 12-759, requests a Variance to allow an increase in height of solid screening wall from 8 feet to 9 feet and waive the landscaping requirement along West 13<sup>th</sup> Street North (Associated with CON2021-00011), and generally located 1,200 feet east of North Ridge Road on the south side of West 13<sup>th</sup> Street North and legally described as follows:

Commencing at the NW Corner of Lot 1, Block A Midian Shrine-Hoskinson Addition to Wichita, Sedgwick County, Kansas; thence South along the West line of said Lot 1 bearing S01° 33' 10" W, a distance of 30.03 feet; thence East, parallel with the North line of said lot 1, bearing N88° 50' 57" E, a distance of 20.02 feet to the point of beginning:

Thence South parallel with the West line of said Lot 1 bearing S01° 33' 10" W, a distance of 290.29 feet; thence bearing S043° 32' 14" E, a distance of 75.07 feet; thence N88° 51' 07" E, a distance of 157.63 feet to a point on the East line of said lot 1, thence N05° 46' 30" W, along the East line of said lot 1, a distance of 346.55 feet, thence parallel with said North line bearing S88° 50' 57" W, a distance of 166.61 feet to the point of beginning.

**WHEREAS**, proper notice as required by ordinance and by the rules of the Board of Zoning Appeals has been given; and

**WHEREAS**, the Board of Zoning Appeals did, at the meeting of April 8, 2021, consider said application; and

**WHEREAS**, the Board of Zoning Appeals has proper jurisdiction to consider said request for a variance under the provisions of Kansas Statutes Annotated 12-759 *et. seq.*; and

**WHEREAS**, the conditions of the request are unique to the subject property. In this case, the location of the electrical substation to support power to the Northwest Water Treatment Plant; and

**WHEREAS**, waving the requirements will not adversely affect the rights of adjacent property owners. The additional height of the screening wall is needed to provide visual enhancement and a noise buffer between the electric substation and the adjacent parcels. The applicant has indicated that a waiver of the required landscaping would remove any hindrance to maintenance of the existing Evergy power line; and

**WHEREAS**, the strict application of the applicable Code will constitute an unnecessary hardship upon the property owner.

**WHEREAS**, it is the opinion of the Board of Zoning Appeals that the requested variance would not adversely affect the public interest, health, safety or welfare; and

**WHEREAS**, It is the opinion of Board of Zoning Appeals that the spirit and intent of the Zoning Code is being met in this case; and

**WHEREAS**, each of the five conditions required by Kansas Statutes Annotated 12-759, are found to be present for a variance to be granted.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Zoning Appeals, pursuant to Kansas Statutes Annotated 12-759, a Variance to Variance to allow an increase in height of solid screening wall from 8 feet to 9 feet and waive the landscaping requirement along West 13<sup>th</sup> Street North (Associated with CON2021-00011), and generally located 1,200 feet east of North Ridge Road on the south side of West 13<sup>th</sup> Street North and legally described as follows:

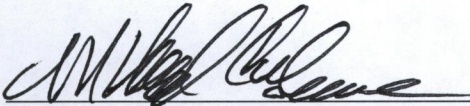
Commencing at the NW Corner of Lot 1, Block A Midian Shrine-Hoskinson Addition to Wichita, Sedgwick County, Kansas; thence South along the West line of said Lot 1 bearing S01° 33' 10" W, a distance of 30.03 feet; thence East, parallel with the North line of said lot 1, bearing N88° 50' 57" E, a distance of 20.02 feet to the point of beginning:

Thence South parallel with the West line of said Lot 1 bearing S01° 33' 10" W, a distance of 290.29 feet; thence bearing S043° 32' 14" E, a distance of 75.07 feet; thence N88° 51' 07" E, a distance of 157.63 feet to a point on the East line of said lot 1, thence N05° 46' 30" W, along the East line of said lot 1, a distance of 346.55 feet, thence parallel with said North line bearing S88° 50' 57" W, a distance of 166.61 feet to the point of beginning.

The variance is hereby GRANTED, subject to the following conditions:

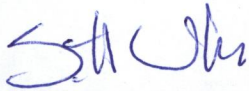
1. The site is to be developed as shown on the Midian Shrine Substation Site Plan dated 8/2020 by PEC, PA

April 8, 2021.



Michael C. Greene, BZA Board Chair

ATTEST:



Scott Wadle,  
BZA Secretary



Belleville News-Democrat  
 Bellingham Herald  
 Bradenton Herald  
 Centre Daily Times  
 Charlotte Observer  
 Columbus Ledger-Enquirer  
 Fresno Bee

The Herald - Rock Hill  
 Herald Sun - Durham  
 Idaho Statesman  
 Island Packet  
 Kansas City Star  
 Lexington Herald-Leader  
 Merced Sun-Star

Miami Herald/el Nuevo Herald  
 Modesto Bee  
 Raleigh News & Observer  
 The Olympian  
 Sacramento Bee  
 Fort Worth Star Telegram  
 The State - Columbia

Sun Herald - Biloxi  
 Sun News - Myrtle Beach  
 The News Tribune - Tacoma  
 The Telegraph - Macon  
 San Luis Obispo Tribune  
 Tri-City Herald  
 Wichita Eagle

## AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
16399	26119	(default)-	OCA 150004 MAPC/BZA A	\$240.00	1	12.00

**Attention:** Betsy Pagán  
 CITY OF WICHITA/PLANNING DEPT  
 271 WEST THIRD ST., 2ND FL, SU 203  
 WICHITA, KS 67202

Copy of ad content  
 is on the next page

In The STATE OF KANSAS  
 In and for the County of Sedgwick

No. of Insertions: 1  
 Beginning Issue of: 03/16/2021  
 Ending Issue of: 03/16/2021

STATE OF KANSAS)

SS

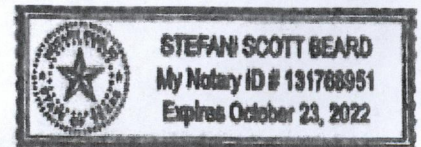
County of Sedgwick)

Hayley Martin, of lawful age, being first duly sworn, deposeth and saith: That he is Record Clerk of The Wichita Eagle, a daily newspaper published in the City of Wichita, County of Sedgwick, State of Kansas, and having a general paid circulation on a daily basis in said County, which said newspaper has been continuously and uninterruptedly published in said County for more than one year prior to the first publication of the notice hereinafter mentioned, and which said newspaper has been entered as second class mail matter at the United States Post Office in Wichita, Kansas, and which said newspaper is not a trade, religious or fraternal publication and that a notice of a true copy is hereto attached was published in the regular and entire Morning issue of said The Wichita Eagle from 03/16/2021 to 03/16/2021.

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

DATED: 04/15/2021

Notary Public in and for the state of Texas, residing in Dallas County



Extra charge for lost or duplicate affidavits.  
 Legal document please do not destroy!

# LEGAL PUBLICATION

OCA 150004

PUBLISHED IN THE WICHITA EAGLE  
ON MARCH 18, 2021 (56323)  
(ONE TIME ONLY)

MAPC/BZA April 8, 2021  
OFFICIAL HEARING NOTICE

NOTICE IS HEREBY GIVEN that on Thursday, April 8, 2021 no earlier than 1:30 p.m., the Wichita-Sedgwick County Metropolitan Area Planning Commission/Board Zoning Appeals will consider the following applications. The meeting will be held virtually, public participation is available in multiple ways, those without technology options can participate by going to Century II - Room 101B - 225 West Douglas Avenue, Wichita, Kansas 67202 (specified at the bottom of this notice). If you have any questions regarding the meeting or items on this notice, please call the Wichita-Sedgwick County Metropolitan Area Planning Department at (316) 268-4421.

**BZA2021-00010** City Variance to allow a 9-foot masonry screening wall for a utility, major; located approximately 1200 feet east of the intersection of W. 13th St. N. and N. Ridge Road, associated with CON2021-00011.

**CON2021-00004** City Conditional Use to allow Wrecking/Salvage Yard on property zoned GC General Commercial and GI General Industrial; generally located south of East 29th Street North on the west side of North Market Avenue (2929 North Market), associated with ZON2021-00003.

**CON2021-00010** City of Wichita located approximately 440 feet south of W. 61st St. N. on Fairfield Ave. at 6121 N Fairfield Ave. Applicant is requesting a Conditional Use for an Accessory Apartment within an existing garage/storage buildings.

**CON2021-00011** City Conditional Use for a utility, major located approximately 1200 feet east of the intersection of W. 13th St. N. and N. Ridge Road, associated with BZA21-00010.

**PUD2021-00002** City zone change to create PUD Buffalo Grove PUD #83, generally located on the east side of S. 127th St. E. and north of E. Pawnee Rd. at the northeast corner of S. 127th St. and E. Pawnee Rd.

**VAC2021-00010** City Vacation of a portion of a platted setback to permit porch addition on property zoned SF-5 Single Family Residential, generally located on the north side of West Pawnee Avenue and two blocks east of South Meridian Avenue (2104 W Pawnee).

**VAC2021-00011** City Vacation of ingress/egress reserve located approximately 740 feet south of E. Harry St. on the west side of S. Greenwich Rd.

**VAC2021-00012** City Vacation of platted utility easements; generally located approximately one-quarter mile south of Kellogg on the west side of Ridge Rd.

**ZON2021-00003** City zone change from GC General Commercial to GI General Industrial in association with CON2021-00004 for a conditional use for wrecking/salvage; generally located south of E. 29th Street North between North Park Place and North Market Street, Lots 27 through 34, Montrose Park Addition (2929 N. Market)

**ZON2021-00004** City Zone Change from SF-5 Single-Family Residential to MF-29 Multi-Family Residential to build apartments, generally located 600 feet south of East Harry Street and within one-quarter mile West of South Webb Road (9226 E. Olathe).

**ZON2021-00009** City zone change from LC Limited Commercial and SF-5 Single-Family Residential to GC General Commercial to allow construction sales and services; generally located north of East 55th Street South on the east side of South Broadway Avenue (5326 South Broadway).

Complete legal descriptions are available for public inspection at the Metropolitan Area Planning Department, 271 W. Third St., 2nd Floor, Wichita, Kansas 67202. As provided in Section V of the Wichita-Sedgwick County Unified Zoning Code, the same will then and there be discussed and considered by the said MAPC, and all persons interested in said matters will be heard at this time concerning their views and wishes in the premises, and any protest against any of the provisions of the proposed changes to the zoning regulations will be considered by the MAPC as by law provided.

**PLEASE NOTE THIS MEETING IS CONSIDERED AN EMERGENCY MEETING OF THE WICHITA-SEDGWICK COUNTY METROPOLITAN AREA PLANNING COMMISSION DUE TO COVID-19, WHICH WILL IMPOSE SPECIAL PROCEDURES TO PARTICIPATE IN THE PUBLIC HEARING. THESE ARE AS FOLLOWS:**

The meeting will be conducted "virtually" using Go-To-Meeting. You have multiple options to participate: 1) submit comments ahead of time, 2) participate remotely, or 3) attend a virtual connection site in-person (see below).

#### Submit Comments Ahead of Time

You can submit comments regarding items on the Planning Commission agenda to the Wichita-Sedgwick County Metropolitan Area Planning Department (Planning Department). Comments must be received by the Planning Department no later than 5pm 3 days prior to the meeting. Please be sure to provide ample time for delivery. The comments can be submitted in the following formats: email; letter; video; and audio message (mp3, etc.). The comment should indicate which item they pertain to and be less than three (3) minutes in duration. The comments should be submitted to Planning Department staff using the contact information below. The comments received ahead of the submission deadline will be shared with the MAPC, prior to or during the meeting.

Email	BPagan@wichita.gov
Mailing Address	Wichita-Sedgwick County Metropolitan Area Planning Department Attn: Scott Wadle 271 W. 3rd Street - Suite 201 Wichita, KS 67202
Phone	316.268.4421
Fax	316.8587764

#### Participate Remotely

Please join my meeting from your computer, tablet or smartphone. <https://global.gotomeeting.com/join/651544141>

You can also dial in using your phone.

United States: +1 (571) 317-3112

Access Code: 651-544-141

Join from a video-conferencing room or system.

Dial in or type: 67.217.95.2 or inroomlink.gotm.com

Meeting ID: 651 544 141

Or dial directly: 651544141@67.217.95.2 or 67.217.95.2#651544141

New to Go To Meeting? Get the app now and be ready when your first meeting starts.

<https://global.gotomeeting.com/install/651544141>

#### Attend a Virtual Connection Site In-Person

You may also participate in the hearing by going to meeting room 101B at Century II (225 West Douglas) to participate in the Planning Commission meeting by "virtual" connection. Planning Department staff members will be available to assist in your participation at this location. This option is intended for those without other technology options, and who have not previously submitted recorded audio or video comments. If you have any written or visual materials you wish to present, please contact Planning Department Graphics staff (2684644) by 5pm, 3 days prior to the meeting.

WITNESS MY HAND on March 15, 2021

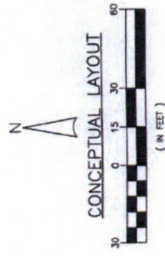
Scott Wadle, Secretary  
Wichita-Sedgwick County  
Metropolitan Area Planning Commission

# SITE PLAN

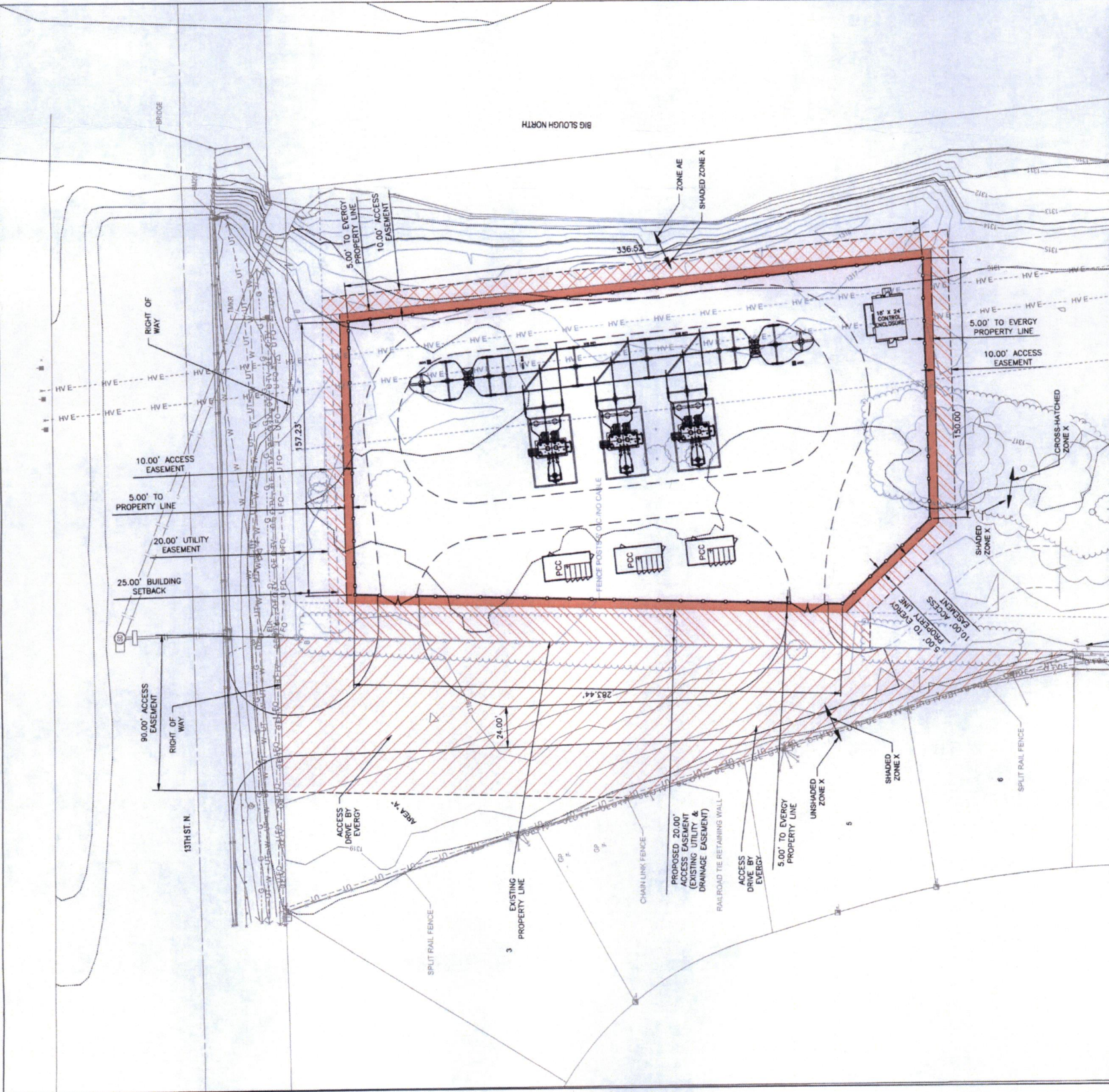
APPROVED 4/13/2024 *Elmerga*

## LEGEND

- PROPERTY LIMITS
- ACCESS EASEMENT 1
- ACCESS EASEMENT 2
- ACCESS EASEMENT 3
- PROPERTY BOUNDARY
- EASEMENT BOUNDARY
- STONECAST SCREENING WALL
- ORNAMENTAL SECURITY GATE



ELECTRICAL EQUIPMENT LAYOUT SHOWN IS PRELIMINARY IN NATURE AND MAY BE ADJUSTED UPON THE FINAL DESIGN.



PEC # 200266-000  
408 SW MISSISSIPPI AVE #200  
TOPEKA, KS 66603  
786-233-8300  
www.pec1.com



REV.	DATE	BY/CHK	REVISION DESCRIPTION
8			
7			
6			
5			
4			

DESIGNED BY	ORG - PEC	DATE	08/11/2020	SCALE	AS SHOWN
APPROVED BY	XXX	DATE	08/11/2020	SHEET NO.	SOXXXX_PR01
					1 OF 1
					0

TITLE		MIDIAN SHRINE SUBSTATION	
CONCEPTUAL LAYOUT		CONCEPTUAL LAYOUT	