



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

Bagatelle, Inc.
Attn: Joseph Toubia
6801 E. Harry St.
Wichita, KS 67207

September 20, 2024

Skyward Land Services, Inc.
Attn: Patrick Erwin
PO Box 25783
Overland Park, KS 66225

RE: BZA2024-00063: Administrative Adjustment in the City to extend the construction deadline for a 110-foot Wireless Communications Facility approved by BZA2021-00062, on property GC General Commercial District, located on the south side of East Harry Street and one-quarter mile east of South Woodlawn Boulevard (6801 E. Harry Street).

Legal Description: Lot 1 and vacated south 25 feet of Harry Street adjacent to the north, Matteson Addition, Wichita, Sedgwick County, Kansas.

Dear Applicant,

We reviewed your Administrative Adjustment request to extend the deadline in order to construct a 110-foot Wireless Communications Facility approved by Administrative Permit BZA2021-00062. Condition of Approval #2 of BZA2021-00062 was that construction of the Wireless Communications Facility was to be constructed within one-year or the Administrative Permit would be considered null and void. The current application effectively is requesting an additional Administrative Permit review. If approved, the construction timeframe would be extended for 1 year from the date of the approval letter. There is no request to change any other conditions from the original Administrative Adjustment.

We find that the adjustment to the extend the deadline to construct a Wireless Communications Facility as proposed meets the four conditions required by Section V-I.6 of the Unified Zoning Code as set out below:

- 1) Impact on safety and convenience of vehicular and pedestrian circulation: The proposed Administrative Adjustment to BZA2021-00062 should have no impact on the safety and convenience of vehicular traffic and pedestrian circulation in the vicinity of the application area. The proposed Wireless Communications Tower would be constructed near the rear property line of the subject site.
- 2) Impact on existing uses in surrounding areas: The subject site and properties to the east, south and west are zoned GC General Commercial District and developed with commercial uses. Properties to the north, across East Harry Street, are zoned B Multi-

Family District and SF-5 Single-Family District and developed with apartments and a church respectively.

- 3) Compatibility with existing or permitted uses on abutting sites: The subject site and properties to the east, south and west are zoned GC General Commercial District and developed with commercial uses. One of the uses to the west is a Wireless Communications Facility of similar height to the proposed tower. Properties to the north, across East Harry Street, are zoned B Multi-Family District and SF-5 Single-Family District and developed with apartments and a church respectively.
- 4) Effect on public health, safety, or welfare: It is not anticipated to have any significant negative impacts on the public health, safety, or welfare, nor will properties or improvements in the vicinity be materially injured.

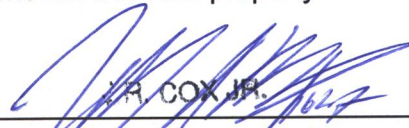
Our signatures below indicate that the Administrative Adjustment to extent the deadline for construction for BZA2021-00062 is hereby GRANTED, subject to the following conditions:

1. All original conditions of BZA2021-00062 shall be adhered to.
2. The site shall be developed in general conformance with the approved, revised site plan submitted with this application.
3. If the Zoning Administrator finds that there is a violation of any of the conditions of the Zoning 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 that the Zoning Adjustment is null and void.

The "Development Application" 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
Mike Hoheisel, CM District III
Rebecca Johnson, CSR District III

