



FILE COPY

Wichita-Sedgwick County Metropolitan Area Planning Department

October 18, 2000

Max and Irene Miller
12345 E. Kellogg Dr.
Wichita KS 67207

Re: BZA2000-00039 – Administrative Permit for a 150-foot high wireless communication facility on property zoned “GC” General Commercial. Generally located south of Kellogg and east of the Kansas Turnpike (12345 E. Kellogg Dr.).

Dear Mr. and Mrs. Miller:

We have reviewed your request for an Administrative Permit for a 150-foot high wireless communication facility on property zoned “GC” General Commercial. Section III.D.6.g.(3)(d) of the Wichita-Sedgwick County Unified Zoning Code states that new ground-mounted wireless communication facilities up to 150 feet in height in the “GC” General Commercial zoning district shall be approved by Administrative Permit *if* they conform to the Compatibility Height Standards of Section IV-C.5 of the Unified Zoning Code and the Location/Design Guidelines of the Wireless Communication Master Plan.

In reviewing your request, we find the following aspect of your request does not conform to the Location/Design Guidelines of the Wireless Communication Master Plan:

1. The applicant has not demonstrated to the satisfaction of the approving authority that there is no available space on existing wireless communication facilities and there is no other economically and technically feasible opportunity to modify or rebuild an existing structure. There is an existing Sprint PCS tower located east of the site that the applicant has stated cannot be extended in height; however, no documentation other than a statement by a construction manager employed by the applicant has been provided to support this claim. There is an existing tower at old Seltzer School site located southeast of the site that could be reconstructed. The applicant has stated that reconstructing the school tower is not an option since USD 259 has not responded in a timely manner to proposals to reconstruct the tower; however, USD 259 states that proposals for reconstructing school towers are still under evaluation and temporary solutions such as “Cellular on Wheels” (C.O.W.) are available in the interim until USD 259 has stated that reconstructing the school tower is not an option.

Based on these findings of non-conformance with the Location/Design Guidelines of the Wireless Communication Master Plan, our signatures below indicate that your request an Administrative Permit for a 150-foot high wireless communication facility is hereby DENIED.

City Hall • 10th Floor • 455 North Main • Wichita, Kansas 67202-1688

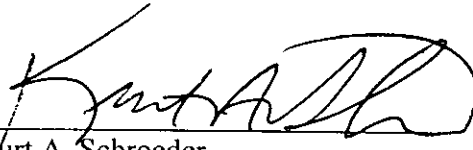
T 316.268.4421 F 316.268.4390

www.wichitagov.org

The zoning adjustment sign may now be removed from the property. If you desire to appeal our decision to deny your Administrative Permit request, you may submit your appeal to the Metropolitan Area Planning Commission by filing a request for a Conditional Use. The application form and instructions for filing a Conditional Use are attached. Should you file a Conditional Use request to appeal this decision, the filing fee for the Administrative Permit will be applied toward the filing fee for a Conditional Use.



Marvin S. Krout
Planning Director



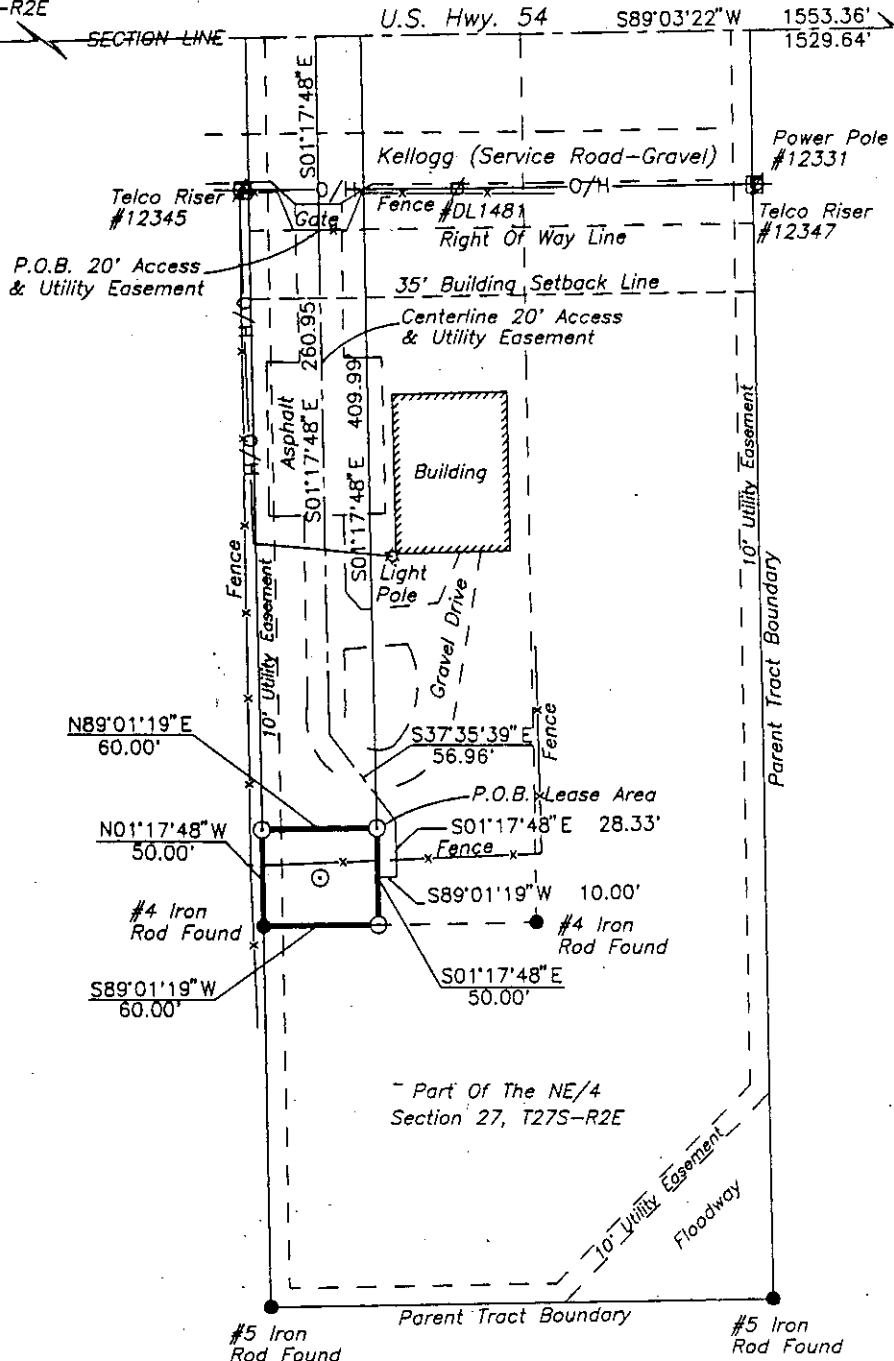
Kurt A. Schroeder
Superintendent of Central Inspection

cc: Horizon Telecommunication, 1600 Capital Ave, Suite 6, Plano, TX 75074
Greg Ferris, Ferris Consulting, P.O. Box 573, Wichita, KS 67201
Kurt Schroeder, Office of Central Inspection
Paul Hays, Office of Central Inspection
Randy Sparkman, Office of Central Inspection
J.R. Cox, Office of Central Inspection

A PROPOSED LEASE AREA IN PART OF THE NE/4 OF SECTION 27, T27S-R2E, SEDGWICK COUNTY, KANSAS
 SITE KS06B SUBURBAN EQUIPMENT

1/2" Pipe Found
 NW Corner NE/4
 Section 27, T27S-R2E

Point Of Commencement
 #4 Iron Rod Found
 NE Corner NE/4
 Section 27, T27S-R2E



HORIZON TELECOMMUNICATIONS, INC.

Bearings shown are based on Kansas State Plane Coordinate System, South Zone, NAD83 Datum.

⊙ Denotes #3 Iron Rod Set

CRICKET COMMUNICATIONS, INC.
 WICHITA, KANSAS

| | |
|---------------|-----------|
| DATE: | 8/20/00 |
| SCALE: | 1" = 100' |
| JOB #: | 0622 |
| FIELD BOOK #: | 10 |
| PAGE #: | 20 |
| SHEET | 1 OF 2 |

Prepared By:
TACK Professional Land Survey, P.C.
 700 Royal Lane Yukon, Okla. 73099 (405)-354-8272

| NO. | REVISION | DATE | BY |
|------------------|----------|------|----|
| SURVEYED BY: CWC | | | |
| DRAWN BY: KEH | | | |
| APPROVED BY: KEH | | | |