CITY OF WICHITA

Wichita-Sedgwick County Metropolitan Area Planning Department

June 5, 2020

Greater Mizpah Baptist Church
Attn: Rev. Dr. Essex Richardson, Jr
2211 S. Bluff
Wichita, KS 67218

Attn: Donna Pearson McClish
2211 S. Bluff
Wichita, KS 67218

RE: BZA202020--00014 – City Variance to increase the size of sign permitted and allow LED sign on property generally located one block east of George Washington Boulevard and one-quarter mile north of Pawnee Avenue (2211 South Bluff)

Dear Applicants,

Enclosed is a signed copy of the above-referenced BZA Resolution adopted by the Board of Zoning Appeals on May 21, 2020. This resolution reflects the official action of the Board with the following conditions:

1. Allow the a 36 square feet sign with an LED component as shown on the site drawings submitted by the applicant and shall be developed in accordance with the approved site plan and elevation drawings. Only one sign will be allowed for this zoning lot.
2. The applicant shall obtain all permits necessary to construct the signage and the signage shall be erected within one year.
3. Copy or graphics shall be limited to static images only and shall not change more than once every five seconds. The sign shall not be illuminated between the hours of 10 p.m. and 7:00 a.m. The sign shall conform to all other requirements of the City of Wichita Sign Code.
4. The applicant shall obtain all permits necessary from the Metropolitan Area Building and Construction Department.
5. The resolution authorizing this variance may be declared null and void upon findings by the Zoning Board of Appeals that the applicant has failed to comply with any of the foregoing conditions.

If you have any questions concerning this matter, please call our office at 268-4421.
Sincerely,

Kathy L. Morgan

Kathy L. Morgan, Senior Planner
Current Plans Division

Copies to: MABCD
James Clendenin, Council Member District III
Maddy Campbell, CSR District III
Attachment – Resolution

BZA RESOLUTION NO. BZA2020-14

WHEREAS, The Greater Mizpah Baptist Church. (owner); pursuant to Kansas Statutes Annotated 12-759, requests a Variance to increase the size of sign permitted and allow LED sign on property zoned SF5 Single Family Residential and legally described as:

> Lots 1 and 2, St. Christopher's Addition to Wichita, Sedgwick County, Kansas, AND the South 185 feet of the East 425 feet of the North 495 feet of the South Half of the Southwest Quarter of Section 35, Township 27 South, Range 1 East of the 6th P.M., Sedgwick County, Kansas, EXCEPT the East 150 feet of the South 120 feet thereof, AND EXCEPT the East 30 feet thereof for street purposes.

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 May 21, 2020, 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, there should not be any adverse harm to nearby properties. The construction will not alter the flow of water; and

WHEREAS, the variance requested will not adversely affect the public health, safety, morals, order, convenience, prosperity, general welfare, or the harmonious development of the community; 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 increase the size of sign permitted and allow LED sign on property zoned SF5 Single Family Residential and legally described as follows:

> Lots 1 and 2, St. Christopher's Addition to Wichita, Sedgwick County, Kansas, AND the South 185 feet of the East 425 feet of the North 495 feet of the South Half of the Southwest Quarter of Section 35, Township 27 South, Range 1 East of the 6th P.M., Sedgwick County, Kansas, EXCEPT the East 150 feet of the South 120 feet thereof, AND EXCEPT the East 30 feet thereof for street purposes.

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

1. Allow the a 36 square feet sign with an LED component as shown on the site drawings submitted by the applicant and shall be developed in accordance with the approved site plan and elevation drawings. Only one sign will be allowed for this zoning lot.
2. The applicant shall obtain all permits necessary to construct the signage and the signage shall be erected within one year.

3. Copy or graphics shall be limited to static images only and shall not change more than once every five seconds. The sign shall not be illuminated between the hours of 10 p.m. and 7:00 a.m. The sign shall conform to all other requirements of the City of Wichita Sign Code.
4. The applicant shall obtain all permits necessary from the Metropolitan Area Building and Construction Department.
5. The resolution authorizing this variance may be declared null and void upon findings by the Zoning Board of Appeals that the applicant has failed to comply with any of the foregoing conditions.

ADOPTED AT WICHITA, KANSAS, 21st Day of May, 2020.

Charles A. Warren,
BZA Board Chair

ATTEST:

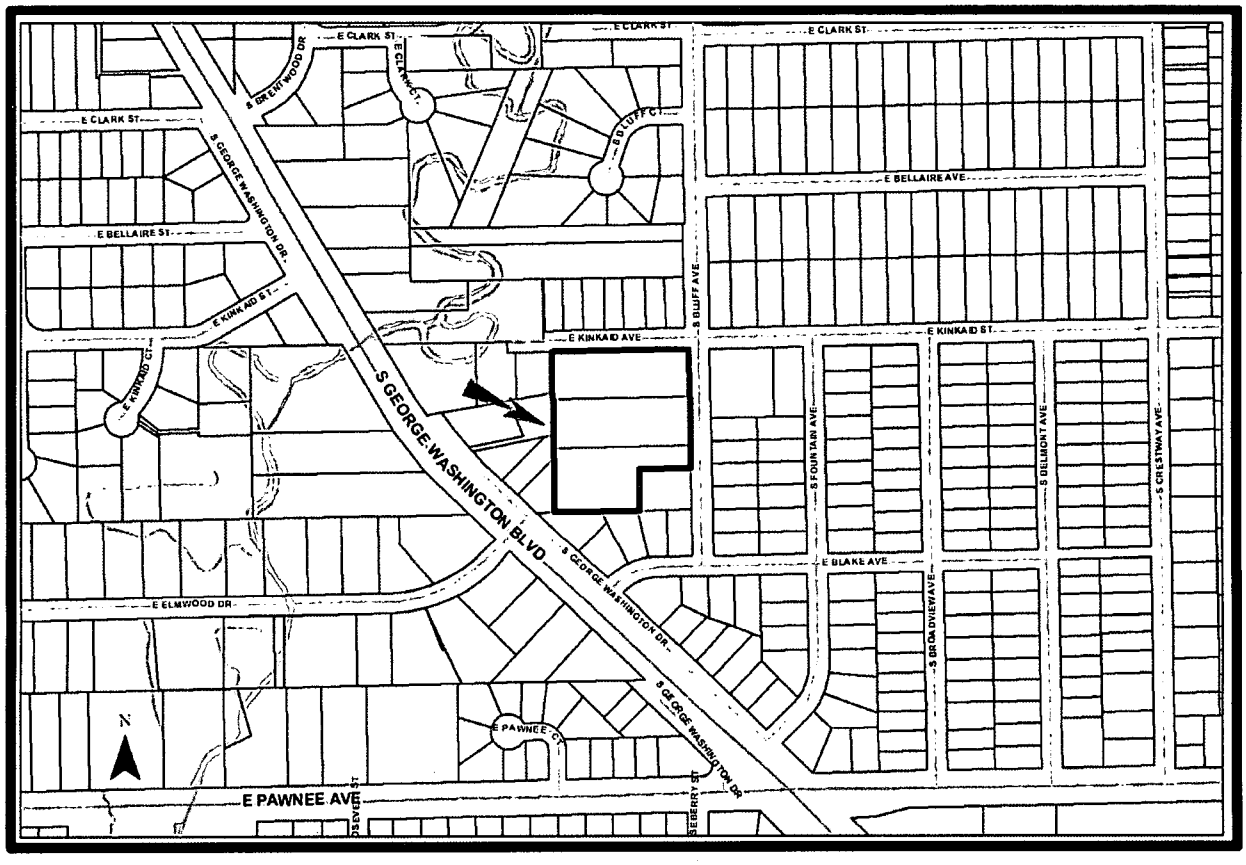
David L. Yearout,
BZA Secretary

Wichita-Sedgwick County Zoning Board of Appeals
May 21, 2020

AGENDA ITEM NO. 4

SECRETARY'S REPORT

CASE NUMBER:	BZA2020-00014
APPLICANT:	Greater Mitzpah Baptist Church, Rev. Dr. Essex L. Richardson, Jr., Senior Pastor
REQUEST:	Variances to allow an increase in the size of a sign and to install an LED component in the sign
CURRENT ZONING:	SF-5 Single-Family Residential
SITE SIZE:	3 acres
LOCATION:	Generally located one block east of George Washington Boulevard and one-quarter mile north of East Pawnee Avenue at the southwest corner of South Bluff and East Kincaid



JURISDICTION: The Board has jurisdiction to consider the variance request under the provisions Section V-G of the Unified Zoning Code for Wichita/Sedgwick County, and as outlined in Kansas Statutes Annotated 12-759 *et. seq.* The Board may grant the request when all five conditions, as required by the statutes, are found to exist.

BACKGROUND: The applicants represent the Greater Mitzpah Baptist Church, located at 2211 South Bluff Avenue, at the southwest corner of South Bluff Avenue and East Kinkaid Avenue. The request is to increase the size of the onsite sign and to allow the installation of the new sign as an LED sign. The new LED sign will be located in the same location as the sign that is being removed.

The Sign Code of the City of allows the size of a sign to be 25 square feet for an institutional use in a residential area. The applicant is requesting an increase of the size to 36 square feet, an increase of approximately 38%. The variance also includes allowing an LED sign to be located in a residential district. The proposed sign will have a six foot clearance from the bottom of the sign cabinet to the ground and will be located three feet from the east property line and eight feet from the north property line. The sign will not be located within the sight triangle or in the street right-of-way.

The properties surrounding the subject site are zoned SF-5 Single-Family Residential and are developed with single-family residences. There is a large undeveloped corner lot immediately east of the subject site. The face of the sign is oriented toward the intersection of Bluff Avenue and Kinkaid Avenue. The house at the northeast corner of that intersection is approximately 155 feet northeast of the sign location.

ADJACENT ZONING AND LAND USE:

NORTH:	SF-5	Single-Family residences
SOUTH:	SF-5	Single-Family residences
EAST:	SF-5	Single-Family residences
WEST:	SF-5	Single-Family residences

CASE HISTORY: The subject property was platted as St. Christopher's Addition, which was recorded with the Register of Deeds in May, 1953 and the church building has been occupied since 1954. No other zoning cases are associated with this property.

UNIQUENESS: It is staff's opinion that this property is unique in that the church recently acquired this property and is attempting to expand its communication to the neighborhood with significantly changing the supporting communication means. This change allow the church to provide an effective method of communicating the activities and programs provided by the church in the least intrusive manner possible under the methods and means available.

ADJACENT PROPERTY: It is staff's opinion that granting the sign at this location will not adversely affect the rights of adjacent property owners. The LED sign will not be illuminated between the hours of 10:00 p.m. and 7:00 a.m. and copy/graphic changes will be limited to one per every five seconds. There are mature trees that will screen the LED sign face, which is 230 feet from the closest house south of the subject property.

HARDSHIP: It is staff's opinion that the strict application of the provisions of the sign code would constitute an unnecessary hardship upon the applicant. Without the increased size, the visibility of the sign will be difficult and limit the ability to communicate the outreach programs of the church activities.

PUBLIC INTEREST: The speed of traffic on local streets is 30 miles per hour. The sign will not present a safety distraction with the recommended conditions. The sign will provide information of programs offered by the church.

SPIRIT AND INTENT: It is staff's opinion that granting the requested variance for increased sign size would not oppose the general spirit and intent of the Sign Code. The Sign Code recognizes the necessity for some latitude for institutional uses in residential neighborhoods.

RECOMMENDATION: Should the Board determine that all five conditions necessary to the granting of the variance can be found to exist, then it is the recommendation of the Secretary that the variance to increase an existing sign to 36 square feet with an LED component as proposed be GRANTED, subject to the following conditions:

1. Allow the a 36 square feet sign with an LED component as shown on the site drawings submitted by the applicant and shall be developed in accordance with the approved site plan and elevation drawings. Only one sign will be allowed for this zoning lot.
2. The applicant shall obtain all permits necessary to construct the signage and the signage shall be erected within one year.
3. Copy or graphics shall be limited to static images only and shall not change more than once every five seconds. The sign shall not be illuminated between the hours of 10 p.m. and 7:00 a.m. The sign shall conform to all other requirements of the City of Wichita Sign Code.
4. The applicant shall obtain all permits necessary from the Metropolitan Area Building and Construction Department.
5. The resolution authorizing this variance may be declared null and void upon findings by the Zoning Board of Appeals that the applicant has failed to comply with any of the foregoing conditions.

Report Attachments:

1. Variance Rationale
2. Site Plan
3. Proposed Sign design

SITE PLAN

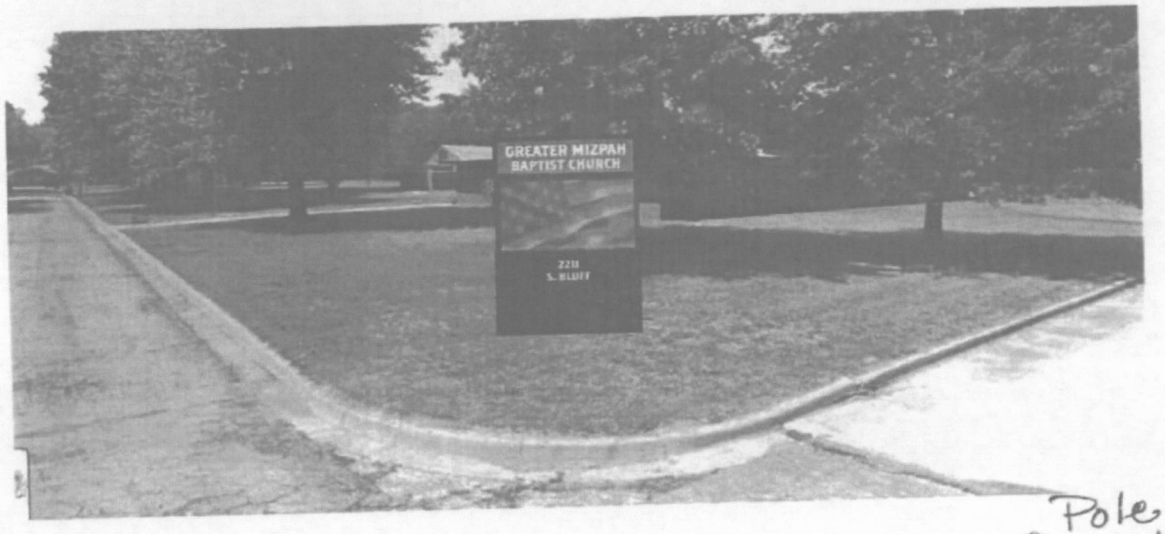
APPROVED

2211 S Bluff Site Plan



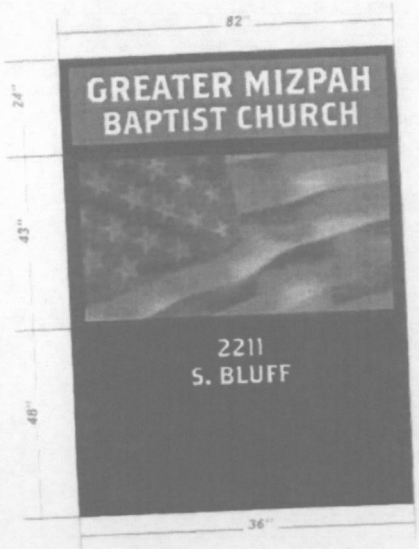
This information is not an official record, and cannot be used as such. The user should rely only upon official records available from the custodian of records in the appropriate City and/or County department. Some data provided here and used for the preparation of these maps has been obtained from public records not created or maintained by the City of Wichita.

1: 279



Pole
~~Ground~~ sign

- Fabricate single sided 84"x24" cabinet sign, with graphic printed on clear vinyl film.
Lighted with white LED lights



SITE PLAN
APPROVED 5/21/2020 BY

Kmorgan@wichita.gov