

BZA
30-79

ACTION

Revised
1-16-79
J

DATE

denied 7-24-79

COMMITTEE

M.A.P.C. _____

B.C.C./B. CO. C. _____

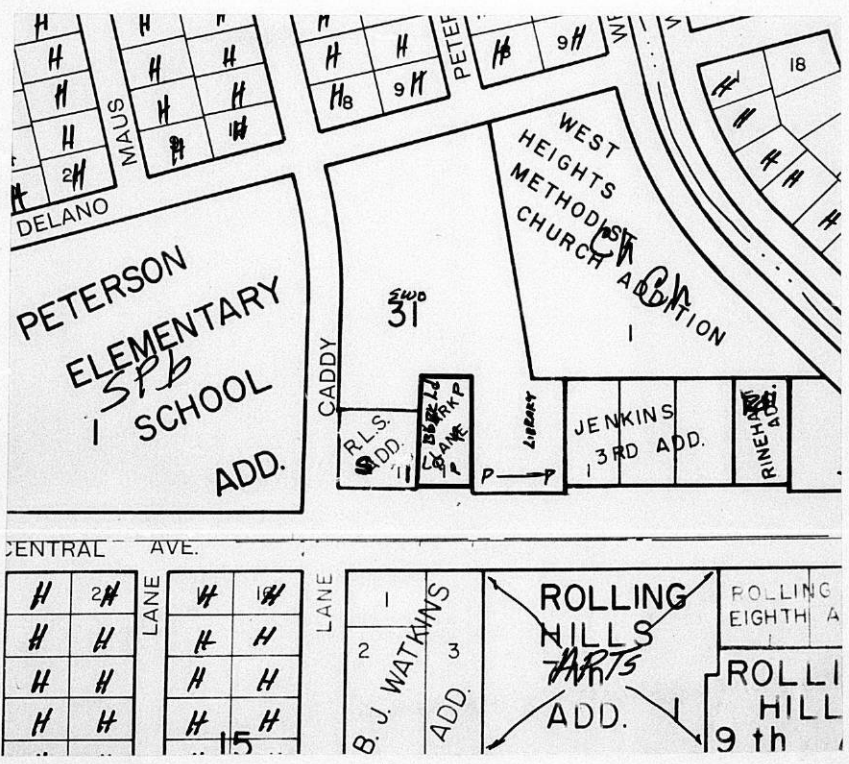
Case No. BZA 30-79 - Paul E. Wakim, requests variance to reduce required side yard setback from 15' to 0' on property zoned "LC" and gen. located on the north side of _____ east of _____

Map No. 4848
 Sec. 17
 Twp. 27
 Range 1W

BZA- 30-79
 SCZ- _____
 CU- _____
 Filed _____

- AREA DATA:
1. Acres: 0.43 (95 ft. by 200 ft.)
 2. Adjoining Zoning: E _____ S _____ W _____ N _____
 3. Land Use: East _____ South _____
 West LIQUOR STORE North RECREATION PARK
 4. Sketch Plan Land Use is for: _____
 5. Present Land Use if for: BEAUTY SHOP LOAN CO. LAUNDRY
 6. Area (is) (is not) platted.

PHOTO DATA:
 Taken by _____ Date _____ Time _____



BOARD OF ZONING APPEALS
Tenth Floor - City Hall
455 North Main, Wichita, Kansas 67202

July 6, 1979

NOTICE TO ADJOINING PROPERTY OWNERS:

CASE NO. DZA 30-79

An application has been filed by Paul E. Wakim, 1035 North Emporia, Wichita, Kansas, pursuant to Section 2.12.590.B, Code of the City of Wichita, requesting a variance to reduce the required side yard setback from 15 feet to 0 feet for the purpose of erecting a pole sign on property zoned the "LC" Light Commercial District and legally described as follows:

Lot 1, in "Lark Lane Addition" to Wichita, Sedgwick County, Kansas. Generally located on the north side of Central Avenue, approximately 200 feet east of Caddy Lane (9502-4-W. Central).

This application has been assigned case No. DZA 30-79, and will be considered by the Board of Zoning Appeals at its meeting on Tuesday, July 24, 1979, at 1:30 p.m., in the Board Room, First Floor, City Hall, 455 North Main, Wichita, Kansas, at which time you may appear if you so desire, either in person or by agent or attorney.

It should be noted that the Citizen Participation Organization Area Council may consider this case at its next meeting. Additional information about such a meeting may be obtained by calling the CPO Office, 268-4516.

Jack H. Galbraith
Secretary

August 2, 1979

John T. Moore
1818 E. First Street
Wichita, Kansas 67214

Re: Case No. BZA 30-79
Request for Variance

Dear Mr. Moore:

Enclosed is a signed copy of the Resolution adopted by the Board of Zoning Appeals on July 24, 1979, in connection with your request for a variance to reduce the required side yard setback for a pole sign from 15 feet to 0 feet on property zoned "LC" Light Commercial and generally located on the north side of Central approximately 200 feet east of Caddy Lane.

This Resolution reflects the official action of the Board to deny this request. It is forwarded to you for your information and files.

If you have questions concerning this matter, please call our office.

Sincerely,

Glen E. Lytle
Assistant Secretary

GEL:bbc
Enclosure

cc: Robert Feldner, Superintendent of Central Inspection
Joe Donnelly, Housing and Zoning Administrator
Don Gisick, City Clerk
Paul E. Wakim, 1035 N. Emporia 67214

RESOLUTION NO. BZA 30-79

WHEREAS, Paul E. Wakim, 1035 N. Emporia, Wichita, Kansas, requests a variance as provided in Section 2.12.590.B, Code of the City of Wichita, to reduce the required side yard setback for a pole sign from 15 feet to 0 feet, on property zoned the "LC" Light Commercial District and legally described as follows:

Lot 1, in "Lark Lane Addition" to Wichita, Sedgwick County, Kansas. Generally located on the north side of Central Avenue, approximately 200 feet east of Caddy Lane (9502-4-6 W. Central.

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 July 24, 1979, consider said application; and

WHEREAS, the Board of Zoning Appeals has proper jurisdiction to consider said request for a variance under the provisions of Section 2.12.590.B, Code of the City of Wichita; and

WHEREAS, the Board of Zoning Appeals has found that the variance does not arise from such condition which is unique to the property in question and which is not ordinarily found in the same zone or district; and is created by an action or actions of the property owner or the applicant inasmuch as the pole sign could be located in the approximate center of the frontage on Central and not interfere with ingress and egress to existing parking spaces on the site; and

WHEREAS, the Board of Zoning Appeals has found that the granting of the permit for the variance would adversely affect the rights of adjacent property owners or residents inasmuch as a sign located at the property line could create some obstruction to a sign located on adjacent property only 15 feet away; and

WHEREAS, the Board of Zoning Appeals has found that the strict application of the provisions of Title 28 (Zoning Ordinance) of which variance is requested will not constitute unnecessary hardship upon the property owners represented in the application inasmuch as he would not be deprived of a reasonable use of the property; and

WHEREAS, the Board of Zoning Appeals has found that the variance desired will not adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare inasmuch as the pole sign would not project over public right-of-way; and

WHEREAS, the Board of Zoning Appeals has found that the granting of the variance desired would be opposed to the general spirit and intent of Title 28 (Zoning Ordinance) inasmuch as the intent of the regulations is to create as much separation as possible between signs erected adjacent to the street; and

WHEREAS, each of the five conditions required by Section 2.12.590.B, Code of the City of Wichita, to be present before a variance can be granted has not been found to exist.

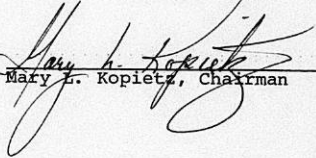
NOW, THEREFORE, BE IT RESOLVED by the Board of Zoning Appeals of the City of Wichita that this request for a variance to reduce the required side yard setback from 15 feet to 0 feet for the purpose of erecting a pole sign on property zoned the "LC" Light Commercial District and legally described as:

Page 2
BZA 30-79 Resolution

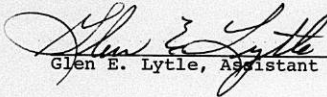
Lot 1, in "Lark Lane Addition" to Wichita,
Sedgwick County, Kansas. Generally located
on the north side of Central Avenue, approxi-
mately 200 feet east of Caddy Lane (9502-4-
6 W. Central

be denied.

ADOPTED AT WICHITA, KANSAS, this 24th day of July, 1979.


Mary L. Kapietz, Chairman

ATTEST:


Glen E. Lytle, Assistant Secretary

THE CITY OF WICHITA

OFFICE OF CITIZEN PARTICIPATION

DATE July 20, 1979

TO Glen Lytle, Special Assistant for Zoning

FROM Gail Williams, CPO Administrative Aide

SUBJECT BZA 30-79: Central at Caddy

CPO Council "A" discussed the captioned case at its meeting of July 18, and voted to recommend denial of the requested variance.

Council members felt that the applicant should utilize the portion of the subject frontage on which a pole sign already can be placed, combining existing signs with new ones if necessary, rather than pursue a variance which would set a precedent for the proliferation of such signs.

Please inform the Board of Zoning Appeals of the Council's recommendation when they consider the case on July 24.

Gail Williams

Gail Williams
CPO Administrative Assistant

GW/lw

Noted:

Sarah Gilbert

Sarah Gilbert
Assistant CP Coordinator

RECEIVED

JUL 20 1979

METROPOLITAN PLANNING
ROUTE Lytle

July 25, 1979

John T. Moore
1818 E. First Street
Wichita, Kansas 67214

Re: Case No. BEA 30-79
Request for Variance

Dear Mr. Moore:

At the regular meeting of the Board of Zoning Appeals on July 24, 1979, your request for a variance to reduce the required side yard setback for a pole sign from 15 feet to 0 feet on property zoned "LC" Light Commercial and generally located on the north side of Central approximately 200 feet east of Caddy Lane was considered.

It was the action of the Board to deny this request.

A Resolution setting forth the official action of the Board is being prepared and you will be mailed a copy as soon as the signatures of the Chairman and Secretary have been obtained.

If you have any questions, please call our office.

Sincerely yours,

Glen E. Lytle
Assistant Secretary

GEL:bhc

cc: Paul E. Wakim, 1035 N. Emporia 67214
Robert Feldner, Superintendent of Central Inspection
Joe Donnelly, Housing and Zoning Administrator
Don Gisick, City Clerk

THE SAN FRANCISCAN
9504 WEST
CENTRAL

DONUT
SHOP

LIQUOR
STORE

Parking

Walk

THIS CENTER
OWNED
BY
DR. BABB

Parking

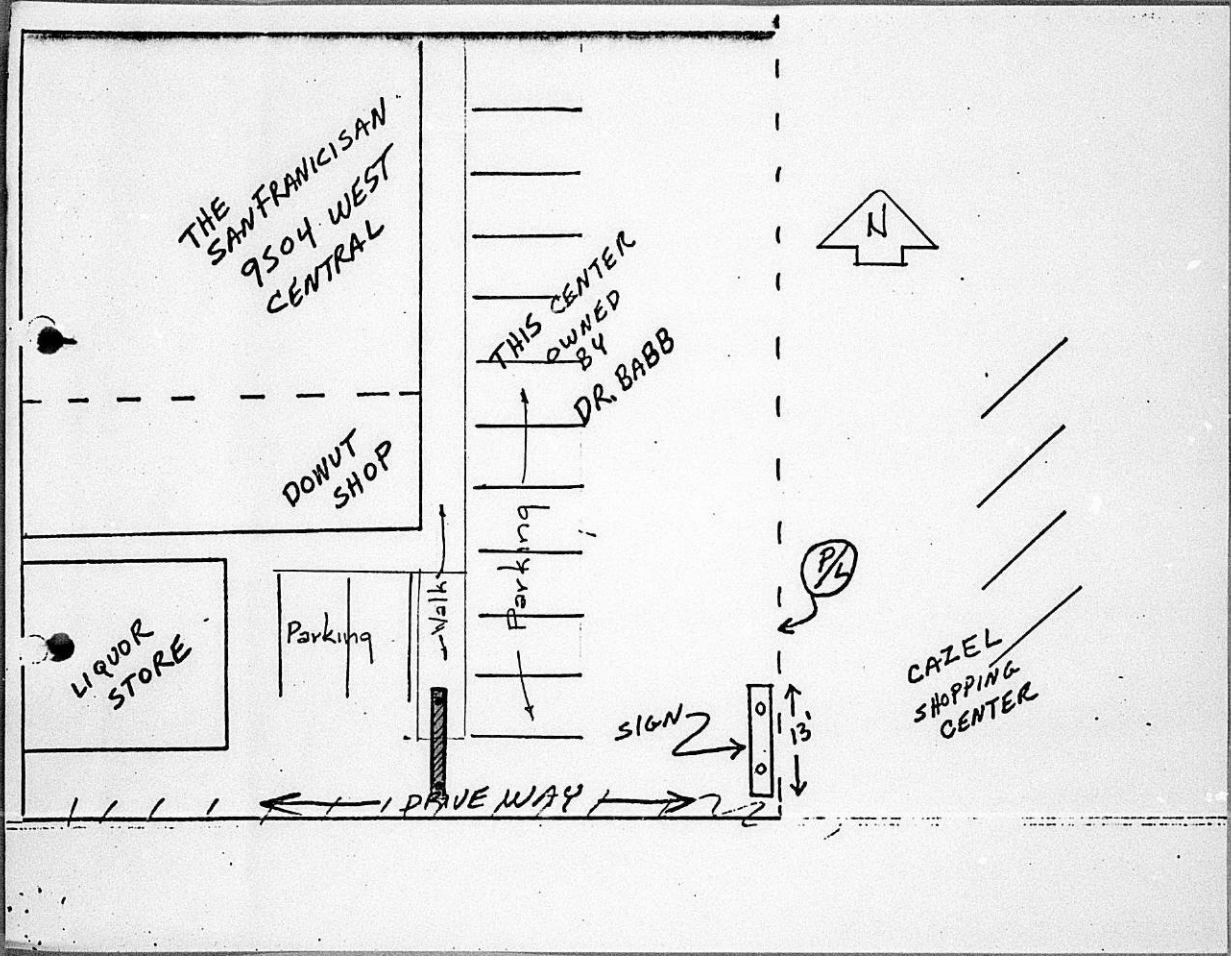
SIGN



CAZEL
SHOPPING
CENTER

DRIVEWAY

13



THE SAN FRANCISCAN
9504 WEST
CENTRAL

DONUT
SHOP

LIQUOR
STORE

THIS CENTER
OWNED
BY
DR. BABB

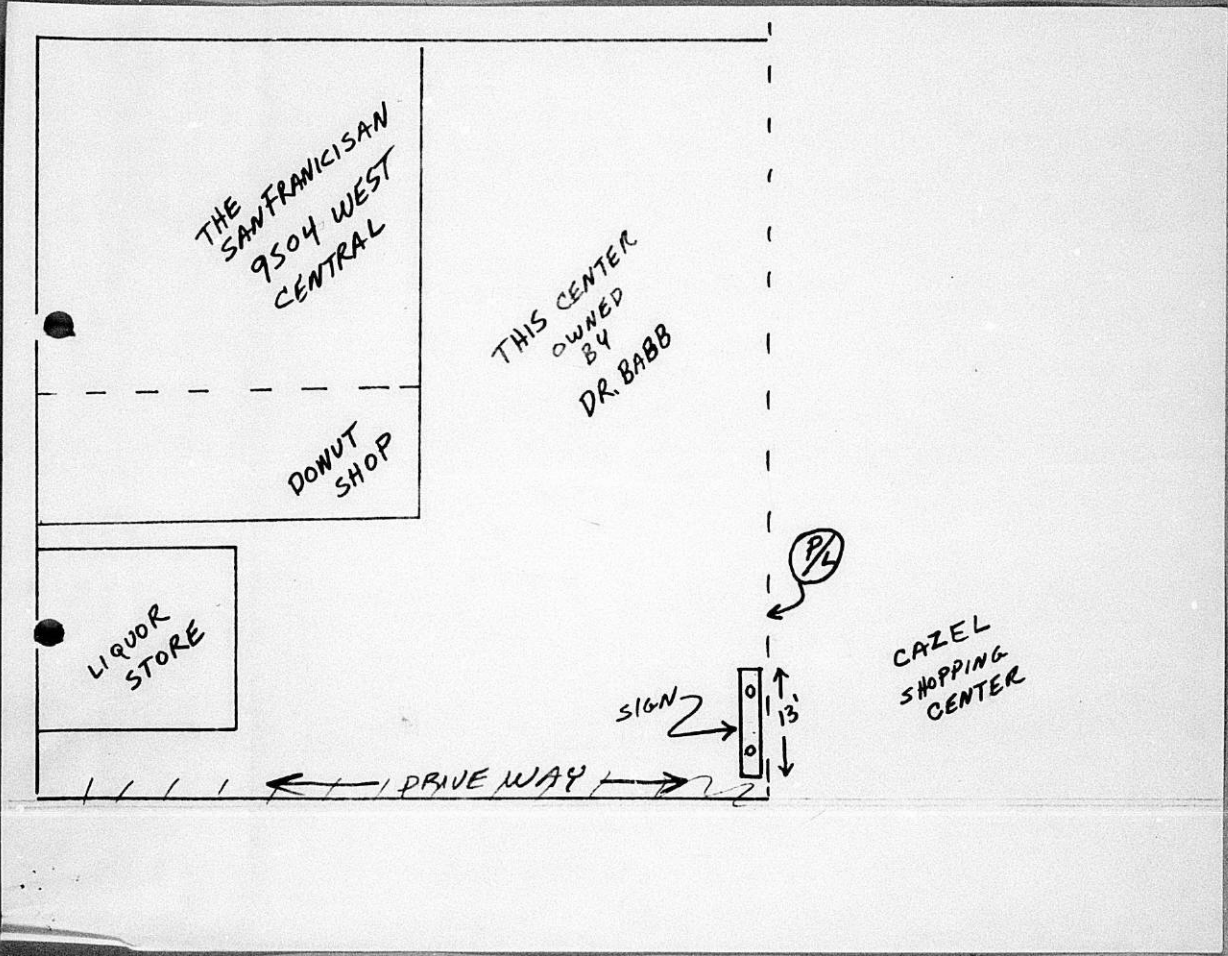
CAZEL
SHOPPING
CENTER

SIGN

P/L

13

DRIVE WAY



SECRETARY'S REPORT
CASE NO. BZA 30-70

APPLICANT: Paul E. Wakim, 1035 N. Emporia, Wichita, Kansas

AGENT: John Terry Moore, 1818 E. First Street, Wichita, Kansas

REQUEST: Variance pursuant to Section 2.12.590.B, Code of the City of Wichita, to reduce the required side yard setback for a pole sign from 15 feet to 0 feet.

GENERAL LOCATION: North side of Central approximately 200 feet east of Caddy Lane.

ZONING: Subject property is zoned "LC" Light Commercial as are those properties to the east and west; north is "AA" Single Family Dwelling District and south is "DB" Office District.

LAND USE: Subject property is developed with a restaurant, donut shop and a liquor store. South is an apartment complex. North is a City park. East is general business. West is a service station.

JURISDICTION:

The Board has jurisdiction to consider the variance request under the provisions outlined in Section 2.12.590.B, Code of the City of Wichita. The Board may grant the request when all five of the following conditions are found to exist:

1. That the variance requested arises from such condition which is unique to the property in question and which is not ordinarily found in the same zone or district; and is not created by an action or actions of the property owner or the applicant.
2. That the granting of the permit for the variance will not adversely affect the rights of adjacent property owners or residents.
3. That the strict application of the provisions of Title 28 of which variance is requested will constitute unnecessary hardship upon the property owner represented in the application.
4. That the variance desired will not adversely affect the public health, safety, morals, order, convenience, prosperity, or general welfare; and
5. That granting the variance desired will not be opposed to the general spirit and intent of Title 28 (zoning ordinance).

Page 2
Case No. BZA 30-70
BZA AGENDA
7-24-70

COMMENTS BY THE SECRETARY:

The applicant is requesting a variance to reduce the minimum required distance of a pole sign from an adjacent property line from 15 feet to 0 feet. Section 28.04.139(K)(6) of the zoning ordinance provides that "On-site ground or pole signs shall not project over public right-of-way and shall be located not closer to an adjacent property line than one-third the frontage of the zoning lot or fifteen feet, whichever is less". In this case, the frontage is 100 feet, which means the requirement would be 15 feet.

In the statement of justification submitted with the application it is contended that if the sign is erected and installed 15 feet from the property line it will be obstructing a driveway for the ingress and egress of persons using the center. It should be pointed out that the ordinance does not specify that the pole sign shall be located exactly 15 feet from the property line but not closer than 15 feet from the property line.

In observing subject property in the field and noting the location of off-street parking spaces serving the center, there appears to be no reason why the pole sign could not be located in the approximate center of the frontage on Central and still not interfere with the existing parking layout.

UNIQUENESS:

It is the opinion of the Secretary that it is difficult to determine that the variance requested arises from a condition unique to this property inasmuch as the pole sign could be located in the approximate center of the frontage on Central and not interfere with ingress and egress to existing parking spaces on the site.

ADJACENT PROPERTY:

It is the opinion of the Secretary that the granting of the variance would not necessarily have an adverse effect on adjoining property owners inasmuch as there are no signs on the adjacent property in close proximity which would be obstructed by the erection of this sign.

HARDSHIP:

It is the opinion of the Secretary that the strict application of the zoning ordinance would not constitute an unnecessary hardship upon the property owner represented by this application inasmuch as he would not be deprived of a reasonable use of the property.

Page 3
Case No. BZA 30-79
BZA AGENDA
7-24-79

PUBLIC INTEREST:

It is the opinion of the Secretary that the granting of the variance would not necessarily cause an adverse effect on the public interest inasmuch as the pole sign would not project over public right-of-way.

SPIRIT AND INTENT:

It is the opinion of the Secretary that the granting of the variance would be opposed to the general spirit and intent of the zoning ordinance inasmuch as the intent of the regulations is to create as much separation as possible between signs erected adjacent to the street.

RECOMMENDATION:

It is the opinion of the Secretary that the five conditions necessary to the granting of the variance cannot be found to exist and, therefore, it is recommended that this request be denied.

BZA CASE NO. 30-79

2 NOTICES SENT TO APPLICANT/AGENT

10 NOTICES SENT TO MAPC

1 NOTICES SENT TO CPO

5 NOTICES SENT TO ADJOINING PROPERTY OWNERS

18 TOTAL NOTICES SENT 7-6-79

BOARD OF ZONING APPEALS
Tenth Floor - City Hall
455 North Main, Wichita, Kansas 67202

July 6, 1979

NOTICE TO ADJOINING PROPERTY OWNERS:

CASE NO. BZA 30-79

An application has been filed by Paul E. Wakim, 1035 North Emporia, Wichita, Kansas, pursuant to Section 2.12.590.B, Code of the City of Wichita, requesting a variance to reduce the required side yard setback from 15 feet to 0 feet for the purpose of erecting a pole sign on property zoned the "LC" Light Commercial District and legally described as follows:

Lot 1, in "Lark Lane Addition" to Wichita, Sedgwick County, Kansas. Generally located on the north side of Central Avenue, approximately 200 feet east of Caddy Lane (9502-4-W. Central).

This application has been assigned case No. BZA 30-79, and will be considered by the Board of Zoning Appeals at its meeting on Tuesday, July 24, 1979, at 1:30 p.m., in the Board Room, First Floor, City Hall, 455 North Main, Wichita, Kansas, at which time you may appear if you so desire, either in person or by agent or attorney.

It should be noted that the Citizen Participation Organization Area Council may consider this case at its next meeting. Additional information about such a meeting may be obtained by calling the CPO Office, 268-4516.

Jack H. Galbraith
Secretary

APPLICATION FOR VARIANCE

I. Name of Applicant Paul E. Wakim

Mailing Address 1035 North Emporia Phone 265-1631

Name of Authorized Agent John Terry Moore (MOORE & RAPP)

Mailing Address 1818 East First Street Phone 265-0817

Relationship of applicant to property is that of owner
(Owner, Tenant, Lessee, Other)

II. The variance requested is location of a pole sign - cannot conform to existing sign code because of driveway - (Survey of premises will be furnished at later date showing exact sign location in relation to existing structures and driveway locations) Also, see attached Statement.

*To reduce the setback for a pole sign from 15' to 0'.
for property located at 9502-4-6 West Central
on the north side of Central Avenue approximately 200 feet east
of Caddy Lane (9502-4-6 W. Central).*

and legally described as: Lot 1, in "Lark Lane Addition" to
Wichita, Sedgwick County, Kansas

in the City of Wichita; and which is presently zoned LC.

III. The applicant herein, or his authorized agent, acknowledges:

- a. That he has received an instruction sheet concerning the filing and hearing of this matter;
- b. That he has been advised of the fee requirements established by Section 2.12.580 of the Code of the City of Wichita (Ordinance No. 24-606); and that the appropriate fee is herewith tendered;
- c. That he has been advised of his right to bring action in the District Court of Sedgwick County to appeal the decision of the Board.
- d. That all documents are attached hereto as noted in paragraphs 2, 3, 4, and 5 of the instructions.

Applicant Paul E. Wakim

Authorized Agent JOHN TERRY MOORE

OFFICE USE ONLY: Received in office of Secretary, Board of Zoning Appeals 2:35 (a.m. - 6.m.), June 25, 1977 19
together with appropriate fee of \$50.00.

4848

L Lynn Shirkey Signed

OWNERSHIP LIST

<u>DESCRIPTION</u>	<u>ADDITION</u>	<u>PROPERTY OWNERS</u>
Lot 1	Lark Lane Addition	✓ Dr. Mike Baba & Anna Mae Baba 1302 Arrowhead Wichita, Ks 67203
Lot 1	West Heights Methodist Church Addition	✓ West Heights Methodist Church, Inc. 745 N. Westlink Wichita, Ks 67212
Lot 1	Rolling Hills 7th Addition	✓ Kansas Leveraged Properties, Inc. Address not located
Lot 1	R. L. S. Addition	✓ Ray M. Smith Co., Inc. Articles of Incorporation shows El Dorado, Kansas as principle place of business-no street address shown.
Lot 1	B. J. Watkins Addition	City of Wichita
North 150 feet of Lot 3	"	✓ Alex W. Graham & Betty J. Graham 1212 Westlink Wichita, Ks 67212
Beginning at the Northwest Corner of Block 31, Westlink Village Second Addition to Sedgwick County, Kansas, thence Northeasterly on the North line of said Block 31, 300.38 feet, thence Southeasterly at an interior angle of 87°06' to a point 200 feet North of the South line of said Block 31, to a point 150 feet East of the West line of said Block 31, thence South parallel to the West line of said Block 31, 50 feet, thence West parallel to the South line of said Block 31, 150 feet to the West line of said Block 31, thence North on the West line of said Block 31 to the point of beginning.	Westlink Village Second Addition City of Wichita	
The West 450 feet of the South 200 feet, except the West 250 feet, all of Block 31	"	✓ Ronald Cazel & Rosalind D. Cazel 6333 E. English Wichita, Ks 67218

Columbian National Title Insurance of Wichita, Inc., hereby certifies the foregoing to be a true and correct list of property owners of all those Lots, Blocks, or portions thereof as indicated which lie within a 200 foot radius of: Lot 1, Lark Lane Addition to Wichita, Sedgwick County, Kansas, as shown by the last deeds of record in the Office of the Register of Deeds of Sedgwick County, Kansas, on this 20th day of June, 1979 at 7:00 A.M.

COLUMBIAN NATIONAL TITLE INSURANCE
OF WICHITA, INC.

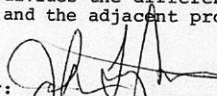
By: Richard L. Craig
Richard L. Craig

STATEMENT

The Application for Variance herein is requested for the reason that §28.04.139 K6 requires that all pole signs are not to project over a public right-of-way and shall be located not closer to adjacent property line than one-third of the frontage of zoning lot or 15', whichever is less. In the present situation, if the sign is erected and installed 15' from the property line it will be obstructing a driveway for the ingress and egress of persons using the center. Also attached are copies of the City sign permit and Sign Permit Application showing the type of sign to be erected on the premises.

The owner of the property, Paul E. Wakim (who is purchasing the property under contract from Dr. Baba) did not create the conditions which require this variance, and the variance is unique to the property in question and would not necessarily nor ordinarily be found in the same zone or district. The variance requested will not adversely effect the rights of adjacent property owners or residents. The failure to grant this variance would constitute unnecessary hardship upon this applicant and property owner because of the need for advertising of the restaurant's location in the center. However, the variance desired will not adversely effect the public health, safety, morals, order, convenience, prosperity, or general welfare; and granting the variance desired will not be opposed to the general spirit and intent of the zoning ordinance.

It should further be noted that the new sign shall be erected in essentially the same location where old signs now exist and evidently did exist prior to the latest zoning laws governing signs. All of the land around the new sign location, including that of the adjacent property owner, is parking area and essentially the sign location divides the difference parking areas between owner-applicant and the adjacent property owner.

By: 
JOHN TERRY MOORE
Authorized agent of applicant

Periodic Sign Maintenance

Inspection Fee Yes No

Invoice No. _____

Permit No **\$ 18725**

New Sign Yes No

Permanent Sign No. **18725**

SIGN PERMIT

PERMISSION IS HEREBY GRANTED TO ERECT/CONTINUE A SIGN ON

0	5	2	3	7	9
13					18

 DATE

THIS PERMIT TO BE RENEWED

0	5	2	3	7	9
19					24

 DATE

Sign is: NEW EXISTING RENEWED NON-CONFORMING

LOCATION:

Street No.

9	5	0	4
27	31	32	34

 Dir

W
35

 Street Name

C	E	N	T	R	A	L													
36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55

 St Typ

56

 Dir

57

 Zip Code

6	7	2	1	2
54	55	56	57	58

Name of Company

T	H	E	S	A	N	F	R	A	N	C	I
59	60	61	62	63	64	65	66	67	68	69	70

 LEASED CERTIFIED IN COMPLIANCE

Owner Name

7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26

 Street No.

27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46

 Dir

47

PAID

MAY 23 '79

TEL #1
CITY OF WICHITA

Street Name

48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67

 St Typ

68

 Dir

69

 Zip Code

70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89

Sign Hanger

E	D	D	U	N	N
90	91	92	93	94	95

*Pole + sign must be 15 ft from
Property line*

Sign shall be in conformance with Title XXIV of the Code of the City of Wichita, listed below, and with all applicable City ordinances:

TYPE OF SIGN: (Check One)

Wall Projecting Ground Roof Billboard Ground Billboard Illuminated Non-Illuminated

POLE SIGN

Area

2	9	4
63	64	65

 Fee

\$																			
66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85

 Date

0	5	2	3	7	9
74	75	76	77	78	79

PERMIT PAID FOR

SIGNATURE *B.*

VOID UNLESS VALIDATED BY CASHIER

KA-003 Revised 5/1/78

CUSTOMER COPY

Permit No. 45-1.00-0 CK # 4294 Permanent Sign S/14/79

New
Existing

CITY OF WICHITA—CENTRAL INSPECTION DIVISION
APPLICATION FOR PERMANENT SIGN PERMIT

Address 9504 W. CENTRAL Zip _____ Known as THE SAN FRANCISCAN
Application is made to erect a sign in conformance with the specifications below and the diagram on the back hereof.

Owner _____ Owner Address _____ Zip _____

TYPE	LENGTH	WIDTH	NO. FACES	TOTAL AREA	MATERIAL	ILLUMI-NATED	NOTATIONS
Wall							
Projecting							
Ground	13'	9'	2	234	PLASTIC	YES	\$7000
Roof Billboard	10'	3'	2	60	"	YES	
Ground Billboard				294			
ADDITIONAL 2 AREAS	3						

LEASED NON-CONFORMING

I hereby certify that I have read and examined this application and know the same to be true and correct. All provisions of laws and ordinances governing this type of work will be complied with whether specified herein or not. The granting of a permit does not presume to give authority to violate or cancel the provisions of any other federal, state, or local law regulating construction or the performance of construction.

Sign Hanger ED DUNN & SONS, INC. Company _____

APPROVED By Young W. Dunn Date 5-11-79

KA276 Revised 3/1/78

Permit No. _____ CITY OF WICHITA—CENTRAL INSPECTION DIVISION
APPLICATION FOR PERMANENT SIGN PERMIT

New
Existing

Address 9504 W. CENTRAL Zip _____ Known as THE SAN FRANCISCAN
Application is made to erect a sign in conformance with the specifications below and the diagram on the back hereof.

Owner _____ Owner Address _____ Zip _____

TYPE	LENGTH	WIDTH	NO. FACES	TOTAL AREA	MATERIAL	ILLUMI-NATED	NOTATIONS
Wall							
Projecting							
Ground							
Roof Billboard	12'8"	4'6"	1	60	PLASTIC	YES	\$12.00
Ground Billboard							
ADDITIONAL 2 AREAS	3						

LEASED NON-CONFORMING

I hereby certify that I have read and examined this application and know the same to be true and correct. All provisions of laws and ordinances governing this type of work will be complied with whether specified herein or not. The granting of a permit does not presume to give authority to violate or cancel the provisions of any other federal, state, or local law regulating construction or the performance of construction.

Sign Hanger ED DUNN & SONS, INC. Company _____

APPROVED By Young W. Dunn Date 5-11-79

KA276 Revised 3/1/78

Existing APPLICATION FOR PERMANENT SIGN PERMIT

Address _____ Zip _____ Known as THE SAN FRANCISCAN
Application is made to erect a sign in conformance with the specifications below and the diagram on the back hereof.

Owner 9504 WEST CENTRAL Owner Address _____ Zip _____

TYPE	LENGTH	WIDTH	NO. FACES	TOTAL AREA	MATERIAL	ILLUMI-NATED	NOTATIONS
Wall							
Projecting							
Ground							
Roof Billboard	12'8"	4'6"	1	60	PLASTIC	YES	\$12.00
Ground Billboard							
ADDITIONAL 2 AREAS	3						

LEASED NON-CONFORMING

I hereby certify that I have read and examined this application and know the same to be true and correct. All provisions of laws and ordinances governing this type of work will be complied with whether specified herein or not. The granting of a permit does not presume to give authority to violate or cancel the provisions of any other federal, state, or local law regulating construction or the performance of construction.

Sign Hanger ED DUNN & SONS, INC. Company _____

APPROVED By Young W. Dunn Date 5-11-79

KA276 Revised 3/1/78

SIGN INSPECTION RECORD

ELECTRICAL INSPECTION RECORD

PERMISSION RECORD

REINSPECTION RECORD

DATE

Permit No. _____
Approved _____
Reinspection Date: _____
Notice Sent: _____
Paid: _____

Inspector: _____

Permit No. _____
Approved _____
Reinspection Date: _____
Notice Sent: _____
Paid: _____

Inspector: _____

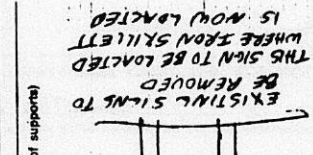
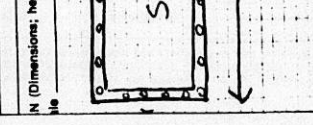
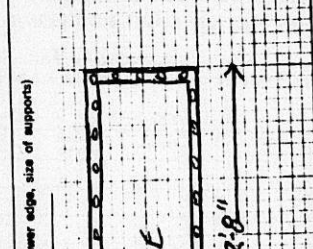
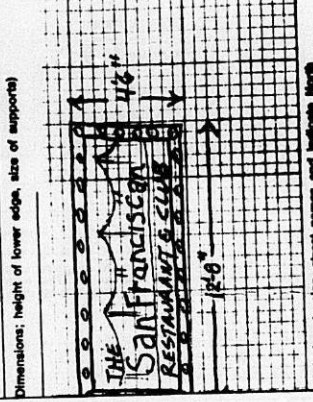
Date: _____

Dimensions: height of lower edge, size of supports

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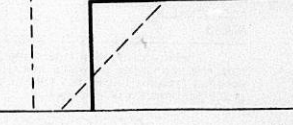
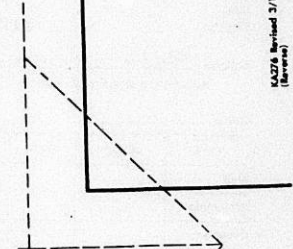
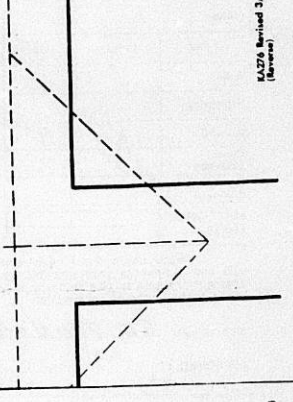


LAN—Locate sign, street names and indicate North (Refer to Ordinance #33-726)

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LA376 Revised 3/1/75 (Revised)

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OK

VARIANCE

RESOLUTION NO. BZA 30-79

WHEREAS, Paul E. Wakim, 1035 N. Emporia, Wichita, Kansas

requests a variance as provided in Section 2.12.590.B, Code of the City of Wichita, to _____ reduce the required side yard setback for a pole sign from 15 feet to 0 feet.

on property zoned the "LC" Light Commercial District and legally described as follows:

Lot 1, in "Lark Lane Addition" to Wichita, Sedgwick County, Kansas. Generally located on the north side of Central Avenue, approximately 200 feet east of Caddy Lane (9502-4-W. Central).

~~Generally located~~ _____

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 July 24, 19 79, consider said application; and

WHEREAS, the Board of Zoning Appeals has proper jurisdiction to consider said request for a variance under the provisions of Section 2.12.590.B, Code of the City of Wichita; and

^{desert} WHEREAS, THE Board of Zoning Appeals has found that the variance arises from such condition which is unique to the property in question and which is not ordinarily found in the same zone or district; and is ~~not~~ created by an action or actions of the property owner or the applicant inasmuch as the pole sign could be located in the approximate center of the frontage on Central and not interfere with ingress and egress to existing parking spaces on the site; and

Variance Resolution
Page Two

WHEREAS, the Board of Zoning Appeals has found that the granting of the permit for the variance ~~will not~~ ^{will} adversely affect the rights of adjacent property owners or residents inasmuch as ~~a sign located at the property line could create some obstruction to a sign located on adjacent property only 15 feet away;~~ and

WHEREAS, the Board of Zoning Appeals has found that the strict application of the provisions of Title 28 (Zoning Ordinance) of which variance is requested, will constitute unnecessary hardship upon the property owner represented in the application inasmuch as ~~application inasmuch as~~ ^{he} would not be deprived of a reasonable use of the property; and

WHEREAS, the Board of Zoning Appeals has found that the variance desired will not adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare ~~the public interest~~ inasmuch as the pole sign would not project over public right-of-way; and

WHEREAS, the Board of Zoning Appeals has found that the granting of the variance desired ~~will not~~ ^{will} be opposed to the general spirit and intent of Title 28 (Zoning Ordinance) inasmuch as ~~of the zoning ordinance inasmuch as~~ the intent of the regulations is to create as much separation as possible between signs erected adjacent to the street; and

WHEREAS, each of the five conditions required by Section 2.12.590.B, Code of the City of Wichita, to be present before a variance can be granted has ~~been~~ ^{not} been found to exist.

NOW, THEREFORE, BE IT RESOLVED by the Board of Zoning Appeals of the City of Wichita that this request for a variance to ~~reduce~~ ^{reduce} the required side yard setback from 15 feet to 0 feet for the purpose of erecting a pole sign. ~~on property zoned B-2~~

Variance Resolution
Page Three

on property zoned the "LC" Light Commercial District
and legally described as:

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Sedgwick County, Kansas. Generally located
on the north side of Central Avenue, approxi-
mately 200 feet east of Caddy Lane (9502-4-
W. Central).

~~Generally located~~

be ~~approved or~~ denied) ~~subject to the following conditions:~~

ADOPTED AT WICHITA, KANSAS, this 24th day of
July 1979.

Mary Kopsitz, Chairman

ATTEST:

Glen E. Lytle

~~Secretary~~
Assistant Secretary

BOARD OF ZONING APPEALS
Tenth Floor - City Hall
455 North Main, Wichita, Kansas 67202

July 6, 1979

NOTICE TO ADJOINING PROPERTY OWNERS:

CASE NO. BZA 30-79

An application has been filed by Paul E. Wakim, 1035 North Emporia, Wichita, Kansas, pursuant to Section 2.12.590.B, Code of the City of Wichita, requesting a variance to reduce the required side yard setback from 15 feet to 0 feet for the purpose of erecting a pole sign on property zoned the "LC" Light Commercial District and legally described as follows:

Lot 1, in "Lark Lane Addition" to Wichita, Sedgwick County, Kansas. Generally located on the north side of Central Avenue, approximately 200 feet east of Caddy Lane (9502-4-W. Central).

This application has been assigned case No. BZA 30-79, and will be considered by the Board of Zoning Appeals at its meeting on Tuesday, July 24, 1979, at 1:30 p.m., in the Board Room, First Floor, City Hall, 455 North Main, Wichita, Kansas, at which time you may appear if you so desire, either in person or by agent or attorney.

It should be noted that the Citizen Participation Organization Area Council may consider this case at its next meeting. Additional information about such a meeting may be obtained by calling the CPO Office, 268-4516.

Jack H. Galbraith
Secretary

BOARD OF ZONING APPEALS
Tenth Floor - City Hall
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