CITY OF WICHITA

Wichita-Sedgwick County Metropolitan Area Planning Department

May 14, 2009

Northridge Friends Church c/o Bob Busby
2655 Bullinger
Wichita, KS 67204

Trimark Signworks c/o Jim Atherton
319 S Oak
Wichita, KS 67213

RE: BZA2009-12 City variance request to increase the permitted size of a pole sign from 100 square feet to 120 square feet for an electronic message board in SF-5 zoning. Generally located northeast of I-235 and 25th Street North (2655 N. Bullinger).

Dear Applicants:

Enclosed is a signed copy of the above-referenced BZA Resolution adopted by the Board of Zoning Appeals on May 14, 2009, and an approved elevation drawing. Please submit a revised site plan which demonstrates the condition required landscaping. This resolution reflects the official action of the Board. It is forwarded to you for your information and files.

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

Sincerely,

Jess McNeely, AICP
Senior Planner

JMC/yja

Cc Jeff Vanzandt, Law Dept, 1-132
JR Cox, OCI, 1-72

BZA RESOLUTION NO. 2009-12

WHEREAS, Northridge Friends Church c/o Bob Busby (Owner/Applicant); pursuant to Section 2.12.590.B, Code of the City of Wichita, requests a variance to increase the permitted size of a pole sign from 100 to 120 square feet for an electronic message board sign for a church in SF-5 Single-family Residential zoning, generally located north of 25th Street North and west of Bullinger Street (2655 N Bullinger).

Lot 1, Block A, Quaker Heights Addition, Wichita, Sedgwick County, Kansas.

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 12, 2009, 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 arises from conditions that are unique. This property is unique in that as residentially zoned property, it has frontage along I-235. The site is further unique in that the church property is nine acres in size, and the sign location is over 400 feet from the nearest residence.

WHEREAS, the Board of Zoning Appeals has found that granting the requested variance would not adversely affect the rights of adjacent property owners. The proposed sign will face I-235 traffic to the northeast and southwest. Mitigating landscaping could ensure that the sign does not affect nearby residences.

WHEREAS, the Board of Zoning Appeals has found that the strict application of the sign code would constitute a hardship upon the applicant. The 100-square foot pole sign size limit was developed to be compatible with residential neighborhoods; this limitation did not anticipate freeway frontage. The applicant feels that the requested 120 square-foot sign will be more visible from I-235 than the 100 square-foot sign limitation.

WHEREAS, the Board of Zoning Appeals has found that the requested variance would not adversely affect the public interest at this location. The requested variance for a 20 square-foot increase in size for a pole sign would not adversely affect the public interest. The requested variance is 20%, a common range for administrative adjustments in other situations. Adequate visibility of this sign from I-235 is in the public interest.

WHEREAS, the Board of Zoning Appeals has found that granting the requested variance would not be opposed to the general spirit and intent of the Sign Code regulations. The Sign Code restriction for pole sign size in residential zoning does not take into consideration freeway frontage. The spirit and intent of the sign code is for adequate identification of facilities without negative effects on residences, this variance request is consistent with that spirit and intent.

WHEREAS, each of the five conditions required by Section 2.12.590.B, Code of the City of Wichita,

are found to be present for a variance to be granted.

NOW, THEREFORE, BE IT RESOLVED by the Board of Zoning Appeals, pursuant to Section 2.12.590.B, Code of the City of Wichita, a variance to exceed the Sign Code limitation of 100 square feet for a pole sign in SF-5 Single-family Residential zoning with a 120 square foot pole sign, generally located north of 25th Street North and west of Bullinger Street (2655 N Bullinger).

Lot 1, Block A, Quaker Heights Addition, Wichita, Sedgwick County, Kansas.

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

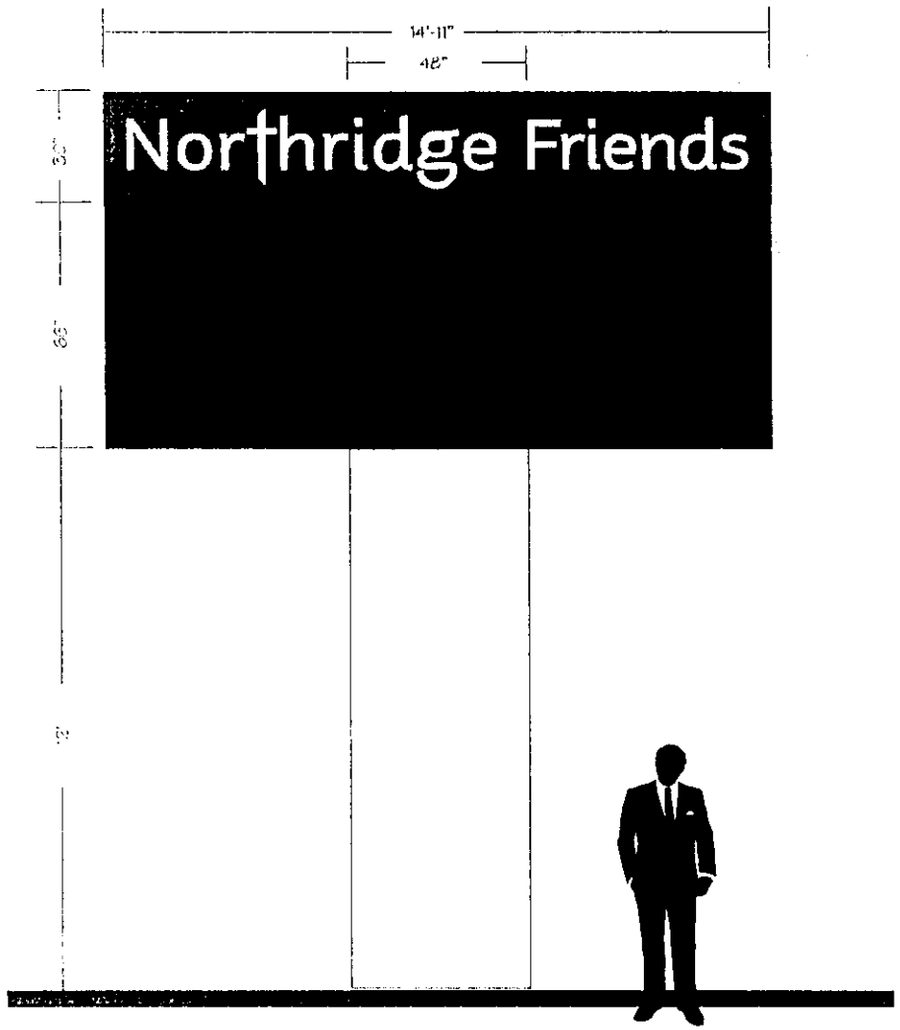
1. The sign shall be developed in conformance with the approved elevation drawing.
2. The applicant shall submit a site plan, to be approved by staff, demonstrating the orientation of the sign, and evergreen landscaping to effectively screen the sign face from any residences.
3. No animated, flashing or moving images or text shall be displayed on the sign; the sign shall not make copy or graphics changes faster than once per second.
4. Portable signage shall not be permitted on the subject property.
5. The applicant shall obtain all permits necessary to construct the signage and the signage shall be erected within one year of the variance granting, unless such time period is extended by the BZA.
6. The above conditions are subject to enforcement by any legal means available to the City of Wichita.

ADOPTED AT WICHITA, KANSAS, this 28th Day of April 2009.

BZA Board Chair, Dwight Greenlee

ATTEST:

Jess McNeely, AICP
BZA Secretary



Approved By_____ Date_____ Marketing Approval_____

Please review this drawing carefully.
By signing this you verify the accuracy of all graphics shown with respect to sizes and content. The specifications are correct and represent our order requirements exactly.

FAB AND INSTALL (1) D/F POLE SIGN AS SHOWN.

TOP CABINET IS 24" DEEP WIDEBODY. PAINT COLOR: SW 6068 BREVITY BROWN.
PAN FLEX FACES PAINTED 2ND SURFACE WHITE AND SW 6068 BREVITY BROWN.

DAKTRONICS EMC UNITS: AF-3400-32 X 96-46-K-2V.
CABINETS: 5'6" X 14'11" X 8". 4 ROWS OF CHARACTERS, 12"-58" TALL.
PAINT CLADDING BREVITY BROWN. MATRIX: 32 X 96.

24" DEEP ALUMINUM POLE COVER PAINTED SM085.00 OFF WHITE.

ELECTRICAL: RECOMMEND 240 V FOR RGB UNITS & 120 V FOR FLUORESCENTS.
(2) 20 AMP CIRCUITS.

INSTALL SITE:
2655 N. BULLINGER
BOB BUSBY
838-7724

APPROVED
ELEVATION B 24 2009-12
Date: 5-14-09

TRIMARK Signworks

319 S. OAK
WICHITA, KANSAS
(316) 263-2224
FAX (316) 263-1463

Job Name:
Northridge Friends Church

Job Location:
Wichita, KS

Layout:
northridge01.cdr

Production File:
northridge01.plt

Sales Contact:
Michael Bankston

Scale:
3/8" = 1'

Dwg.#
906742-2

Drawn By:
G.Claussen

Date:
5-7-08

Revisions: 12-22-08, 1-19-09
3-25-09

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UL UNDERWRITERS LABORATORIES ELECTRIC SIGN

BOARD OF ZONING APPEALS
WICHITA, KANSAS

AGENDA ITEM NO. 2
April 28, 2009

SECRETARY'S REPORT

CASE NUMBER: BZA2009-12

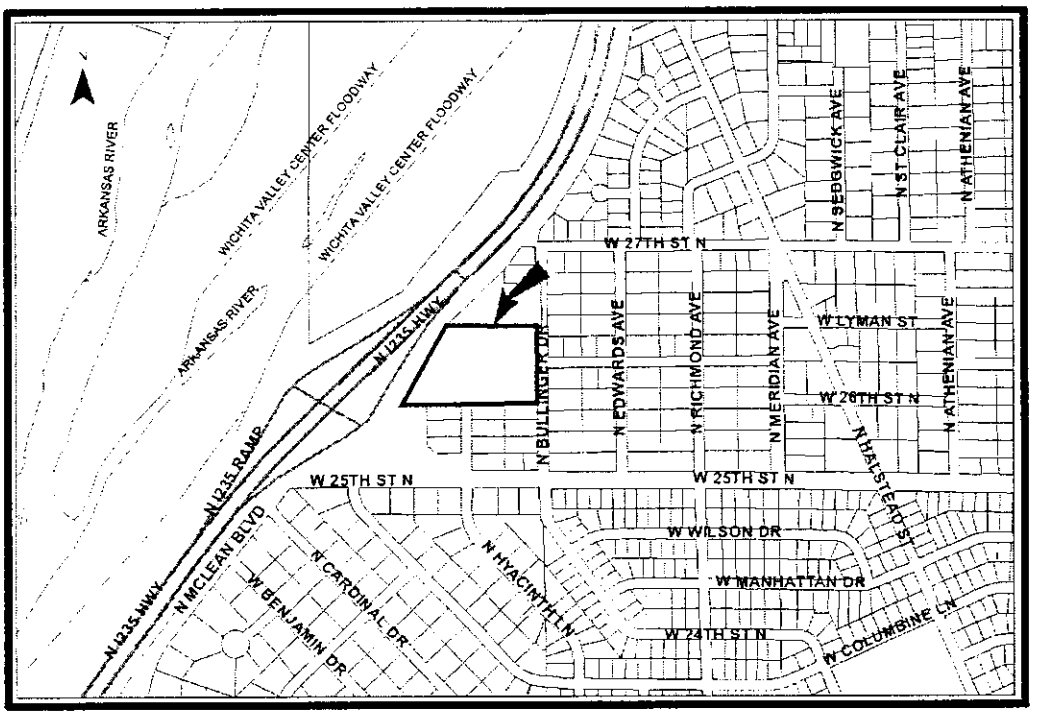
APPLICANT/AGENT: Northridge Friends Church (owner); Trimark Signworks c/o Jim Atherton (agent)

REQUEST: City variance request to increase the permitted size of a pole sign from 100 to 120 square feet for an electronic message board sign for a church.

CURRENT ZONING: SF-5 Single-family Residential

SITE SIZE: 10.4 acres

LOCATION: Generally located north of 25th Street North and west of Bullinger Street (2655 N. Bullinger).



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 conditions, as required by State Statutes, are found to exist.

BACKGROUND: The Sign Code limits institutional use signs in SF-5 Single-family Residential ("SF-5") zoning to a maximum of 100 square feet in size. Also, the sign code requires an administrative adjustment for institutional use electronic message board signs in residential zoning. The sign code prohibits moving images on electronic message board signs in residential zoning, and limits brightness. The applicant wishes to have a 120 square-foot electronic message board pole sign on the west side of the application area along the I-235 frontage (see the attached drawings), and therefore requests this variance. The proposed sign location is over 400 feet from the nearest residences to the north and south, and over 500 feet from the nearest residences to the east. The church on the application area had a sign at the proposed location which was weather damaged and removed. The church also has a permitted sign along Bullinger Drive. All properties to the north, south and east of this site are zoned SF-5 and developed with single-family residences. West of the site is I-235.

ADJACENT ZONING AND LAND USE:

NORTH	SF-5	Single-family Residential
SOUTH	SF-5	Single-family Residential
EAST	SF-5	Single-family Residential
WEST	NA	I-235

The five criteria necessary for approval as they apply to variances requested.

UNIQUENESS: It is staff's opinion that this property is unique in that as residentially zoned property, it has frontage along I-235. The site is further unique in that the church property is nine acres in size, and the sign location is over 400 feet from the nearest residence.

ADJACENT PROPERTY: It is staff's opinion that granting the requested variance to increase the size of a pole sign would not adversely affect the rights of adjacent property owners. The proposed sign will face I-235 traffic to the northeast and southwest. Mitigating landscaping could ensure that the sign does not affect nearby residences.

HARDSHIP: It is staff's opinion that the strict application of the provisions of the sign code would constitute a hardship upon the applicant. The 100-square foot pole sign size limit was developed to be compatible with residential neighborhoods; this limitation did not anticipate freeway frontage. The applicant feels that the requested 120 square-foot sign will be more visible from I-235 than the 100 square-foot sign limitation.

PUBLIC INTEREST: It is staff's opinion that the requested variance for a 20 square-foot increase in size for a pole sign would not adversely affect the public interest. The requested variance is 20%, a common range for administrative adjustments in other situations. Adequate visibility of this sign from I-235 is in the public interest.

SPIRIT AND INTENT: It is staff's opinion that granting the requested variance for increased sign size does not oppose the general spirit and intent of the Sign Code. The Sign Code restriction for pole sign size in residential zoning does not take into consideration freeway frontage. The spirit and intent of the sign code is for adequate identification of facilities

without negative effects on residences, this variance request is consistent with that spirit and intent.

RECOMMENDATION: It is staff's opinion that the requested sign size for a church on this site is appropriate. Landscaping mitigation would ensure that the sign does not negatively affect nearby residences. Should the Board determine that the conditions necessary for the granting of a variance exist, then the Secretary recommends that the variance to permit an increase in the maximum size of an electronic message board pole sign for an institutional use in SF-5 zoning from 100 to 120 square feet be GRANTED, subject to the following conditions:

1. The sign shall be developed in conformance with the approved elevation drawing.
2. The applicant shall submit a site plan, to be approved by staff, demonstrating the orientation of the sign, and evergreen landscaping to effectively screen the sign face from any residences.
3. No animated, flashing or moving images or text shall be displayed on the sign; the sign shall not make copy or graphics changes faster than once per second.
4. Portable signage shall not be permitted on the subject property.
5. The applicant shall obtain all permits necessary to construct the signage and the signage shall be erected within one year of the variance granting, unless such time period is extended by the BZA.
6. The above conditions are subject to enforcement by any legal means available to the City of Wichita.

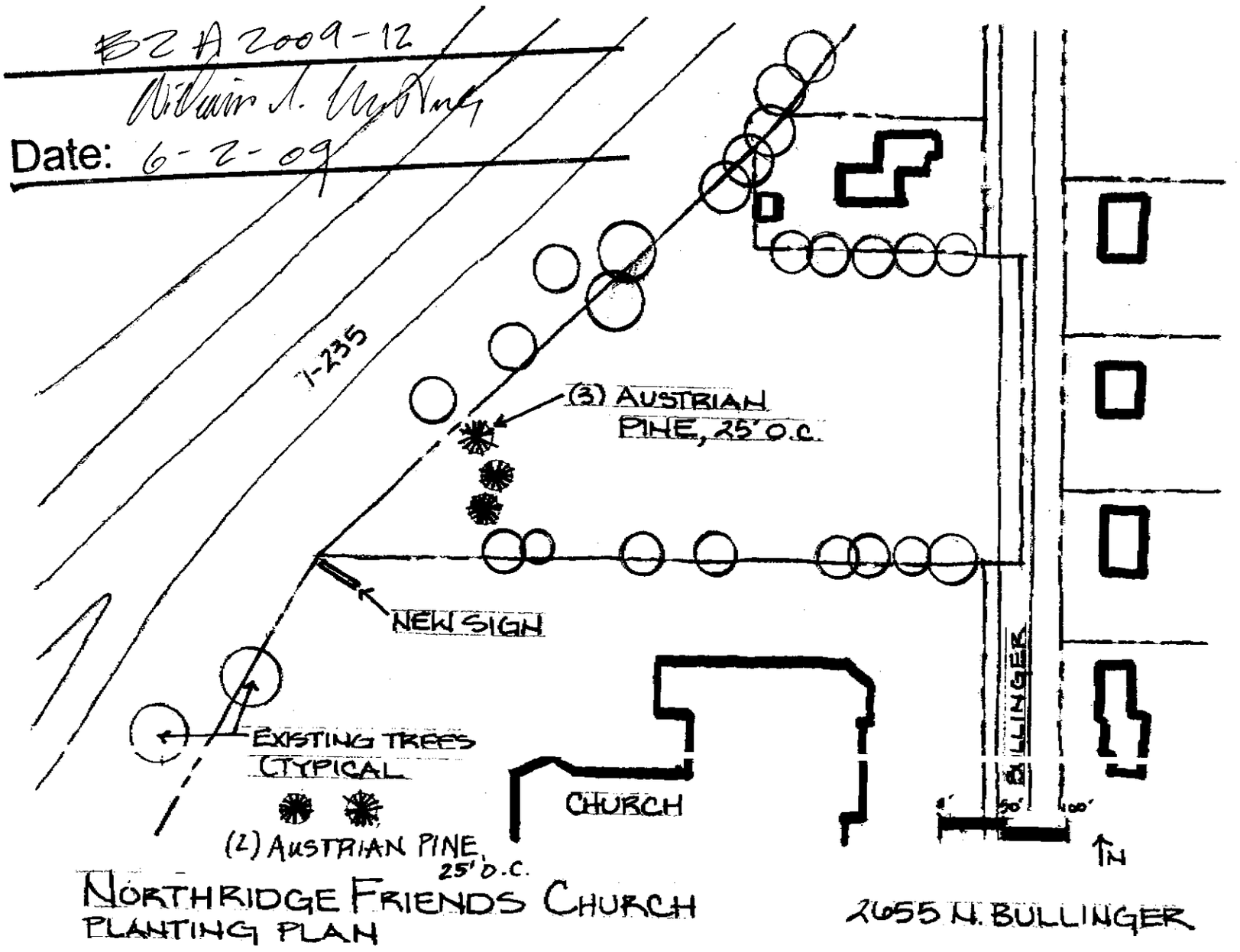
APPROVED

SITE PLAN / LANDSCAPE PLAN

BZA 2009-12

William L. Hughes

Date: 6-2-09



NORTHRIDGE FRIENDS CHURCH
PLANTING PLAN

2655 N. BULLINGER

FROM :TRIMARK SIGNWORKS FAX NO. :316-263-1463 Jun. 02 2009 09:44AM P2/2