File

CITY OF WICHITA

Wichita-Sedgwick County Metropolitan Area Planning Department

November 30, 2009

LC MAA
4716 S Santa Fe
Wichita, KS 67216

Clear Channel Outdoor, Inc. c/o David Mollhagen
3405 N Hydraulic
Wichita, KS 67219

RE: **BZA2009-52: City Sign Code Adjustment to increase the height of an off-site sign by 20' above the height of the guardrail on property zoned LI Limited Industrial, generally located north of 47th Street South and east of Santa Fe (along I-135).**

Legal Description: Lot 1; Brookings By-Pass 3rd Addition, Sedgwick County, Kansas.

Dear Applicants:

We have reviewed your request for a Sign Code Adjustment to increase the maximum allowed height for an off-site sign to 20 feet above the height of the top of the highest highway railing on the aforementioned property. From reviewing your application, we understand that you propose a sign along the north side of 47th Street South, near the overpass at I-135/I-235. You submitted an exhibit that illustrates the highest point of the railing on 47th Street South at a point perpendicular to the sign is 11.3 feet above the ground elevation of the sign. A 20-foot increase above the railing will result in a 31.3 foot tall sign rather than the 30 feet in height permitted without an adjustment.

Section 24.04.251.2.h. of the Sign Code allows an adjustment to increase the maximum height of signs located within 75 feet of an elevated highway to 20 feet above the highest railing at a point perpendicular to the sign when the three conditions required by Section 24.04.251.6. of the Sign Code are met.

We find that increasing the height of the sign as proposed meets the three conditions required by Section 24.04.251.6 of the Sign Code as set out below:

1) Impact on existing uses in surrounding areas: The immediate area is freeway frontage with industrial zoning and land uses. Increasing the permitted height of the sign should not adversely impact the existing uses or permitted uses on abutting sites.

2) Compatibility with existing or permitted uses on abutting sites: Off-site signs are typically located in commercial and industrial areas along freeways; permitting a sign height of 31.3 feet should not reduce the compatibility of the sign with existing or permitted uses on abutting sites.

3) Effect on public health, safety or welfare: There will be no encroachment into public utility easements or right-of-way; therefore, there should be no impact on the public health, safety or welfare, nor will properties or improvements in the vicinity be materially injured.

Our signatures below indicate that a Sign Code Adjustment to increase the maximum allowed height of an off-site sign to 20 feet above the height of the top of the highest highway railing on the aforementioned property is hereby granted, subject to the following conditions:

1) The sign shall comply with all regulations of the Sign Code except that the maximum allowed height shall be 20 feet above the height of the top of the highest highway railing within the 47th Street South right-of-way at a point perpendicular to the sign.
2) The sign shall conform to the location, size, and design of the approved elevation drawing and site plan.
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.

John L. Schlegel
Planning Director

Kurt A. Schroeder
Superintendent of Central Inspection

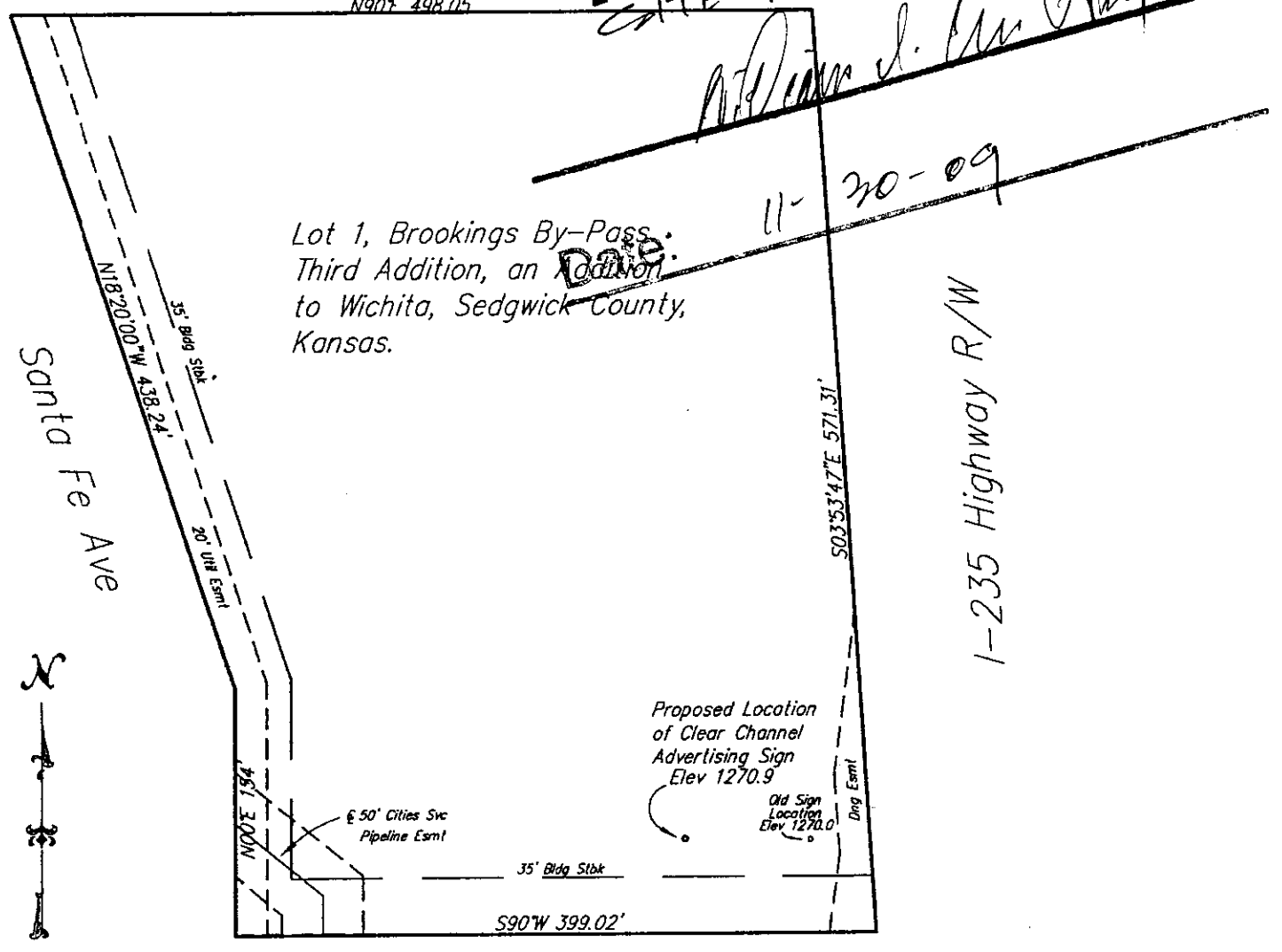
cc: Kurt A. Schroeder, Superintendent, OCI
J. R. Cox, OCI
Jim Skelton, District III, Mail Stop 1-13

Savoy Company, P.A.
433 S. Hydraulic
Wichita, KS 67211-1911

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EXHIBIT
(This Does Not Constitute A Boundary Survey
(And Does Not Relect all matters of Record)

APPROVED
SITE PLAN BZA 2009-52
11-30-09
Date:



1" = 100'
Elev = NGVD88

North Edge of Asph
Elev 1279.4

47th Street S

Top of Jersey Barrier
Elev 1282.2

28 September 2009
PROJECT NO. 091110984 G