



FILE COPY

Wichita-Sedgwick County Metropolitan Area Planning Department

November 15, 2010

Hall Properties, LLC
Attn: Matt Hall
113 S. Laura
Wichita, KS 67202

RE: BZA2010-00056: Sign Code Adjustment to increase the permitted height of a sign along an elevated portion of US-54 (Kellogg) to 20 feet above the height of the deck/railing perpendicular to the elevated highway, or 40 feet, on property zoned CBD Central Business District ("CBD").

Legal Description: Lot 21, N.A. English's 5th Addition, Wichita, Sedgwick County, Kansas; generally located south of Kellogg Street, on the west side of South Emporia Avenue (611 S. Emporia).

Dear Applicants:

We have reviewed your request for a Sign Code Adjustment to increase the maximum allowed height for a sign to 20 feet above the height of the highway railing on the aforementioned property. From reviewing your application, we understand that you propose to construct a new pole sign along US-54 (Kellogg) overpass, just northwest of the intersection of US-54 (Kellogg) and S. Emporia Street. You submitted an exhibit that illustrates the new sign will be approximately 40 feet high, and you are requesting an adjustment to allow the proposed height of at approximately 40 feet, or 20 feet above the railing on the Kellogg Road/US 54 overpass.

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:

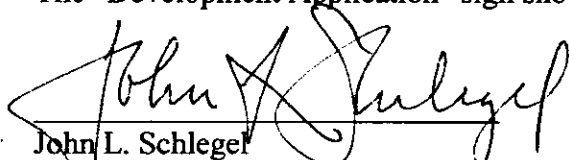
- 1) **Impact on existing uses in surrounding areas**: The immediate area is freeway frontage that is zoned for commercial uses. Increasing the permitted height of the sign should not adversely impact the existing uses or permitted uses on abutting sites.

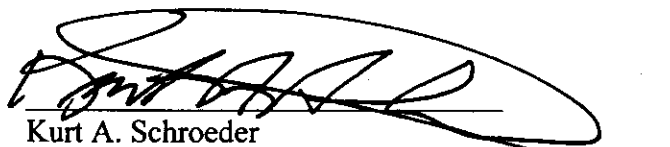
- 2) Compatibility with existing or permitted uses on abutting sites: Pole signs are typically located in commercial areas along freeways and construction of a new sign, approximately 40 feet tall, should not reduce the compatibility of the sign with existing or permitted uses on abutting sites.
- 3) Effect on public health, safety or welfare: There will be no encroachment into public utility easements or right-of-way; therefore, there should not be a negative 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 a pole sign to 20 feet above the height of the highway railing at a point perpendicular to the sign on the aforementioned property is hereby granted, subject to the following conditions:

- 1) The pole sign shall comply with all regulations of the Sign Code except that the maximum allowed height should be approximately 40 feet. Said sign shall generally conform to the location, size, and design of the approved site plan and elevation drawing.
- 2) 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.

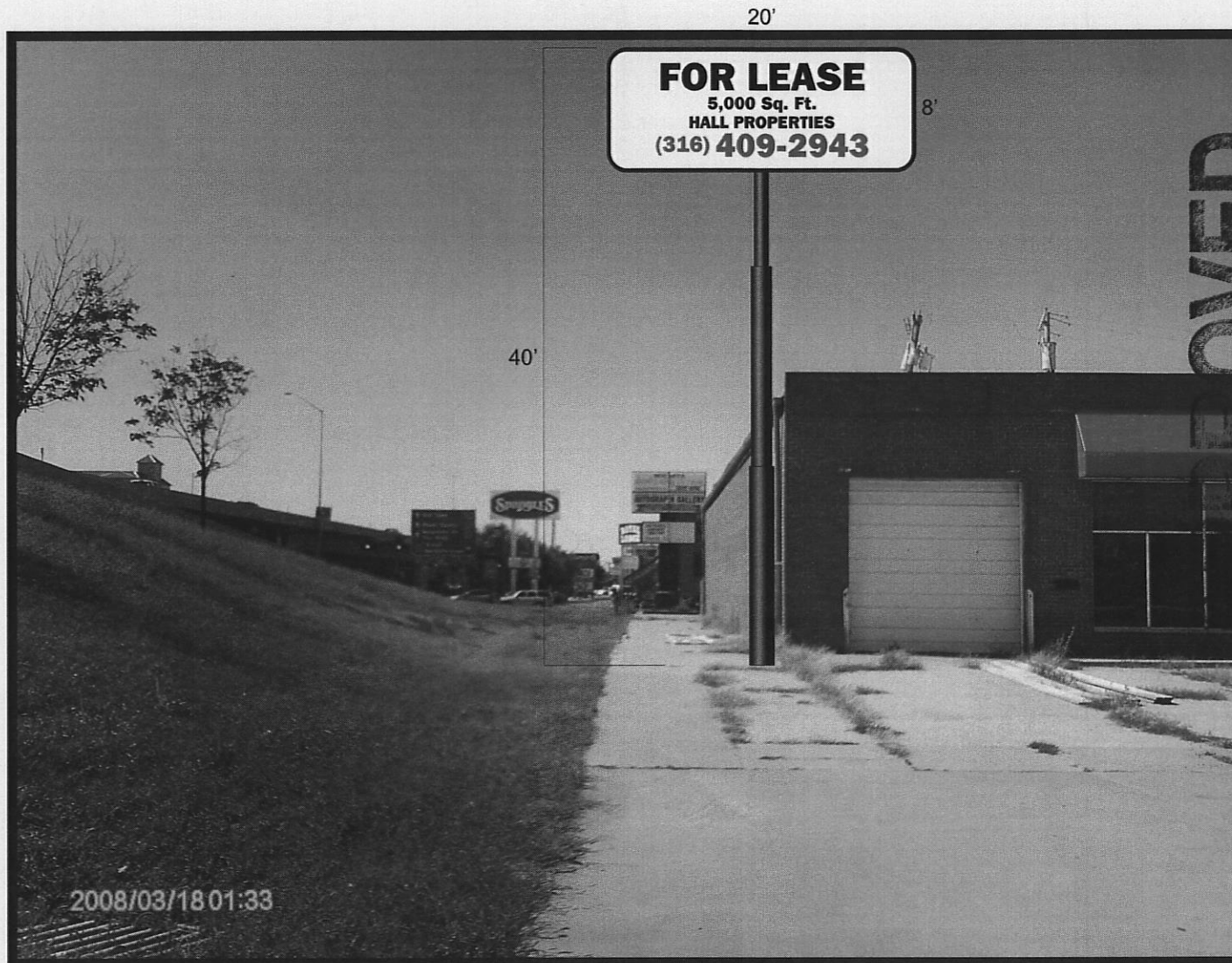

John L. Schlegel
Planning Director


Kurt A. Schroeder
Superintendent of Central Inspection

cc: Kurt Schroeder, Office of Central Inspection
JR Cox, Office of Central Inspection
Dale Miller, Current Plans, MAPD
Rons Signs, c/o John Saindon, 1329 S. Handley, Wichita, KS 67213



Date:



Date:



Company:

Ron's Sign Co.
1329 S Handley
Wichita, KS 67213
Phone: 1.800.326.8914
Fax: 1.316.267.0811

Description:

By signing this you agree that all sizes, graphics and specifications are correct and satisfactory.
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Approved by:

Specs/Price:

Date: