CITY OF WICHITA

FILE COPY

Wichita-Sedgwick County Metropolitan Area Planning Department

July 30, 2004

Brad Snow
Kansas and Oklahoma Railroad
315 W. 3rd
Pittsburg, KS 66762

RE: **BZA2004-00055: Sign Code Adjustment to increase the maximum allowed height of an off-site sign to 18.6 feet above the height of the top of the highest highway railing.**

Legal Description: A tract of land in the SE 1/4 and the SW 1/4 of Section 11-27-1W of the 6th P. M., Sedgwick County, Kansas, described as follows: An 80 foot wide strip of land with 40 feet on each side of the following described centerline: Commencing at the west southwest corner of Lot 1, Womers West Lynn Sixth Addition, Wichita, Sedgwick County, Kansas; thence Northwest along the Northerly right-of-way line of Missouri Pacific Railroad for distance 248 feet; thence Southwest at right angles to the previously described line, for a distance of 50 feet to the centerline of the right-of-way of said Missouri Pacific Railroad to a point of beginning; thence Northwesterly along centerline of said tracts for a distance of 500 feet to a point of termination. Said tract contains 40,000 square feet more or less. Generally located the northwest corner of Zoo and Westdale.

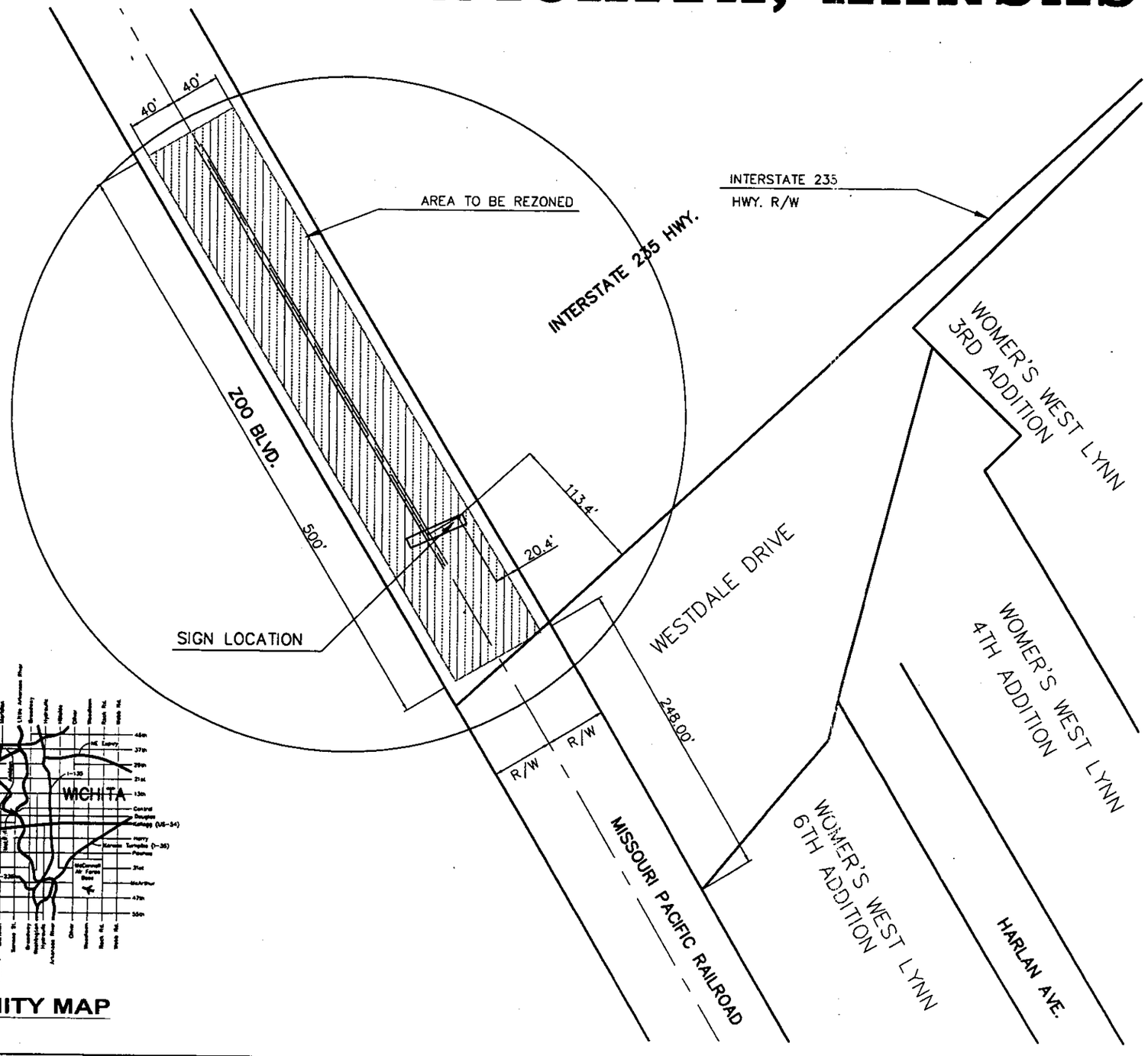
Dear Mr. Snow:

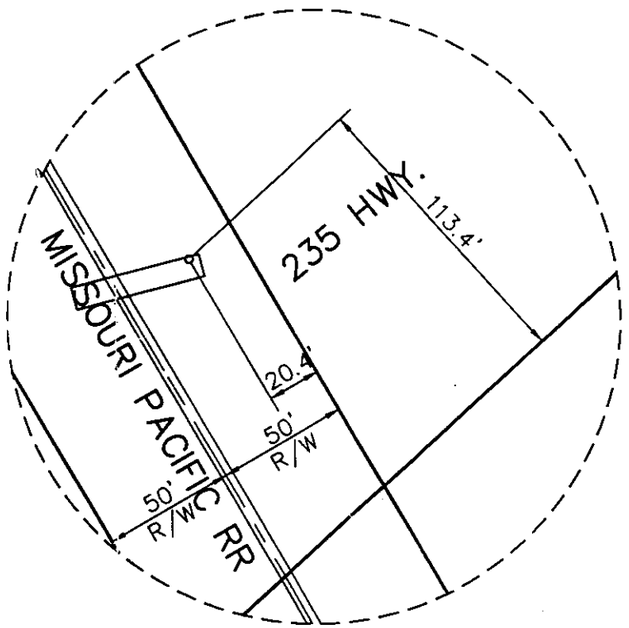
We have reviewed your request for a Sign Code Adjustment to increase the maximum allowed height an off-site sign to 18.6 feet above the height of the top of the highest highway railing on the aforementioned property. From reviewing your application, we understand that you constructed an off-site sign adjacent to the Zoo overpass for I-235. You submitted an exhibit that illustrates that the highest point of the highway railing at a point perpendicular to the sign is 37.3 feet above the ground elevation of the sign, and the off-site sign was constructed at a height of 55.9 feet rather than the 51.3 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 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:

SITE EXHIBIT
INTERSTATE 235 AND ZOO BLVD LOCATION
WICHITA, KANSAS

SCALE
50 0 50 100





SIGN LOCATION DETAIL

VICINITY MAP

FILENAME: 03094\21st-sign\21st-sign-rezone.dwg

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142 N. Emporia Wichita, KS 67202
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1) Impact on existing uses in surrounding areas: Increasing the permitted height of the off-site sign by 4.6 feet is minor in nature and should not adversely impact the existing uses in surrounding areas.

2) Compatibility with existing or permitted uses on abutting sites: The nearest residences are separated from the sign by over 350 feet, and the increased height of the sign should not make the sign incompatible with nearby residences due to the significant distance from the sign and the limited nature of the permitted height increase.

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 an off-site sign to 18.6 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 off-site sign shall comply with all regulations of the Sign Code except that the maximum allowed height shall be 55.9 feet, excluding permitted extensions.

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: Greg Ferris, Ferris Consulting, PO Box 573, Wichita, KS 67201
Bressler/Kelso Joint Venture, PO Box 987, Winter Park, FL 32790
Mike Case, 150 N. Main, Ste. 400, Wichita, KS 67202
Kurt Schroeder, Office of Central Inspection
Paul Hays, Office of Central Inspection
Randy Sparkman, Office of Central Inspection
J.R. Cox, Office of Central Inspection