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 reduce the spacing between signs from 75' to 55'9" on the aforementioned property is hereby granted, subject to the following conditions:

1) The proposed electronic message sign shall be installed in the location indicated on the approved site plan with a minimum spacing of 55'9" between the proposed sign and the existing sign located to the north.

2) The proposed electronic message sign shall be limited to 10.5 feet in height and 15 square feet in area.

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: Donald A. Carbon, Carbon Copy Inc., 1106 S. Hydraulic, Wichita, KS 67211
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

CITY OF WICHITA

FILE COPY

Wichita-Sedgwick County Metropolitan Area Planning Department

November 2, 2004

Ronald Nespor
853 S. Oliver
Wichita, KS 67218

RE: **BZA2004-00080: Sign Code Adjustment to reduce the allowed spacing between signs from 75' to 55'9".**

Legal Description: Lots 11, 12, & 13, on Oliver, Oliver Heights Addition, Wichita, Sedgwick County, Kansas. Located at the northwest corner of Lincoln and Oliver.

Dear Mr. Nespor:

We have reviewed your request for a Sign Code Adjustment to reduce the spacing between signs on the aforementioned property. From reviewing your application, we understand that you propose to replace a hand-changeable variable message sign with an electronic message sign. We further understand that the existing sign is does not conform with current sign regulations because it is not separated from the nearest sign on the property by at least 75 feet. Since replacing the sign requires conformance with current sign spacing regulations, you have requested an adjustment to reduce the required spacing between signs from 75' to the existing spacing of 55'9".

Section 24.04.251.2.a. of the Sign Code allows an adjustment to reduce the minimum allowed distance required between signs by up to one-third when the three conditions required by Section 24.04.251.6. of the Sign Code are met. We find that reducing the distance between signs 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: Existing uses in surrounding areas are primarily commercial uses near the Lincoln and Oliver intersection. The proposed new sign should not have a significantly greater impact on nearby residential uses than the existing sign, especially since most signs in the area have similar spacing.

2) Compatibility with existing or permitted uses on abutting sites: Reducing the spacing between signs should not negatively impact the compatibility of the proposed sign with surrounding uses, as the reduction in sign spacing is minor and the replacement sign is smaller than the existing sign.

The Wash Wave

859 S. Oliver

BZA2004-00080

SITE PLAN

APPROVED 11-2-04 BY SK

