

- 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.

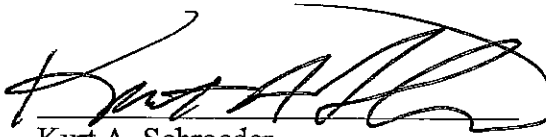
Our signatures below indicate that a Sign Code Adjustment to increase the maximum allowed height of a ground sign to 20 feet above an abutting elevated freeway, to 35 feet, is hereby granted, subject to the following conditions:

- 1) Signage on the property shall comply with all Sign Code regulations except that it shall be permitted at a maximum height of 35 feet. Said sign shall generally conform to the location, size, and design of the approved site plan and elevation drawings.
- 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

Enclosures

cc: John Lay, George Lay Signs, Inc., 1016 N. Waco, Wichita, KS 67203
Randy Sparkman, Office of Central Inspection
J. R. Cox, Office of Central Inspection



Wichita-Sedgwick County Metropolitan Area Planning Department

June 2, 2006

Sunflower Ventures LLC
1616 E 37TH Street N
Wichita, KS 67219

RE: BZA2006-38: Sign Code Adjustment to increase the maximum allowed height of an off-site ground sign to 20 feet above elevated roadway grade to 35 feet.

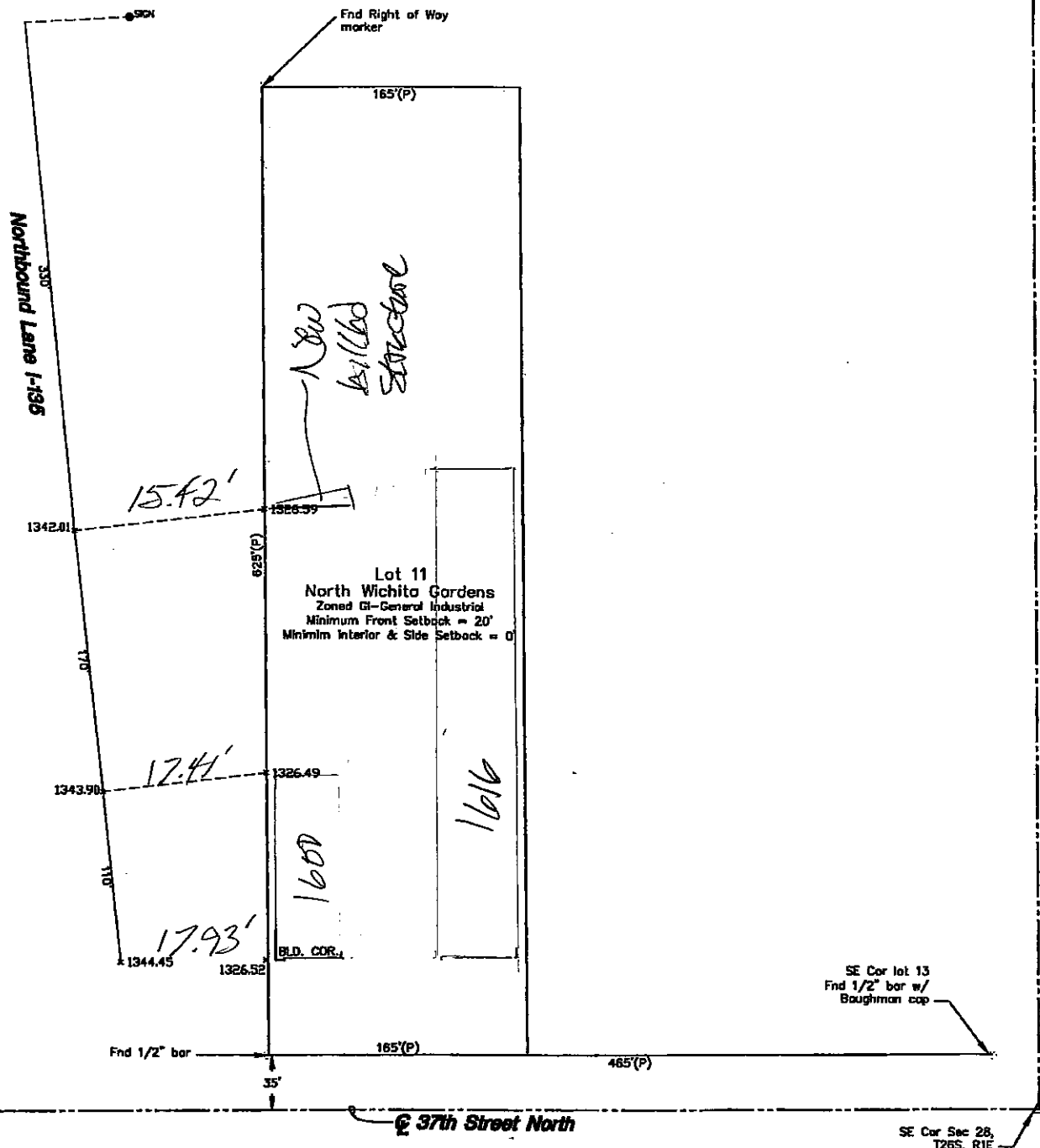
Legal Description: Lot 11, North Wichita Gardens Addition, Wichita, Sedgwick County, Kansas. Generally located north of 37th Street North and east of I-135 (1600 E 37th Street N).

Dear Applicant:

We have reviewed your request for a Sign Code Adjustment to increase the maximum allowed height of an off-site ground sign on the aforementioned property. From reviewing your application, we understand that you propose to increase the height of an existing sign to 20 feet above the adjacent elevated highway to improve visibility above the highway rail and an existing building on the site. The submitted exhibits illustrate increased sign height to 35', above the permitted 30'.

Section 24.04.251.2.h. of the Sign Code allows an adjustment to increase the maximum height of an on-site sign up to 20 feet above the railing on an abutting elevated freeway. The requested adjustment is allowable 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 surrounding area is zoned GI and developed with a mixture of residential and industrial uses along I-135 and Hydraulic. Increasing the permitted height of the sign should not adversely impact the existing uses, as the increase in sign height is minor.
- 2) Compatibility with existing or permitted uses on abutting sites: The increased height of the sign should not make the sign incompatible with existing or future development on adjacent properties, as the sign is within the allowable adjusted height.



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