CITY OF WICHITA

Wichita-Sedgwick County Metropolitan Area Planning Department

September 22, 2006

Theodore W. Maisch
Maisch Family LP
1940 S Oliver
Wichita, KS 67218

Dewey McFeeters
Taco Chop
3835 S Seneca
Wichita, KS 67218

RE: **BZA2006-69: Sign Code Adjustment to decrease sign spacing from 150 to 120 feet in "LC" Limited Commercial zoning, generally located west of S Seneca and south of Carey (3835 S Seneca).**

Legal Description: Lot 2, DJ Addition to Wichita, Sedgwick County, KS.

Dear Applicants:

We have reviewed your request for a Sign Code Adjustment to reduce the maximum spacing between ground signs on the aforementioned property. From reviewing your application, we understand that you propose to build a new ground sign within 120 feet of an existing sign along S Seneca.

Section 24.04.251.2.a. of the Sign Code allows an adjustment to reduce the minimum spacing between ground signs by up to one-third. 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 reducing the spacing 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: The surrounding area is along Seneca, a heavily traveled arterial street. The requested reduction in sign spacing is typical of commercial areas along arterial streets. Decreasing the required sign spacing should not adversely impact surrounding land uses, as the proposed sign spacing will be at least 120 feet.

2) Compatibility with existing or permitted uses on abutting sites: The decreased sign spacing should not make the sign incompatible with existing or future development on adjacent properties, as the decreased spacing is within the allowable adjusted distance.

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 decrease the minimum allowed spacing between ground signs to 120 feet is hereby granted, subject to the following conditions:

1) Signage on the property shall comply with all Sign Code regulations except that spacing for the requested sign may be 120 feet from the nearest sign. Said sign shall generally conform to the location on the approved site plan 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

Enclosures

cc: Randy Sparkman, Office of Central Inspection
Jan Lister, Office of Central Inspection

property line

N

W - | - E

S

TACO CHOP

SENECA STREET

180'

ENTRANCE

TACO CHOP

SENECA STREET BAR

ALLEY WAY

SENECA STREET BAR

NIKKI'S POKER ROOM.

NO sign FOR NIKKI'S POKER ROOM.

ENTRANCE

APPROVED

SITE PLAN BZA 2006-69

Date: 9-27-06