



Wichita-Sedgwick County Metropolitan Area Planning Department

November 8, 2006

Insite Medical Partners LLC
8100 E 22nd Street N Bldg 2100-4
Wichita KS 67226

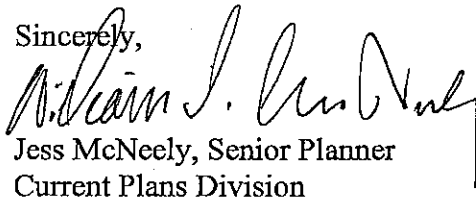
RE: BZA2006-00073 – County variance to increase the size of a ground sign from 96 to 140 square feet and building signs from 32 to 189 square feet on property zoned GO General Office, generally located south of 21st Street North approximately 1/4 mile east of 135th Street West (13213 W 21st Street Court North).

Dear Ladies and Gentlemen:

Enclosed is a signed copy of the above-referenced BZA Resolution adopted by the County Board of Zoning Appeals on **November 7, 2006**. This resolution reflects the official action of the Board. It is forwarded to you for your information and files.

If you have any questions concerning this matter, please call our office at 268-4421.

Sincerely,



Jess McNeely, Senior Planner
Current Plans Division

JMC/yja

Cc: Judy Manka, Luminous Neon Inc. PO Box 916, Hutchinson KS 67504
Tom Winters, BOCC, District III, Mail Stop County Suite 320
Bob Parnacott, County Law Dept., Mail Stop, County Suite 359
Glen Wiltse, County Code Enforcement, 1144 S. Seneca, Wichita, KS 67213

BZA RESOLUTION NO. 2006-00073

WHEREAS, Insite Medical Partners LLC (Owners/Applicants); pursuant to Kansas Statutes Annotated 12-759 *et. seq.*, requests a variance to Section 6-346(d)(3)b. of the County Sign Code to increase the permitted area of a monument sign from 96 square feet to 140 square feet; and a variance to Section 6-346(d)(3)b. of the County Sign Code to increase the permitted area of building signs for one major use in one building from 32 square feet to 189 square feet in "GO" General Office zoning on the following property:

Lots 1-5, Block A, Eberly Farm Office Park Addition. Generally located south of 21st Street North and east of 135th Street West.

WHEREAS, proper notice as required by ordinance and by the rules of the Sedgwick County Board of Zoning Appeals has been given; and

WHEREAS, the Sedgwick County Board of Zoning Appeals did, at the meeting of November 7, 2006, consider said application; and

WHEREAS, the Sedgwick County Board of Zoning Appeals has proper jurisdiction to consider said request for a variance under the provisions of Kansas Statutes Annotated 12-759 *et. seq.*; and

WHEREAS, the Sedgwick County Board of Zoning Appeals has found that the variance is unique in that the site is a large medical office complex including large medical clinic buildings, similar in size to large retail commercial developments, and not anticipated by the Sign Code limitations within "GO" General Office zoning. The site has 920 linear feet of frontage along 21st Street North; this frontage could have been developed with many businesses, each with their own signage, but the medical complex will instead limit signage on 21st to one multi-tenant sign. The size of the medical clinic building could house numerous businesses, each with their own separate building signage. The depth of the site places the building, and therefore the building signs, over 200 feet from 21st street north. The site is also unique given its location along 21st Street North, a heavily traveled arterial street with significant development pressures, and nearby commercial zoning with larger sign area allocations. The topography of the site is unique, as the site is visually screened to the northwest by a hill.

WHEREAS, the Sedgwick County Board of Zoning Appeals has found that the granting of the permit for the variance will not adversely affect the rights of adjacent property owners, as no adjacent properties have residences that will view the proposed signs. Adjacent property to the west will most likely be developed with commercial uses at the 21st/135th intersection over time.

WHEREAS, the Sedgwick County Board of Zoning Appeals has found that the strict application of the provisions of the Sign Code of which variance is requested will constitute an unnecessary hardship upon the property owners represented in the application as a smaller multi-tenant sign along 21st Street North (and therefore smaller individual tenant signs) would not be legible to drivers along 21st Street North looking for a specific tenant. Also, a 32 square-foot building sign for a clinic would not be adequately visible to be identified by passing drivers, looking for the site, given its location over 200 feet from 21st Street, and given the size of the clinic building.

WHEREAS, the Sedgwick County Board of Zoning Appeals has found that the variance desired would not adversely affect the public interest, as nearby commercial zoning and development has larger signs than those requested by this variance. And, it is in the public interest to have one multi-tenant ground sign along the 21st Street frontage instead of multiple signs. And, it is in the public interest to have the medical clinic adequately

identifiable to those looking for it along 21st Street. And, the submitted drawings of the multi-tenant ground sign, and the building signs on the clinic building elevations, demonstrate that the requested signs are not out of scale with the site or buildings.

WHEREAS, the Sedgwick County Board of Zoning Appeals has found that the granting of the variance desired would not be opposed to the general spirit and intent of the Sign Code, as the requested variance is consistent with the Sign Code purpose of ensuring identification the medical site, and reducing excessive signage by consolidating to fewer signs.

WHEREAS, each of the five conditions required by Kansas Statutes Annotated 12-759 *et. seq.*, to be present before a variance can be granted has been found to exist.

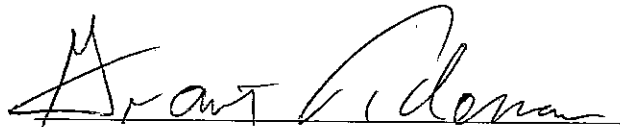
NOW, THEREFORE, BE IT RESOLVED by the Sedgwick County Board of Zoning Appeals, pursuant to Kansas Statutes Annotated 12-759 *et. seq.*, a variance to Section 6-346(d)(3)b. of the County Sign Code to increase the permitted area of a monument sign from 96 square feet to 140 square feet; and a variance to Section 6-346(d)(3)b. of the County Sign Code to increase the permitted area of building signs for one major use in one building from 32 square feet to 189 square feet in "GO" General Office zoning on the following property:

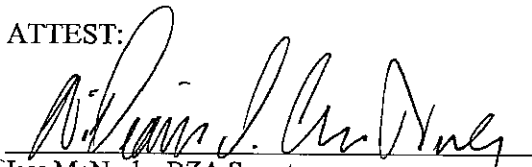
Lots 1-5, Block A, Eberly Farm Office Park Addition. Generally located south of 21st Street North and east of 135th Street West.

The variance is hereby GRANTED, subject to the following conditions:

1. The site shall be developed in substantial conformance with the approved site plan and elevation drawings. No additional signs shall be permitted along the 21st Street frontage unless another variance is approved for such signs.
2. The applicant shall obtain all permits necessary to construct the signage and the signage shall be erected within one year of the issuance of the sign permit, unless such time period is extended by the BZA.
3. The resolution authorizing this variance may be reviewed for compliance with conditions by the BZA; the board may then make recommendations to staff regarding enforcement of conditions.

ADOPTED AT WICHITA, KANSAS, this 7th DAY of November, 2006.


Grant Tideman, COBZA Board Chairman

ATTEST:

Jess McNeely, BZA Secretary



SPECIFICATIONS:

- 42" LOGO WITH FLAT CUT OUT LETTERS TO MOUNT ABOVE MAIN ENTRANCE.
- 5' LOGO, LETTERS AND UNDERSCORE. INTERNALLY ILLUMINATED.
- COLORS: MATTHEWS SATIN BLACK
- FONTS: CUSTOMER LOGO

Matthew J. Bue

Date: 11-15-06

CUSTOMER: WICHITA CLINIC
NAME: GARY BUE
LOCATION: WICHITA, KS

DATE: 9/7/06
DESIGN NO.: JM-13704 R2
ARTIST: MH

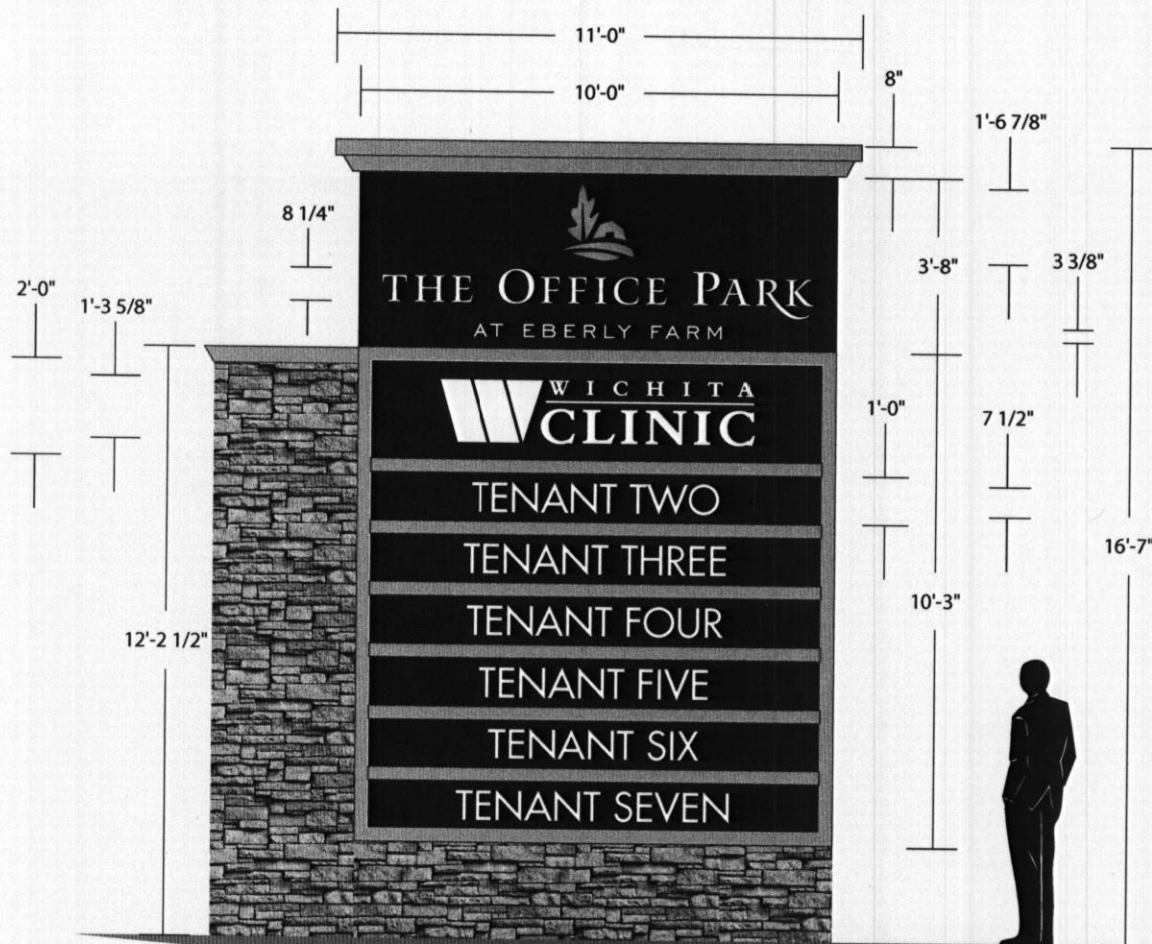
SCALE: 1/16" = 1'

APPROVED:

DATE:



LUMINOUS Neon Inc
ART & SIGN SYSTEMS



3'-0"
APPROVED

ELEVATION B2A 2006-73

Richard J. L. L. L.

Date:

11-15-06

SPECIFICATIONS

- (1) 16' 7" OAH DOUBLE-FACE, INTERNALLY-ILLUMINATED, MONUMENT SIGN WITH SEVEN TENANT PANELS.
- COLORS: PMS 7504 @ 56% COPPER LOGO, WHITE, BLACK 3630-22 BLACK
- FONT: TRAJAN PRO BOLD, FUTURA MEDIUM

APPROVED:

DATE:

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