



Wichita-Sedgwick County Metropolitan Area Planning Department

September 26, 2007

Joseph Hemmelgarn
Wichita Vending
4430 W. 29th Circle South
Wichita, KS 67215

RE: BZA2007-00049: Sign Code Adjustment to increase the maximum allowed height of a ground sign from 30 feet to 36 feet.

Legal Description: Lot 4, Metro West Industrial Park Addition, Wichita, Sedgwick County, Kansas. 183.03 Feet to West Line, Then Northwest 145.76 Feet to Northwest Corner, East 283.35 Feet to Beginning. Generally located approximately 1,500 feet southwest of the intersection of S. West Street and W. 29th Street South (4430 W. 29th Circle South).

Dear Mr. Hemmelgarn:

We have reviewed your request for a Sign Code Adjustment to increase the maximum allowed height of a ground sign on the aforementioned property. From reviewing your application, we understand that you propose to raise the height of your existing pole sign in response to the planned expansion of the structure currently on the property. You state that when the expansion is completed, the bottom half of the pole sign will not be able to be seen from the north. You submitted exhibits that illustrate the view of the existing sign and the location of the sign on the property, which will not be changed. Since it is important that the sign be visible to motorists along I-235 from both directions, you propose that the sign be 36 feet in height rather than the 30 feet in height permitted without an adjustment.

Section 24.04.251.2.b. of the Sign Code allows an adjustment to increase the maximum height of on-site signs by up to 20 percent 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:

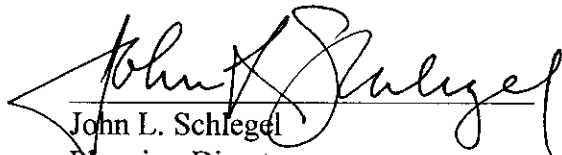
- 1) Impact on existing uses in surrounding areas: The immediate area is predominately developed industrial uses along the Douglas frontage. Increasing the permitted height of the sign should not adversely impact the existing uses since the increase in sign height is minor and is needed to avoid a obstructed sign display that would result from the building blocking the view of the sign.

- 2) Compatibility with existing or permitted uses on abutting sites: The increased height of the sign should not make the sign incompatible with future development on adjacent properties, as the sign is tasteful in design and is of an appropriate scale in relation to the size of the property.
- 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 from 30 feet to 36 feet is hereby granted, subject to the following conditions:

- 1) There shall be only one ground sign permitted on the subject property. Said sign shall comply with all Sign Code regulations except that it shall be permitted at a maximum height of 36 feet. Said sign shall generally conform to the location, size, and design of the approved site plan and elevation 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: Jim Atherton, Trimark Signworks, 319 S. Oak, Wichita, KS 67213
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

WEST ST.

W. 29th

29th

4420
W. 29th
Circle S.

4430
W. 29th
Circle S.

Sign Located 18'
From Side P.L.,
10' Back.

I-235

I-235