CITY OF WICHITA

FILE COPY

**Wichita-Sedgwick County Metropolitan Area Planning Department**

October 11, 2007

ABC Lease Ownership & Sales
Attn: James D Brown
318 S Greenwood
Wichita, KS 67211

Miracle Signs
Attn: Brian Kirkland
3611 N Broadway
Wichita, KS 67219

**RE:** **BZA2007-55: Sign Code Adjustment to allow legal nonconforming onsite pole sign to be structurally altered at its existing base or pole structure location provided that the extent of nonconforming sign height or sign size is reduced, on property zoned "GC" General Commercial.**

**Legal Description: Lot 1, Southglen Second Addition, Wichita, Sedgwick County, Kansas. Located on the southeast corner of 47th Street South and I-135 (711 E 47th Street South).**

Dear Applicants:

We have reviewed your request for a Sign Code Adjustment to allow legal nonconforming onsite pole sign to be structurally altered at its existing base or pole structure location provided that the extent of nonconforming sign height or sign size is reduced, on property zoned "GC" General Commercial. We understand that you wish to replace a sign damaged by windstorms with a sign that is one square foot smaller than the original sign, from 144 square feet to 143 square feet.

At the time the original permit for this now nonconforming sign was issued, sign area was calculated differently than it is under the current code. Under current practice, the area of the original sign would now be considered larger than when it was originally calculated, even though it is the same sign physically. The sign was damaged due to a windstorm, and the applicant seeks to replace the same size of sign, but the code requires a reduction in size or full compliance with the code. However, the administrative adjustment requires that the sign be reduced in size.

Based on this information, the administrative adjustment is hereby granted subject to the following conditions:

a. The allowance for the maximum of 143 square feet of sign area is only for a multi-tenant sign.
b. The sign shall be constructed in general compliance with the submitted sign layout.
c. 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.

1) Impact on existing uses in surrounding areas: Replacement of a sign that existed for 12 years, but was then damaged by a windstorm and is now being replaced should not have any more impact on surrounding property than the original sign.

2) Compatibility with existing or permitted uses on abutting sites: The sign is appropriate for the area and is not appreciable different from other signage in the area.

3) Effect on public health, safety or welfare: The sign is located within in a platted easement, however permission has been granted by the utilities to place the sign in this location.

The development application sign should now be removed from the property.

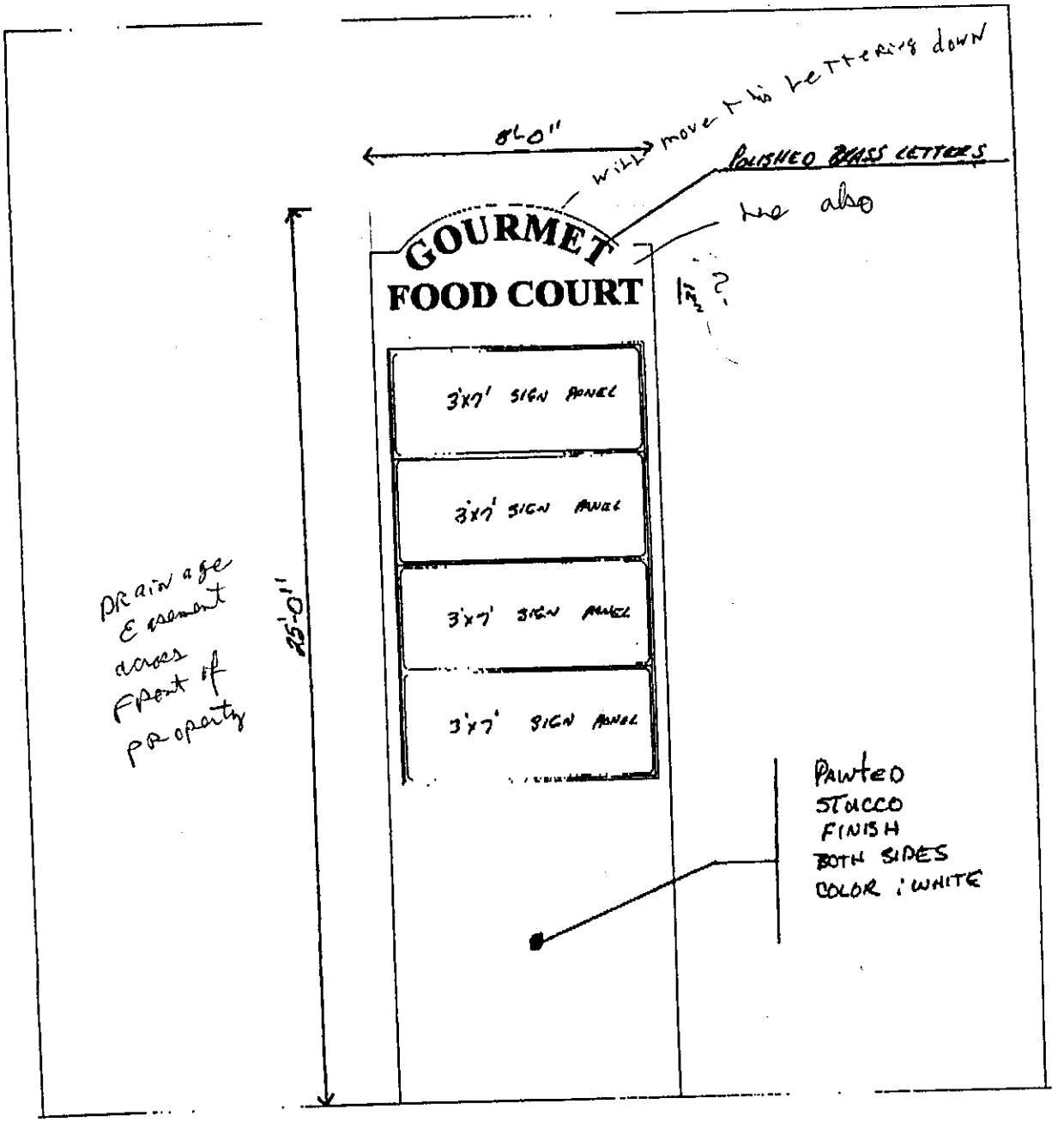
John L. Schlegel
Planning Director

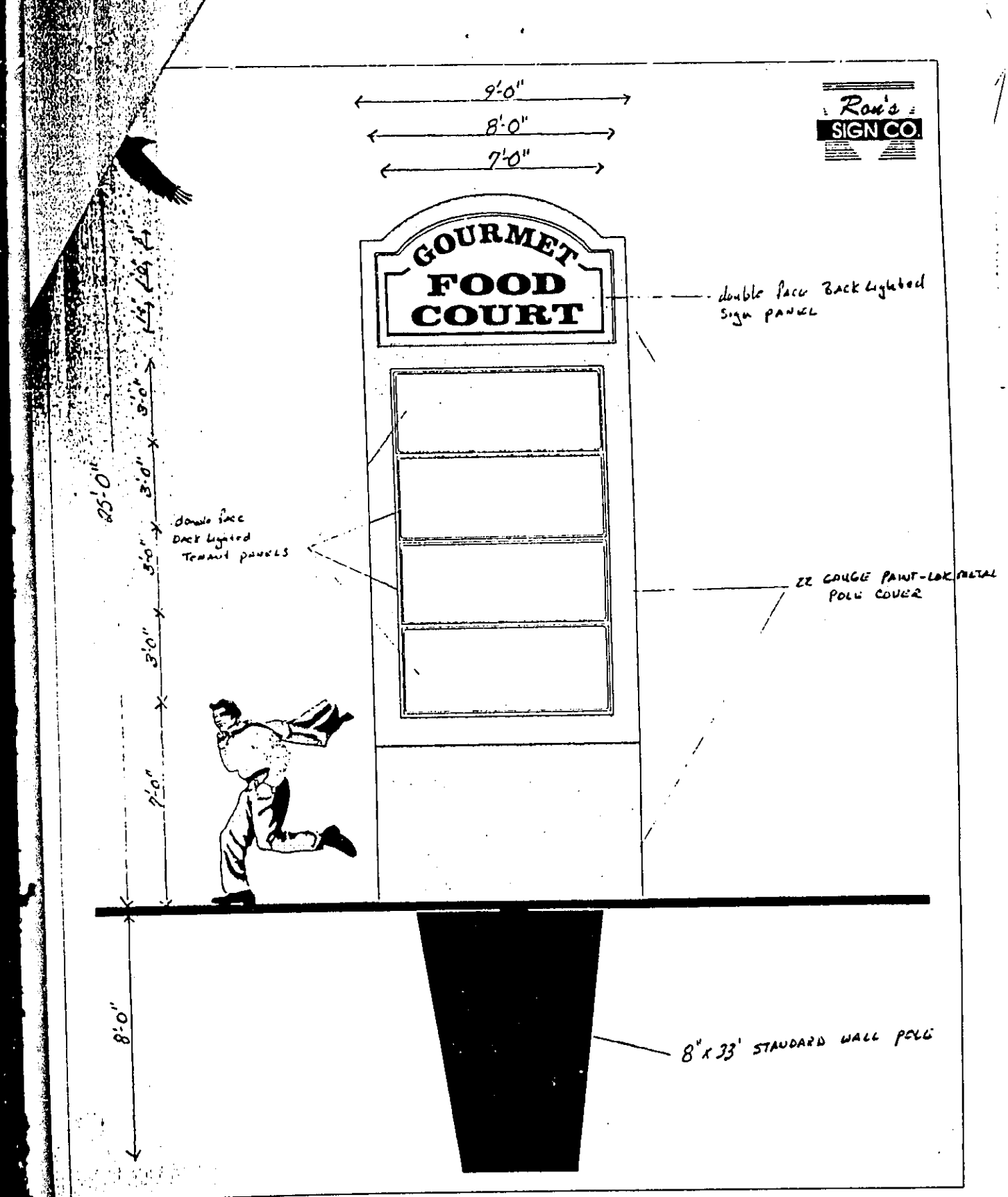
Kurt A. Schroeder
Superintendent of Central Inspection

cc: Kurt Schroeder, Office of Central Inspection
Paul Hays, Office of Central Inspection
Randy Sparkman, Office of Central Inspection
Herb Shaner, Office of Central Inspection
Jan Lister, Office of Central Inspection

E. 47th S.
by KFC

268-4663




9'-0"
8'-0"
7'-0"
Ron's SIGN CO.
GOURMET
FOOD
COURT
double face Back Lighted Sign PANEL
25'-0"
3'-0"
3'-0"
3'-0"
3'-0"
2'-0"
double face DACK Lighted Tenant panels
22 GAUGE PAINT-LOK METAL POLE COVER
8'-0"
8" x 33' STANDARD WALL POLE

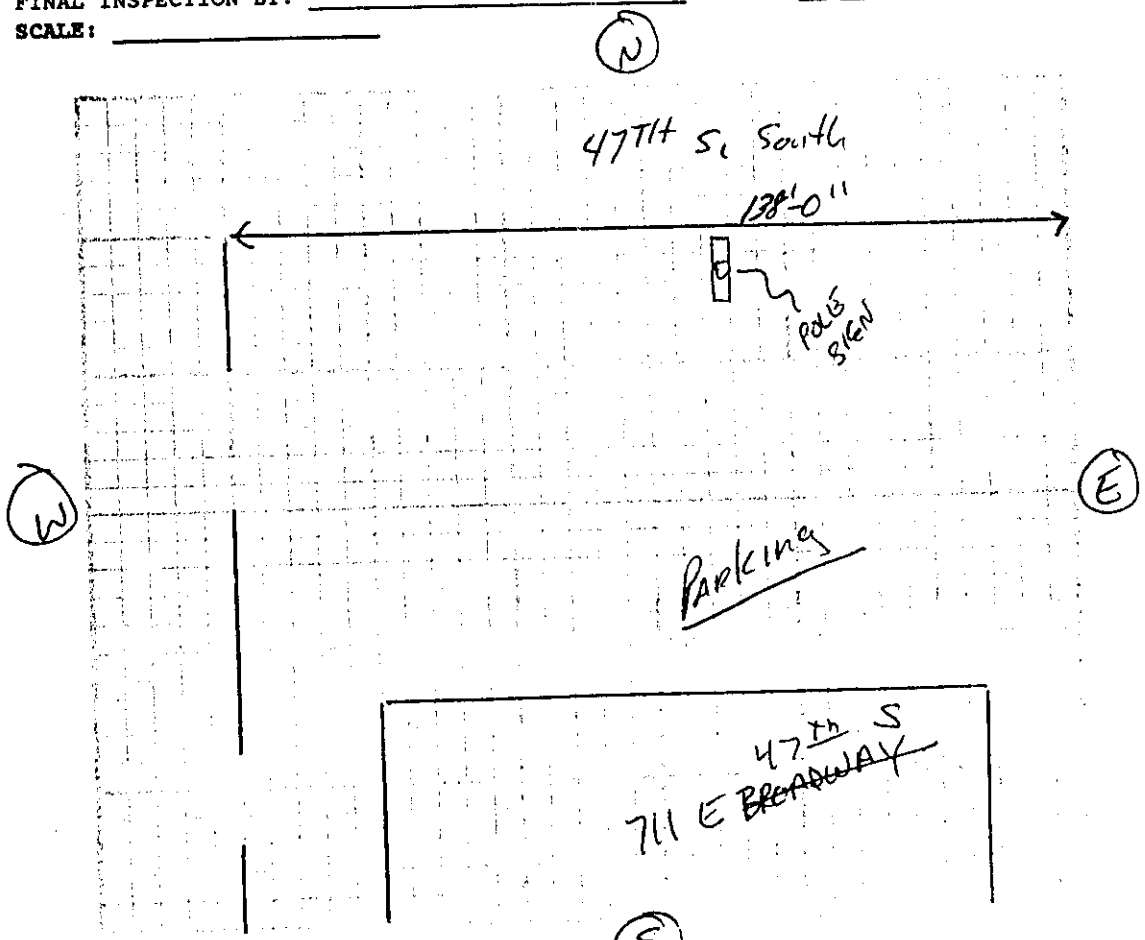
**SITE PLAN:**
(Strip center - existing sign locations, etc.)

OR

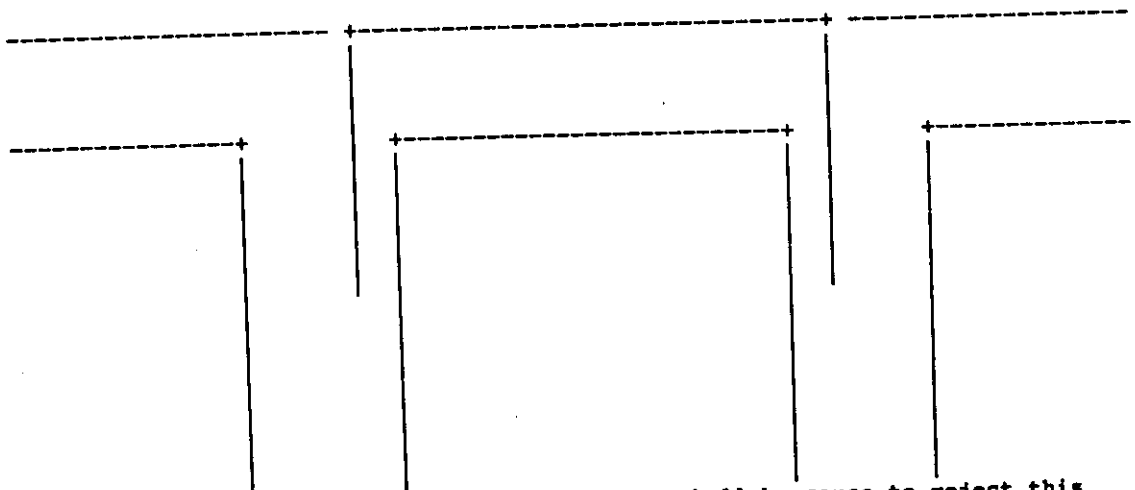
**FINAL INSPECTION BY:** HERB SHANER **DATE:** 6/20/95

**SCALE:** _____

NORTH




**PLAN -- locate sign, street name & indicate North (Refer to Ordinances 24.04.200 - [driveways] & 24.04.220 [T] [intersections]).**



**Failure to show required distance measurements shall be cause to reject this permit application.**