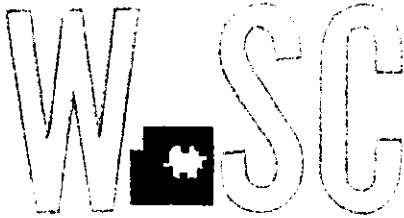


WICHITA — SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

CITY HALL — TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202-1688
(316) 268-4421
FAX (316) 268-4390

March 26, 1997

Raytheon Aircraft
P.O. Box 85
Wichita Ks 67201-0085

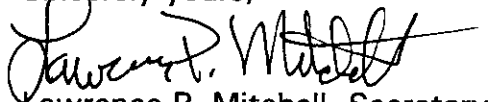
RE: BZA 4-97 - Request for a variance to increase the height of a building sign from 30 feet to 55.5 feet on property zoned "LC" Limited Commercial and generally located on the southwest corner of Douglas and Webb (101 S. Webb)

Dear Sirs:

Enclosed is a signed copy of the above-referenced BZA Resolution approved by the Board of Zoning Appeals on March 25, 1997. This resolution reflects the official action of the Board to grant your request and sets out the conditions of approval. It is forwarded to you for your information and files.

This is a reminder that the zoning adjustment signs should now be removed from the property. If you have any questions concerning this matter, please call our office.

Sincerely yours,


Lawrence P. Mitchell, Secretary
Board of Zoning Appeals

LPM/sah

cc: John Lay, George Lay Signs, Inc., 1016 N. Waco, Wichita Ks 67203
J. R. Cox, OCI
Paul Hays, OCI
Ray Sledge, OCI
Pat Burnett, Deputy City Clerk
Yolanda Anderson, MAPC (resolution only)

BZA RESOLUTION NO. BZA 4-97

WHEREAS, Raytheon Aircraft, pursuant to Section 2.12.590.B, Code of the City of Wichita, requests a variance to increase the height of a building sign from 30 feet to 55.5 feet on property zoned "LC" Limited Commercial (with DP-116) and legally described as follows:

Lot 1, Block 1, Maxwell 2nd Addition to Wichita, Sedgwick County, Kansas. Generally located southwest corner of Douglas and Webb (101 S. Webb)

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

WHEREAS, the Board of Zoning Appeals did, at the meeting of March 25, 1997, consider said application; and

WHEREAS, the Board of Zoning Appeals has proper jurisdiction to consider said request for a variance under the provisions of Section 2.12.590.B, Code of the City of Wichita; and

WHEREAS, the Board of Zoning Appeals has found that the variance arises from such condition which is unique to the property in question and which is not ordinarily found in the same zone or district; and is not created by an action or actions of the property owners or the applicant inasmuch as the building being purchased by Raytheon is four stories tall, which is taller than most buildings in the area. Also, the building design, with numerous windows, provides uninterrupted space for a sign only at a height above 30 feet; and

WHEREAS, the 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 or residents inasmuch as all properties to the south, east and west are either undeveloped or commercially developed and the nearest residential property to the north will not have the sign faced in that direction. Furthermore, the lighting of the sign will be limited to internal illumination only and should not add measurably to the illumination of the general area; and

WHEREAS, the Board of Zoning Appeals has found that the strict application of the provisions of the zoning ordinance of which variance is requested will constitute unnecessary hardship upon the property owners represented in the application inasmuch as a 30-foot building sign would require the letters of the sign to be placed between rows of windows which would not be practical and would not compliment the design of the structure; and

WHEREAS, the Board of Zoning Appeals has found that the variance desired will not adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare, inasmuch as the requested sign height is in character with the building and the limitations on lighting will keep the sign from being a distraction to motorists or residents in the area; and

WHEREAS, the Board of Zoning Appeals has found that the granting of the variance desired will not be opposed to the general spirit and intent of the zoning ordinance inasmuch as the intent is to provide adequate but not excessive signage for all properties, but no provisions are made for building signs on mid-rise or highrise structures.

WHEREAS, each of the five conditions required by Section 2.12.590.B, Code of the City of Wichita, to be present before a variance can be granted has been found to exist.

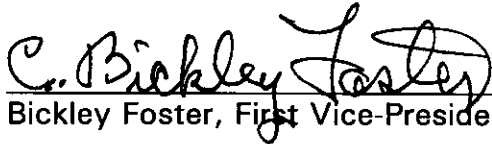
NOW, THEREFORE, BE IT RESOLVED by the Board of Zoning Appeals of the City of Wichita that this request be approved for a variance to increase the height of a building sign from 30 feet to 55.5 feet on property zoned "LC" Limited Commercial (with DP-116) and legally described as follows:

Lot 1, Block 1, Maxwell 2nd Addition to Wichita, Sedgwick County, Kansas.

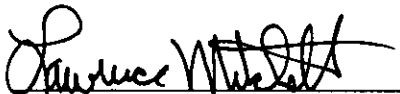
subject to the following conditions:

1. Prior to installing the requested building sign, the applicant shall obtain a sign permit and shall comply with all sign code requirements except that the height of the sign may be up to 55.5 feet.
2. The only building sign located above the heights limits specified in the sign code shall be installed on the east face of the building.
3. The building sign approved by this variance shall be limited to non-flashing internally-illuminated or non-illuminated, use individual letters, and be limited to 108 square feet in size.
4. The sign shall be installed within one year or the resolution granting this variance shall become null and void.

ADOPTED AT WICHITA, KANSAS, this 25th day of March, 1997.


Bickley Foster, First Vice-President

ATTEST:


Lawrence Mitchell, Secretary

SECRETARY'S REPORT

CASE NUMBER: BZA 4-97

OWNER/APPLICANT: Raytheon Aircraft

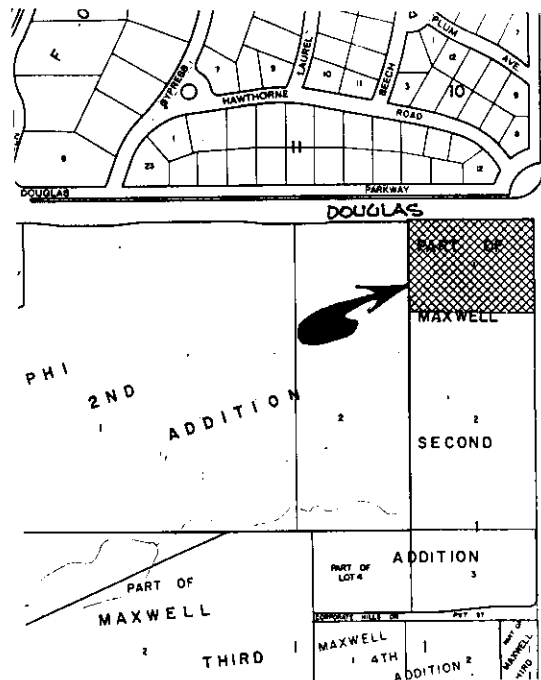
AGENT: John Lay, George Lay Signs, Inc.

REQUEST: Variance to increase the height of a building sign from 30' to 55.5'

CURRENT ZONING: "LC" (with DP-116)

SITE SIZE: 5.0 acres

LOCATION: Southwest corner of Douglas and Webb (101 S. Webb)



JURISDICTION: The Board has jurisdiction to consider the variance request under the provisions outlined in Section 2.12.590.B, Code of the City of Wichita. The Board may grant the request when all five conditions, as required by State Statutes, are found to exist.

BACKGROUND: The applicant, Raytheon Aircraft, has recently purchased the office building on the southwest corner of Douglas and Webb Road. This office building is four stories in height and fronts onto both Douglas and Webb. However, the requested building sign will be on the east elevation of the building fronting Webb Road. The applicant has indicated that due to the height of the structure, it is necessary to place the building sign above the top row of windows on the structure which is 55.5 feet above grade.

Therefore, the applicant is requesting a variance in the height of a building sign for this site from 30 feet to 55.5 feet above grade. The sign code requires that any building in the "LC" district shall not be more than 30 feet above grade or more than 400 square feet in area. The size of the proposed building sign is 108 square feet, which is approximately 1/4 of the size allowed. The building sign height restriction, with only minor changes, has been part of the development regulations since 1974 when the sign code was first adopted. Several recently constructed and existing multi-story buildings, such as the American National Bank of Wichita near Kellogg and Rock, the Hampton Inn near Kellogg and West Street, and Columbia Wesley Medical Center have obtained variances to permit building signs at heights greater than allowed by the code. The individual review allows for appropriate conditions to be imposed regarding the size, orientation, design, etc. of these very visible signs.

The other tenant in the building, Principle Health Care, has 2 building signs on this site, one 6' x 4' and the other 2' x 18' for a total of 60 square feet of signage for this tenant. The combined signage for Raytheon and Principle Health Care on this building would be 168 square feet.

The building sign will be facing east, away from the property to the north which is developed with single family residential. The property to the south is undeveloped but zoned "GC", the property to the west is developed with commercial uses and the property to the east is entirely owned by Raytheon and developed with industrial uses.

ADJACENT ZONING AND LAND USE:

NORTH:	"SF-6"	Single family residential
SOUTH:	"LC"	Undeveloped
EAST:	"LI"	Raytheon Aircraft
WEST:	"GC"	YMCA

UNIQUENESS: It is the opinion of staff that this property is unique inasmuch as the building being purchased by Raytheon is four stories tall, which is taller than most buildings in the area. Also, the building design, with numerous windows, provides uninterrupted space for a sign only at a height above 30 feet.

ADJACENT PROPERTY: It is the opinion of staff that the granting of the variance requested will not adversely affect the rights of adjacent property owners inasmuch as all properties to the south, east and west are either undeveloped or commercially developed and the nearest residential property to the north will not have the sign faced in that direction. Furthermore, the lighting of the sign will be limited to internal illumination only and should not add measurably to the illumination of the general area.

HARDSHIP: It is the opinion of staff that the strict application of the provisions of the sign ordinance may constitute an unnecessary hardship upon the applicant inasmuch as a 30-foot building sign would require the letters of the sign to be placed between rows of windows which would not be practical and would not compliment the design of the structure.

PUBLIC INTEREST: It is the opinion of staff that the requested variance would not adversely affect the public interest inasmuch as the requested sign height is in character with the building and the limitations on lighting will keep the sign from being a distraction to motorists or residents in the area.

SPIRIT AND INTENT: It is the opinion of staff that the granting of the variance requested would not be opposed to the general spirit and intent of the sign ordinance inasmuch as the intent is to provide adequate but not excessive signage for all properties, but no provisions are made for building signs on mid-rise or highrise structures.

RECOMMENDATION: Should the Board determine that all five conditions necessary to the granting of the variance can be found to exist, then it is the recommendation of the Secretary that the variance in height for a building sign be granted, subject to the following conditions:

1. Prior to installing the requested building sign, the applicant shall obtain a sign permit and shall comply with all sign code requirements except that the height of the sign may be up to 55.5 feet.
2. The only building sign located above the heights limits specified in the sign code shall be installed on the east face of the building.
3. The building sign approved by this variance shall be limited to non-flashing internally-illuminated or non-illuminated, use individual letters, and be limited to 108 square feet in size.
4. The sign shall be installed within one year or the resolution granting this variance shall become null and void.

WEBB ROAD

385'

DOUGLAS AVE. 575'

Proposed Letters



PLOT PLAN

Bldg 99 - Corporate Hills

BZA 4-97