CITY OF
WICHITA

Wichita-Sedgwick County Metropolitan Area Planning Department

August 12, 2008

Leslie Eck Revocable Trust
Attn: Les Eck
7310 S Kellogg
Wichita, KS 67207

Ferris Consulting
Attn: Greg Ferris
PO Box 573
Wichita, KS 67201

RE: **BZA2008-00037: Sign Code Adjustment to replace an existing legal non-conforming off-site sign with new, smaller sign on property zoned SF-5 Single-Family Residential ("SF-5").**

Legal Description: N 50' of the W 50' of the N1/2 of the SE ¼ of the SE 1/2, Wichita, Sedgwick County, Kansas. Generally located south of I-235 one-fourth mile west of Broadway Avenue.

Dear Applicants:

We have reviewed your request for a Sign Code Adjustment to replace one existing legal non-conforming sign with new, smaller sign on property zoned SF-5 Single-Family Residential ("SF-5"). From reviewing your application, we understand that you propose to remove the existing sign, and reduce the overall face size with a new sign, including an LED sign. The size will be reduced from a sign that is 14'x48' or 672 square feet to a sign that is 12'x36' or 432 square feet.

Section 24.04.251.f. of the Sign Code allows changes to the structure of a legal non-conforming sign if the extent of the legal non-conforming sign size is reduced. We find that allowing the proposed changes 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 commercial uses and highway. Decreasing the size of the legal non-conforming sign should not adversely impact the existing uses in the area, as the sign area will be smaller.

2) Compatibility with existing or permitted uses on abutting sites: Decreasing the size of the legal non-conforming sign will not make the sign any less compatible with existing or permitted uses on abutting sites than the current legal non-conforming sign.

3) Effect on public health, safety or welfare: There will be no further encroachment into public utility easements or right-of-way; therefore, there should be no 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 replace two existing legal non-conforming signs with new, smaller signs, reducing the overall area of the signs, subject to the following conditions:

1) The legal non-conforming sign shall generally conform to the location, size, and design of the approved exhibit and site plan.

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
J. R. Cox, Office of Central Inspection

REPLACEMENT OF A 14'x48' EXISTING NONCONFORMING OFFSITE SIGN WITH A NEW 12'x36' OFFSITE SIGN



