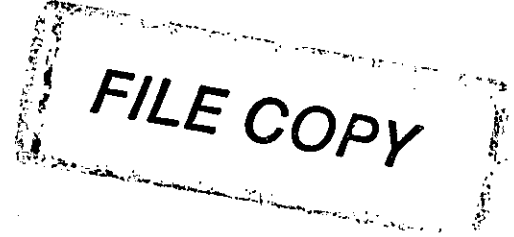




**Wichita-Sedgwick County Metropolitan Area Planning Department**

June 4, 2001

Galichia Medical Group  
C/o John Mullen  
551 N. Hillside  
Suite 410  
Wichita, KS 67214



**RE: BZA2001-00021 – 1) Variance to increase the maximum area of two ground signs from 32 square feet to 96 square feet each; and 2) Variance to increase the maximum area of two building signs from 32 square feet to 130 square feet and 101 square feet, respectively. Generally located north of Mainsgate and east of Woodlawn (2600 N. Woodlawn).**

Dear Mr. Mullen:

Enclosed is a signed copy of the above-referenced BZA Resolution approved by the Board of Zoning Appeals on May 22, 2001, 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.

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

Sincerely,

Scott Knebel, Assistant Secretary  
Board of Zoning Appeals

SK/rs

cc: Galichia Medical Group, c/o Tom Nester, 551 N. Hillside, Suite 410, Wichita, KS 67214  
Boggs Signs, c/o Larry Boggs, 319 S. Oak, Wichita, KS 67213  
City Council Member District I, Carl Brewer, Mail Stop 1-13  
D.A.B. I, Heidi Drew, Mail Stop 1-135  
J. R. Cox, Office of Central Inspection, Mail Stop 1-72  
Sharon Dickgrafe, Law Department, Mail Stop 1-132

**BZ RESOLUTION NO. 2001-00021**

**WHEREAS**, Galichia Medical Group, P.A., c/o John Mullen and Tom Nester (owner/applicants), Boggs Sign Co., c/o Larry Boggs (agent) pursuant to Section 2.12.590.B, Code of the City of Wichita, requests 1.) Variance to increase the maximum area of two ground signs from 32 square feet to 96 square feet each; and 2.) Variance to increase the maximum area of two building signs from 32 square feet to 130 square feet and 101 square feet, respectively on property zoned "GO" General Office and legally described as follows:

Lot 1, Block 1, Hinkle's Addition, Wichita, Sedgwick County, Kansas. Generally located north of Mainsgate and east of Woodlawn (2600 N. Woodlawn).

**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 May 22, 2001, 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. It is the opinion of staff that this property is unique, inasmuch as the proposed identification signage is for only two businesses located within a large office structure. Typically, a 90,000 square foot office structure would house numerous businesses, and each business would be allowed separate signage with the likely square footage of the signage exceeding the square footage of signage requested by the applicant.

**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. In regards to adjacent property, it seems fitting to look back on the uniqueness of this project. 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 the only property which will have a direct view of the signage is undeveloped, and when it is developed, it will likely be developed a similar use or with structures that do not face the subject property.

**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. It is the opinion of staff that the strict application of the provisions of the zoning regulation will constitute an unnecessary hardship upon the applicant, inasmuch as the building setback from the street much further than usual, thus building signage limited to 32 square feet in area would not be visible from the street. Additionally, the sign code would permit up to 290 square feet of ground or pole identification signs if the site were to be utilized by more businesses, and the applicant is requesting only 192 square feet of signage.

**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. It is the opinion of staff that the requested variance would not adversely affect the public interest, inasmuch as the signage is tasteful in design, is of an appropriate scale and has minimal lighting.

**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. It is the opinion of staff that the granting of the variance requested would not oppose the general spirit and intent of the Sign Code inasmuch as the signage will make it easier to locate the facility.

**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.

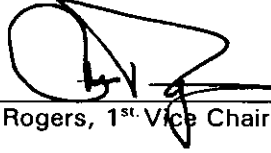
**NOW, THEREFORE, BE IT RESOLVED** by the Board of Zoning Appeals of the City of Wichita that this request be approved 1.) Variance to increase the maximum area of two ground signs from 32 square feet to 96 square feet each; and 2.) Variance to increase the maximum area of two building signs from 32 square feet to 130 square feet and 101 square feet, respectively on property zoned "GO" General Office and legally described as follows:

Lot 1, Block 1, Hinkle's Addition, Wichita, Sedgwick County, Kansas. Generally located north of Mainsgate and east of Woodlawn (2600 N. Woodlawn).

**RECOMMENDATION:** It is staff's opinion that the signage requested would be appropriate for identification of medical businesses on a large office lot. Should the Board determine that conditions necessary to the granting of the variance exist, then it is the recommendation of the Secretary that the variances to increase the size of the signage be GRANTED, subject to the following conditions:

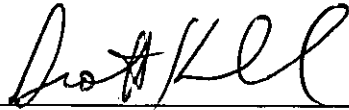
1. The signs shall be placed in locations that are in substantial conformance with those shown on the attachments submitted with the variance application.
2. The ground signs shall be limited to 96 square feet in area each and the building signs shall be limited to 130 square feet and 101 square feet in area, respectively.
3. The existing ground sign on the site shall be removed prior to the issuance of sign permit.
4. 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.
5. The resolution authorizing this variance may be declared null and void upon findings by the Board that the applicant has failed to comply with any of the foregoing conditions.

ADOPTED AT WICHITA, KANSAS, this 22nd DAY of MAY, 2001.



John Rogers, 1<sup>st</sup> Vice Chair signing for Floyd Pitts, President

ATTEST:



Scott Knebel, BZA Secretary

SECRETARY'S REPORT

CASE NUMBER: BZA2001-00021  
OWNER/APPLICANT: Galicha Medical Group, P.A. c/o John Mullen and Tom Nester  
AGENT: Boggs Sign Co. c/o Larry Boggs

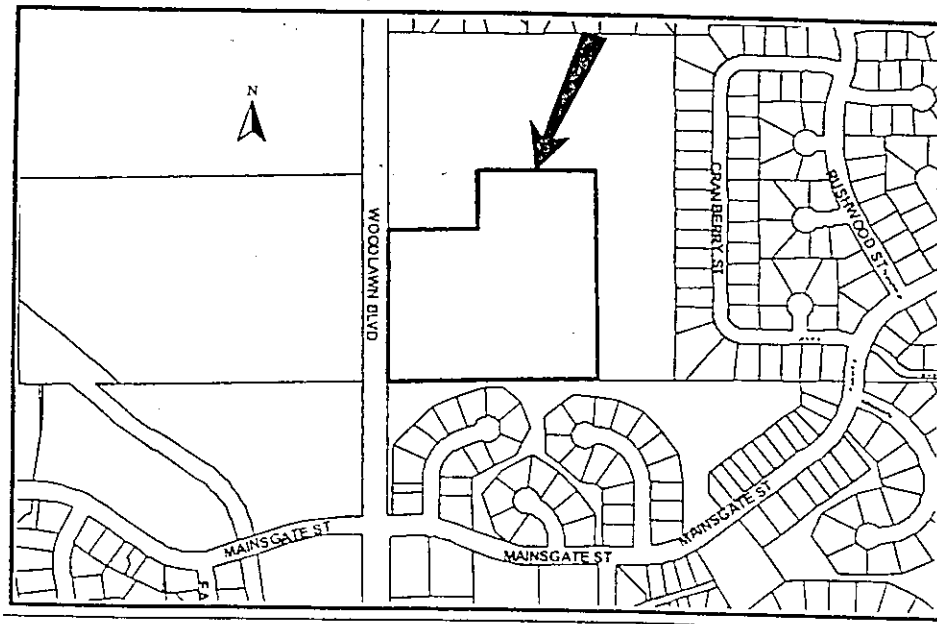
REQUEST:

1. Variance to increase the maximum area of two ground signs from 32 square feet to 96 square feet each; and
2. Variance to increase the maximum area of two building signs from 32 square feet to 130 square feet and 101 square feet, respectively.

CURRENT ZONING: "GO" General Office

SITE SIZE: 12.77 Acres

LOCATION: North of Mainsgate and east of Woodlawn (2600 N. Woodlawn)



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 is requesting two variances. One variance is to increase the maximum area of two ground signs from 32 square feet to 96 square feet each, and the second variance is to increase the maximum area of two building signs from 32 square feet to 130 square feet and 101 square feet, respectively. The signs are for Galicha Medical Group, P.A. and Galicha Heart Hospital (see attached elevation renderings of the requested signage).

The existing building on the site (see attached site plan) is currently undergoing extensive renovations so that these two businesses may occupy the structure. The site is designed with two entrances along Woodlawn, and the applicant intends to use the site such that the southern entrance will serve the Galicha Medical Group and the northern entrance will serve the Galicha Heart Hospital. The applicant desires signage that communicates the appropriate entrance to use for each business and the location of each business within the building (see attached letter). The applicant indicates that the existing ground sign on the site that was used by the former occupant will be removed.

The site is zoned "GO" General Office. In the "GO" General Office zoning district, ground or pole identification signs are permitted for each business on a zoning lot up to an area of 32 square feet each, provided that each sign must be separated by a distance of at least 150 feet along the street frontage. Additionally, the total area of all ground or pole identification signs on a zoning lot is limited to one-half square foot per lineal foot of frontage, which computes to a total of 290 square feet of ground or pole identification signs permitted on the subject property. The "GO" General Office zoning district also permits building signs for each business up to an area of 32 square feet each. Both ground and building signs are limited to direct or internal illumination of white light only and without flashing or moving images.

Much of the property surrounding the site is undeveloped. The property across Woodlawn to the west is currently used for agriculture and is zoned "SF-6" Single-Family Residential. The property to the north is undeveloped and is zoned "GO" General Office. The properties to the east and south of the site are zoned "SF-6" Single Family Residential and are developed with single-family residences. The proposed signage primarily would be visible from the property to the west across Woodlawn. The existing single-family residences in the area are oriented such that they face away from the proposed signage.

**ADJACENT ZONING AND LAND USE:**

|       |        |                          |
|-------|--------|--------------------------|
| NORTH | "GO"   | Undeveloped              |
| SOUTH | "SF-6" | Single-family residences |
| EAST  | "SF-6" | Single-family residences |
| WEST  | "SF-6" | Undeveloped              |

*The five criteria necessary for approval apply to both variances requested.*

**UNIQUENESS:** It is the opinion of staff that this property is unique, inasmuch as the proposed identification signage is for only two businesses located within a large office structure. Typically, a 90,000 square foot office structure would house numerous businesses, and each business would be allowed separate signage with the likely square footage of the signage exceeding the square footage of signage requested by the applicant.

**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 the only property which will have a direct view of the signage is undeveloped, and when it is developed, it will likely be developed a similar use or with structures that do not face the subject property.

**HARDSHIP:** It is the opinion of staff that the strict application of the provisions of the zoning regulation will constitute an unnecessary hardship upon the applicant; inasmuch as the building setback from the street much further than usual, thus building signage limited to 32 square feet in area would not be visible from the street. Additionally, the sign code would permit up to 290 square feet of ground or pole identification signs if the site were to be utilized by more businesses, and the applicant is requesting only 192 square feet of signage.

**PUBLIC INTEREST:** It is the opinion of staff that the requested variance would not adversely affect the public interest, inasmuch as the signage is tasteful in design, is of an appropriate scale and has minimal lighting.

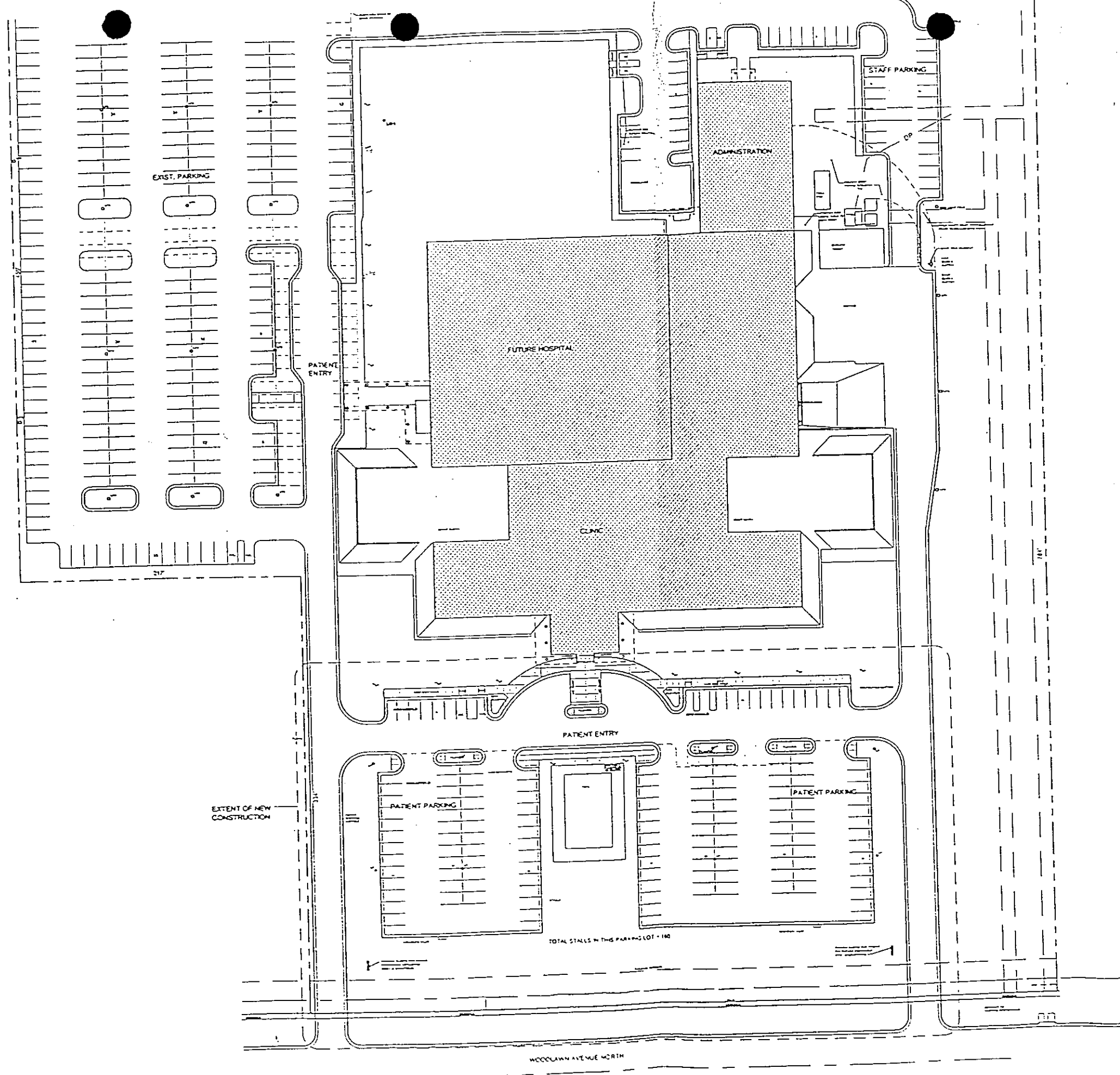
**SPIRIT AND INTENT:** It is the opinion of staff that the granting of the variance requested would not oppose the general spirit and intent of the Sign Code inasmuch as the signage will make it easier to locate the facility.

**RECOMMENDATION:** It is staff's opinion that the signage requested would be appropriate for identification of medical businesses on a large office lot. Should the Board determine that conditions necessary to the granting of the variance exist, then it is the recommendation of the Secretary that the variances to increase the size of the signage be GRANTED, subject to the following conditions:

1. The signs shall be placed in locations that are in substantial conformance with those shown on the attachments submitted with the variance application.
2. The ground signs shall be limited to 96 square feet in area each and the building signs shall be limited to 130 square feet and 101 square feet in area, respectively.
3. The existing ground sign on the site shall be removed prior to the issuance of sign permit.

4. 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.
5. The resolution authorizing this variance may be declared null and void upon findings by the Board that the applicant has failed to comply with any of the foregoing conditions.

Motion to approve 6-0



SPANGENBERG • PHILLI  
A R C H I T E C T

274 E. Douglas, Fifth Floor Wichita, KS 67202 F 315.767.4002 F 315.767.4003

**GALICHIA MEDICAL GROUP  
ADMINISTRATION FACILITIES**

7600 N. WOODLAWN  
WICHITA, KS

|          |           |
|----------|-----------|
| PERMIT   | 18 APR 01 |
| PROGRESS | 11 APR 01 |
| ISSUE    | DATE      |

SITE PLAN

**SITE PLAN**  
SCALE 1" = 40'

**C1**