



FILE COPY

Wichita-Sedgwick County Metropolitan Area Planning Department

August 12, 2002

Woodland Lakes Community Church
%Harlan Buettner
1526 E. Harry
Wichita, KS 67211

RE: Case No. BZA2002-10

Dear Ladies and Gentlemen:

Enclosed is a signed copy of the above-referenced BZA Resolution approved by the Board of Zoning Appeals on July 23, 2002, this resolution reflects the official action of the Board to grant your requests 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 BZA Secretary

SK/rms

cc: Ron's Sign Company, %John Saidon, 1329 S. Handley, Wichita, KS 67213
City Council Member District II, Joe Pisciotte, Mail Stop 1-13
D.A.B. II, Donte Martin, Mail Stop 1-13
Sharon Dickgrafe, Law Department, Mail Stop 1-132
J. R. Cox, OCI, 1-72

BZA RESOLUTION NO. 2002-00010

WHEREAS, Woodland Lakes Community Church c/o Harlan Buettner, (applicant); c/o Ron's Sign Company c/o John Saindon (Agent), pursuant to Section 2.12.590.B, Code of the City of Wichita, requests:

1. Variance to Section 24.04.190.11 of the Sign Code to permit a bulletin board sign for a church along an arterial street to exceed 48 square feet in size on property zoned "SF-5" Single-Family;
2. Variance to Section 24.04.190.11 of the Sign Code to permit a bulletin board sign for a church to be lighted by a method other than indirect white light on property zoned "SF-5" Single-Family;
3. Variance to Section 24.04.190.11 of the Sign Code to permit a bulletin board sign for a day care to exceed 25 square feet in size on property zoned "SF-5" Single-Family;
4. Variance to Section 24.04.190.11 of the Sign Code to permit a bulletin board sign for a day care to be lighted by a method other than indirect white light on property zoned "SF-5" Single-Family; and
5. Variance to Section 24.04.191 of the Sign Code to permit an identification sign for multifamily dwellings on property zoned "SF-5" Single-Family.

and legally described as follows:

Lot 1, Block 1, and Reserves "A", "B" and "F", in Cedar View Addition, an Addition to Wichita, Sedgwick County, Kansas.

AND

A tract in the Northwest Quarter of Section 27, Township 27 South, Range 2 East of the Sixth Principal Meridian, Sedgwick County, Kansas, described as follows: Beginning 850 feet north of the Southwest corner of said Northwest Quarter; thence east parallel to Kellogg Street, a distance of 347 feet; thence north parallel to the West line of said Section, a distance of 480 feet; thence west parallel to Kellogg Street, a distance of 347 feet; thence south parallel to the West line of said Section, 480 feet to the place of beginning, EXCEPT that portion taken by the Kansas Turnpike Authority, AND EXCEPT the west 50 feet thereof for road.

AND

A tract in the Northwest Quarter of Section 27, Township 27 South, Range 2 East of the Sixth Principal Meridian, Sedgwick County, Kansas, described as follows: Beginning 635 feet north of the Southwest corner of said Northwest Quarter; thence east parallel to Kellogg Street, a distance of 347 feet; thence south parallel to the West line of said Section, a distance of 223 feet; thence west parallel to Kellogg Street, a distance of 347 feet; thence north parallel to the West line of said Section, 223 feet to the point of beginning, EXCEPT the west 50 feet thereof for road. Generally located at the northeast corner of Lincoln and Greenwich.

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 July 23, 2002, 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. It is the opinion of the Board that this property is unique, inasmuch as the property is 24 acres in size, which is several times larger than the a typical church site. Additionally, the property has almost 800 feet of frontage along an arterial street and has over 1,000 feet of frontage along an interstate highway, neither of which is typical for a property found in the "SF-5" zoning district.

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. It is the opinion of the Board that the granting of the variances requested will not adversely affect the rights of adjacent property owners, inasmuch as the view of the sign will be obstructed from view from most nearby residential properties by the church building and extensive evergreen vegetation located on the south side of Lincoln.

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 the Board that the strict application of the provisions of the sign regulation will constitute an unnecessary hardship upon the applicant, inasmuch as the church is located near a heavily traveled, commercial area with several large commercial signs along Greenwich, and the applicant's ability to relay information regarding events is severely limited in such an environment if the each business is only permitted one small sign with indirect white lighting.

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 the Board that the requested variances would not adversely affect the public interest, inasmuch as the signage is tasteful in design, is of an appropriate scale and has minimal lighting. Additionally, the signage will be located far enough from the intersection of Lincoln and Greenwich as to not create sight distance problems for motorists, and the location of the signage does not encroach into any utility easements or right-of-way.

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 the Board that the granting of the variances requested would not oppose the general spirit and intent of the Sign Code inasmuch as the regulations for most uses located along major streets allow for larger signs based on the length of the street frontage; whereas, residential zoning districts do not have such a provision for an increase in sign square footage based on the length of the street frontage. Additionally, the lighting regulations for signs on residentially-zoned property

are intended for instances where the sign is located within a residential neighborhood in close proximity to residences, rather than along a major streets and far removed from residences.

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, pursuant to Section 2.12.590.B, Code of the City of Wichita, that the following variances are hereby granted:

1. Variance to Section 24.04.190.11 of the Sign Code to permit a bulletin board sign for a church along an arterial street to exceed 48 square feet in size on property zoned "SF-5" Single-Family;
2. Variance to Section 24.04.190.11 of the Sign Code to permit a bulletin board sign for a church to be lighted by a method other than indirect white light on property zoned "SF-5" Single-Family;
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AND

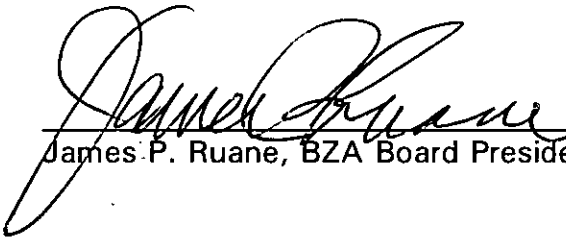
A tract in the Northwest Quarter of Section 27, Township 27 South, Range 2 East of the Sixth Principal Meridian, Sedgwick County, Kansas, described as follows: Beginning 635 feet north of the Southwest corner of said Northwest Quarter; thence east parallel to Kellogg Street, a distance of 347 feet; thence south parallel to the West line of said

Section, a distance of 223 feet; thence west parallel to Kellogg Street, a distance of 347 feet; thence north parallel to the West line of said Section, 223 feet to the point of beginning, EXCEPT the west 50 feet thereof for road.

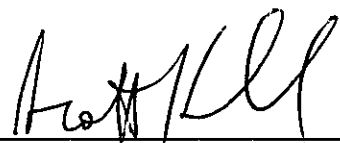
The variances are hereby subject to the following conditions:

1. All signage shall be placed in locations that are in substantial conformance with the approved site plan.
2. Sign A shall be limited to 96 square feet in area, 16' 9" in overall height, and internal illumination by white light. Sign B shall be limited to 48 square feet in area, 14' 3" in overall height, and internal illumination by white light. Sign C shall be limited to 48 square feet in area, 14' 3" in overall height, and internal illumination by white light. All signs shall be of a design that is in substantial conformance with the approved elevation rendering.
3. Portable signage shall not be permitted on the subject property.
4. The applicant shall obtain all permits necessary to construct the signage, and the signage shall be erected within one year of the granting of the variances, unless such time period is extended by the Board.
5. The resolution authorizing these variances 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 23^d DAY of JUNE, 2002.


James P. Ruane, BZA Board President

ATTEST:


Scott Knebel, BZA Secretary

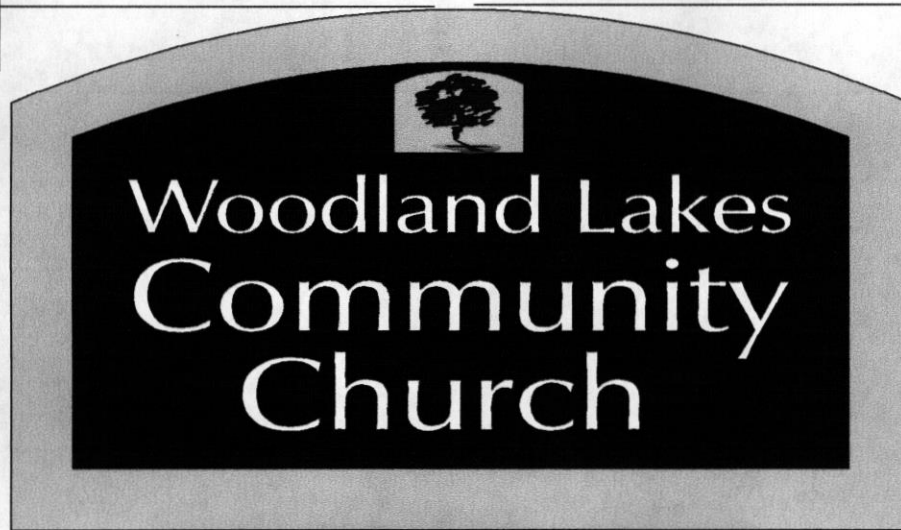
SIGN A



PO# 1264
woodland lakes

Lighted Pole Sign

10' 3"



6'

16' 9"

WELCOME

4' x 8'

BZA 2202-00010
SITE PLAN

APPROVED 7-23-02 BY C.H. BZA



By signing this you agree that all sizes, graphics and specifications are correct and satisfactory.
This layout is the property of Ron's Sign Co. and may not be used or duplicated without permission.

Approved by:

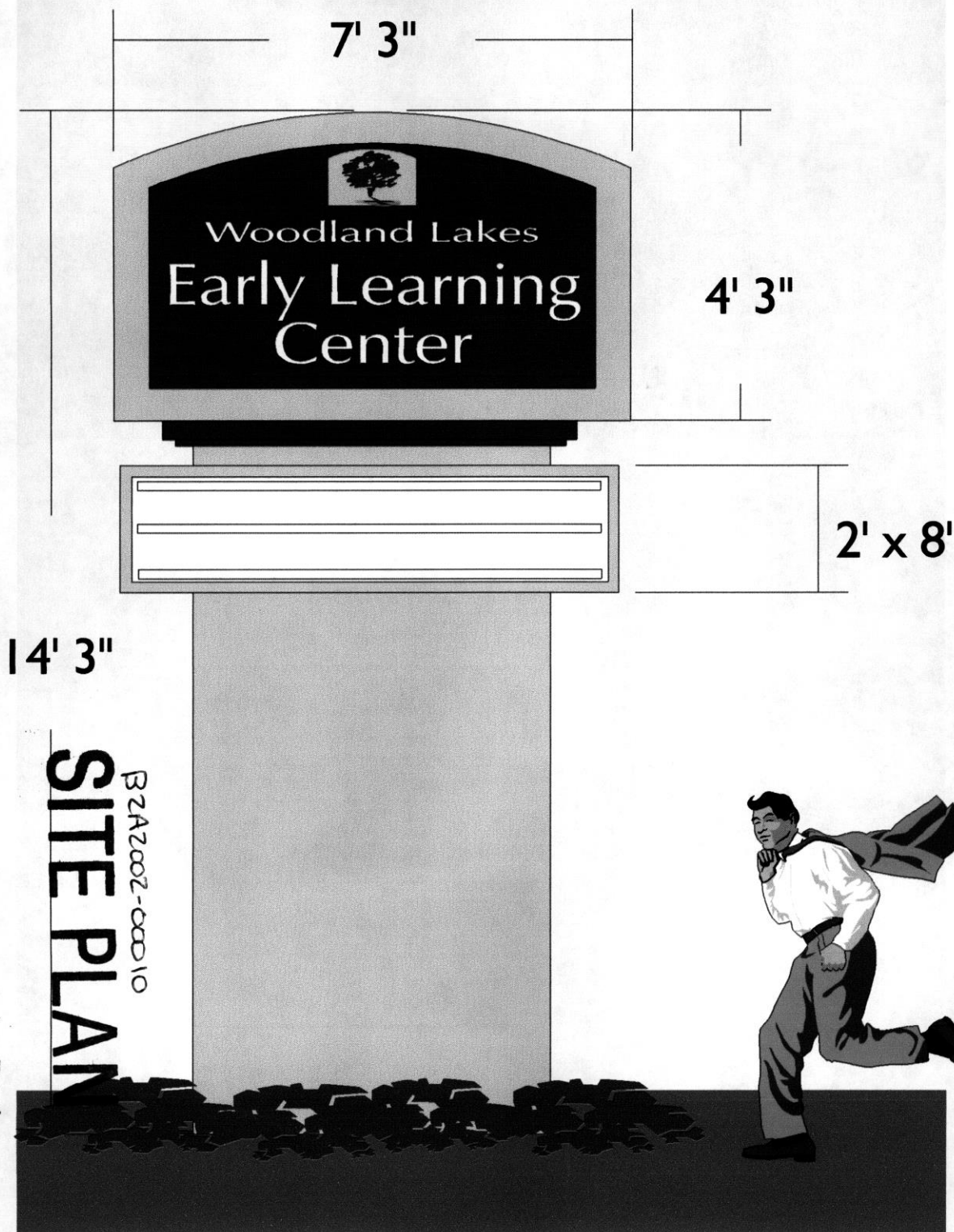
Date:



PO# 1264
woodland lakes

SIGN B

Lighted Pole Sign



Approved by:

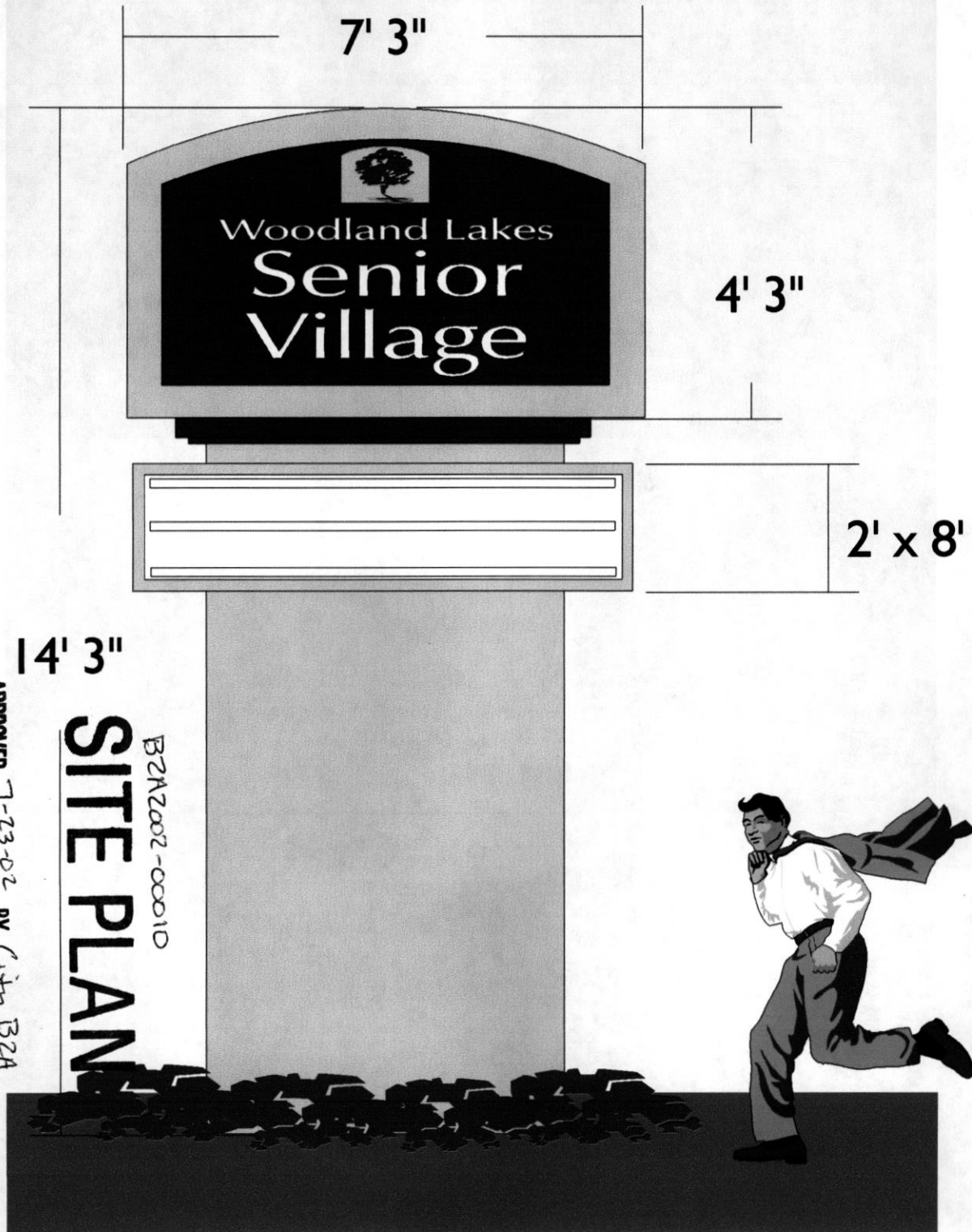
Date:

SIGN C



PO# 1264
woodland lakes

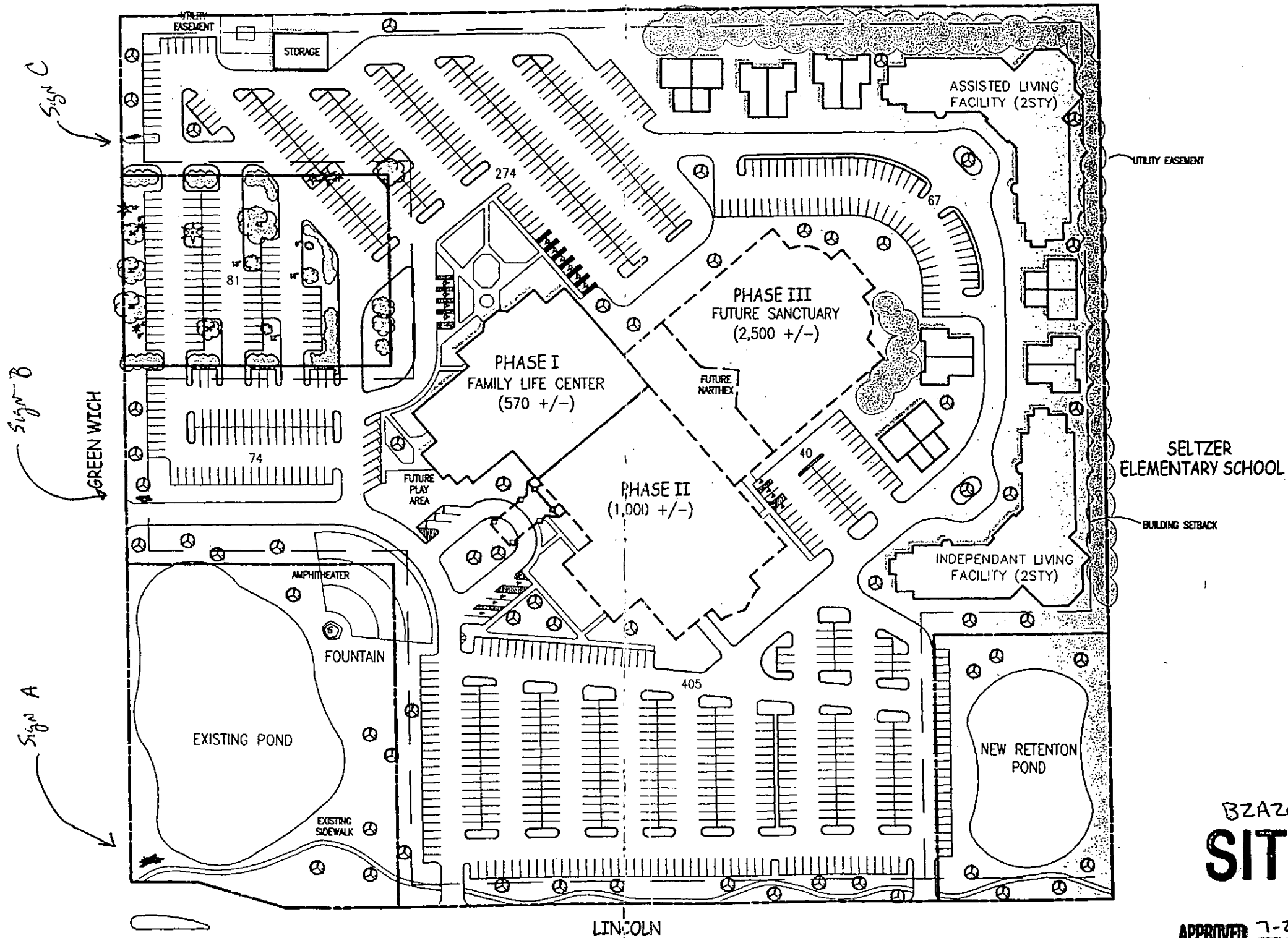
Lighted Pole Sign



By signing this you agree that all sizes, graphics and specifications are correct and satisfactory.
This layout is the property of Ron's Sign Co. and may not be used or duplicated without permission.

Approved by:

Date:



BZA2002-00010
SITE PLAN

APPROVED 7-23-02 BY CITY BZA



McKnight & Hosterman Architects, Inc.
 328 Edward Road, Suite 200, Shawnee, KS 66201 Phone (913) 271-1000 Fax (913) 271-1001



MASTER SITE PLAN

941 SPACES

WOODLAND LAKES COMMUNITY CHURCH

COMM. NO. 201242

SEPTEMBER 25, 2001

WICHITA, KS