



Wichita-Sedgwick County Metropolitan Area Planning Department

February 23, 2021

Ron's Sign Company
1329 South Handley
Wichita, KS 67213

RE: BZA2021-00004 - City Variance to allow 300 square foot sign on property zoned OW Office Warehouse; generally located one-half mile east of South Greenwich Road on the north side of East Kellogg Drive (12098 East Kellogg).

Dear Applicant,

The official action of the Board of Zoning Appeals was to grant the requested variance. You will receive an executed copy of the BZA2021-00004 Resolution adopted by the Board of Zoning Appeals on February 18, 2021 once it has been processed. The approval of the request is subject to the following conditions.

1. Signage shall be in substantial conformance with the approved site plan and included elevations.
2. Signage shall be limited to 300 square feet in size.
3. The applicant shall obtain all permits necessary from the Metropolitan Area Building and Construction Department to construct the signage and the signage shall be erected within one year.

If you have any questions concerning this matter, please call our office at (316)-268-4421.

Sincerely,

A handwritten signature in blue ink that reads 'Matthew Williams'.

Matthew Williams, AICP
Associate Planner

Copies to: MABCD
ICT Capital, Doug Malone, 301 North Main, Wichita, KS 67202

BZA RESOLUTION NO. BZA2021-00004

WHEREAS, ICT Capital (Applicant); pursuant to Kansas Statutes Annotated 12-759, requests a Variance to allow a 300 square foot sign on property zoned OW Office Warehouse, and legally described as follows:

Beginning at a point in the South line of the Southeast Quarter of Section 22, Township 27 South, Range 2 East of the Sixth Principal Meridian, Sedgwick County, Kansas, and 330.0 feet east of the Southwest corner of said Southeast Quarter of Section 22, thence north parallel with the West line of said Southeast Quarter of said Section 22, a distance of 1320.0 feet; thence east 396.0 feet; thence south 1320.0 feet to a point in the South line of said Southeast Quarter of said Section 22; thence west 396.0 feet to point of beginning, Sedgwick County, Kansas, EXCEPT that part condemned for highway purposes in Condemnation Case No. A-17549, AND EXCEPT that part described as commencing at the Southeast corner of said Section 22; thence South 89°03'45" West, along the South line of said Southeast Quarter, a distance of 2319.61 feet; thence North 00°50'32" West, a distance of 87.64 feet to the Point of Beginning; thence continuing North 00°50'32" West, a distance of 45.90 feet; thence North 84°17'40" East, a distance of 170.42 feet; thence South 86°09'19" East, a distance of 226.96 feet; thence South 00°50'32" East, a distance of 40.49 feet to a point on the Northerly right of way line of U.S. 54 Highway (Kellogg Road), as previously established; thence South 88°58'03" West along said Northerly right of way line, a distance of 396.00 feet to the Point of Beginning, AND EXCEPT that part described as commencing at the Southeast corner of said Section 22; thence South 89°03'45" West, along the South line of said Southeast Quarter, a distance of 2319.61 feet; thence North 00°50'32" West, a distance of 628.28 feet to the Point of Beginning, said point being on a non-tangent curve to the right; thence along said curve to the right having a chord bearing of South 61°01'05" East a radius of 500.00 feet for an arc distance of 417.92 feet; thence South 37°04'22" East, a distance of 74.26 feet; thence North 00°50'32" West, a distance of 101.43 feet to the beginning of a non-tangent curve to the left; thence along said curve to the left having a chord bearing of North 61°43'15" West, a radius of 560.00 feet for an arc distance of 466.69 feet; thence South 00°50'32" East, a distance of 60.28 feet to the Point of Beginning.

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 February 18, 2021, consider said application; and

WHEREAS, the Board of Zoning Appeals has proper jurisdiction to consider said request for a variance under the provisions of Kansas Statutes Annotated 12-759 *et. seq.*; and

WHEREAS, the conditions of the request are unique to the subject property. In this case, the property is next to an elevated highway and the existing sign is difficult to see.

WHEREAS, waving the requirements will not adversely affect the rights of adjacent property owners. In this case, the existing 150 square-foot sign is within 400 feet of an off-site billboard that is around 672 square feet in size. There is also a sign on the south side of Kellogg that is around 187 square feet.

WHEREAS, the strict application of the applicable Code will constitute an unnecessary hardship upon the property owner. In OW zoning, the City Sign Code regulations limit the size of a sign to 150 square feet which is not sufficient for the applicant in this location. If this location was zoned GC, as the property immediately to the west is, the City Sign Code regulations would limit the size of a sign to 300 square feet.

WHEREAS, it is the opinion of the Board of Zoning Appeals that the requested variance would not adversely affect the public interest, health, safety or welfare; and

WHEREAS, It is the opinion of Board of Zoning Appeals that the spirit and intent of the Zoning Code is being met in this case; and

WHEREAS, each of the five conditions required by Kansas Statutes Annotated 12-759, are found to be present for a variance to be granted.

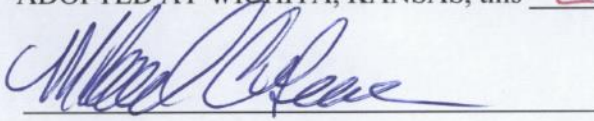
NOW, THEREFORE, BE IT RESOLVED by the Board of Zoning Appeals, pursuant to Kansas Statutes Annotated 12-759, a Variance to allow a 300 square foot sign on property zoned OW Office Warehouse, and legally described as follows:

Beginning at a point in the South line of the Southeast Quarter of Section 22, Township 27 South, Range 2 East of the Sixth Principal Meridian, Sedgwick County, Kansas, and 330.0 feet east of the Southwest corner of said Southeast Quarter of Section 22, thence north parallel with the West line of said Southeast Quarter of said Section 22, a distance of 1320.0 feet; thence east 396.0 feet; thence south 1320.0 feet to a point in the South line of said Southeast Quarter of said Section 22; thence west 396.0 feet to point of beginning, Sedgwick County, Kansas, EXCEPT that part condemned for highway purposes in Condemnation Case No. A-17549, AND EXCEPT that part described as commencing at the Southeast corner of said Section 22; thence South 89°03'45" West, along the South line of said Southeast Quarter, a distance of 2319.61 feet; thence North 00°50'32" West, a distance of 87.64 feet to the Point of Beginning; thence continuing North 00°50'32" West, a distance of 45.90 feet; thence North 84°17'40" East, a distance of 170.42 feet; thence South 86°09'19" East, a distance of 226.96 feet; thence South 00°50'32" East, a distance of 40.49 feet to a point on the Northerly right of way line of U.S. 54 Highway (Kellogg Road), as previously established; thence South 88°58'03" West along said Northerly right of way line, a distance of 396.00 feet to the Point of Beginning, AND EXCEPT that part described as commencing at the Southeast corner of said Section 22; thence South 89°03'45" West, along the South line of said Southeast Quarter, a distance of 2319.61 feet; thence North 00°50'32" West, a distance of 628.28 feet to the Point of Beginning, said point being on a non-tangent curve to the right; thence along said curve to the right having a chord bearing of South 61°01'05" East a radius of 500.00 feet for an arc distance of 417.92 feet; thence South 37°04'22" East, a distance of 74.26 feet; thence North 00°50'32" West, a distance of 101.43 feet to the beginning of a non-tangent curve to the left; thence along said curve to the left having a chord bearing of North 61°43'15" West, a radius of 560.00 feet for an arc distance of 466.69 feet; thence South 00°50'32" East, a distance of 60.28 feet to the Point of Beginning.

The variance is hereby GRANTED, subject to the following conditions:

1. Signage shall be in substantial conformance with the approved site plan and included elevations.
2. Signage shall be limited to 300 square feet in size.
3. The applicant shall obtain all permits necessary from the Metropolitan Area Building and Construction Department to construct the signage and the signage shall be erected within one year.

ADOPTED AT WICHITA, KANSAS, this 25th Day of February, 2021.

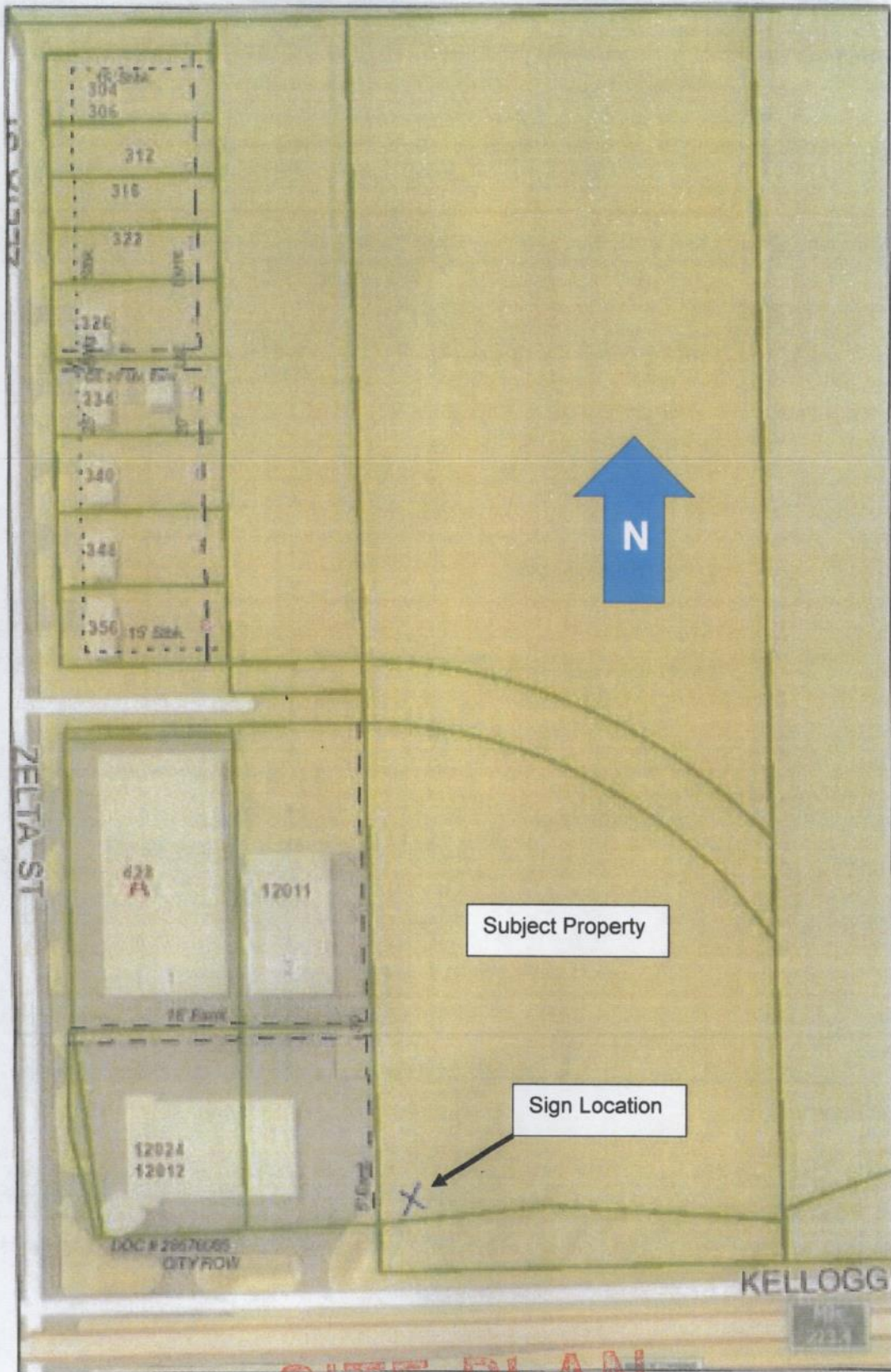


Michael Greene, BZA Board Chair

ATTEST:



Scott Wadle,
BZA Secretary



SITE PLAN

APPROVED 2/23/21 BY MW