



Wichita-Sedgwick County Metropolitan Area Planning Department

February 26, 2021

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

RE: BZA2020-00067: City Variance to allow on-site sign and increase height and size on property zoned LC Limited Commercial; generally located 2300 feet east of South Rock Road on the south side of U.S. 54/400 Highway (Kellogg).

Dear Applicant,

At its regular meeting on January 21, 2021, the Wichita - Sedgwick County Board of Zoning Appeals considered the above captioned request. The action of the BZA was to **APPROVE** the request.

Enclosed is a signed copy of the above referenced BZA Resolution adopted by the Board of Zoning Appeals. This resolution reflects the official actions of the Board and is forwarded for your information and files.

Part of the resolution indicates conditions that must be met in order for the variance to take effect.

1. The pole sign on the subject property shall comply with all regulations of the sign code, except that the sign shall be classified as an on-site sign and permitted to be a maximum of 335 square feet in size and 45 feet tall.
2. 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.
3. The resolution authorizing this variance may be declared null and void upon findings by the Zoning Board of Appeals that the applicant has failed to comply with any of the foregoing conditions.

This is a reminder that the zoning notification signs should now be removed from the property. If you have any questions concerning this application, please contact our office at 268 4421.

A handwritten signature in blue ink, appearing to read 'Matt Williams'.

Sincerely,
Matthew Williams, AICP
Associate Planner

Copies to: Steven Enterprises LLC – Brandon Steven, 8801 E. Kellogg, Wichita, KS 67207
MABCD
Becky Tuttle, WCC District II
Cory Buchta, CSR II
S. Mellies, City Engineer

The Ronald Reagan Building • 2nd Floor • 271 West Third Street • Wichita, Kansas 67202
316.268.4421 • www.wichita.gov

BZA RESOLUTION NO. BZA2020-00067

WHEREAS, Steven Enterprises LLC (Applicant); pursuant to Kansas Statutes Annotated 12-759, requests a Variance to increase height and size of on-site sign on property zoned LC Limited Commercial, and legally described as follows:

Lot 1, Circuit City Addition, Wichita, Sedgwick County, Kansas.

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 January 21, 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, it is the opinion of Board of Zoning Appeals that the conditions of the request are unique to the subject property; and

WHEREAS, it is the opinion of Board of Zoning Appeals that the variance will not impact the use and enjoyment of the adjacent properties; and

WHEREAS, it is the opinion of Board of Zoning Appeals that a denial would have presented an adverse hardship to the applicant; and

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 the 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 increase height and size of on-site sign on property zoned LC Limited Commercial, and legally described as follows:

Lot 1, Circuit City Addition, Wichita, Sedgwick County, Kansas.

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

1. The pole sign on the subject property shall comply with all regulations of the sign code, except that the sign shall be classified as an on-site sign and permitted to be a maximum of 335 square feet in size and 45 feet tall.

BZA Resolution No. BZA2020-00067

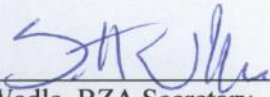
2. The applicant shall obtain all permits necessary from the Metropolitan Area Building and Construction Department to construct the signage and the signage shall be erected within one year.
3. The resolution authorizing this variance may be declared null and void upon findings by the Zoning Board of Appeals that the applicant has failed to comply with any of the foregoing conditions.

Adopted this 4th Day of February 2021



Michael C. Greene, BZA Board Chair

ATTEST:



Scott Wadle, BZA Secretary

BZA Resolution No. BZA2020-00067

WICHITA-SEDGWICK COUNTY BOARD OF ZONING APPEALS

271 WEST THIRD ST., 2ND FLOOR, SUITE #203

WICHITA, KANSAS 67202-1688

316-268-4421 (T)

NOTICE OF PUBLIC HEARING

PLEASE NOTE: due to COVID-19 this Wichita-Sedgwick County Metropolitan Area Planning Commission/Board of Zoning Appeals meeting will be held virtually. Those without technology options can participate by going to Century II – as specified below.

CASE NO: **BZA2020-00067**

REQUEST AND GENERAL LOCATION: **City variance to allow on-site sign and increase height and size on property zoned LC Limited Commercial located 2300 feet east of South Rock Road, on the south side of U.S. 54/400 Highway (Kellogg).**

APPLICANT: Steven Enterprises LLC, Attn: Brandon Steven, 8801 E. Kellogg
Wichita, KS 67207

LEGAL DESCRIPTION: A complete legal description is available for public inspection at the Metropolitan Area Planning Department, 271 West Third Street, 2nd Floor

The meeting will begin at 1:30 p.m. in the Wichita City Council Chambers. A copy of the staff report will be available for public review six days prior to the public hearing. If you have any questions, comments, or information related to this request prior to the public hearing, please call the Planning Department staff person assigned to this case, **Matthew Williams**, at (316) 268-4421. If you provide comments to us in writing (address above or FAX at 316-858-7764, or e-mail at **mawilliams@wichita.gov** by the day before the BZA meeting, we will provide copies to the BZA for their consideration.

As an owner or occupant of property in the area, you have the right to appear at the BZA meeting, either in person or by agent or attorney, to support or oppose this request. If you have no interest in or objection to the request, you have no obligation to appear at the public hearing.

The **PUBLIC HEARING** will be held on the following date and under the following special conditions:

Thursday, January 21, 2021 at 1:30 PM

VIRTUALLY

OR

SEE BELOW FOR ADDITIONAL INFORMATION

PLEASE NOTE THIS MEETING IS CONSIDERED AN EMERGENCY MEETING OF THE WICHITA-SEDGWICK COUNTY METROPOLITAN AREA PLANNING COMMISSION/BZA due to COVID-19, WHICH WILL IMPOSE SPECIAL PROCEDURES TO PARTICIPATE IN THE PUBLIC HEARING. THESE ARE AS FOLLOWS:

The meeting will be conducted “virtually” using Go-To-Meeting. You have multiple options to participate: 1) submit comments ahead of time, 2) participate remotely, or 3) attend a virtual connection site in-person (see below).

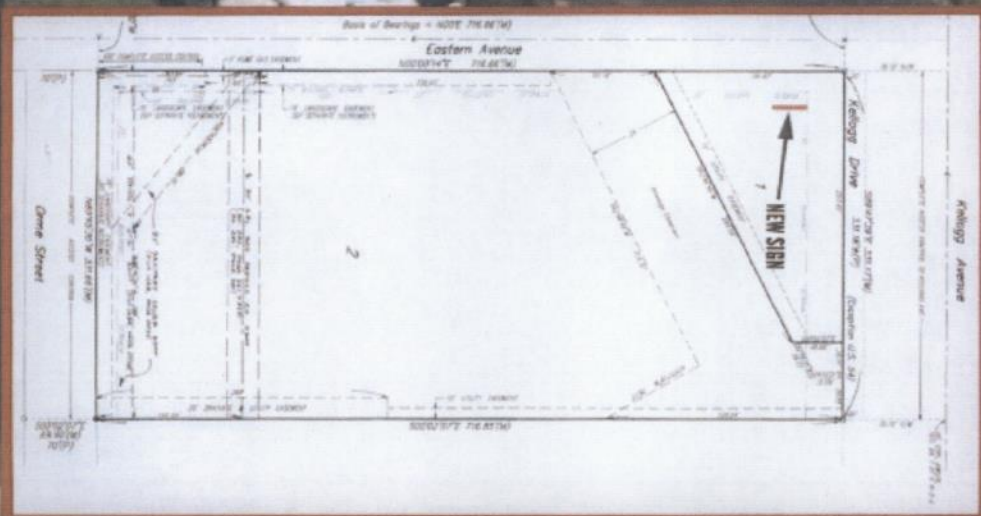
Participate Remotely

Please join my meeting from your computer, tablet or smartphone.

<https://global.gotomeeting.com/join/651544141>

PROPERTY PLAT

E Kellogg Dr



E Kellogg Dr

E Kellogg Dr

SIGN
LOCATION



SITE PLAN

APPROVED 2/26/21 BY MW