



Wichita-Sedgwick County Metropolitan Area Planning Department

April 7, 2023

Union Pacific Railroad
Attn: David C. LaPlante
1400 Douglas St. STOP 1990
Omaha, NE 68179

Lamar Advertising
Attn: David Mollhagen
2901 South Kansas Ave
Wichita, KS 67216

RE: BZA2023-00016– Administrative Adjustment in the City to increase the height of an off-site sign 20 feet above adjacent elevated highway on property adjacent to GI General Industrial Zoning, located within the Union Pacific Right-of-Way at the intersection of I-135 and North Hydraulic Avenue.

LEGAL: N/A-- Sign is within railroad right-of-way; located approximately 192 feet west of the West line of Section 34, Township 26 South, Range 1 East, and approximately 375 feet north of the North line of Section 4, Township 27 South, Range 1 East of the 6th P.M. Wichita, Sedgwick County Kansas.

Dear Applicants:

We received and reviewed your request for an Administrative Adjustment to permit an increase in sign height necessitated by the adjacent elevated portion of Interstate 135 to the west. We understand that the increase in height to be 20 feet above the said elevated highway would permit the sign to have a maximum height of 59.29 feet. Sec. 24.04.251.2(h) of the Wichita Sign Code permits the heights of signs to be administratively adjusted to 20 feet above adjacent elevated highways.

We find that allowing the height adjustment of the new off-site sign as proposed meets the three conditions required by Section 24.04.222 of the Sign Code as set out below:

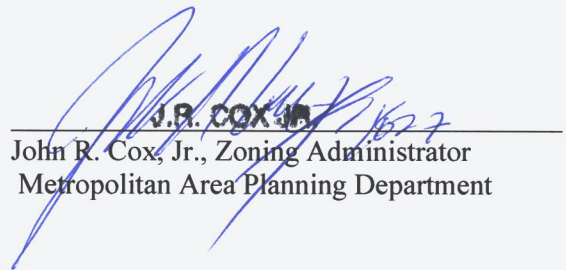
- 1) Impact on existing uses in surrounding areas: Properties to the north, west, and south are either highway or railroad right-of-way, and property to the east is zoned GI General Industrial and is a pond.
- 2) Compatibility with existing or permitted uses on abutting sites: The height adjustment will not negatively impact the surrounding area as it is directed to the traffic on I-135.
- 3) Effect on public health, safety or welfare: There will be no encroachment into public right-of-way. The sign is legally permitted within the railroad right-of-way. There should be no 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 increase the height of an off-site sign to 59.29 feet is ALLOWED subject to the following conditions:

- 1) The Sign Code Adjustment is for an increase in height to 59.29 feet for one off-site sign only as shown on the approved site plan; all signage on the site shall otherwise conform to the Sign Code unless a separate adjustment or variance is approved.
- 2) The sign shall be in general conformance with the approved conceptual elevation and site plan. However, a final site plan shall be submitted for approval upon application for the sign permit. The sign shall not be located within any easement unless the appropriate permission has been obtained. The sign shall be permitted and installed within one year from the date of approval. Portable signs are not allowed on the site.
- 3) If the Zoning Administrator finds that there is a violation of any of the conditions of the Sign Code Adjustment, the Zoning Administrator, in addition to enforcing the other remedies set forth in the Sign Code, may, with the concurrence of the Planning Director, declare that the Sign Code Adjustment is null and void.



Scott Wadle, Director
Metropolitan Area Planning Department



John R. Cox, Jr., Zoning Administrator
Metropolitan Area Planning Department

cc: MABCD
Brandon Johnson, City Council District I
Tasha Hayes, CSR District I



Savoy Company, P.A.

Land Surveyors

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El Dorado, KS 67042-2058
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Kensington, Kansas
129 S. Main, Suite 100
P.O. Box 95
Kensington, KS 66951-9804
Cell. (785) 476-8061



EAST LINE OF SECTION 33, TWP. 26-S, R-1-E

SITE PLAN

APPROVED 4/7/03 BY *[Signature]*
BEA2003-16



1" = 50'

PROJECT NO. 22122173 T

■ POWER POLE
 OHE = OVERHEAD ELECTRIC
 T.O.B. = TOP OF BARRIER
 T.O.C.G.R. = TOP OF CONCRETE CONCRETE GUARD RAIL