WICHITA

Wichita-Sedgwick County Metropolitan Area Planning Department

July 25, 2012

West Evangelical Free Church
1161 N. Maize
Wichita, KS 67212

Trimark Inc. c/o Andrea Edwards
319 S. Oak
Wichita, KS 67213

RE: **BZA2012-37 – City variance request to increase the height of a building sign in SF-5 Single-family Residential zoning, generally located west of Maize and south of 13th Street North (1161 N. Maize).**

Dear Applicant:

Enclosed is a signed copy of the above-referenced BZA Resolution adopted by the City Board of Zoning Appeals on **July 24, 2012.** This resolution reflects the official action of the Board. It is forwarded for your information and files.

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

Sincerely,

Jess McNeely, AICP
Senior Planner
BZA Secretary

cc: Rick Stubbs, Office of Central Inspections, 1-72
JR Cox, Office of Central Inspection, 1-72
Jeff Longwell, WCC V CM
Megan Buckmaster, WCC V NA

BZA RESOLUTION NO. BZA2012-37

WHEREAS, West Evangelical Free Church (owner), pursuant to Section 2.12.590.B, Code of the City of Wichita, requests a variance of the Sign Code to increase the maximum height of a building sign from 20 to 45 feet for a church in SF-5 zoning; generally located west of North Maize and south of 13th Street North (1161 N. Maize Road).

Lot 1, Maranatha 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 July 24, 2012, 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 this property is unique. The SF-5 zoned church fronts an arterial street and abuts commercial zoning and development to the north. The church building is further unique in that existing windows on the church are over 40 feet in height and prohibit a 20-foot high building sign.

WHEREAS, the Board of Zoning Appeals has found that granting the requested variance will not adversely affect the rights of adjacent property owners. No residences directly face the proposed sign. The nearest residence is over 175 feet from the sign location, across Maize Road. Trees in the Maize right-of-way, on residential properties, and on the church site will further screen the proposed sign from the back yards of residences east of the sign and across Maize Road.

WHEREAS, the Board of Zoning Appeals has found that the strict application of the provisions of the Code would constitute an unnecessary hardship upon the applicant. The 20-foot height limit for building signs in SF-5 zoning would prohibit this church from placing a building sign on the most visible portion of the church.

WHEREAS, the Board of Zoning Appeals has found that the requested variance will not adversely affect the public interest. The requested sign height is consistent with commercial zoning along the arterial frontage. Adequate visibility of this sign from Maize is in the public interest.

WHEREAS, the Board of Zoning Appeals has found that granting the requested variance does not oppose the general spirit and intent of the Zoning Code. The Sign Code restriction for sign height in residential zoning does not take into consideration larger buildings with arterial street frontage and tall windows. The spirit and intent of the sign code is for adequate identification of facilities without negative effects on surrounding properties, this variance request is consistent with that spirit and intent.

WHEREAS, each of the five conditions required by Section 2.12.590.B, Code of the City of Wichita,

are found to be present for a variance to be granted.

NOW, THEREFORE, BE IT RESOLVED by the Board of Zoning Appeals, pursuant to Section 2.12.590.B, Code of the City of Wichita, a variance of the Sign Code to increase the maximum height of a building sign from 20 to 45 feet for a church in SF-5 zoning; generally located west of North Maize and south of 13th Street North (1161 N. Maize Road).

Lot 1, Maranatha Addition, Wichita, Sedgwick County, Kansas.

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

1. The sign shall be developed in conformance with the approved site plan and elevation drawing.
2. The applicant shall obtain all permits necessary to construct the sign and the sign shall be erected within one year of the variance granting, unless such time period is extended by the BZA.
3. The above conditions are subject to enforcement by any legal means available to the City of Wichita.

ADOPTED AT WICHITA, KANSAS, this 24th Day of July, 2012.

BZA Board Chair, Steve Anthimides

ATTEST:

Jess McNeely, AICP
BZA Secretary

BOARD OF ZONING APPEALS
WICHITA, KANSAS

AGENDA ITEM NO. 2
July 24, 2012

SECRETARY'S REPORT

CASE NUMBER: BZA2012-37

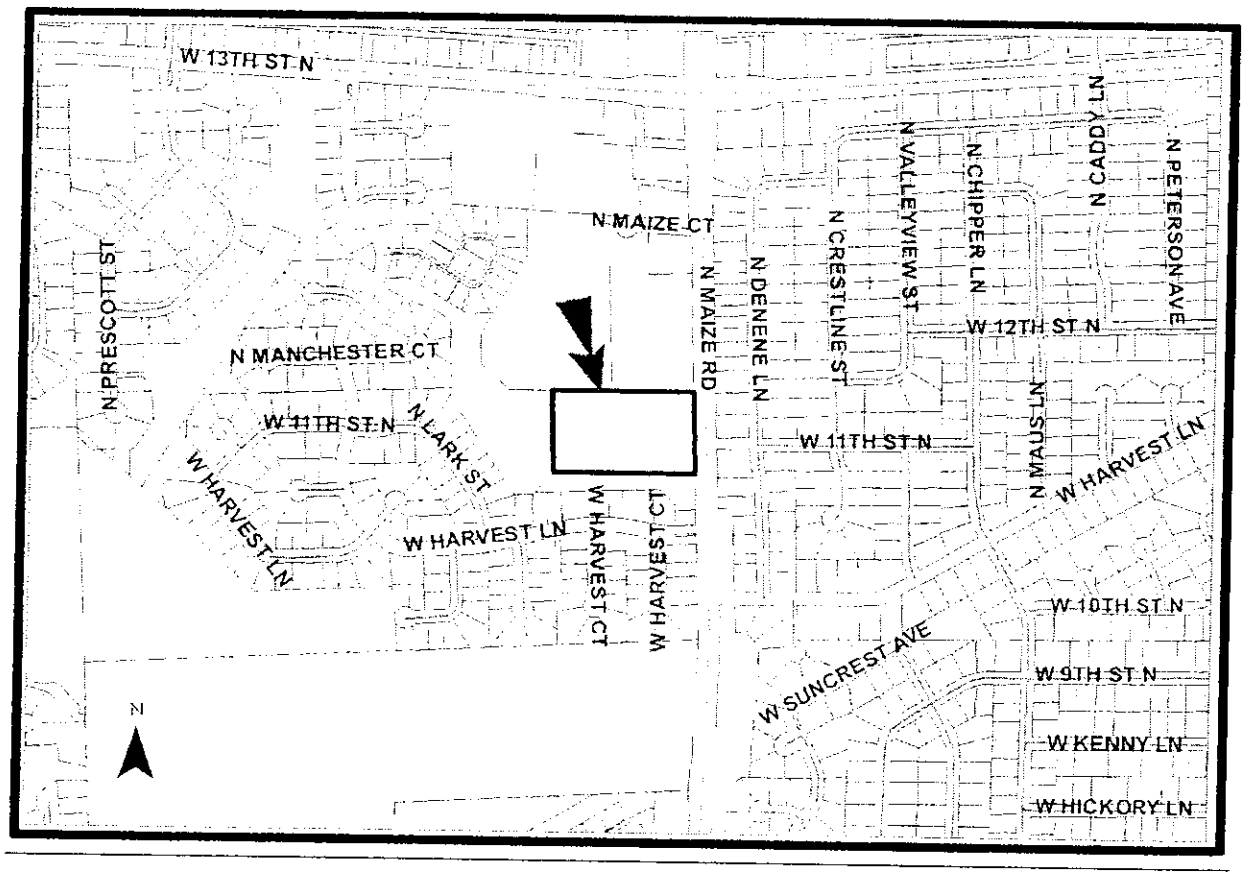
APPLICANT/AGENT: West Evangelical Free Church (owner), Trimark Inc. c/o Andrea Edwards (agent)

REQUEST: City Sign Code variance request to increase the maximum height of a building sign from 20 to 45 feet for a church.

CURRENT ZONING: SF-5 Single-family Residential

SITE SIZE: 5.51 acres

LOCATION: Generally located west of North Maize and south of 13th Street North (1161 N. Maize Road).



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 Sign Code limits building signs in SF-5 Single-family Residential ("SF-5") zoning to a maximum of 20 feet in height regardless of building height. The subject sign is proposed for the front (or northeast) façade of the West Evangelical Free Church (see the attached elevation drawing). The proposed sign location is the most visible and logical location on this building. However, the building has approximately 40-foot tall windows at this location. The Sign Code prohibits building signs from covering windows, therefore the sign cannot be placed lower on the proposed building elevation. The proposed sign otherwise conforms to the Sign Code.

All property north of the site, up to the 13th Street intersection, is zoned LC Limited Commercial. LC zoned buildings facing an arterial street do not have a building sign height limit, the Zoning Code building height limit by default would limit building sign height. South of the site is an SF-5 zoned drainage reserve. Further south are single-family residences, none of which face the proposed sign location. East of the site is Maize Road, across Maize are duplexes and single-family residences which front on Denene Lane and do not face the proposed sign. West of the site is the church's parking, further west is a large drainage reserve with a pond.

ADJACENT ZONING AND LAND USE:

NORTH	LC	Vacant, retail, car wash
SOUTH	SF-5	Drainage reserve, single-family residences
EAST	TF-3, SF-5	Maize Road, duplexes, single-family residences
WEST	SF-5	Detention reserve, single-family residences

The five criteria necessary for approval as they apply to variances requested.

UNIQUENESS: It is staff's opinion that this property is unique. The SF-5 zoned church fronts an arterial street and abuts commercial zoning and development to the north. The church building is further unique in that existing windows on the church are over 40 feet in height and prohibit a 20-foot high building sign.

ADJACENT PROPERTY: It is staff's opinion that the requested variance to increase the height of the building sign would not adversely affect the rights of adjacent property owners. No residences directly face the proposed sign. The nearest residence is over 175 feet from the sign location, across Maize Road. Trees in the Maize right-of-way, on residential properties, and on the church site will further screen the proposed sign from the back yards of residences east of the sign and across Maize Road.

HARDSHIP: It is staff's opinion that the strict application of the provisions of the sign code would constitute a hardship upon the applicant. The 20-foot height limit for building signs in SF-5 zoning would prohibit this church from placing a building sign on the most visible portion of the church.

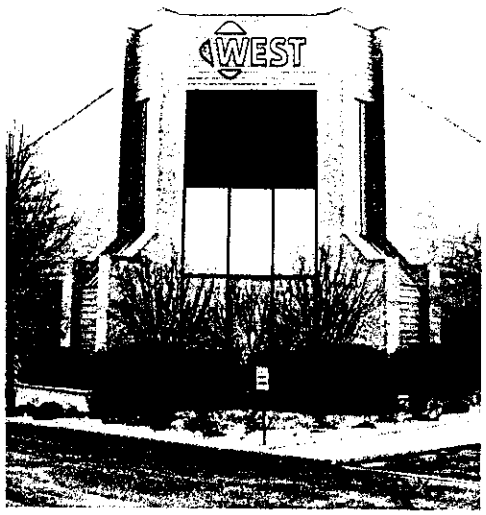
PUBLIC INTEREST: It is staff's opinion that the requested variance to increase the height of a building sign would not adversely affect the public interest. The requested sign height is consistent with commercial zoning along the arterial frontage. Adequate visibility of this sign from Maize is in the public interest.

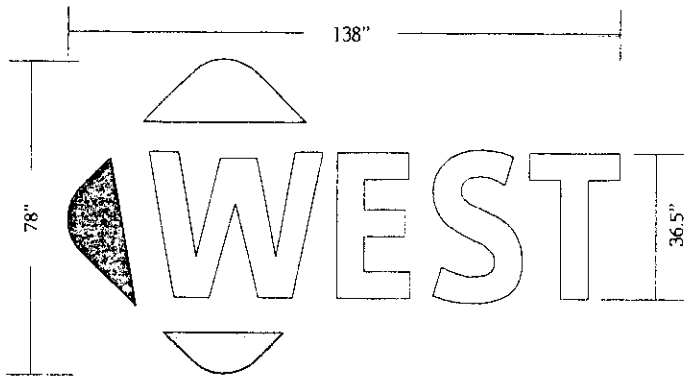
SPIRIT AND INTENT: It is staff's opinion that granting the requested variance for increased building sign height does not oppose the general spirit and intent of the Sign Code. The Sign Code restriction for sign height in residential zoning does not take into consideration larger buildings with arterial street frontage and tall windows. The spirit and intent of the sign code is for adequate identification of facilities without negative effects on surrounding properties, this variance request is consistent with that spirit and intent.

RECOMMENDATION: It is staff's opinion that the requested building sign height increase for a church along North Maize Road is appropriate. Should the Board determine that the conditions necessary for a variance exist, the Secretary recommends that a variance to permit an increase in building sign height from 20 to 45 feet in SF-5 zoning be GRANTED, subject to the following conditions:

1. The sign shall be developed in conformance with the approved site plan and elevation drawing.
2. The applicant shall obtain all permits necessary to construct the sign and the sign shall be erected within one year of the variance granting, unless such time period is extended by the BZA.
3. The above conditions are subject to enforcement by any legal means available to the City of Wichita.

SIGN EE





FAB AND INSTALL (1) SET OF FACE LIT CHANNEL LETTERS AS SHOWN.
5" DEEP ALUMINUM CHANNELS PAINTED DARK BRONZE WITH
BRONZE TRIMCAPS. FLAT WHITE PLEX FACES WITH FIRST SURFACE
DIGITALLY PRINTED TRANSLUCENT VINYL.
WHITE LED ILLUMINATION, 120 VOLTS.
FLUSH MOUNT.

INSTALL SITE:
1161 N. MAIZE RD.
GREG SMITH
721-3653

APPROVED
BZA 2012-37 ELEVATION
William A. Cunningham
Date: 7-25-12

Approved By_____ Date_____ Marketing Approval_____

Please review this drawing carefully.
By signing this you verify the accuracy of all graphics shown with respect to sizes and content. The specifications are correct and represent our order requirements exactly.

TRIMARK
319 S. OAK
WICHITA, KANSAS
(316) 263-2224
FAX (316-263-1463)

Job Name:
West Evangelical Free Church

Job Location:
Wichita, KS

Layout:
westevan03.cdr

Production File:
westevan02.plt

Contact:
Andrea Edwards

Scale:
AS NOTED

Date:
2-17-12

Drawn by:
G.Claussen

Revisions:
2-24-12, 2-29-12, 3-12-12, 3-14-12

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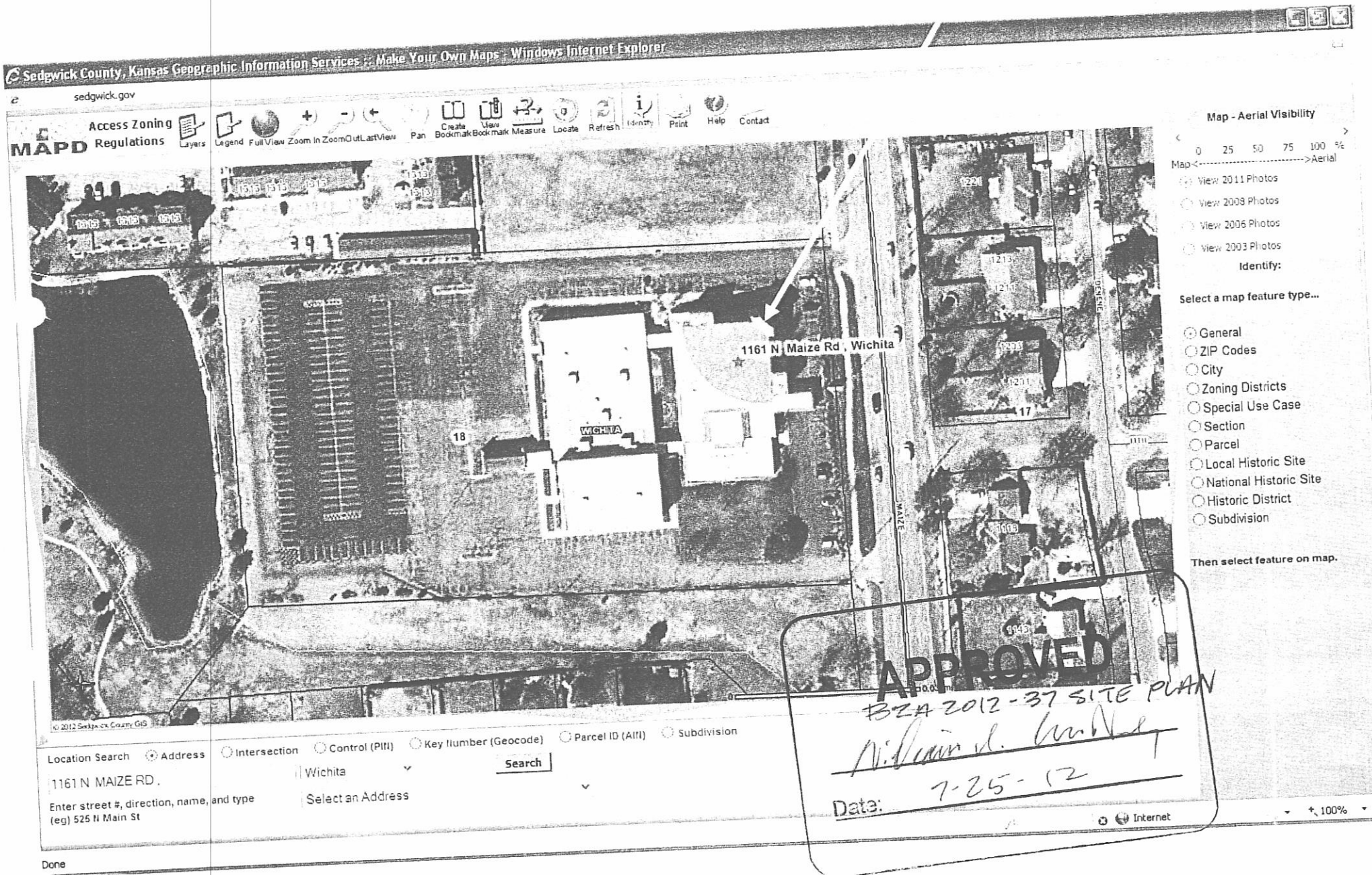
West Evangelical Free Church – Site Plan

Proposed sign to install here
45' above ground