

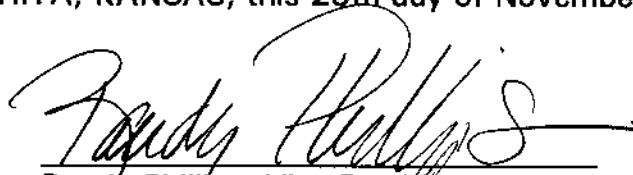
NOW, THEREFORE, BE IT RESOLVED by the Board of Zoning Appeals of the City of Wichita that this request be approved for a variance to increase the size of a sign from 48 square feet to 69 square feet on property zoned the "AA" One-Family Dwelling District and legally described as follows:

Lot 1, Block A, Northwest Christian Church Addition, Wichita, Sedgwick County, Kansas. Generally located at the north side of 21st Street North, 1/4 mile west of Maize Road (10850 W. 21st Street North).

subject to the following conditions:

1. The church shall be permitted only one bulletin board type sign, unless additional variances are requested and granted, and the changeable message area of the sign shall be no larger than 48 square feet. The total size of this bulletin board sign shall be no larger than 69 square feet.
2. The bulletin board sign shall be located along 21st Street North as indicated on the applicant's site plan, in approximately the center of the lot's frontage.
3. The bulletin board sign shall be placed on a solid base constructed with materials and color to match the church structure on the site. The base shall be no taller than 4 feet 8 inches.
4. The bulletin board sign shall be lighted only indirectly and with white light only.
5. The messages displayed on the bulletin board sign shall be limited to those permitted by the sign code.
6. The sign shall be installed within one year, or the resolution granting this variance shall become null and void.

ADOPTED AT WICHITA, KANSAS, this 28th day of November 1995.


Randy Phillips, Vice President

ATTEST:


Louise Olivarez, Secretary

cc: Curtis Roland, Ed Dunn & Sons Inc., 4500 W. Harry, Wichita, KS 67209
Randy Sparkman, OCI
Paul Hays, OCI
Ray Sledge, OCI
Pat Burnett, Deputy City Clerk
Yolanda Anderson, MAPD

SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

CITY HALL — TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202-1888
(316) 268-4421

November 30, 1995

John P. Stinson, Jr
Northwest Christian Church
10850 W. 21st Street North
Wichita, KS 67205

RE: BZA 18-95 Variance to increase the size of a sign from 48 square feet to 69 square feet.

Dear Mr. Stinson, Jr:

Enclosed is a signed copy of the above-referenced BZA Resolution adopted by the Board of Zoning Appeals on November 28, 1995. This resolution reflects the official action of the Board to grant your request and sets out the conditions of approval. It is forwarded to you for your information and files.

This reminder that the zoning adjustment signs should now be removed from the property. If you have any questions concerning this matter, please call our office.

Sincerely yours,

Lawrence P. Mitchell
Assistant Secretary
Board of Zoning Appeals

Enclosure
LPM/le

BACKGROUND: The applicant is requesting a variance to increase the size of a "bulletin board" sign for the Northwest Christian Church from 48 square feet to 69 square feet. Northwest Christian Church is located on a 10-acre lot on the north side of 21st Street North approximately 1/4 mile west of Maize Road. The site has 427 feet of frontage along 21st Street North. The church building is located 335 feet from the 21st Street property line and the applicant has indicated that adequate signage at their 21st Street entrance is important to notify the driving public as to their location. The proposed sign has two components--one which states "Northwest Christian Church" and is 20 square feet in size and a 48-square-foot component, which is composed of four lines of 8-inch on 9-inch changeable track copy. This 48-square-foot component is the maximum size of a sign permitted by code to be allowed at this location for a church. The code requires that "bulletin board" signs shall not exceed 25-square feet except that churches and schools located along designated collector, arterial or expressway streets may have one "bulletin board" sign for each frontage and the sign may not exceed 48-square feet in size.

The applicant has provided the attached detailed drawing of the proposed sign. Since the sign will be for a church and will be located adjacent to 21st Street North, which is classified as an arterial street, the sign can be no larger than 48 square feet. The proposed sign would be attached to two poles with the sign face beginning 4.7 feet above ground level. It may be appropriate to require that the applicant place the bulletin board sign on a solid base, which would match the color and material used for the construction of the church building.

ADJACENT ZONING AND LAND USE:

NORTH:	"R-1"	-	Grass Farm-Cranmer
SOUTH:	"AA"	-	Single-Family Homes
EAST:	"R-1" & "BB"	-	Office (Landscape Contractor) & Grass Farm-Cranmer
WEST:	"R-1"	-	Agriculture

UNIQUENESS: It is the opinion of staff that this property is unique inasmuch as it is 10 acres in size with 427 feet of frontage on a major arterial, and it is being used as a church site even though the property is zoned as "AA" One-Family Dwelling District.

ADJACENT PROPERTY: It is the opinion of staff that the granting of the variance requested will not adversely affect the rights of adjacent property owners inasmuch as the sign will be placed near the center of the site along the 21st Street frontage. This will place the sign 185 feet from the west property line and 242 feet from the east property line. These distances will provide adequate separation from signage that can be placed on adjoining properties thus reducing any adverse impact on those properties.

HARDSHIP: It is the opinion of staff that the strict application of the provisions of the sign ordinance may constitute an unnecessary hardship upon the applicant inasmuch as the applicant would not be able to adequately alert the driving public as to the location of the church building located 335 feet from the front of the zoning lot.

PUBLIC INTEREST: It is the opinion of staff that the requested variance would not adversely affect the public interest inasmuch as the location of the sign will be far enough back from 21st Street and the driveway entrance into the church to not create sight distance problems for motorists and the location does not encroach any utility easements or street right-of-way.

SPIRIT AND INTENT: It is the opinion of staff that the granting of the variance requested would not be opposed to the general spirit and intent of the zoning ordinance inasmuch as the regulations for most uses located on major streets allow for larger signs, based on length of street frontage whereas the residential districts do not have such a provision for an increase above the basic square footage.

RECOMMENDATION: Should the Board determine that all five conditions necessary to the granting of a variance can be found to exist, then it is the recommendation of the Secretary that the variance be granted, subject to the following conditions:

1. The church shall be permitted only one bulletin board type sign, unless additional variances are requested and granted, and the changeable message area of the sign shall be no larger than 48 square feet. The total size of this bulletin board sign shall be no larger than 69 square feet.
2. The bulletin board sign shall be located along 21st Street North as indicated on the applicant's site plan, in approximately the center of the lot's frontage.
3. The bulletin board sign shall be placed on a solid base constructed with materials and color to match the church structure on the site. The base shall be no taller than 4 feet 8 inches.
4. The bulletin board sign shall be lighted only indirectly and with white light only.
5. The messages displayed on the bulletin board sign shall be limited to those permitted by the sign code.
6. The sign shall be installed within one year, or the resolution granting this variance shall become null and void.

SECRETARY'S REPORT

CASE NUMBER: BZA 18-95

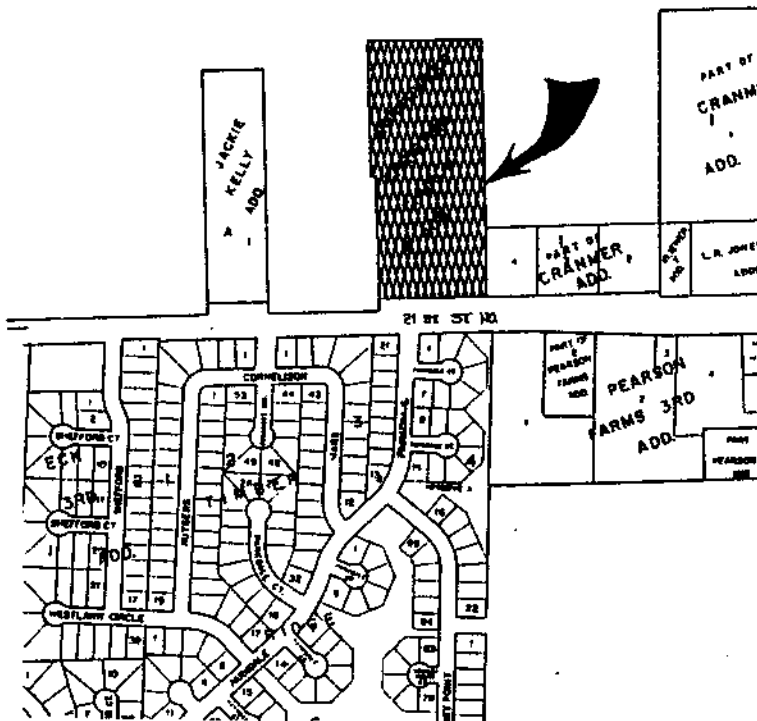
OWNER/APPLICANT: Northwest Christian Church
AGENT: Curtis Roland, Ed Dunn & Sons, Inc.

REQUEST: Variance to increase the size of a sign from 48 square feet to 69 square feet.

CURRENT ZONING: "AA" One-Family Dwelling District.

SITE SIZE: 10.0 Acres

LOCATION: 1/4 mile west of Maize Road on north side of 21st Street North (10850 W. 21st Street North).



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.

BZA RESOLUTION NO. 18-95

WHEREAS, Northwest Christian Church pursuant to Section 2.12.590.B, Code of the City of Wichita, requests a variance to increase the size of a sign from 48 square feet to 69 square feet on property zoned "AA" One-Family Dwelling District and legally described as follows:

Lot 1, Block A, Northwest Christian Church Addition, Wichita, Sedgwick County, Kansas. Generally located at the north side of 21st Street North, 1/4 mile west of Maize Road (10850 W. 21st Street North).

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 November 28, 1995, 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 to the property in question and which is not ordinarily found in the same zone or district; and is not created by an action or actions of the property owners or the applicant inasmuch as it is 10 acres in size with 427 feet of frontage on a major arterial, and it is being used as a church site even though the property is zoned as "AA" One-Family Dwelling District; and

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 inasmuch as the sign will be placed near the center of the site along the 21st Street frontage. This will place the sign 185 feet from the west property line and 242 feet from the east property line. These distances will provide adequate separation from signage that can be placed on adjoining properties thus reducing any adverse impact on those properties; and

WHEREAS, the Board of Zoning Appeals has found that the strict application of the provisions of the sign ordinance of which variance is requested will constitute unnecessary hardship upon the property owners represented in the application inasmuch as the applicant would not be able to adequately alert the driving public as to the location of the church building located 335 feet from the front of the zoning lot; and

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, inasmuch as the location of the sign will be far enough back from 21st Street and the driveway entrance into the church to not create sight distance problems for motorists and the location does not encroach any utility easements or street right-of-way; and

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 sign ordinance inasmuch as the regulations for most uses located on major streets allow for larger signs, based on length of street frontage whereas the residential districts do not have such a provision for an increase above the basic square footage; and

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.