



Wichita-Sedgwick County Metropolitan Area Planning Department

July 21, 2006

N Johnson
125 N Westfield
Wichita, KS 67212

David Mollhagen
Clear Channel Outdoor
3405 N Hydraulic
Wichita, KS 67219

RE: BZA2006-48: Sign Code Adjustment to increase the maximum allowed height of an off-site ground sign to 20 feet above elevated roadway grade to 49 feet.

Legal Description: W 135 feet of Lot 19 and Lot 18, Fairlawn Acres Addition, Wichita, Sedgwick County, Kansas. Generally located SOUTH* of Kellogg and east of Tyler (8535 W Kellogg).

(Legal Description REVISED August 10, 2006)

Dear Applicants:

We have reviewed your request for a Sign Code Adjustment to increase the maximum allowed height of an off-site ground sign on the aforementioned property. From reviewing your application, we understand that you propose to increase the height of an existing sign to 20 feet above the adjacent elevated highway to improve visibility above the highway rail on the site. The submitted exhibits illustrate increased sign height to 49', above the permitted 30'.

Section 24.04.251.2.h. of the Sign Code allows an adjustment to increase the maximum height of an on-site sign up to 20 feet above the railing on an abutting elevated freeway. The requested adjustment is allowable when the three conditions required by Section 24.04.251.6. of the Sign Code are met. We find that increasing the height of the sign as proposed meets the three conditions required by Section 24.04.251.6. of the Sign Code as set out below:

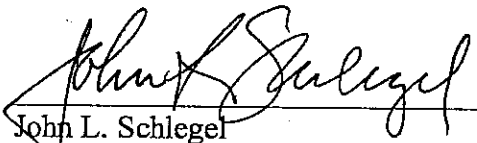
- 1) Impact on existing uses in surrounding areas: The surrounding area is zoned GC and developed with a mixture of commercial uses along Kellogg. Increasing the permitted height of the sign should not adversely impact the existing uses.

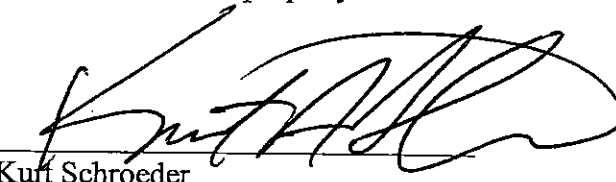
- 2) Compatibility with existing or permitted uses on abutting sites: The increased height of the sign should not make the sign incompatible with existing or future development on adjacent properties, as the sign is within the allowable adjusted height.
- 3) Effect on public health, safety or welfare: There will be no encroachment into public utility easements or right-of-way; therefore, there should not be a negative 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 maximum allowed height of a ground sign to 20 feet above an abutting elevated freeway, to 35 feet, is hereby granted, subject to the following conditions:

- 1) Signage on the property shall comply with all Sign Code regulations except that it shall be permitted at a maximum height of 49 feet. Said sign shall generally conform to the location, size, and design of the approved site plan and elevation drawings.
- 2) If the Zoning Administrator finds that there is a violation of any of the conditions of the Zoning Adjustment, the Zoning Administrator, in addition to enforcing the other remedies set forth in the Unified Zoning Code, may, with the concurrence of the Planning Director, declare that the Zoning Adjustment is null and void.

The "Development Application" sign should now be removed from the property.


John L. Schlegel
Planning Director


Kurt Schroeder
Superintendent of Central Inspection

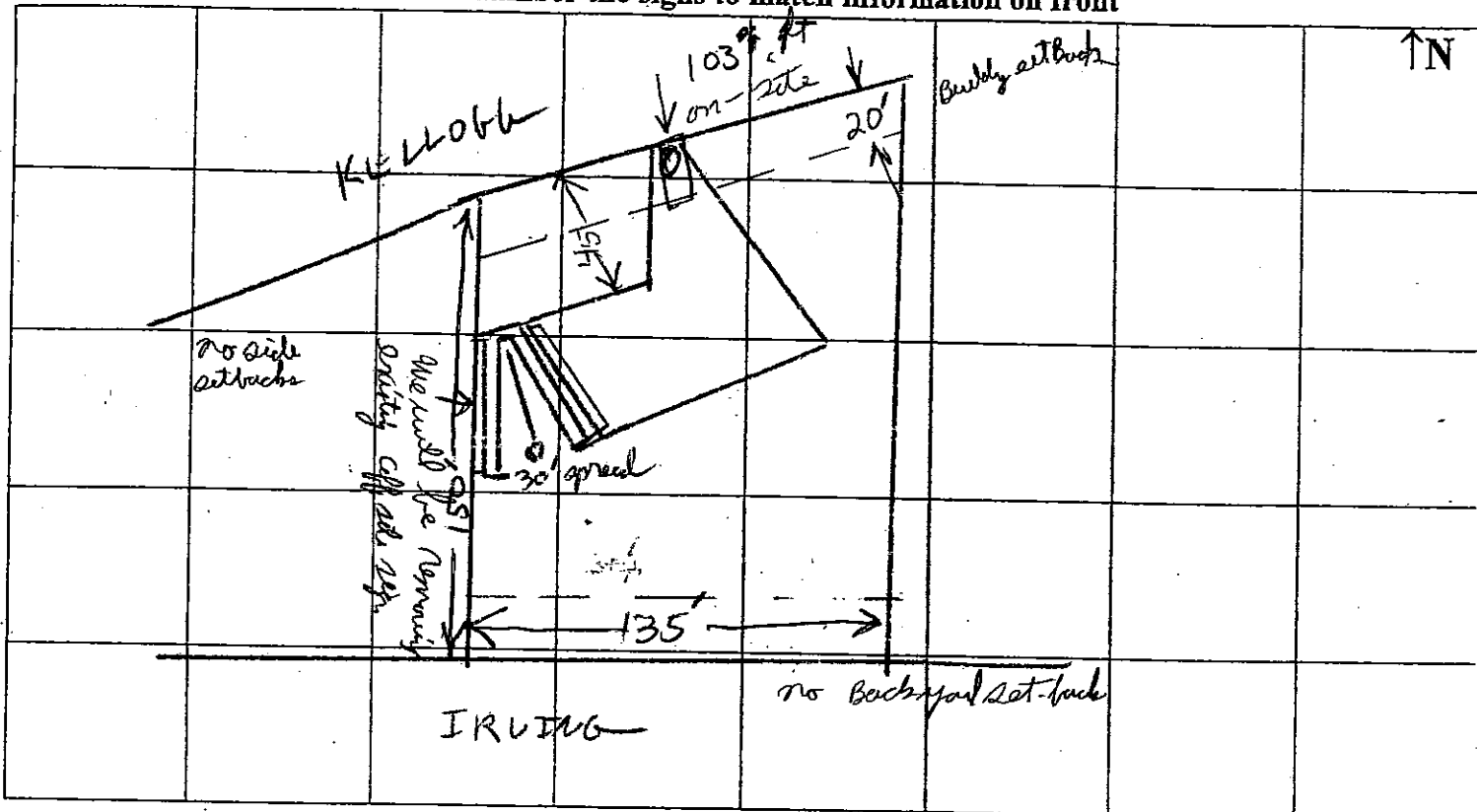
Enclosure

cc: Kurt Schroeder, Office of Central Inspection
Randy Sparkman, Office of Central Inspection
~~Jan Lister, Office of Central Inspection~~

Site Plan: Locate signs and street name (Refer to Ordinances 24.04.200 - [driveways] & 24.04.220 [T] [intersections]). Include all existing sign locations, distances, separations, square footages, etc.)

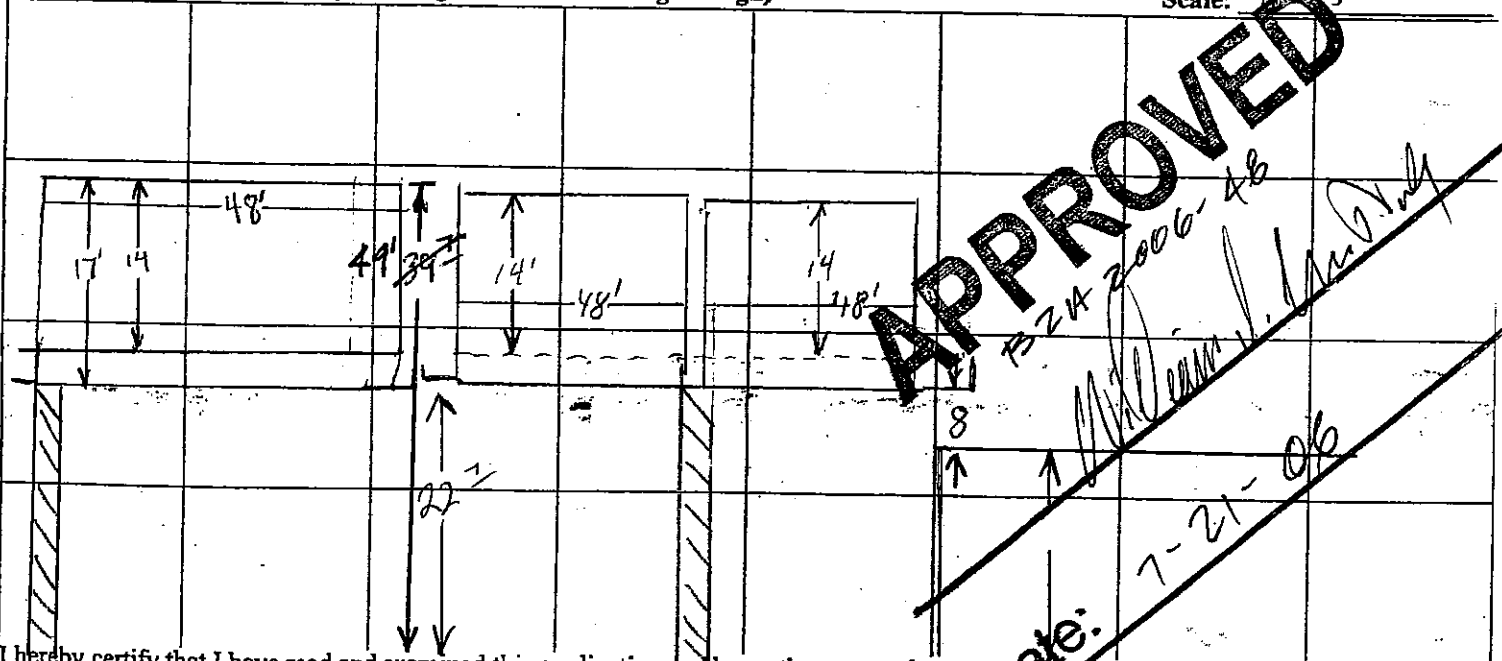
FAILURE TO SHOW ALL REQUIRED MEASUREMENTS AND INFORMATION SHALL BE CAUSE TO REJECT THIS PERMIT APPLICATION

Please number the signs to match information on front



Sign Design (dimensions, height from ground to lower edge of sign)

Scale: 1/8" = 1'



I hereby certify that I have read and examined this application and know the same to be true and correct. All provisions of laws and ordinances governing this type of work will be complied with whether specified herein or not. The granting of a permit does not presume to give authority to violate or cancel the provisions of any other federal, state, or local law regulating construction or the performance of construction.

Signature David W. Kelly

Date 7-21-06

OFFICE USE ONLY